

CALIFORNIA LEGISLATURE  
1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, January 25, 1995**

**FOURTEENTH SESSION DAY**

**FIFTY-SECOND CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, January 25, 1995

The Assembly met at 7 a.m.

Hon. Ted Weggeland, Assembly Member, 64th District, presiding.  
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Stephen J. Greene, Jr. reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

**At 12:12 p.m., Hon. Louis Caldera, 46th 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 Bates, Isenberg, and Speier.*

**EXPLANATIONS OF ABSENCE**

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

January 25, 1995

*Honorable Willie L. Brown, Jr.*  
*Room 219, State Capitol Building*  
*Sacramento, California*

Dear Mr. Speaker, It is requested that I be excused from session on January 25. I will be conducting legislative business within my district on this date.

Thank You,

TOM BATES, Assembly Member  
Fourteenth District

January 24, 1995

*Honorable Willie L. Brown, Jr.*  
*Speaker of the Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Brown: I am writing to inform you that I will be out of town on legislative business starting at noon on Tuesday, January 24th and will not be returning until the evening of Thursday, January 26th.

Please excuse me from Assembly Floor Session on Thursday, January 26th.

Thank you in advance for your consideration.

Sincerely,

PHIL ISENBERG, Assembly Member  
Ninth District

January 25, 1995

*The Honorable Willie L. Brown Jr.*  
*Speaker of the Assembly*  
*Room 219—State Capitol*  
*Sacramento, California*

Dear Mr. Speaker: I respectfully request that I be excused from check-in session today, Wednesday, January 25, 1995. I will be attending to legislative business in my district office.

Thank you for your consideration of this request.

All the best,

JACKIE SPEIER, Assembly Member  
Nineteenth District

**COMMUNICATIONS**

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

January 25, 1995

*The Honorable Pete Wilson  
Governor, State of California  
State Capitol, First Floor  
Sacramento, California*

Dear Governor Wilson: This is to notify you that a vacancy has occurred in the 59th Assembly District.

Attached is a copy of the Assembly Daily Journal containing the motion and vote determining that Assemblymember Richard Mountjoy is not a duly elected and qualified Member of the Assembly. Furthermore, it has come to my attention that Senator-elect Mountjoy was sworn in on the Senate Floor as a Senator representing the 29th Senatorial District on Tuesday, January 24 at 11:00 a.m.

Thank you for your attention to this matter.

Sincerely,

**E. DOTSON WILSON**  
Chief Clerk

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 187—Machado.** An act to add Section 9411 to the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 188—Machado and Cannella.** An act to add and repeal Sections 17053.26 and 23636 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 189—Hauser.** An act to repeal and add Part 1.5 (commencing with Section 34000) of Division 24 of the Health and Safety Code, relating to redevelopment.

**ASSEMBLY BILL NO. 190—Frusetta.** An act to amend Section 190.2 of the Penal Code, relating to murder.

**ASSEMBLY BILL NO. 191—Cannella.** An act to amend Section 1808.4 of the Vehicle Code, relating to public records, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 192—Cannella.** An act to amend Section 11713.1 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 193—Kevin Murray.** An act to amend Section 10115.2 of the Public Contract Code, relating to state contracts.

**ASSEMBLY BILL NO. 194—Kevin Murray.** An act to amend Sections 6051, 6201, and 17041 of the Revenue and Taxation Code, 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>
1	Pub. S.
2	Higher Ed.
3	Rev. & Tax.

4	-----	C.P.,G.E. & E.D.
5	-----	L. Gov.
6	-----	L. Gov.
7	-----	Pub. S.
8	-----	Health
9	-----	Hum. S.
10	-----	E.,R. & C.A.
12	-----	Pub. S.
13	-----	Ins.
14	-----	Hum. S.
15	-----	L. Gov.
16	-----	Jud.
17	-----	E.,R. & C.A.
18	-----	Hum. S.
19	-----	G.O.
20	-----	Ed.
21	-----	Ed.
22	-----	Ed.
23	-----	C.P.,G.E. & E.D.
25	-----	W.,P. & W.
26	-----	Pub. S.
27	-----	Higher Ed.
28	-----	Trans.
29	-----	C.P.,G.E. & E.D.
30	-----	Trans.
31	-----	Trans.
32	-----	Pub. S.
33	-----	Trans.
35	-----	Nat. Res.
36	-----	Jud.
37	-----	L. Gov.
38	-----	Hum. S.
39	-----	Ed.
40	-----	C.P.,G.E. & E.D.
41	-----	Jud.
42	-----	E.S. & T.M.
43	-----	L. Gov.
44	-----	Pub. S.
45	-----	Hum. S.
46	-----	H. & C.D.
47	-----	L. Gov.
48	-----	Hum. S.
49	-----	Ed.
50	-----	L. & E.
51	-----	E.,R. & C.A.
53	-----	C.P.,G.E. & E.D.
54	-----	Jud.
55	-----	Ed.
56	-----	Ed.
57	-----	Pub. S.
58	-----	Pub. S.
59	-----	Nat. Res.
60	-----	C.P.,G.E. & E.D.
61	-----	L. Gov.

62	-----	G.O.
63	-----	Trans.
64	-----	Pub. S.
65	-----	L. Gov.
66	-----	Ed.
67	-----	Pub. S.
68	-----	Nat. Res.
69	-----	Pub. S.
70	-----	Pub. S.
71	-----	Higher Ed.
72	-----	Hum. S.
73	-----	Health
74	-----	Pub. S.
75	-----	Pub. S.
76	-----	W.,P. & W.
77	-----	W.,P. & W.
78	-----	Jud.
79	-----	Pub. S.
80	-----	Pub. S.
81	-----	Pub. S.
82	-----	L. Gov.
83	-----	Pub. S.
84	-----	Ed.
85	-----	Hum. S.
86	-----	Hum. S.
87	-----	W.,P. & W.
88	-----	Rev. & Tax.
89	-----	Rev. & Tax.
90	-----	Rev. & Tax.
91	-----	G.O.
92	-----	Pub. S.
93	-----	Trans.
94	-----	Higher Ed.
95	-----	Pub. S.
96	-----	L. Gov.
97	-----	L. Gov.
98	-----	Hum. S.
99	-----	Pub. S.

*Assembly Constitutional*

<i>Amendment No.</i>	<i>Committee</i>
1	----- P.E.,R. & S.S.
2	----- Jud.
3	----- Trans.
4	----- Budget

*Assembly Joint*

<i>Resolution No.</i>	<i>Committee</i>
1	----- C.P.,G.E. & E.D.
2	----- C.P.,G.E. & E.D.
3	----- Nat. Res.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, January 26, 1995.

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WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk