

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 24, 1996

ONE HUNDRED FIFTY-SEVENTH SESSION DAY

FOUR HUNDRED SIXTEENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 24, 1996

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th 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—76:

Ackerman	Campbell	Hoge	Murray, Willard
Aguiar	Cannella	House	Napolitano
Alby	Conroy	Kaloogian	Olberg
Alpert	Cortese	Katz	Poochigian
Archie-Hudson	Cunneen	Knight	Rainey
Baca	Davis	Knowles	Richter
Baldwin	Ducheny	Knox	Rogan
Battin	Escutia	Kuehl	Setencich
Baugh	Figueroa	Kuykendall	Sher
Boland	Firestone	Machado	Speier
Bordonaro	Friedman	Margett	Sweeney
Bowen	Frusetta	Martinez	Takasugi
Bowler	Callegos	Mazzoni	Thompson
Brewer	Goldsmith	McDonald	Tucker
Brown	Granlund	McPherson	Vasconcellos
Brulte	Hannigan	Miller	Villaraigosa
Burton	Harvey	Morrissey	Weggeland
Bustamante	Hauser	Morrow	Woods
Caldera	Hawkins	Murray, Kevin	Mr. Speaker

Quorum present.

At 2:47 p.m., Hon. David Knowles, 4th 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 personal business, and waiving per diem: Assembly Member Lee.

Because of illness: Assembly Member Bates.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

COMMUNICATIONS

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

January 23, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson, Please be advised that Mr. Rex Hime is appointed to the Tahoe Regional Planning Agency, replacing the current Speaker's appointee Jane Hagedorn, as authorized by Government Code, Section 66801.

Sincerely,

CURT PRINGLE
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 24, 1996

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

Assembly Bill No. 90
 Assembly Bill No. 101
 Assembly Bill No. 127
 Assembly Bill No. 252
 Assembly Bill No. 380
 Assembly Bill No. 553
 Assembly Bill No. 607
 Assembly Bill No. 707
 Assembly Bill No. 780
 Assembly Bill No. 781
 Assembly Bill No. 782
 Assembly Bill No. 783
 Assembly Bill No. 784
 Assembly Bill No. 841

Assembly Bill No. 881
 Assembly Bill No. 892
 Assembly Bill No. 1058
 Assembly Bill No. 1106
 Assembly Bill No. 1195
 Assembly Bill No. 1322
 Assembly Bill No. 1353
 Assembly Bill No. 1357
 Assembly Bill No. 1650
 Assembly Bill No. 1675
 Assembly Bill No. 1723
 Assembly Bill No. 1752
 Assembly Bill No. 1980

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 2095—Richter. An act to amend Sections 12800, 12811, 12811.1, and 12811.2 of the Government Code, and to amend Sections 5000 and 5050 of the Penal Code, relating to corrections.

ASSEMBLY BILL NO. 2096—Tucker. An act to add Article 1.2 (commencing with Section 17509.1) to Part 3 of Division 7 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 2097—Battin. An act to amend Sections 999e and 13853 of, and to repeal Section 13854.5 of, the Penal Code, relating to crime, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2098—Cortese. An act to add Part 6 (commencing with Section 7890) to Division 7 of the Elections Code, relating to the Reform Party.

AUTHOR'S AMENDMENTS
Committee on Local Government

January 24, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 805

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

RAINEY, Chairman

SENATE BILL NO. 805—An act to add Section 17631 to the Government Code, relating to state-mandated local programs.

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

January 24, 1996

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 825

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

MORROW, Chairman

SENATE BILL NO. 825—An act to add and repeal Sections 68114.8 and 71341.1 of the Government Code, and to add and repeal Section 1462.6 of the Penal Code, relating to courts.

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: January 23, 1996

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 178

Assembly Bill No. 883

Assembly Bill No. 675

Assembly Bill No. 1803

With the recommendation: Do pass.

BOLAND, Chairwoman

Above bills ordered to second reading.

Date of Hearing: January 23, 1996

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 294

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

BOLAND, Chairwoman

Above bill ordered to second reading.

Committee on Banking and Finance

Date of Hearing: January 22, 1996

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 612

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

GOLDSMITH, Chairman

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1914—An act to add Chapter 6.5 (commencing with Section 2791) to Part 2 of Division 1 of the Public Utilities Code, relating to public utilities.

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

ASSEMBLY BILL NO. 165—An act to amend Section 21177 of the Public Resources Code, relating to environmental quality.

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

ASSEMBLY BILL NO. 1977—An act relating to the Bear Valley Unified School District, 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.

ASSEMBLY BILL NO. 582—An act to amend Sections 1855.4 and 1855.5 of the Insurance Code, relating to insurance.

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

ASSEMBLY BILL NO. 894—An act to amend Sections 3761 and 5402 of the Labor Code, relating to workers' compensation.

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

ASSEMBLY BILL NO. 1002—An act to amend and repeal Section 3209.3 of the Labor Code, relating to workers' compensation.

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

ASSEMBLY BILL NO. 255—An act to amend Section 16584 of, to add and repeal Sections 16583.5 and 16583.7 of, and to repeal Section 16587 of, the Government Code, and to amend Section 19532 of, and to add and repeal Section 19568 of, the Revenue and Taxation Code, relating to state funds, 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.

ASSEMBLY BILL NO. 154—An act to amend Sections 17000 and 17001 of the Welfare and Institutions Code, relating to general assistance.

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

ASSEMBLY BILL NO. 616—An act to amend Section 17922 of the Health and Safety Code, relating to buildings.

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

ASSEMBLY BILL NO. 1625—An act to amend Sections 798.2, 798.3, 798.4, 798.6, 798.9, 798.10, 798.11, 798.12, 798.14, 798.15, 798.17, 798.19, 798.22, 798.23, 798.25.5, 798.26, 798.27, 798.28, 798.285, 798.29, 798.29.5, 798.31, 798.33, 798.34, 798.36, 798.37, 798.39, 798.50, 798.51, 798.55, 798.56, 798.56a, 798.58, 798.61, 798.70, 798.71, 798.72, 798.73, 798.74, 798.75, 798.78, 798.79, 798.80, 798.81, 798.87, 798.88, 799, 799.1, 799.2, 799.3, 799.4, 799.5, 799.7, and 799.8 of, to amend the heading of Article 7 (commencing with Section 798.70) of Chapter 2.5 of, and to amend the heading of Chapter 2.5 (commencing with Section 798) of, Title 2 of Part 2 of Division 2 of, the Civil Code, relating to mobilehomes.

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

ASSEMBLY BILL NO. 1017—An act to add Title 10 (commencing with Section 2523) to Part 4 of Division 3 of the Civil Code, relating to firearms.

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. 1784—An act to amend Section 1102.6 of the Civil Code, and to add Article 3.5 (commencing with Section 24120.100) to Chapter 1 of Division 20 of the Health and Safety Code, relating to swimming pools.

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

ASSEMBLY BILL NO. 341—An act to amend Section 1861.02 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 596—An act to add Section 2399.5 to the Business and Professions Code, relating to medicine.

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.

ASSEMBLY BILL NO. 1652—An act relating to child molestation.

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.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Elections, Reapportionment and Constitutional Amendments on Thursday, February 1, 1996, at 11 a.m. in Room 437.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, January 24, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Assembly Bills Nos. 90, 127, 198, 252, 298, 344, 380, 476, 553, 607, 707, 795, 841, 865, 881, 892, 926, 1058, 1081, 1106, 1195, 1322, 1352, 1353, 1357, 1387, 1524, 1607, 1650, 1652, 1675, 1723, 1752, 1784, 1826, 1832, and 1980.

CURT PRINGLE

Above request ordered transmitted to the Committee on Rules.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, January 25, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 24, 1996**

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

AB	RN
154	9602422
165	9602083
255	9601834
582	9535241
596	9601928
616	9601858
894	9602042
1002	9602026
1017	9602002
1625	9602726
1652	9603130
1784	9602300
1914	9602354
1977	9601801

SB	RN
805	9534483
825	9601527