

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, July 29, 1997

ONE HUNDRED SIXTEENTH SESSION DAY

TWO HUNDRED FORTIETH 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
Tuesday, July 29, 1997

The Assembly met at 7 a.m.

Hon. Robert Prenter, Assembly Member, 30th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

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

Quorum present.

At 2:10 p.m., Hon. Jim Morrissey, 69th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*On legislative business: Assembly Members Caldera, * Cunneen, Keeley, Leach, and Richter.*

(NOTE: * Per diem waived during period of 1997 Budget delay. See Assembly Journal, (July 18, 1997, page 3267.)

On personal business, and waiving per diem: Assembly Members Baca and Kuehl.

EXPLANATIONS OF ABSENCE

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

July 29, 1997

Hon. Cruz Bustamante
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: This letter is to request that I be excused from session on July 29, 1997, due to legislative business in my district office.

Thank you for your attention to this matter.

Sincerely,

LOUIS CALDERA, Assembly Member
Forty-sixth District

July 28, 1997

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

Dear Mr. Speaker: I respectfully request to be excused from Check-in Session Tuesday, July 29, and Wednesday, July 30, due to Legislative Business in my district.

Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member
Twenty-fourth District

July 29, 1997

Hon. Cruz Bustamante
Speaker, California State Assembly
State Capitol—Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session on Tuesday, July 29, 1997. I will be in my district on legislative business, however, I will return in time for Check-In on Wednesday, July 30, by 3:00 p.m.

Thank you for your consideration of this request.

Sincerely,

FRED KEELEY, Assembly Member
Twenty-seventh District

July 28, 1997

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

Dear Mr. Speaker: Please excuse me from Check-In Floor Session on July 29, 1997, due to previously scheduled legislative business in my district.

Thank you for your attention to this request.

Sincerely,

LYNNE C. LEACH, Assembly Member
 Fifteenth District

July 28, 1997

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

Dear Mr. Speaker: Please excuse me from Check-in Session, July 29, and 30, due to scheduled appointments with constituents in the District office.

Thank you for your consideration.

Sincerely,

BERNIE RICHTER, Assembly Member
 Third District

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

July 18, 1997

E. Dotson Wilson
Chief Clerk
California State Assembly
State Capitol
Sacramento, California

Dear Mr. Wilson: Please be advised that I will be forfeiting my per diem upon adjournment of session July 18, 1997, through August 17, 1997. The period reflects the summer recess scheduled for the Legislature.

I do not believe I should benefit from the additional per diem I would receive simply because a state budget has not been passed.

Sincerely,

HOWARD WAYNE, Assembly Member
 Seventy-eighth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 28, 1997

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

Assembly Bill No. 180
Assembly Bill No. 216
Assembly Bill No. 666

Assembly Bill No. 689
Assembly Bill No. 788

And reports the same correctly enrolled, and presented to the Governor at 3:15 p.m., July 28, 1997.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 29, 1997

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

Assembly Bill No. 9

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

AUTHOR'S AMENDMENTS

Committee on Insurance

July 29, 1997

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

Senate Bill No. 319

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

FIGUEROA, Chairwoman

SENATE BILL NO. 319—An act to amend Section 1057.6 of, and to add Sections 1057.61, 1057.62, and 1057.63 to, the Civil Code, and to add Sections 12340.12 and 12340.13 to the Insurance Code, relating to title insurance.

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 International Trade and Development

Date of Hearing: July 17, 1997

Mr. Speaker: Your Committee on International Trade and Development reports:

Senate Bill No. 200

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

NAPOLITANO, Chairwoman

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1121—An act to amend Sections 8502 and 8801.5 of the Family Code, relating to family law.

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

SENATE BILL NO. 464—An act to add Sections 12836 and 12837 to the Food and Agricultural Code, relating to pesticides.

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.

SENATE BILL NO. 951—An act to amend Section 830.3 of the Penal Code, relating to peace officers, and making an appropriation therefor.

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.

SENATE BILL NO. 517—An act to add Section 3482.1 to the Civil Code, relating to nuisance.

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

SENATE BILL NO. 780—An act to amend Sections 146.5, 6980.23, 6980.33, 6980.48, 7504.7, 7506.9, 7506.10, 7507.10, 7507.13, 7529, 7582.13, 7583.20, 7583.32, 7593.11, 7596, 7596.7, 7598.14, 7598.17, 9810, 9830.5, 9832, 9832.5, 9847.5, 9849, 9851, 9853, 9855.2, 9855.3, 9855.9, 9860, 9862.5, 9863, 9873, 19008, 19010, 19080, 19123.4, and 19208 of, to amend, repeal, and add Sections 6980.79, 7511, 7570, 7588, and 7599.70 of, to add Section 9814.5 to, to repeal Section 9854 of, to add and repeal Section 9812.5 of, and to repeal and add Sections 7558 and 7586 of, the Business and Professions Code, and to amend Sections 1791 and 1794.4 of the Civil Code, relating to consumer affairs, and making an appropriation therefor.

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.

SPECIAL COMMITTEE MEETINGS

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

Select Committee on Aerospace, on August 19, 1997, at 1:30 p.m.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 29, 1997

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

Assembly Bill No. 313

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m. July 29, 1997.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 5 p.m., the Assembly adjourned until 7 a.m., Wednesday, July 30, 1997.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 29, 1997**

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

SB	RN
319	9719726
464	9719625
517	9719598
780	9719539
951	9719628
1121	9719618
Daily Total:	6
Cumulative Total:	2945

O