

CALIFORNIA LEGISLATURE

1997-98 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, July 31, 1997**

**ONE HUNDRED EIGHTEENTH SESSION DAY**

**TWO HUNDRED FORTY-SECOND 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

## IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, July 31, 1997

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd 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—68:

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

Quorum present.

**At 12:05 p.m., Hon. Brett Granlund, 65th 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 Alby, Brewer, Brown, Caldera, \* Cunneen, Migden, Murray, Oller, Richter, and Wright.*

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

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

*On personal business, and waiving per diem: Assembly Member Kuehl.*

**EXPLANATIONS OF ABSENCE**

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

July 31, 1997

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

Dear Mr. Speaker: Due to an event in my district, I will be unavailable for check-in session on Thursday, July 31, 1997.

Thank you for your consideration of this matter.

Cordially,

BARBARA ALBY, Assembly Member  
Fifth District

July 30, 1997

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

Dear Speaker Bustamante: I am respectfully requesting to be excused from check-in session on Thursday, July 31, 1997, due to legislative business in my District Office. However, should the need arise for my return to Sacramento, I will gladly make the necessary arrangements to do so.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at (916) 445-7222.

Sincerely,

MARILYN C. BREWER, Assembly Member  
Seventieth District

July 30, 1997

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

Dear Mr. Speaker: I am writing to respectfully request that I be excused from Check-in Session on Thursday, July 31, for legislative business. I will be attending State Government Day at the Sonoma County Fair in Santa Rosa.

Should you have any questions concerning the above, please call my Chief of Staff, John Latimer, at 445-8492.

Sincerely,

VALERIE K. BROWN, Assembly Member  
Seventh District

July 30, 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 check-in session on Thursday, July 31, 1997, due to legislative business in my district office.

Sincerely,

LOUIS CALDERA, Assembly Member  
Forty-sixth District

July 29, 1997

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

Dear Mr. Speaker: I write to respectfully request to be excused from Session on Thursday, July 31, 1997, to attend to business in my Southern California district office. I am also requesting that my per diem for the day be waived.

If you have any questions, feel free to call Robert Becker at my office.

Thank you for your consideration in this matter.

Sincerely,

BILL CAMPBELL, Assembly Member  
Seventy-first District

July 30, 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 Thursday, July 31, due to Legislative Business in my district.

Thank you for your consideration of this request.

Sincerely,

JIM CUNNEEN, Assembly Member  
Twenty-fourth District

30 July 1997

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

Dear Speaker Bustamante: I am requesting to be excused from check-in session tomorrow, July 31, to attend to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

CAROLE MIDGEN, Assembly Member  
Thirteenth District

July 30, 1997

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

Dear Mr. Speaker: I respectfully request permission to remain in my district to participate in a Town Hall Meeting. I will return to Sacramento in time for the Assembly Floor Session on Friday, August 1, 1997.

Thank you for your consideration.

Sincerely,

KEVIN MURRAY, Assembly Member  
Forty-seventh District

July 30, 1997

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

Dear Mr. Speaker: I have legislative business in my district today and tomorrow and am requesting to be excused from check-in session for Thursday, July 31st. Thank you for your consideration.

Sincerely,

THOMAS "RICO" OLLER, Assembly Member  
Fourth District

July 28, 1997

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

Dear Mr. Speaker: I wish to be excused from session, for the date of July 31, on legislative business. I will be speaking at the California Council for Environmental and Economic Balance.

Thank you for your consideration.

Sincerely,

BERNIE RICHTER, Assembly Member  
Third District

July 31, 1997

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

Dear Mr. Speaker: I will be in my district on legislative business on Thursday, July 31, 1997. Since there will be no floor session on Friday, August 1, 1997, I will return to Sacramento for floor session on Monday. Thank you for your attention to this letter. If you should have any questions, please feel free to contact me at (213) 745-6656.

Sincerely,

RODERICK D. WRIGHT, Assembly Member  
Forty-eighth District

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 75—Miller.** Relative to Joint Rules 28, 29.5, 30, and 38.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, July 31, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(2) as it relates to Assembly Bill No. 1397.

MARTIN GALLEGOS

Above request ordered transmitted to the Committee on Rules.

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

July 31, 1997

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

Senate Bill No. 79

Senate Bill No. 576

Senate Bill No. 364

Senate Bill No. 669

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

MIGDEN, Chairwoman

**SENATE BILL NO. 79**—An act to amend Section 22050 of, to add Sections 20711 and 20792 to, and to add Article 130 (commencing with Section 21700) to Chapter 1.5 of Part 3 of Division 2 of, the Public Contract Code, relating to local agency contracts.

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.

**SENATE BILL NO. 364**—An act to add and repeal Article 9.7 (commencing with Section 8420) of Chapter 2 of Part 3 of Division 6 of, and to repeal Section 8425 of, the Fish and Game Code, relating to commercial fishing, 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.

**SENATE BILL NO. 576**—An act to amend Section 12463.3 of, and to add Section 53895.5 to, the Government Code, to amend Section 33080.6 of, to add Section 33672.7 to, and to add and repeal Section 33080.8 of, the Health and Safety Code, relating to redevelopment.

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.

**SENATE BILL NO. 669**—An act to add Sections 48645.8 and 51220.6 to the Education Code, and to add Sections 885.5, 896.5, 1124.5, and 1857.5 to the Welfare and Institutions Code, relating to parenting 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 Health**

July 31, 1997

Mr. Speaker: The Chair of your Committee on Health reports:  
Assembly Bill No. 1397

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

GALLEGOS, Chairman

**ASSEMBLY BILL NO. 1397**—An act to amend Section 14085.5 of 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 Judiciary**

Date of Hearing: July 23, 1997

Mr. Speaker: Your Committee on Judiciary reports:  
Senate Bill No. 564

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

ESCUZIA, Chairwoman

Above bill ordered to second reading.

### **CONSIDERATION OF DAILY FILE** **SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 94**—An act to amend Sections 18895.2, 18897.63, and 18897.87 of, to add Sections 18897.1 and 18897.97 to, and to add Article 1.5 (commencing with Section 18896) to Chapter 2.5 of Division 8 of, the Business and Professions Code, relating to athlete agents.

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. 1323**—An act to add Section 17039.3 to the Education Code, and to amend Section 13146.3 of the Health and Safety Code, relating to school facilities.

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. 468**—An act to add Section 1522.06 to the Health and Safety Code, relating to community care facilities.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 602**—An act to add Sections 5040, 6009.3, and 22252.5 to the Business and Professions Code, to add Section 1505 to the Financial Code, to amend Sections 18795 and 18796 of, and to add Section 18872 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 816**—An act to amend Section 7735 of, and to add and repeal Section 17530.7 of, the Business and Professions Code, relating to funeral practices.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 969**—An act to relating to judges.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 993**—An act to amend Section 25600 of, and to add Sections 23363.1 and 23363.2 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 245**—An act to amend Section 24351 of, and to add Part 6 (commencing with Section 24450) of Division 9 to, the Public Utilities Code, relating to insurance.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 363**—An act to amend Sections 81007.5, 82015, 82025, 85200, and 85201 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 450**—An act to amend Section 138.6 of the Labor Code, relating to workers' compensation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 471**—An act to amend Sections 22002, 22115, 22119.2, 22134, 22146, 22155, 22456, 22664, 22701, 22710, 22711, 22713, 22901, 22903, 22904, 22950, 22951, 22952, 22954, 22955, 23000, 23002, 23005, 23008, 24001, 24005, 24205, and 24950 of the Education Code, relating to school employees.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 952**—An act to amend Section 51769 of the Education Code, and to amend Section 3368 of the Labor Code, relating to workers' compensation.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 1078**—An act to amend Section 290.4 of the Penal Code, relating to sex offenses.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 247**—An act to amend Sections 19271 and 19272 of, and to amend and renumber Section 19532 of, the Revenue and Taxation Code, and to amend Section 11475.1 of, and to add Section 11479.1 to, the Welfare and Institutions Code, relating to support.

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.



**ADJOURNMENT**

At 3:46 p.m., the Assembly adjourned until 11 a.m., Monday, August 4, 1997.

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CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 31, 1997

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

<b>AB</b>	<b>RN</b>
1397	9720104

<b>SB</b>	<b>RN</b>
79	9720013
94	9715292
247	9719984
364	9719741
576	9719814
669	9719983
1323	9719690

<b>Daily Total:</b>	<b>8</b>
<b>Cumulative Total:</b>	<b>2956</b>

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