

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 13, 1997

FORTY-FIRST SESSION DAY

ONE HUNDRED SECOND 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, March 13, 1997

The Assembly met at 9:33 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 Aguiar moved a quorum call of the Assembly. Motion carried. Time, 9:34 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 9:51 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—64:

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

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 God the Father Almighty, Grant us to be grounded and settled in Your truth by sending Your Holy Spirit into our hearts. Give us grace to hear Your calling and to follow Your guiding. Give us perseverance and steadiness of purpose, that our thoughts may not be fleeting and ineffective, but that we may perform all things to the glory of Your holy name, through Jesus Christ our Lord.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Davis 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 Cunneen, seconded by Assembly Member Napolitano.

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, Bordonaro, Floyd, Frusetta, Miller, Olberg, Pringle, Runner, Takasugi, Thompson, and Woods.

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

Because of illness: Assembly Members Leach and Richter.

EXPLANATIONS OF ABSENCE

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

March 12, 1997

The Honorable Cruz Bustamante

Speaker of the Assembly

Room 219, State Capitol

Sacramento, California

Dear Speaker Bustamante: I would like to be excused from regular session Thursday, March 13, 1997 on legislative business.

I will be meeting with a group of computer software constituents in my district office, along with several other groups of constituents.

Thank you in advance for your assistance in this matter.

Sincerely,

STEVE BALDWIN, Assembly Member
Seventy-seventh District

March 11, 1997

The Honorable Don Perata
Chairman, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, California

Dear Chairman Perata: I respectfully request leave of absence from session for Thursday March 13, 1997 as I will be on legislative business in my district.

Thank you for your attention to this request.

Sincerely,

TOM J. BORDONARO JR., Assembly Member
Thirty-third District

March 10, 1997

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

Dear Speaker Bustamante: I respectfully request that I be excused from session on Thursday, March 13, 1997, due to legislative business in my district. I will be returning to my district on Wednesday, March 12, 1997.

Thank you for your consideration of this request. Should you have any questions please call my secretary Lorie Erickson at 445-3134.

Cordially,

RICHARD E. FLOYD, Assembly Member
Fifty-fifth District

March 12, 1997

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

Dear Mr. Speaker: I humbly request to be excused from Session on March 13, 1997, due to legislative business that I must attend to in my district.

Thank you for your consideration of this request.

Sincerely,

PETER FRUSETTA, Assembly Member
Twenty-eighth District

March 10, 1997

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

Dear Speaker Bustamante: Please excuse me from session on Thursday, March 13, 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

March 13, 1997

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

Dear Mr. Speaker: I am requesting that I be excused from Session this day to conduct legislative business in my district.

I will be participating in Rules Committee this morning, and departing shortly thereafter.

Thank you for your attention to this request.

Sincerely,

R. KEITH OLBERG, Assembly Member
Thirty-fourth District

March 12, 1997

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

Dear Speaker Bustamante: Due to legislative business I am conducting down in the district I am requesting permission to be excused from session this Thursday the 13th. Thank you in advance for your consideration. Should you have any questions regarding my request please contact my Chief of Staff Rick Van Nieuwburg at 445-7498.

Sincerely,

GEORGE C. RUNNER, JR., Assembly Member
Thirty-sixth District

March 10, 1997

Hon. Cruz Bustamante
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 13, 1997 due to legislative business in my district. I will be attending a meeting at the Ventura County Supervisors office regarding the California Earthquake Authority. This is an issue of great importance with my constituents at the present time.

Thank you for your consideration of my request.

Sincerely,

NAO TAKASUGI, Assembly Member
 Thirty-seventh District

February 25, 1997

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

Dear Mr. Speaker: The purpose of this letter is to request I be excused from session Thursday, March 13. I must attend to important legislative business in my district that day.

Should you have questions regarding this request, please contact Janese Pierson at 445-1676. Your assistance is always appreciated.

Sincerely,

BRUCE THOMPSON, Assembly Member
 Sixty-sixth District

March 11, 1997

Assemblyman Cruz Bustamante
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: Please excuse me from session on Thursday, March 13th, for legislative business. I will be attending the California Water Education Project Conference.

Thank you for your consideration.

Sincerely,

TOM WOODS, Assembly Member
 Second District

(NOTE: For letter explaining the absence of Assembly Member Pringle on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Wednesday, March 12, 1997.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 13, 1997

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

Assembly Bill No. 79

Assembly Bill No. 149

Assembly Bill No. 85

Assembly Bill No. 154

Assembly Bill No. 116

Assembly Bill No. 189

Assembly Bill No. 119

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 13, 1997

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

Assembly Bill No. 1006

Assembly Bill No. 1501

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, March 13, 1997

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

Assembly Concurrent Resolution No. 4

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

AUTHOR'S AMENDMENTS

Committee on Judiciary

March 13, 1997

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

Assembly Bill No. 239

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

ESCUTIA, Chairwoman

ASSEMBLY BILL NO. 239—An act to amend Section 3622 of the Family Code, and to amend Sections 11356 and 11475.1 of the Welfare and Institutions Code, relating to family law, 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 Transportation

March 13, 1997

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

Assembly Bill No. 218

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

MURRAY, Chairman

ASSEMBLY BILL NO. 218—An act to add Section 11515.5 to 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 Health

March 13, 1997

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

Assembly Bill No. 12
Assembly Bill No. 38
Assembly Bill No. 90

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

GALLEGOS, Chairman

ASSEMBLY BILL NO. 12—An act to amend Section 1367.6 of the Health and Safety Code, and to amend Section 10123.8 of the Insurance Code, relating to coverage.

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. 38—An act to add Section 1367.62 to the Health and Safety Code, and to add Sections 10123.87 and 11512.152 to the Insurance Code, relating to health coverage, 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.

ASSEMBLY BILL NO. 90—An act to add Article 9 (commencing with Section 2838) to Chapter 6 of Division 2 of, and to repeal Section 2718 of, the Business and Professions Code, relating to nursing, 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.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: March 13, 1997

Mr. Speaker: Your Committee on Rules reports:

Assembly Joint Resolution No. 3

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 Appropriations

Date of Hearing: March 12, 1997

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 93

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

ADJOURN IN MEMORY

Moment of Silence Observed

Speaker Bustamante was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former State Senator Peter Behr.

SPECIAL RECOGNITION

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

ADJOURN IN MEMORY

Assembly Member Lempert was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ed Nagler, of San Mateo.

BATTIN ANNOUNCEMENT—ADJOURN IN MEMORY REQUESTS

Assembly Member Battin announced that leadership had agreed that all adjourn in memory requests must be cleared by Democratic and Republican leadership prior to being submitted to the Desk.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 163—An act to add Section 939.71 to the Penal Code, relating to grand juries.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1006—An act relating to human services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1400—An act to add Division 25 (commencing with Section 25000) to the Health and Safety Code, relating to human services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1501—An act relating to human services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 133—An act to amend Section 1203.085 of the Penal Code, relating to crimes.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 169—An act to add Section 4130.1 to the Public Resources Code, relating to forest resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 99—An act to add Section 652 to the Penal Code, relating to body piercing.

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 Public Safety.

REQUEST FOR PHOTOGRAPHER

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

RECESS

By unanimous consent, at 10:44 a.m., Speaker pro Tempore Kuehl declared the Regular Session of the Assembly recessed.

IN JOINT CONVENTION

At 10:45 a.m., the Senate and Assembly met in Joint Convention. Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

PRESENTATION OF LIEUTENANT GOVERNOR

Speaker pro Tempore Kuehl presented the Honorable Gray Davis, Lieutenant Governor and President of the Senate.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Lieutenant Governor Gray Davis appointed Senate President pro Tempore Bill Lockyer and Speaker of the Assembly Cruz M. Bustamante as a Joint Committee on Escort to escort the Honorable Al Gore, Vice President of the United States to the Rostrum.

INTRODUCTION OF CONSTITUTIONAL OFFICERS

Speaker Bustamante introduced Lieutenant Governor Gray Davis, Attorney General Dan Lungren, Controller Kathleen Connell, Superintendent of Public Instruction Delaine Eastin, and Board of Equalization Member John Chiang (representing District 4).

PRESENTATION OF PRESIDENT PRO TEMPORE OF THE SENATE

Speaker Bustamante then presented the Honorable Bill Lockyer, President pro Tempore of the Senate.

PRESENTATION OF VICE PRESIDENT AL GORE

President pro Tempore Lockyer then presented the Honorable Al Gore, Vice President of the United States of America.

ADDRESS BY VICE PRESIDENT GORE

Vice President Al Gore then addressed the Joint Convention.

SPECIAL PRESENTATION TO VICE PRESIDENT GORE

Speaker Bustamante made a special presentation to Vice President Gore.

VICE PRESIDENT GORE'S ADDRESS PRINTED IN THE JOURNAL

Speaker Bustamante was granted unanimous consent that the following address by Vice President Al Gore be printed in the Journal:

Remarks of Vice President Al Gore
California State Legislature
Sacramento, California
March 13, 1997

Thank you for bringing up the Gore presidency. That was a very special five minutes for me, for my family . . . and if I may be so bold . . . for America.

Believe it or not, there are a lot of people who have overlooked my five minutes in the sun.

Still, I like to think that Americans in general, and Californians in particular, will look back fondly on the Gore Administration.

I believe that when historians write about this period, they will record that while it may not have been morning in America, but it was pretty darn close—12:01 p.m.

Because during the Gore Administration, our country was at peace . . . at home and abroad.

During the Gore Administration, inflation remained low and the economy boomed—3.1 new jobs . . . 1.2 of them in California.

There were fewer crimes committed on my watch than during any other presidency in the 20th century—Democrat or Republican.

Partisan bickering gave way to bipartisan harmony . . . that lasted the entire term. In fact, if you listened closely, it was almost as if patriotic hymns echoed from the West Steps of the United States Capitol.

And during the entire Presidency, my Administration did not saddle California with a single unfunded mandate.

By the end of the term, a chant had swept the entire nation, and echoed from coast to coast: “Five more minutes . . . Five more minutes.”

But seriously, it’s great to be in California. Actually, after the week I just had, it’s great to be anywhere away from Washington.

I’ve been to California many times as Vice President. And I’ve been impressed anew on every visit: By the capacity of Californians to come together in a crisis—after the Northridge earthquake or when floods washed across the Central Valley earlier this year; by the scientists I met at the Jet Propulsion Lab in Pasadena, who are designing the X-33 rocket we will build to power the next space shuttle; and by the tens of thousands of Californians who joined President Clinton and me last April for your state’s NetDay to connect more than 3,000 schools to the information highway. And you’re going to connect even more classrooms on the next NetDay, April 19, proving yet again why this is an amazing state.

But California holds a special place in my heart for reasons that are purely personal. When Tipper and I were first married, we drove to Soda Springs and hiked in your beautiful Sierras.

Several times we have hiked and camped in Yosemite, which will reopen tomorrow. And I’ve fished on many occasions in the Pacific Ocean off your beautiful coast. I love it here. Besides, Silicon Valley is the place that made it chic to be a geek. I know.

For much of our history as a nation, Americans have dreamed of coming here. Many of you have parents or grandparents who traveled here from Arkansas, Missouri, Oklahoma, and even my home state of Tennessee to seek their piece of California’s promise. I’m proud that California’s first Governor, Peter Burnett, came from Tennessee—and so did one of your state’s first two U.S. Senators. All of these people had to struggle, and overcome adversity to get “out west”. And when they arrived, they had to invent a future for themselves.

They got so good at inventing the future that somewhere along the way Californians decided that while you were at it you might as well invent the whole country’s future. And so it has been.

In California's early days, native Americans and then Russian trappers were joined by Spanish settlers coming north from Mexico seeking a golden land—then by prospectors seeking golden nuggets in Calaveras County. In the next century, new immigrants and entrepreneurs invented Hollywood and an entertainment industry in Los Angeles that still captivates the world's imagination. By mid-century, California's aerospace and defense workers were stocking the arsenal that won World War II, and then, the Cold War. Twenty years ago, in a garage in Cupertino, Steve Jobs and Steve Wozniak, the founders of Apple Computer, created a new machine that helped change the world. And today, in laboratories, in movie studios and in high-tech firms, California is inventing the future again—a future fashioned from aluminum and steel, from genetic research, from slivers of silicon, and microchips powering personal computers that zap bits of data instantly from one end of the planet to another.

No other state can claim such ingenuity and grit. And through it all, your great-grandparents, your grandparents, and your mothers and fathers, too, always knew that the key to opportunity in California was public education.

President Clinton and I—and our wives—are traveling the country on a national crusade to improve American education. Earlier today, the President addressed the State Legislature of North Carolina and described his vision for America's schools.

But there is really no place in America more appropriate to address a subject so critical to our future than California. Education—more than Hollywood or agriculture—has defined what it means to be a Californian. Since 1850 when settlers established California's first public grammar school in San Francisco, parents knew that California's schools offered their children a ladder to a better life. And for many years now, California's institutions of higher education—its community colleges, Cal State, and the UC system—have been the envy of the nation.

This commitment to excellence was supported by a bipartisan consensus that lasted for several decades.

Yet today, in California and the rest of our nation, our schools are not what they should be. Funding has shrunk. Test scores have dropped. Standards have eroded. Red tape has accumulated. And as a direct result, children have suffered. Too often, politics has triumphed over progress.

The truth—in California and the nation—is that educating our children works best when it operates above partisan, ideological politics. As President Clinton has said, in the Cold War, when the nation needed a bipartisan foreign policy, politics stopped at the water's edge. In the knowledge economy of the coming century, politics ought to stop at the schoolhouse door.

This is the dawn of a new era in which the ability to learn quickly is the key to America's future. And the very first thing all of us have to learn is how to build, in our entire country, the kind of historic

public-private bipartisan consensus in favor of educational excellence for which California used to be known worldwide . . . and will be again.

And California, as is its custom, has begun to show the way. Both parties in the Legislature have worked together with Governor Wilson to begin restoring California's educational promise: A new commitment to smaller class sizes; a 10th UC campus built in Merced; and the California Reading Initiative—including the Davidson Elementary School in San Bernardino I will visit tomorrow.

You've made a great start. And President Clinton and I want to be your partners in restoring the luster to America's schools. The President laid out much of this agenda in his State of the Union address.

This is the goal: An America in which every 8-year-old can read, every 12-year-old can connect to the Internet, every 18-year-old has a chance to go to college, every adult can learn throughout their lives.

Here are some of the ways we'll get there:

National education standards. Teach our kids the fundamentals. And then test them to make sure they know it. We hope that California, following Delaine Eastin's leadership, will commit to being one of the first states to adopt these national education standards.

A citizen army of reading tutors—one million strong—to make sure all our kids can read. I'm proud that 28 California universities, colleges and community colleges have already answered the call, and enlisted work-study students as reading tutors.

Public school choice and charter schools. Let's bring the magic of competition and innovation summoned here in California to our nation's public schools.

Leveraging \$20 billion to rebuild our classrooms and schoolhouses. Here in California, communities have converted trailers and community centers into makeshift classrooms because schools are either overfilled or falling down. Our children deserve better.

Connecting every classroom and every library in the nation to the information highway by the year 2000. This technological power, so much of it conceived and built in this great state, has not yet reached enough Americans. The computer that was invented in that California garage 20 years ago must make its way to the California classroom.

College opportunity for everyone. HOPE Scholarships to make community college essentially free. And a \$10,000 tax deduction for the money families invest in college education.

And a GI Bill for Workers, so men and women can get the job training they need to learn and earn throughout their working lives.

That is our federal agenda for education. But it is not enough. We must also effect a larger change in how we organize our schools and run our classrooms.

So today, here in California, I am announcing a new element of our education crusade—a national blueprint to reinvent the way we

spend money on public education and reorganize our schools in harmony with the principles of the Information Age and the networked economy.

This initiative will begin not in Washington, but in communities across California and the nation.

Its goal is to enlist everyone concerned about the education of children, from parents to school administrators to students themselves, to begin asking some fundamental questions about their public school systems—in particular, how school dollars are spent.

It is true that many school districts are woefully underfunded. And that must change. But it is equally true, according to a large volume of research, that student performance depends not simply on how much money is spent—but on what it's spent for. We should be spending public funds on teachers and children—not overhead and bureaucracy.

So it's time for parents and others to start asking: How much of the money is going to teachers, and for books, and for other things actually in my child's classroom? How much is instead to unnecessary bureaucracy, bloated overhead costs, and redundant layers of administration? And how exactly does all *that* spending contribute to educating my child?

We've heard too many depressing stories. For example, *The Washington Post* reported that the District of Columbia school system spent \$7,389 per student—among the highest in the nation—and still did not have enough books, crayons, toilet paper, or even teachers.

Why? Rampant mismanagement, verging on corruption. Funds that should have been spent on textbooks, field trips, and athletics instead were shifted to pay the salaries of administrative personnel—some \$50 million more than had been authorized.

In Texas, auditors found \$640 million in inefficiencies in the state's public schools. In one Texas county, there were 12 different school systems, with 12 different school boards, and 12 different superintendents. All for a county with only 5000 students.

Even here in California, teachers are having to spend money out of their own pockets to equip their classrooms with basic supplies like chalk, crayons, and construction paper.

And at the same time, we should also find out how teachers are forced to spend their time. One study showed that the typical teacher spent only 30 percent of his or her time each school day actually teaching children—and the rest discharging administrative duties and filling out paperwork. That doesn't sound like the right balance to me, and we need to start changing it.

Many of our schools do an extraordinary job—often against long odds. Some of the most talented and committed Americans I have met have been teachers, principals, and school board members. These men and women are working hard to do right by our children. Let's make their job easier by working together, reaching across party lines, to reinvent America's schools—and make them worthy of America's children.

I will present a more detailed summary of this new national effort in a brief paper that will be distributed after this speech.

New solutions for problems like these are more important now than at any point in our history. We face the challenge in our generation of redeeming the promise of self-government, of proving to the next generation that the same representative democracy that allowed an earlier generation of Californians to create an education system that became the envy of the world can be renewed in time to address the new challenges of the new century. We need reform in the way we campaign and in the way we govern.

Those of us in public service today—whether in this legislature or in President Clinton’s administration—serve at a time when all must be painfully aware of the need to do more with less, to live within our means, to be as creative in solving the nation’s problems as California has been in inventing the nation’s future.

That is why President Clinton and I have insisted upon a balanced budget that protects priorities like education and the environment—that delivers high-quality services like disaster relief to victims of flooding in California’s Sacramento and San Joaquin Valley—and that protects our seniors and fights effectively against crime and drugs.

We’ve learned how to go about this work through the reinventing government initiative, which President Clinton asked me to launch four years ago. And we’ve begun to build a federal government that works better, costs less, and serves citizens more directly—the very same ideals we should now bring to public education.

One of the tools we’ve used in our efforts to reinvent government has been information technology.

California is the center of the information revolution for the entire world, and is home to many of the institutions that shaped the 20th century. Now we’ve got to do everything we can to help a new set of Californians invent the next century.

That is why the President and I have called for the next generation of the Internet—to allow laboratories and universities to communicate 1,000 times faster than today. That’s why our budget increases federal investments in research and development for the fifth year in a row. Increases funding for basic research. And why it strengthens university-based research—so standout research institutions like UC-San Francisco, UC-San Diego, Stanford, Berkeley, and CalTech can continue to push back scientific frontiers.

This California technological firepower has also helped propel your state’s extraordinary economic recovery and our nation’s.

From the depths of a painful recession, California now tops the nation. Last year, your state created almost 900 new jobs—every single day.

And once again, California is achieving this success in innovative ways the rest of the country will eventually seek to imitate. Your recovery has been powered by the firms of tomorrow—small, nimble companies working in industries that a few years ago did not even exist. California companies consistently make up a whopping share of companies on the Inc. 500, the yearly list of the nation’s fastest-growing companies. And many of these and other companies are backed by venture capital, another category where California leads the nation.

Jobs in the motion picture industry are exploding. And half the people who work in America's biotechnology industry do their jobs in California. This is the work of the future, the kinds of jobs for which the public schools must be preparing California's students.

And make no mistake: These students of today and workers of tomorrow will be selling their wares to the world. California is the country's largest exporter—the United States' gateway to Asia and Latin America.

I know there are some in both political parties who view this increasing convergence with the rest of the world as a cause for fear, an excuse for retreat. Not California. That is not the California way. You do not fear the future. You say, "Bring it on." And if the future is one where the nations of the world exchange goods and ideas at an unprecedented clip, Californians will take the lead—leaving the fearful in their wake.

One reason you will lead the way is that your state is the most diverse in the land. By the turn of the next century, just a few years away, those now referred to as minorities will together comprise the majority in California. Some cynics decry that change, even use it to divert attention from the state's real problems and turn good people into scapegoats. That is wrong. California's diversity is one of California's greatest strengths—especially in an economy that depends ever more on international trade. And the same is true for all of America.

But diversity has advantages not simply for the health of our economy, but for the vitality of our democracy. This chamber is proof—the most diverse legislative body in the entire nation. And you should be proud that your own diversity, and your state's diversity, includes absolute respect for all, regardless of race, religion, ethnicity, sexual orientation, or national origin.

Last year, when Congress passed legislation to reform America's welfare system, they included one provision that had absolutely nothing to do with moving Americans from welfare to work.

The bill singled out legal immigrants—*legal* immigrants—for harsh and unfair treatment. Let me state it plain: It is wrong to tell four million people in California who work, pay taxes, and maybe even serve in the military, "If somebody mugs you in a dark alley, or if your child gets seriously ill, or if you or your spouse is injured at work, we're not going to give you assistance any more." That is just morally wrong—and if I may trot out a sometimes explosive term, it is *un-American*. These provisions are unworthy of a nation of immigrants. They had nothing to do with welfare reform.

They will cause pain, and rip away at California's budget. So we're going to change these wrong-headed policies. We need your help.

I hope you'll also be our partners in creating the jobs—both in the public sector and private business—for Californians who leave the welfare rolls.

Finally, there's another area where California has always been in the forefront: Protecting the environment. In many ways, the

environmental movement was born in this state. And California has a rich tradition of one generation protecting the state's air, water, and land for the next generation.

The President's and my environmental agenda is inspired by that legacy. Our administration will work to clean up the nation's toxic waste sites, making sure that polluters—and not neighborhoods—pay for the clean-up. We'll continue strengthening the laws and protect the food and water our children consume and the air they breathe. And we'll help you protect your beautiful coast.

For our entire nation owes an enormous debt to California. Your State Librarian—whom I first met as a college student 28 years ago and saw again this morning—has captured this idea well. He has written: “The American people have assigned California a special role: To seek out the American future, to test it, to try its options, rejecting what doesn't work and building upon what does.”

Today, California's special role endures. And I have no doubt that you will continue to seek out the future—with gritty entrepreneurs, natural wonders, cutting-edge technologies and, of course, a public education system that is second to none.

Thank you and God bless you.

ADJOURNMENT OF THE JOINT CONVENTION

At 11:35 a.m., there being no further business, Speaker Bustamante declared the Joint Convention adjourned *sine die*.

IN ASSEMBLY

At 11:36 a.m., the Assembly reconvened.

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

MOTION TO ADJOURN

At 11:36 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Cunneen seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:37 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. 1561—Committee on Transportation (Murray (Chair), Baugh (Vice Chair), Baca, Bowler, Cardenas, Figueroa, Havice, Mazzone, Napolitano, Perata, Runner, Scott, and Torlakson). An act to amend Sections 5066 and 11520 of the Vehicle Code, relating to transportation.

ASSEMBLY BILL NO. 1562—Committee on Budget (Ducheny (Chair), Miller (Vice Chair), Bowen, Brown, Cardenas, Davis, Escutia, Figueroa, Gallegos, Keeley, Knox, Lempert, Scott, Strom-Martin, Torlakson, Villaraigosa, and Wright). An act to make an appropriation in augmentation of Items 9840-001-0001, 9840-001-0494, and 9840-001-0988 of Section 2.00 of the Budget Act of 1996, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

ASSEMBLY BILL NO. 1563—Committee on Budget (Ducheny (Chair), Miller (Vice Chair), Bowen, Brown, Cardenas, Davis, Escutia, Figueroa, Gallegos, Keeley, Knox, Lempert, Scott, Strom-Martin, Torlakson, Villaraigosa, and Wright). An act to make an appropriation in augmentation of Items 9840-001-0001, 9840-001-0494, and 9840-001-0988 of Section 2.00 of the Budget Act of 1996, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

ASSEMBLY BILL NO. 1564—Committee on Budget (Ducheny (Chair), Miller (Vice Chair), Bowen, Brown, Cardenas, Davis, Escutia, Figueroa, Gallegos, Keeley, Knox, Lempert, Scott, Strom-Martin, Torlakson, Villaraigosa, and Wright). An act making an appropriation for the payment of claims against the State of California, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1565—Committee on Budget (Ducheny (Chair), Miller (Vice Chair), Bowen, Brown, Cardenas, Davis, Escutia, Figueroa, Gallegos, Keeley, Knox, Lempert, Scott, Strom-Martin, Torlakson, Villaraigosa, and Wright). An act to relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14—Caldera. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 26 of Article XIII thereof, relating to taxation.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly Bill No.</i>	<i>Committee</i>
254	W., P. & W.
328	G.O. and Trans.
454	Rev. & Tax.
514	L. Gov
552	Ed.
556	L. Gov.
561	Ins.
574	L. & E.
595	Trans.
597	C.P., G.E. & E.D.
653	Trans.
657	Jud.
666	H. & C.D.
667	Nat. Res. and Pub. S.
669	Jud.

670	-----	Ed.
671	-----	Ed.
672	-----	H. & C.D.
673	-----	P.E.,R. & S.S.
674	-----	E.,R. & C.A.
676	-----	Ed.
679	-----	E.,R. & C.A.
680	-----	Health
681	-----	E.S. & T.M.
683	-----	L. Gov.
684	-----	Ed.
685	-----	Pub. S.
686	-----	P.E.,R. & S.S.
690	-----	Hum. S.
691	-----	W.,P. & W.
692	-----	L. Gov.
693	-----	L. Gov.
694	-----	L. Gov.
695	-----	Health
696	-----	Hum. S.
697	-----	C.P.,G.E. & E.D.
698	-----	C.P.,G.E. & E.D. and I. T. & D.
699	-----	H. & C.D.
700	-----	Pub. S.
701	-----	Rev. & Tax.
703	-----	Pub. S.
704	-----	G.O.
705	-----	C.P.,G.E. & E.D. and Nat. Res.
706	-----	Rev. & Tax.
707	-----	Jud.
708	-----	E.S. & T.M.
709	-----	Health
710	-----	G.O.
711	-----	B. & F.
712	-----	Trans.
713	-----	Rev. & Tax. and Jud.
714	-----	Pub. S.
715	-----	Hum. S.
717	-----	Pub. S.
718	-----	Hum. S.
719	-----	L. Gov.
722	-----	Pub. S.
724	-----	Rev. & Tax.
725	-----	B. & F.
726	-----	Pub. S.
727	-----	Ed.
728	-----	Pub. S.
729	-----	Pub. S.
730	-----	Ed.
731	-----	Trans.
732	-----	Health
733	-----	E.S. & T.M.
734	-----	G.O.
735	-----	Jud.

736	-----	Ed.
737	-----	Jud.
738	-----	Higher Ed.
739	-----	W.,P. & W.
740	-----	Hum. S.
741	-----	Rev. & Tax. and Pub. S.
743	-----	Pub. S.
744	-----	L. & E.
745	-----	Health
746	-----	Jud.
747	-----	Hum. S. and Pub. S.
748	-----	Ed.
751	-----	Ed.
752	-----	G.O. and Health
754	-----	B. & F.
755	-----	Ed.
756	-----	Hum. S.
757	-----	Hum. S.
758	-----	Jud.
759	-----	L. Gov.
761	-----	Pub. S.
762	-----	Trans.
763	-----	E.S. & T.M.
764	-----	Health
765	-----	Trans.
766	-----	W.,P. & W.
767	-----	W.,P. & W.
768	-----	Health
769	-----	L. Gov.
770	-----	E.S. & T.M.
771	-----	C.P.,G.E. & E.D.
772	-----	C.P.,G.E. & E.D.
773	-----	Hum. S.
775	-----	C.P.,G.E. & E.D. and Jud.
776	-----	Ed. and L. & E.
778	-----	Pub. S.
779	-----	Hum. S.
780	-----	Pub. S.
781	-----	Ed. and Rev. & Tax.
782	-----	B. & F.
783	-----	G.O.
784	-----	Hum. S.
785	-----	Pub. S.
787	-----	Ed.
788	-----	L. Gov.
789	-----	Health
790	-----	Health
792	-----	Ed.
793	-----	Pub. S.
795	-----	Jud.
796	-----	Pub. S.
797	-----	I. T. & D.
798	-----	B. & F.
799	-----	Nat. Res.

800	-----	Jud.
801	-----	Rev. & Tax.
802	-----	Health
803	-----	Rev. & Tax.
804	-----	Jud.
805	-----	Pub. S.
806	-----	Trans.
807	-----	Pub. S.
808	-----	Pub. S.
809	-----	I.T. & D. and Rev. & Tax.
810	-----	L. & E.
811	-----	B. & F.
812	-----	Jud.
814	-----	Ed.
815	-----	Ins. and Jud.
816	-----	Ins.
817	-----	Ed.
818	-----	Health
819	-----	Pub. S.
820	-----	L. Gov.
821	-----	Rev. & Tax.
822	-----	Hum. S.
824	-----	Ed.
825	-----	Ins.
826	-----	Ins.
827	-----	Trans.
829	-----	Jud.
831	-----	Jud.
832	-----	Pub. S.
833	-----	Health
834	-----	Trans.
835	-----	U. & C.
836	-----	Trans.
837	-----	E.,R. & C.A.
838	-----	Ed.
839	-----	Agri. and Pub. S.
840	-----	Trans. and G.O.
842	-----	P.E.,R. & S.S.
843	-----	Jud.
844	-----	Ed.
845	-----	Hum. S.
846	-----	Jud. and Hum. S.
847	-----	E.S. & T.M.
848	-----	Ed.
850	-----	Ed.
851	-----	E.S. & T.M.
852	-----	L. Gov.
853	-----	Pub. S.
854	-----	W.,P. & W.
855	-----	Ed.
856	-----	Pub. S.
858	-----	Ed.
859	-----	Ed.
860	-----	Ed.

861	-----	Ed.
862	-----	Ed.
863	-----	Ed.
864	-----	L. Gov.
865	-----	Ed. and Jud.
866	-----	Hum. S.
867	-----	Ed.
868	-----	Nat. Res.
869	-----	L. & E.
870	-----	Pub. S.
873	-----	Rev. & Tax.
875	-----	Pub. S.
876	-----	Ed.
877	-----	Ins.
878	-----	Pub. S.
879	-----	U. & C.
880	-----	Pub. S.
881	-----	Health
883	-----	Higher Ed.
884	-----	P.E.,R. & S.S.
885	-----	P.E.,R. & S.S.
886	-----	Jud. and Rev. & Tax.
888	-----	I.T. & D.
889	-----	Health
890	-----	L. Gov.
892	-----	Health
893	-----	Trans.
894	-----	I.T. & D. and U. & C.
897	-----	I.T. & D. and U. & C.
898	-----	I.T. & D.
899	-----	C.P., G.E. & E.D. and I.T. & D.
900	-----	G.O.
901	-----	I.T. & D.
902	-----	G.O. and Pub. S.
903	-----	Pub. S.
904	-----	Pub. S.
905	-----	Pub. S. and Health
906	-----	U. & C.
907	-----	Jud.
908	-----	Higher Ed.
912	-----	Jud.
913	-----	Jud.

<i>House</i>	
<i>Resolution No.</i>	<i>Committee</i>
13	----- Rls.

<i>Senate</i>	
<i>Bill No.</i>	<i>Committee</i>
350	----- Pub. S.

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 13, 1997

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

Assembly Bill No. 139

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

HERTZBERG, Chairman

ASSEMBLY BILL NO. 139—An act to amend Section 3058.8 of the Penal Code, relating to parole.

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 Housing and Community Development

March 13, 1997

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 10

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

TORLAKSON, Chairman

ASSEMBLY BILL NO. 10—An act relating to housing, 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 13, 1997

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

Assembly Bill No. 221

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

GALLEGOS, Chairman

ASSEMBLY BILL NO. 221—An act to amend Sections 1206.5, 1241, and 2058 of the Business and Professions Code, and to add Section 1596.797 to the Health and Safety 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.

REPORTS OF STANDING COMMITTEES
Committee on Public Safety

Date of Hearing: March 11, 1997

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 45

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 Natural Resources

Date of Hearing: March 10, 1997

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 65

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

BOWEN, Chairwoman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 13, 1997

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

Assembly Concurrent Resolution No. 18

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, March 13, 1997

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

Senate Bill No. 59

Senate Bill No. 84

Senate Bill No. 115

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

Senate Chamber, March 13, 1997

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

Senate Concurrent Resolution No. 21

Senate Concurrent Resolution No. 29

GREG P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary**FIRST READING OF SENATE BILLS**

The following bills were read the first time:

SENATE BILL NO. 59—An act to add and repeal Section 4006 of the Elections Code, relating to elections.**SENATE BILL NO. 84**—An act to amend Section 18895.2 of the Business and Professions Code, relating to athlete agents, and declaring the urgency thereof, to take effect immediately.**SENATE BILL NO. 115**—An act to amend Section 1377 of the Penal Code, relating to criminal procedure .

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 21—Relative to adult education.**SENATE CONCURRENT RESOLUTION NO. 29**—Relative to Camp Fire Boys and Girls: Absolutely Incredible Kids Day.**INTRODUCTION OF GUESTS**

Assembly Member Alquist, of the 22nd Assembly District, introduced Sandra James, Board President of the Cupertino Union School District.

Assembly Member Caldera, of the 46th Assembly District, introduced former Member of the Assembly Tom Umberg.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 10 a.m., Monday, March 17, 1997, out of respect to the memory of former State Senator Peter Behr, on motion of Speaker Bustamante; and out of respect to the memory of Ed Nagler, on motion of Assembly Member Lempert.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

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

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

AB	RN
10	9708506
12	9708628
38	9708436
90	9708561
99	9708695
139	9708596
163	9708499
169	9708660
218	9708623
221	9708780
239	9708678

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