

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 12, 1998**

**ONE HUNDRED SEVENTY-SIXTH SESSION DAY**

**FOUR HUNDRED SIXTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Thursday, March 12, 1998

The Assembly met at 10:35 a.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Ortiz moved a quorum call of the Assembly.

Motion carried. Time, 10:36 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

#### Quorum Present

At 10:50 a.m., Speaker pro Tempore Kuehl declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—62:

Ackerman	Ducheny	Leonard	Prenter
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Aroner	Floyd	Martinez	Scott
Ashburn	Gallegos	Mazzoni	Shelley
Baca	Granlund	McClintock	Strom-Martin
Baldwin	Haveice	Migden	Thomson
Battin	Hertzberg	Miller	Torlakson
Baugh	Honda	Morrissey	Vincent
Bowler	House	Olberg	Washington
Brown	Kaloogian	Oller	Wayne
Cardenas	Keeley	Ortiz	Wildman
Cardoza	Knox	Pacheco	Woods
Cedillo	Kuehl	Papan	Wright
Cunneen	Leach	Perata	
Davis	Lempert	Poohigian	

**PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O Lord in Heaven, We pray to You with a repentant heart looking for the remission of our sins. Deliver us from every evil, every need and every difficult situation. Fill us with Your blessings, the fountain of blessings, in both the present and the future. Lord, You have given us the air to breathe and the sun to warm our faces and we look to You with hope and with great expectation of Your salvation.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kuehl, Assembly Member Washington then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Scott, seconded by Assembly Member Aguiar.

**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 Alquist, Bowen, Brewer, Bustamante, Firestone, Frusetta, Kuykendall, Morrow, Murray, Napolitano, Takasugi, and Villaraigosa.*

*On legislative business, and waiving per diem: Assembly Member Sweeney.*

*On personal business, and waiving per diem: Assembly Members Bordonaro, Campbell, Goldsmith, Pringle, and Thompson.*

**EXPLANATIONS OF ABSENCE**

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

March 11, 1998

*The Honorable Antonio Villaraigosa*  
*Speaker*

*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Villaraigosa,

I am writing to respectfully request that I be excused from Floor Session on March 12, 1998 in order to conduct legislative business in my district. I have been invited to be a key participant in the Conference on U.S.-Regional Cooperation hosted by Vice President Gore and Russian Prime Minister Chernomyrdin at San Jose State University. The conference will be attended by elected officials and business representatives from California, Alaska, Oregon, Washington, and British Columbia, as well as officials from the Russian states of Khabarovsk, Sakhalin, Magadan, and Pimoskiy.

If you have any questions, please feel free to call me at 445-4253. Thank you for your consideration in this matter.

Sincerely,

ELAINE ALQUIST, Assembly Member  
Twenty-second District

March 5, 1998

*The Honorable Antonio Villaraigosa*  
*Speaker of the Assembly*

*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker: I respectfully request that I be excused from session on Thursday, March 12, 1998. I must attend to legislative business in my district that cannot be rescheduled.

Feel free to contact me should you have any questions.

Sincerely,

DEBRA BOWEN, Assembly Member  
Fifty-third District

March 11, 1998

*The Honorable Antonio R. Villaraigosa*  
*Speaker of the Assembly*

*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Villaraigosa: I am respectfully requesting to be excused from Assembly Floor Session, Thursday, March 12, 1998, due to legislative business in my District Office.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at 445-7222.

Sincerely,

MARILYN C. BREWER, Assembly Member  
Seventieth District

March 11, 1998

*Antonio R. Villaraigosa*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Villaraigosa: I respectfully request to be excused from session on Thursday, March 12, 1998, on legislative business. If you have any questions you may contact Diane Griffiths at 319-2031. Thank you for your assistance in this matter.

Sincerely,

CRUZ M. BUSTAMANTE, Assembly Member  
Thirty-first District

March 12, 1998

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

Dear Mr. Speaker: This letter is to request that I be excused from Session Thursday, March 12, 1998, on legislative business.

I appreciate your attention to this issue. Please feel free to contact me should you have any questions or comments.

Best Regards,

BROOKS FIRESTONE, Assembly Member  
Thirty-fifth District

March 11, 1998

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

Dear Mr. Speaker: I humbly request to be excused from session March 12, 1998 in order for me to attend to legislative business in my district. As you know, all my counties have been declared state of emergencies, and there is considerable work underway by myself and my office to coordinate and assist flood clean up efforts.

Thank you for your consideration, and please call me if you have any questions.

Sincerely,

PETER FRUSETTA, Assembly Member  
Twenty-eighth District

March 11, 1998

*Hon. Antonio Villaraigosa  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Villaraigosa: On March 12th, 1998, I will be out of town to attend a meeting. I respectfully request that my absence be approved as legislative business in the district.

Thank you for your consideration of this matter. If there are any questions, please do not hesitate to contact me at 445-9234.

Sincerely,

STEVEN T. KUYKENDALL, Assembly Member  
Fifty-fourth District

March 12, 1998

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

Dear Assemblyman Antonio Villaraigosa,

Please excuse my absence from floor session on March 12, 1998, as I will be in my district on legislative business.

BILL MORROW, Assembly Member  
Seventy-third District

March 3, 1998

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

Dear Mr. Speaker: I respectfully request to be excused from Legislative Session, Thursday, March 12, 1998 so that I may attend to legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

KEVIN MURRAY, Assembly Member  
Forty-seventh District

March 12, 1998

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

Dear Mr. Speaker: This letter is to respectfully request to be excused from Session on Thursday, March 12, 1998 on legislative business.

Thank you.

Yours sincerely,

GRACE F. NAPOLITANO, Assembly Member  
Fifty-eighth District

March 9, 1998

*Hon. Antonio Villaraigosa  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: This is to request that I be excused from floor session on Thursday, March 12, 1998 due to legislative business. I have been invited to welcome a delegation from Japan at an event at Green Foods Corporation in my district.

Thank you for your favorable consideration of my request.

Sincerely,

NAO TAKASUGI, Assembly Member  
Thirty-seventh District

March 12, 1998

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

Dear Mr. Speaker: I respectfully request that my per diem be waived for Thursday, March 12, 1998, due to legislative business in my district.

Respectfully,

MICHAEL SWEENEY, Assembly Member  
Eighteenth District

March 12, 1998

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

Dear Mr. Wilson: Please be advised that I will be in my district on legislative business today and will not be able to attend session.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

**COMMUNICATIONS**

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

March 10, 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 changes to the following committees:

*Governmental Organization*

Expanding the committee from 15 to 16 members and appointing Assembly Member Cruz M. Bustamante.

*Health*

Expanding the committee from 21 to 22 members and appointing Assemblymember Cruz M. Bustamante.

*Insurance*

Expanding the committee from 15 to 16 members and appointing Assemblymember Cruz M. Bustamante.

*Utilities and Commerce*

Expanding the committee from 13 to 14 members and appointing Assemblymember Cruz M. Bustamante.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

March 12, 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 Wally Knox to the Assembly Rules Committee to fill the vacancy for today, March 12, 1998, only.

Thank you for your attention to this request.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 12, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1650

Assembly Bill No. 1730

Assembly Bill No. 1689

Assembly Bill No. 1755

Assembly Bill No. 1699

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.



Assembly Chamber, March 12, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1669

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 12, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 92

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**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>
<b>1764</b> -----	G.O.
<b>1817</b> -----	Health and Hum. S.
<b>1823</b> -----	C.P.,G.E. & E.D. and Jud.
<b>1855</b> -----	C.P.,G.E. & E.D.
<b>1865</b> -----	Jud.
<b>1920</b> -----	Ed.
<b>1946</b> -----	L. Gov.
<b>1958</b> -----	Jud.
<b>1961</b> -----	Jud. and Hum. S.
<b>1969</b> -----	G.O. and Pub. S.
<b>1989</b> -----	G.O. and Pub. S.
<b>1991</b> -----	G.O.
<b>1999</b> -----	Pub. S.
<b>2042</b> -----	Jud.
<b>2044</b> -----	C.P.,G.E. & E.D.
<b>2059</b> -----	Hum. S.
<b>2068</b> -----	Pub. S.
<b>2091</b> -----	Pub. S. and Jud.
<b>2092</b> -----	Rev. & Tax.
<b>2093</b> -----	Jud. and Hum. S.
<b>2094</b> -----	Jud. and Hum. S.
<b>2095</b> -----	Jud.
<b>2096</b> -----	G.O.
<b>2097</b> -----	G.O.
<b>2099</b> -----	P.E.,R. & S.S.
<b>2101</b> -----	Pub. S.
<b>2102</b> -----	Pub. S. and Ed.
<b>2103</b> -----	Health
<b>2104</b> -----	Pub. S.
<b>2105</b> -----	W.,P. & W. and G.O.
<b>2106</b> -----	Health
<b>2107</b> -----	Rev. & Tax.
<b>2108</b> -----	Rev. & Tax.
<b>2109</b> -----	Rev. & Tax.
<b>2110</b> -----	Rev. & Tax.

2111	-----	W.,P. & W.
2112	-----	U. & C.
2120	-----	Health
2121	-----	Health
2122	-----	Health
2123	-----	Ins.
2125	-----	Health
2127	-----	Pub. S.
2128	-----	C.P.,G.E. & E.D.
2129	-----	B. & F.
2130	-----	Health
2131	-----	Rev. & Tax.
2132	-----	Trans.
2133	-----	Pub. S.
2134	-----	Jud. and U. & C.
2135	-----	W.,P. & W.
2137	-----	Trans.
2138	-----	Ed.
2139	-----	L. & E. and Jud.
2140	-----	Trans.
2142	-----	U. & C.
2143	-----	Pub. S.
2144	-----	Rev. & Tax.
2145	-----	Ed.
2146	-----	Pub. S.
2147	-----	L. Gov.
2150	-----	Jud.
2151	-----	Hum. S. and Pub. S.
2152	-----	Ins.
2153	-----	Ins.
2154	-----	Pub. S.
2155	-----	Hum. S.
2156	-----	L. & E.
2157	-----	Jud.
2158	-----	L. Gov.
2159	-----	E.,R. & C.A.
2161	-----	Ed. and TV.A. & I.T.
2162	-----	Ins.
2163	-----	Ins.
2164	-----	Ins.
2165	-----	Rev. & Tax.
2166	-----	Pub. S.
2168	-----	Higher Ed.
2169	-----	Jud. and Hum. S.
2171	-----	Health
2172	-----	Pub. S.
2173	-----	Ins.
2174	-----	E.,R. & C.A.
2175	-----	Health
2176	-----	Trans.
2178	-----	Pub. S.
2179	-----	E.,R. & C.A.
2181	-----	Nat. Res.
2182	-----	W.,P. & W.

2184	-----	Ins.
2185	-----	Ed.
2187	-----	Pub. S.
2188	-----	Pub. S.
2189	-----	Trans.
2190	-----	Jud.
2191	-----	L. & E.
2192	-----	Trans. and E.S. & T.M.
2193	-----	G.O.
2194	-----	Trans.
2196	-----	Jud.
2197	-----	Trans.
2198	-----	Hum. S.
2199	-----	Ed.
2201	-----	Pub. S.
2202	-----	G.O.
2203	-----	Hum. S.
2204	-----	Pub. S.
2205	-----	Rev. & Tax.
2206	-----	G.O.
2207	-----	Jud.
2208	-----	Rev. & Tax. and Jud.
2209	-----	Jud.
2210	-----	Higher Ed.
2211	-----	Health and Ins.
2212	-----	Pub. S.
2213	-----	Higher Ed.
2214	-----	Higher Ed.
2215	-----	Ed.
2216	-----	Higher Ed. and Ed.
2217	-----	Ed.
2218	-----	Agri.
2219	-----	Rev. & Tax.
2220	-----	H. & C.D.
2221	-----	Rev. & Tax.
2222	-----	Trans.
2224	-----	Ed.
2226	-----	Ed.
2227	-----	W.,P. & W.
2229	-----	E.S. & T.M.
2230	-----	W.,P. & W.
2231	-----	E.S. & T.M.
2232	-----	E.,R. & C.A.
2233	-----	Ed.
2234	-----	Hum. S.
2236	-----	Trans.
2237	-----	Nat. Res.
2238	-----	L. Gov.
2239	-----	Jud.
2240	-----	L. Gov.
2241	-----	Ed.
2242	-----	G.O.
2243	-----	Health
2244	-----	C.P.,G.E. & E.D.

2245	-----	B. & F. and Jud.
2247	-----	Rev. & Tax.
2248	-----	Jud.
2249	-----	Rev. & Tax.
2250	-----	Rev. & Tax.
2251	-----	C.P.,G.E. & E.D.
2252	-----	Agri.
2254	-----	Hum. S.
2255	-----	Trans.
2256	-----	Health
2258	-----	Rev. & Tax.
2259	-----	Pub. S.
2260	-----	Health
2261	-----	Pub. S.
2262	-----	Ed.
2264	-----	Health
2265	-----	B. & F. and Jud.
2267	-----	Rev. & Tax.
2268	-----	Trans. and Ins.
2269	-----	Jud.
2270	-----	Ins.
2271	-----	Pub. S.
2272	-----	Trans.
2273	-----	U. & C.
2274	-----	Ed.
2275	-----	C.P.,G.E. & E.D.
2276	-----	E.,R. & C.A.
2277	-----	C.P.,G.E. & E.D.
2278	-----	C.P.,G.E. & E.D.
2279	-----	Jud.
2280	-----	Jud.
2281	-----	E.,R. & C.A.
2282	-----	Health
2284	-----	Ed.
2285	-----	G.O.
2286	-----	Hum. S.
2287	-----	Pub. S.
2288	-----	L. Gov.
2289	-----	Ed.
2290	-----	Ed.
2291	-----	Ed.
2292	-----	B. & F. and Jud.
2293	-----	Pub. S.
2295	-----	P.E.,R. & S.S.
2296	-----	G.O.
2297	-----	G.O.
2300	-----	B. & F.
2483	-----	G.O.

*Assembly Constitutional*

<i>Amendment No.</i>	<i>Committee</i>
<b>31</b> -----	G.O.
<b>32</b> -----	Rls.
<b>33</b> -----	W.,P. & W.
<b>35</b> -----	C.P.,G.E. & E.D.
<b>36</b> -----	Health

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>80</b> -----	Rls.

*Senate*

<i>Bill No.</i>	<i>Committee</i>
<b>14</b> -----	Jud. and Rev. & Tax.
<b>1098</b> -----	Jud. and L. & E.

**AUTHOR'S AMENDMENTS**  
**Committee on Local Government**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Assembly Bill No. 1681  
Assembly Bill No. 1774

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

SWEENEY, Chairman

**ASSEMBLY BILL NO. 1681**—An act to amend Section 76102 of the Government Code, relating to law enforcement.

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.

**ASSEMBLY BILL NO. 1774**—An act to amend Section 53260 of the Government Code, relating to local agency employees.

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 Education**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 1721

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 1721**—An act to add Section 41209 to the Education Code, relating to 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.

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

March 12, 1998

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

Assembly Bill No. 1693

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

HERTZBERG, Chairman

**ASSEMBLY BILL NO. 1693**—An act to amend Section 12022.1 of the Penal Code, relating to punishment.

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 Health**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1644

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

GALLEGOS, Chairman

**ASSEMBLY BILL NO. 1644**—An act to amend Sections 56.05 and 56.26 of, to amend the heading of Chapter 3 (commencing with Section 56.20) of Part 2.6 of Division 1 of, and to add Sections 56.01 and 56.106 to, the Civil Code, relating to private information.

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 Health**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1748

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

GALLEGOS, Chairman

**ASSEMBLY BILL NO. 1748**—An act to add Chapter 1 (commencing with Section 125700) to Part 8 of Division 106 of the Health and Safety Code, relating to osteoporosis.

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 Public Safety**

March 12, 1998

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

Assembly Bill No. 1745

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

HERTZBERG, Chairman

**ASSEMBLY BILL NO. 1745**—An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

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 12, 1998

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

Assembly Bill No. 1629

Assembly Bill No. 1676

Assembly Bill No. 1770

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

DAVIS, Chairwoman

**ASSEMBLY BILL NO. 1629**—An act to add Section 17538.45 to the Business and Professions Code, relating to advertising.

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.

**ASSEMBLY BILL NO. 1676**—An act to amend Section 17538.4 of the Business and Professions Code, relating to advertising.

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.

**ASSEMBLY BILL NO. 1770**—An act to amend Section 10177 of the Business and Professions Code, relating to real estate licenses.

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 12, 1998

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1618

Assembly Bill No. 1672

Assembly Bill No. 1765

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

KNOX, Chairman

**ASSEMBLY BILL NO. 1618**—An act to add Section 17043 to 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.

**ASSEMBLY BILL NO. 1672**—An act to amend Section 6471 of the Revenue and Taxation Code, relating to taxation.

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.

**ASSEMBLY BILL NO. 1765**—An act to amend Section 6380 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 Education**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1727

Assembly Bill No. 1746

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 1727**—An act to amend Section 17280 of the Education Code, relating to 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.

**ASSEMBLY BILL NO. 1746**—An act to amend Section 52122.1 of the Education Code, relating to class size reduction, and declaring the urgency thereof, to take effect immediately.

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 12, 1998

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 591

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

MIGDEN, Chairwoman

**SENATE BILL NO. 591**—An act to amend Section 12076 of the Penal Code, and to amend Sections 6011 and 6012 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 Transportation**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Transportation reports:

Senate Bill No. 619

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

MURRAY, Chairman

**SENATE BILL NO. 619**—An act to amend Sections 4456 and 9553 of the Vehicle Code, relating to vehicles.

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 Public Employees, Retirement and Social Security**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 615

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

HONDA, Chairman

**SENATE BILL NO. 615**—An act to amend Sections 18903, 19056.5, 19141, 19142, 19702, 19786, 19798, 19815.41, 19816.2, 19817, 19841, 19994, 19994.1, 19994.2, 19997, 19997.3, 19997.4, 19997.5, 19997.6, 19997.7, 19997.8, 19997.11, 19997.13, and 22822 of, to add Sections 18523.1, 19170.1, 19818.7, 19818.11, and 22955 to, and to add Article 2.1 (commencing with Section 21078) to Chapter 12 of Part 3 of Division 5 of Title 2 of, the Government Code, and to add Section 10295.1 to the Public Contract Code, relating to state employees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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 12, 1998

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Senate Bill No. 489

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

ESCUTIA, Chairwoman

**SENATE BILL NO. 489**—An act to add Section 2166.5 to the Elections Code, and to add Chapter 3.1 (commencing with Section 6205) to Division 7 of Title 1 of the Government Code, relating to domestic violence victims, 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 Health**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Health reports:

Senate Bill No. 1032

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

GALLEGOS, Chairman

**SENATE BILL NO. 1032**—An act to amend Section 690 of the Business and Professions Code, relating to health.

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 Health**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Health reports:

Senate Bill No. 983

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

GALLEGOS, Chairman

**SENATE BILL NO. 983**—An act to add Section 14094.31 to the Welfare and Institutions Code, relating to human services.

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 Education**

Date of Hearing: March 4, 1998

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1665

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

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 4, 1998

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1620

Assembly Bill No. 1649

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

MAZZONI, Chairwoman

Above bills ordered to second reading.

Date of Hearing: March 4, 1998

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1653

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Televising the Assembly and Information Technology

MAZZONI, Chairwoman

Above bill ordered to second reading.

**Committee on Transportation**

Date of Hearing: March 2, 1998

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1657

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

MURRAY, Chairman

Above bill ordered to second reading.

Date of Hearing: March 2, 1998

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1624

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

MURRAY, Chairman

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: March 3, 1998

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1706

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 Rules**

Date of Hearing: March 12, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 111

With the recommendation: Be adopted.

PERATA, Chairman

Above resolution ordered on file.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 12, 1998

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

Assembly Bill No. 759

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

Above bill ordered enrolled.

Senate Chamber, March 12, 1998

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 519

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

**SPECIAL COMMITTEE MEETINGS**

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

Budget Subcommittee No. 2, on March 17, 1998, at 2 p.m., instead of 4 p.m.;

Elections, Reapportionment and Constitutional Amendments, on April 3, 1998, in Los Angeles;

Human Services, on March 17, 1998, from 9 a.m.–11 a.m.;

Human Services, on March 26, 1998 at Noon, or upon adjournment of Floor Session;

Water, Parks and Wildlife and Senate Agriculture and Water Resources, on March 17, 1998, in Room 4203, at 9:30 a.m.

**COMMITTEE ROOM CHANGE**

Budget Subcommittee No. 2 was permitted to change hearing room location to Room 447.

**ADJOURN IN MEMORY**

Assembly Member Papan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sharon Leuenberger, of Hillsborough.

**WOMAN OF THE YEAR CEREMONY SET FOR SPECIAL ORDER**

Assembly Member Shelley was granted unanimous consent that the annual "Woman of the Year Ceremony" be made a special order of business for Monday, March 16, 1998, at 10:30 a.m.

**ADJOURN IN MEMORY**

Assembly Member Brown was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William Wilson, Jr., of Vallejo; and Jack Davies, of Calistoga.

Assembly Member Cardoza was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John O'Banion, of Dos Palos.

Assembly Member Floyd was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert L. Hanna, of Penn Valley, and was granted unanimous consent that the following statement be printed in the Journal:

*Robert Lee Hanna*

Robert Lee Hanna retired in 1992 as Executive Secretary-Treasurer of the California State Council of Carpenters.

Robert Hanna was born 1925 in Newell, West Virginia, and raised in Ohio. He achieved Life Scout status as a member of the Boy Scouts of America and served as Cub Master of Troop No. 38 in East Liverpool, Ohio.

Mr. Hanna joined the Civilian Conservation Corps (CCC) in 1941. He received an honorable discharge from the CCC in November, 1941, and then enlisted in the United States Marine Corps where, as a member of the First Marine Division, Fifth Marine Regiment. He saw action during the invasion of Guadalcanal, Cape Gloucester, and Peleleu.

Following his honorable discharge from the Marine Corps in 1945, he became an apprentice carpenter with Local 328 in Ohio. Upon completion of his apprentice training, he was recalled to active duty during the Korean war. He returned to Ohio to work as a carpenter after his second honorable discharge from the Marine Corps; and

In 1956, Mr. Hanna transferred his book from Ohio to California Carpenter's Local 844 and worked as a Foreman and Superintendent in the San Fernando Valley area. In 1959, he became President of Local 844, and in 1960 he was elected Business Representative.

In 1963, Robert was elected as the President of the Los Angeles District Council of Carpenters. He went on to become a full-time representative of the Los Angeles District Council of Carpenters.

Mr. Hanna served as a member of the Executive Board of the Los Angeles County Federation of Labor, AFL-CIO, and in 1968 he became a full time Director of the Los Angeles County Federation of Labor, AFL-CIO Committee on Political Education. In 1962 he co-founded and served as the First Chair of the Valley Labor Political Education Committee.

In 1970 he became Legislative Advocate and President of the California State Council of Carpenters and in 1986 he was elected to the position of Executive Secretary-Treasurer. This was the position he held at the time of his retirement in 1992.

Mr. Hanna was appointed as a committee member on the California Police Relations Commission; the Housing Industry Task Force; the Prison Industries Board; the California State Job Training Coordinating

Council; and the State Industrial Welfare Commission.

Mr. Hanna was active in numerous community and charitable organizations, including the Legislative Marines in Sacramento; the Free and Accepted Masons of California; the American Legion; the Comstock Club; the Derby Club; the Institute of Governmental Advocates; the Community Chest; United Way; the American Red Cross and various Masonic charities.

Throughout his long and successful career as a Union Leader, Robert was committed to improving conditions for working men and women. Through his accomplishment, he brought great credit and distinction to himself and the union movement.

#### **ADJOURN IN MEMORY**

Assembly Member Bowler was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Herbert E. Ellingwood, of Reno, NV.

Assembly Member Granlund was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Peggy Hadley, of Banning.

Assembly Member Honda was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roberta Gardella, of Los Altos.

Assembly Member Margett was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Brian G. Cressner and Yuta P. Kurashi, students at Pomona College.

Assembly Member Shelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Lynch, of San Francisco.

**At 10:58 a.m., Assistant Speaker pro Tempore Joe Baca,  
62nd District, presiding**

#### **ADJOURN IN MEMORY**

Assembly Member Oller was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tom Gamar, of Roseville.

Assembly Member Prenter was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elizabeth "Bette" Stout, of Delano.

Speaker pro Tempore Kuehl was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of L.A. Fire Chief "Emeritus" Keith E. Klinger, of San Clemente.

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS**

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21 RECONSIDERED  
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Papan was granted unanimous consent that the vote be reconsidered whereby Assembly Constitutional Amendment No. 21 was refused adoption.

**Further Consideration of  
Assembly Constitutional Amendment No. 21**

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21 (Papan)**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (c) of Section 8 and Section 12 of, by amending and repealing Section 2 of, and by adding Section 2.1 to, Article IV thereof, and by amending Section 7 of Article XX thereof, relating to state government.

Resolution read third time.

**Motion to Amend**

Assembly Member Papan moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted, and to be returned to the third reading file.

**ADJOURN IN MEMORY**

Speaker pro Tempore Kuehl was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of WAC Sergeant Johnnie Phelps, of Los Angeles, and that the following be printed in the Journal:

*Memory of Johnnie Phelps 1922–1997*

*World War II WAC Sergeant Johnnie Phelps, in response to a request from General Eisenhower that she ferret out the lesbians in her battalion:*

*Yessir. If the General pleases I will be happy to do this investigation. . . . But, sir, it would be unfair of me not to tell you, my name is going to head the list. . . . You should also be aware that you're going to have to replace all the file clerks, the section heads, most of the commanders, and the motor pool. . . . I think you should also take into consideration that there have been no illegal pregnancies, no cases of venereal disease, and the General himself has been the one to award good conduct commendations and service commendations to these members of the WAC detachment.*

General Eisenhower: *Forget the order.*

—Bunny MacCulloch interview with Johnnie Phelps, 1982

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Davis was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**RECESS FOR SPECIAL GUESTS**

By unanimous consent, at 11:06 a.m., Assistant Speaker pro Tempore Baca declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Davis introduced Mr. Hitoshi Tanaka, Consul General of Japan, whereupon he then addressed the assemblage.

**At 11:05 a.m., Hon. Gil Cedillo, 46th District, presiding**

\* \* \*

Speaker pro Tempore Kuehl introduced internationally renowned Latin jazz and salsa percussionist Poncho Sanchez, and presented a resolution commending his outstanding musical talent and ability and the success he has achieved in his career.

Poncho Sanchez then addressed the assemblage.

**REASSEMBLED**

At 11:09 a.m., the Assembly reconvened.

Hon. Gil Cedillo, Assembly Member, 46th District, presiding.

**ADJOURN IN MEMORY**

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lt. Kelly E. Mackey, Lt. John Lee, Lt. (junior grade) Kent E. Koontz, Lt. (junior grade) Donald M. Hillegas, and Aviation Anti-Submarine Warfare operator 3rd class Daniel R. Garber.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 168 BY UNANIMOUS CONSENT**

Assembly Member Torlakson was granted unanimous consent to take up Assembly Bill No. 168, out of order, for purpose of consideration of Senate amendments.

**ASSEMBLY BILL NO. 168 (Tarlakson)**—An act to amend Sections 12206, 17058, and 23610.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—56**

Ackerman	Ducheny	Leonard	Prenter
Aguiar	Escutia	Machado	Richter
Alby	Figueroa	Margett	Runner
Aroner	Floyd	Martinez	Scott
Ashburn	Gallegos	Mazzoni	Shelley
Baca	Havice	Migden	Strom-Martin
Baldwin	Hertzberg	Miller	Thomson
Baugh	Honda	Morrissey	Torlakson
Brown	Kaloogian	Olberg	Vincent
Cardenas	Keeley	Ortiz	Washington
Cardoza	Knox	Pacheco	Wayne
Cedillo	Kuehl	Papan	Wildman
Cunneen	Leach	Perata	Woods
Davis	Lempert	Poochigian	Wright

**NOES—None**

Above bill ordered enrolled.

**CONSIDERATION OF SENATE BILL NO. 44 BY UNANIMOUS CONSENT**

Assembly Member Keeley was granted unanimous consent to take up Senate Bill No. 44, out of order.

**SENATE BILL NO. 44 (Maddy)**—An act to amend Section 19568 of, and to add Section 19617.6 to, the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

**Parliamentary Inquiry**

Assembly Member Brown arose to the following parliamentary inquiry:

Is it the intention of the Chair to take up consideration of the Daily File, or are measures being taken up at the request of authors?

**Reply by Acting Speaker Cedillo**

The Acting Speaker replied that the question is being decided by the leadership.

Bill read third time, and presented by Assembly Member Keeley.

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Keeley moved a call of the Assembly.

Motion carried. Time, 11:14 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ORDERS OF THE DAY DEMANDED**

Assembly Member Martinez demanded the Orders of the Day.

**Demand Withdrawn**

Assembly Member Martinez withdrew her demand for the Orders of the Day.

At 11:17 a.m., Speaker pro Tempore Sheila James Kuehl, 41st District, presiding

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 918**, on request of Assembly Member Leach.

**BILLS REMOVED FROM CONSENT CALENDAR AND PLACED UPON THE INACTIVE FILE**

The following bill was removed from the Consent Calendar pursuant to Joint Rule 22.2, and placed upon the inactive file pursuant to Assembly Rule 78:

Senate Bill No. 1186, on request of Assembly Member Hertzberg.

**SPECIAL RECOGNITION**

The Members of the Assembly joined in extending best wishes to Assembly Members Machado and Murray on the occasion of their birthdays.



**CONSIDERATION OF DAILY FILE (RESUMED)**  
**ASSEMBLY BILLS RETURNED TO SECOND READING FILE**  
**PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

**Assembly Bill No. 1669**, ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1652**—An act to amend Sections 51871, 51872, 51874, 51875, and 51876 of, to amend and renumber Sections 51881 and 51884 of, to add Section 51871.5 to, and to repeal Section 51883 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Televising the Assembly and Information Technology.

**ASSEMBLY BILL NO. 1634**—An act to add Sections 462, 12517.5, 34501.17, and 34520.5 to the Vehicle Code, relating to vehicles.

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

**ASSEMBLY BILL NO. 1702**—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.

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

**ASSEMBLY BILL NO. 1686**—An act to amend Sections 163, 164, and 167 of, and to repeal Sections 215.5 and 215.6 of, the Streets and Highways Code, relating to highways.

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

**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Assembly Bills**

**ASSEMBLY CONCURRENT RESOLUTION NO. 104 (Wayne)**—Relative to Jewish veterans.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1683 (Kuykendall)**—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 third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY CONCURRENT RESOLUTION NO. 93 (McClintock)**—Relative to Scottish Tartan Day.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

**AYES—58**

Ackerman	Escutia	Machado	Richter
Aguiar	Figueroa	Margett	Runner
Alby	Gallegos	Martinez	Scott
Aroner	Granlund	Mazzoni	Shelley
Ashburn	Havice	McClintock	Strom-Martin
Baca	Hertzberg	Migden	Thomson
Baldwin	Honda	Morrissey	Torlakson
Baugh	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Cardenas	Keeley	Ortiz	Wayne
Cardoza	Knox	Pacheco	Wildman
Cedillo	Kuehl	Papan	Woods
Cunneen	Leach	Perata	Wright
Davis	Lempert	Poochigian	
Ducheny	Leonard	Prenter	

**NOES—None**

**SESSION SCHEDULE**

Speaker pro Tempore Kuehl announced the following session schedule:

Monday, March 16, 1998, Floor Session, 10 a.m.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 44**

At 11:23 a.m., on motion of Assembly Member Keeley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

**Record Expunged and Action Rescinded on Senate Bill No. 44**

Assembly Member Keeley was granted unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Senate Bill No. 44, and that the bill be passed on file, to retain its place on file.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Honda announced that the Committee on Public Employees, Retirement and Social Security would meet today, upon adjournment of Floor session, in Room 126.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Assembly Bill No. 168, Concurrence:** Pacheco and Runner—Aye.

**Consent Calendar:** Woods—Aye.

**MOTION TO ADJOURN**

At 11:23 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member House seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 11:24 a.m., Speaker pro Tempore Kuehl declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time.

**ASSEMBLY BILL NO. 2802—Committee on Consumer Protection, Governmental Efficiency and Economic Development (Davis (Chair), Alquist, Figueroa, Machado, Morrissey, Napolitano, Runner, Strom-Martin, Takasugi, and Wildman).** An act to amend Sections 101, 130, 144, 2639, 2640, 2655.11, 2655.91, 2661.7, 2665, 2688, 2760.1, 2762, 3452, 7410, 7411, 7413, 7587.8, 7598.7, 7602, 7606, 7607, 7608, 7610, 7616.2, 7618, 7619.2, 7621, 7622.3, 7625, 7626, 7626.5, 7628, 7629, 7631, 7632, 7634, 7635, 7640, 7641, 7642, 7643, 7646, 7647, 7647.5, 7650, 7651, 7661, 7662, 7664, 7665, 7666, 7667, 7668, 7669, 7670, 7685.2, 7685.3, 7686, 7686.5, 7687, 7690, 7693, 7696, 7697, 7700, 7701, 7702, 7704, 7706, 7708, 7709, 7711, 7715, 7718.5, 7725, 7725.2, 7725.5, 7727, 7735, 7737.3, 7737.5, 7740, 7740.5, 8556, 9604, 9605, 9630, 9631, 9650, 9650.1, 9650.2, 9650.4, 9651, 9652, 9652.1, 9653, 9654, 9655, 9656, 9656.1, 9656.2, 9656.3, 9656.4, 9656.5, 9657, 9658, 9659, 9662, 9675, 9676, 9677, 9678, 9679, 9680, 9681, 9682, 9683, 9684, 9686, 9700, 9700.5, 9700.6, 9701, 9702.1, 9702.2, 9702.5, 9703, 9704, 9705, 9709, 9710, 9711, 9712, 9713, 9714, 9715, 9716, 9717, 9718, 9719, 9720, 9726, 9727, 9727.1, 9727.2, 9728, 9729, 9730, 9731, 9735, 9736, 9737, 9740, 9741, 9742, 9745, 9746, 9749.5, 9751, 9752, 9753, 9754, 9755, 9756, 9758, 9759, 9760, 9761, 9762, 9763, 9764, 9765, 9766, 9767, 9769, 9780, 9781, 9782, 9783, 9784, 9785, 9786, 9787, 9789, 9880.2, 9884, 9884.3, 9886.2, and 9889.8 of, to amend the heading of Article 2 (commencing with Section 7610) of Chapter 12 of Division 3 of, to add Sections 7601 and 9625 to, to repeal Sections 7412, 7431.5, 7603, 7604, 7605, 7607.5, 7663, 7687.5, 9626, 9626.5, 9627, 9628, 9629, 9630.5, and 18740 of, to repeal Article 10 (commencing with Section 9889.30) of Chapter 20.3 of Division 3 of, and to repeal and add Section 9603 of, the Business and Professions Code, and to amend Section 15633.5 of the Welfare and Institutions Code, relating to professions and vocations.

**ASSEMBLY BILL NO. 2803—Committee on Judiciary (Escutia (Chair), Alby, Aroner, Baugh, Figueroa, Hertzberg, Keeley, Kuehl, Morrow, Ortiz, and Pacheco).** An act to amend Sections 4840, 5040, 5051, 5681, 6009.3, 7507.10, 10085.5, 10133.1, 10133.15, 10133.5, 10145, 10165, 10231, 10231.2, 10232, 10232.1, 10232.4, 10236, 10236.2, 11000.1, 11010.2, 11010.4, 11018.3, 11018.12, 17505.2, 17538, 17762, 19556, 19846A, 19847A, 19942, 22252.5, 23817.5, 24045.14, 24045.15, and 25503.30 of, and to repeal Section 10223 of, the Business and Professions Code, to amend Sections 1714.45 and 2924c of, and to amend and renumber Section 3333.4 of, the Civil Code, to amend Sections 14312, 15052, and 16956 of the Corporations Code, to amend Sections 11301, 17016, 17203.5, 17591, 19116, 27405, 44279.7, 44306, 44308, 44759.4, 52122, 52122.1, 52124, 52181, 52183, 60640, 69621, 69629, and 89010 of, and to amend and renumber Section 17883 of, the Education Code, to amend Sections 3030, 4901, 7552, 7571, 7572, and 7575 of the Family Code, to amend Sections 1505, 13081, and 22050 of the Financial Code, to amend Sections 1348.2, 2052.1, 4600, and 7151 of, and to repeal Section 4606 of, the Fish and Game Code, to amend Section 12803 of, to repeal the heading of Article 2 (commencing with Section 11241) of Chapter 2 of Part 4 of Division 5 of, to repeal the headings of Chapter 4 (commencing with Section 16701) and Chapter 5 (commencing with Section 16801) of Part 1 of Division 9 of, and to repeal the heading of Article 5 (commencing with Section 39461) of Chapter 8 of Part 3 of Division 15 of, the Food and Agricultural Code, to amend Sections 6254, 12940, 15814.26, 15814.27, 21290, 22825.5, 51017.1, 53125, 54902.5, 73759, 75050, and 95022 of, to amend and renumber the heading of Chapter 2.1 (commencing with Section 68650) of Title 8 of, to amend and renumber Sections 68650, 68651, 68652, 68653, 68654, and 68655 of, to repeal Section 29550.2 of, and to repeal Chapter 12.8 (commencing with Section 7070) of Division 7 of Title 1 of, the Government Code, to repeal Section 651 of the Harbors and Navigation Code, to amend Sections 1206, 1357.52, 1746, 44056, 44401, 102425, and 111940 of, to amend and renumber Sections 40928 and 40929 of, and to amend and renumber the heading of Article 1.5 (commencing with Section 42320) of Chapter 4 of Part 4 of, the Health and Safety Code, to amend Sections 1760.5, 10273.4, 10700, 10841, and 14029 of the Insurance Code, to amend Sections 1295.5, 1776, 1813, 3710.3, 4064, 4600.3, and 5433 of the Labor Code, to amend Section 1011 of the Military and Veterans Code, to amend Sections 288.2, 290, 290.4, 629.82, 830.3, 1054.2, 1203.1d, 11167.5, and 13764 of the Penal Code, to amend Section 22050 of the Public Contract Code, to amend Sections 6353 and 130051.18 of the Public Utilities Code, to amend Sections 69.5, 95.31, 97.3, 619, 3772.5, 7273, 7284.6, 7284.7, 17053.5, 18804, 18872, 19141.6, 19271, 19533, and 41136 of, and to amend and renumber Section 19721.6 of, the Revenue and Taxation Code, to amend Section 1088.7 of the Unemployment Insurance Code, to amend Sections 12514, 12523.6, and 14602.7 of the Vehicle Code, to amend Sections 1811 and 13274 of the Water Code, to amend Sections 827.6 and 11478.2 of the Welfare and Institutions Code, and to amend Section 3 of Chapter 708 of the Statutes of 1997, relating to maintenance of the codes.

**ASSEMBLY BILL NO. 2804—Committee on Public Employees, Retirement and Social Security (Honda (Chair), Migden, Scott, Shelley, and Wildman).** An act to add and repeal Section 24216.8 of the Education Code, relating to the State Teachers' Retirement System.

## RESOLUTIONS

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 117—Machado.** Relative to Hire-A-Veteran Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 118—Morrow.** Relative to Juror Appreciation Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 119—Alby.** Relative to multiple sclerosis.

**ASSEMBLY CONCURRENT RESOLUTION NO. 120—Honda.** Relative to National Sleep Awareness Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 121—Wayne.** Relative to Water Awareness Month.

**ASSEMBLY JOINT RESOLUTION NO. 55—Floyd.** Relative to Native Americans.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 12, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1618
- Assembly Bill No. 1629
- Assembly Bill No. 1644
- Assembly Bill No. 1672
- Assembly Bill No. 1676
- Assembly Bill No. 1681
- Assembly Bill No. 1693

- Assembly Bill No. 1705
- Assembly Bill No. 1721
- Assembly Bill No. 1727
- Assembly Bill No. 1746
- Assembly Bill No. 1765
- Assembly Bill No. 1770
- Assembly Bill No. 1774

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 12, 1998

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1634
- Assembly Bill No. 1652
- Assembly Bill No. 1686

- Assembly Bill No. 1702
- Assembly Bill No. 1745
- Assembly Bill No. 1748

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHOR'S AMENDMENTS**

**Committee on Water, Parks and Wildlife**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 2

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

MACHADO, Chairman

**SENATE BILL NO. 2**—An act to add Chapter 1.692 (commencing with Section 5096.300) to Division 5 of the Public Resources Code, relating to financing a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, delta, and coastal resources.

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 Education**

March 12, 1998

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1761

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 1761**—An act to amend Sections 52250, 52251, 52252, 52253, 52254, 52255, 52256, 52257, 52260, 52262, 52264, and 52266 of, and to amend the heading of Chapter 8.5 (commencing with Section 52250) of Part 28 of, the Education Code, relating to 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.

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

March 12, 1998

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1631

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

KNOX, Chairman

**ASSEMBLY BILL NO. 1631**—An act to add Sections 7062, 18404, 18405, and 19382.5 to the Revenue and Taxation Code, and to amend Sections 1113, 1129, and 1178 of the Unemployment Insurance Code, relating to taxation.

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 12, 1998

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

Assembly Bill No. 1705

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

DAVIS, Chairwoman

**ASSEMBLY BILL NO. 1705**—An act to amend Sections 7685.2 and 9741 of, and to add Section 9741.1 to, the Business and Professions Code, and to amend Sections 7116, 7117, and 103055 of the Health and Safety Code, relating to human remains.

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 12, 1998

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1662

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

KNOX, Chairman

**ASSEMBLY BILL NO. 1662**—An act to add and repeal Section 17052.9 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 Public Safety**

March 12, 1998

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

Assembly Bill No. 1655

Assembly Bill No. 1659

Assembly Bill No. 1767

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

HERTZBERG, Chairman

**ASSEMBLY BILL NO. 1655**—An act to amend Section 4016.5 of the Penal Code, relating to corrections.

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.

**ASSEMBLY BILL NO. 1659**—An act to add Section 15202.2 to the Government Code, and to amend Section 1050 of the Penal Code, relating to homicide.

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.

**ASSEMBLY BILL NO. 1767**—An act to amend Sections 243 and 836 of the Penal Code, relating to domestic violence.

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: March 12, 1998

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 108

With the recommendation: That the resolution be re-referred to the Committee on Water, Parks and Wildlife.

PERATA, Chairman

Above resolution re-referred to the Committee on Water, Parks and Wildlife.

**Committee on Public Employees, Retirement and Social Security**

Date of Hearing: March 12, 1998

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 615

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

HONDA, Chairman

Above bill re-referred to the Committee on Appropriations.

**INTRODUCTION OF GUESTS**

Assembly Member Baca, of the 62nd Assembly District, introduced his sons Joe Baca, Jr. and Jeremy Baca, of Rialto.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 10 a.m., Monday, March 16, 1998, out of respect to the memory of Sharon Leuenberger, on motion of Assembly Member Papan; out of respect to the memory of William Wilson, Jr. and Jack Davies on motion of Assembly Member Brown; out of respect to the memory of John O'Banion, on motion of Assembly Member Cardoza; out of respect to the memory of Robert L. Hanna, on motion of Assembly Member Floyd; out of respect to the memory of Tom Gamar, on motion of Assembly Member Oller; out or respect to the memory of Elizabeth "Bette" Stout on motion of Assembly Member Prenter; out of respect to the memory of Keith E. Klinger and Johnnie Phelps, on motion of Speaker pro Tempore Kuehl; out of respect to the memory of Lt. Kelly E. Mackey, Lt. John Lee, Lt. (junior grade) Kent E. Koontz, Lt. (junior grade) Donald M. Hillegas, and Aviation Anti-Submarine Warfare Operator 3rd class Daniel R. Garber, on motion of Assembly Member Baca; out of respect to the memory of Herbert E. Ellingwood, on motion of Assembly Member Bowler; out of respect to the memory of Peggy Hadley, on motion of Assembly Member Granlund; out of respect to the memory of Robert Gardella, on motion of Assembly Member Honda; out of respect to the memory of Brian G. Cressner and Yuta P. Kurashi, on motion of Assembly Member Margett and out of respect to the memory of Robert Lynch, on motion of Assembly Member Shelley.

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SHEILA JAMES KUEHL, Speaker pro Tempore

PAM CAVILEER, Minute Clerk



### AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 12, 1998

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

<b>AB</b>	<b>RN</b>	<b>AB</b>	<b>RN</b>
1618	9806525	1746	9806456
1629	9806606	1748	9806424
1631	9806714	1761	9806752
1634	9806390	1765	9806514
1644	9806692	1767	9806658
1652	9806481	1770	9806453
1655	9806712	1774	9805566
1659	9806716		
1662	9806686	<b>ACA</b>	<b>RN</b>
1672	9806367	21	9806101
1676	9806045		
1681	9806504	<b>SB</b>	<b>RN</b>
1686	9806400	2	9806626
1693	9806066	489	9806145
1702	9806534	591	9806455
1705	9806757	615	9806620
1721	9806383	619	9806510
1727	9806158	983	9806684
1745	9806382	1032	9806395
		<b>Daily Total:</b>	<b>34</b>
		<b>Cumulative Total:</b>	<b>3972</b>

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