

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 26, 1995

FIFTEENTH SESSION DAY

FIFTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 26, 1995

The Assembly met at 9:20 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Stephen J. Greene, Jr. reading.

ROLL CALL

The roll was called, and the following answered to their names—76:

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

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Joe Baca, of the 62nd Assembly District:

Lord and Giver of Life, Among Your many gifts You have given us this new day in which to serve You and Your loved ones. Grant us the light of wisdom in our deliberations, the courage of our convictions, and a deep sense of service to our constituents, to our state and nation, and to You, God. We ask this through Christ our Lord.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Kaloogian then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

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 Alpert, Isenberg, and Vasconcellos.

EXPLANATIONS OF ABSENCE

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

January 13, 1995

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

Dear Mr. Speaker: Please excuse me from session on Thursday, January 26, 1995. I have legislative business scheduled in my district. Your consideration is greatly appreciated.

Sincerely,

DEDE ALPERT, Assembly Member
Seventy-eighth District

January 24, 1995

*Honorable Willie Brown, Jr.
California State Assembly
State Capitol #219
Sacramento, California*

Willie - Please excuse me from Assembly Session on Thursday, January 26, 1995, on legislative business. I have been invited to participate in a conversation of forty leaders concerning revitalizing a meaningful sense of citizenship in the United States. The meeting will be held in Washington, D.C.

I have several meetings concerning legislative business scheduled on Friday, January 27, in Washington as well.

I wish you well,

JOHN VASCONCELLOS, Assembly Member
Twenty-second District

(NOTE: For letter explaining the absence of Assembly Member Isenberg on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 25, 1995.)

ANNOUNCEMENTS

Speaker Brown announced that Assembly Member Hannigan had been designated Democratic Floor Leader by the Democratic Caucus.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Brulte was granted unanimous consent that the following communications be printed in the Journal:

January 25, 1995

*Mr. E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: In accordance with existing provisions which requires the respective caucuses of the Assembly to organize within 48 hours of the November general election, I am writing to inform you that upon November 10, 1994 the Assembly Republican Caucus elected me as their Floor Leader.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

*Mr. E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: I would like to inform you that following members have been chosen to serve within the Assembly Republican Caucus' leadership:

Assistant Republican Leader—Assemblyman Jan Goldsmith
Republican Caucus Chair—Assemblyman Bruce Thompson
Republican Whip—Assemblyman Jim Battin
Republican Whip—Assemblyman Steven Kuykendall
Republican Whip—Assemblyman Brian Setencich

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

*Mr. E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: I would like to inform you that the following selections complete the Assembly Republican Caucus' leadership team for the 1995–96 legislative session:

Assistant Republican Leader—Assemblyman Fred Aguiar
Assistant Republican Leader—Assemblyman Curt Pringle

Assemblyman Pringle served as an Assistant Republican Leader last session and will do so again this session. Assemblyman Aguiar will serve as an Assistant Republican Leader in place of Assemblyman Knowles who is now the Chairman of the Insurance Committee.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

*Mr. E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: In accordance with the existing rules of the Assembly, I am writing to inform you that the Assembly Republican Caucus has designated the following members to represent them on the Assembly Rules Committee:

Assemblyman Ross Johnson—Vice-Chair
Assemblyman Fred Aguiar
Assemblywoman Barbara Alby
Assemblyman Jan Goldsmith
Assemblyman Pete Knight

Assemblyman Johnson will serve as both the Vice-Chairman and as my designee to the committee.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

*Mr. E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: In accordance with the existing rules of the Assembly, I am writing to inform you that the Assembly Republican Caucus has designated the following committee chairs and vice-chairs:

AGRICULTURE: Chair—Assemblyman Trice Harvey
APPROPRIATIONS: Chair—Assemblyman Curt Pringle
BANKING AND FINANCE: Chair—Assemblyman Ted Weggeland
BUDGET: Vice Chair—Assemblyman Chuck Poochigian
CONSUMER PROTECTION, GOVERNMENTAL EFFICIENCY AND ECONOMIC DEVELOPMENT: Vice Chair—Assemblyman Jim Morrissey
EDUCATION: Vice Chair—Assemblyman Steve Baldwin
ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS: Chair—Assemblyman Bruce McPherson
ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Chair—Assemblyman Bernie Richter
GOVERNMENTAL ORGANIZATION: Vice Chair—Assemblyman Bill Hoge
HEALTH: Chair—Assemblywoman Doris Allen
HIGHER EDUCATION: Vice Chair—Assemblyman Brooks Firestone
HOUSING AND COMMUNITY DEVELOPMENT: Vice Chair—Assemblyman Phil Hawkins
HUMAN SERVICES: Chair—Assemblyman Brett Granlund

INSURANCE: Chair—Assemblyman David Knowles
 JUDICIARY: Vice Chair—Assemblyman Bill Morrow
 LABOR AND EMPLOYMENT: Vice Chair—Assemblyman George House
 LOCAL GOVERNMENT: Chair—Assemblyman Richard Rainey
 NATURAL RESOURCES: Vice Chair—Assemblyman Keith Olberg
 PUBLIC EMPLOYEES, RETIREMENT, AND SOCIAL SECURITY: Chair—Assemblyman Howard Kaloogian
 PUBLIC SAFETY: Chair—Assemblywoman Paula Boland
 REVENUE AND TAXATION: Vice Chair—Assemblyman Nao Takasugi
 TELEVISIONING THE ASSEMBLY AND INFORMATION TECHNOLOGY: Chair—Assemblyman Tom Woods
 TRANSPORTATION: Vice Chair—Assemblyman Larry Bowler
 UTILITIES AND COMMERCE: Chair—Assemblyman Mickey Conroy
 WATER, PARKS AND WILDLIFE: Vice Chair—Assemblyman Peter Frusetta

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
 Assembly Republican Leader

ANNOUNCEMENTS

Republican Floor Leader Brulte announced that alternate committee members would be appointed following the next meeting of the Republican Caucus.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Rogan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carlos Evangelista, of Rancho Cucamonga.

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Betty Mae Taggart, former City Treasurer, of Rialto.

Assembly Member Cunneen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Wick, of San Jose.

Assembly Member Speier was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael Pompati, of Half Moon Bay.

CONGRATULATIONS EXTENDED

Assembly Member Conroy was joined by the Members of the Assembly in extending congratulations to Assembly Member Barbara Alby and her husband Dennis, on the occasion of their 27th wedding anniversary on January 27, 1995.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Cunneen was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the 40th wedding anniversary of his parents, Joan and Wally Cunneen.

RECESS

By unanimous consent, at 9:29 a.m., Speaker Brown declared the Assembly recessed.

REASSEMBLED

At 9:34 a.m., the Assembly reconvened.
Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

ANNOUNCEMENTS

Speaker Brown announced that the Assembly would convene in Floor Session on Monday, January 30, 1995, at 11 a.m.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:34 a.m., Speaker Brown 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. 195—Morrow. An act to add Section 1240.05 to the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 196—Morrow. An act to add Chapter 11.5 (commencing with Section 25959) to Division 20 of the Health and Safety Code, relating to abortion.

ASSEMBLY BILL NO. 197—Cunneen and McPherson, Baldwin, Frusetta, and Takasugi. An act to amend Sections 17053.49 and 23649 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 198—Caldera. An act to amend Section 47602 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 199—Kevin Murray. An act to amend Section 10826 of, and to add Sections 11253.5, 17112, and 18904.15 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 200—Allen. An act to amend Sections 1980, 1981, 1983.5, 48915, 48915.2, 48915.5, 48916, and 48918 of, to add Section 48926 to, and to add Article 3.5 (commencing with Section 32225) to Chapter 2 of Part 19 of, and to repeal Sections 1982.5 and 48915.7 of, the Education Code, relating to education.

ASSEMBLY BILL NO. 201—Allen. An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 202—Conroy. An act to amend Section 234 of the Public Utilities Code, relating to paging systems.

INTRODUCTION OF GUESTS

Assembly Member Bowler, of the 10th Assembly District, introduced Paul Coaxum and 5th grade classmates, accompanied by their teachers Mrs. Brenda McClean and Ms. Toni Westerman, of Foulks Ranch Elementary School, in Elk Grove.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Monday, January 30, 1995, out of respect to the memory of Carlos Evangelista, on motion of Assembly Member Rogan; out of respect to the memory of Betty Mae Taggart, on motion of Assembly Member Baca; out of respect to the memory of Robert Wick, on motion of Assembly Member Cunneen; out of respect to the memory of Michael Pompati, on motion of Assembly Member Speier; and in honor of the 40th wedding anniversary of Joan and Wally Cunneen, on motion of Assembly Member Cunneen.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk