

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 2, 1995

NINETEENTH SESSION DAY

SIXTIETH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 2, 1995

The Assembly met at 9:18 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—74:

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

Quorum present.

PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Assembly Member Cruz Bustamante, of the 31st Assembly District:

For Another Day We Thank You Father, Help us to find in this time of opportunity new ways of doing old things. Teach us to find new attitudes which attract people to the inspired way. Make us kind and considerate in all we attempt so that Your plan may not suffer. You have blessed us with so much and we have not always done our best. Give us now the courage to try again.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Katz, seconded by Assembly Member Vasconcellos.

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 Cortese, Hannigan, and Speier.

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

Because of illness in her family: Assembly Member Bowen.

EXPLANATIONS OF ABSENCE

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

February 2, 1995

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

Dear Mr. Speaker: Please excuse me from session today. I will be in my district on legislative business.

Thank you for your consideration of this matter.

Sincerely,

DOMINIC L. CORTESE, Assembly Member
Twenty-third District

February 1, 1995

*Speaker Willie L. Brown, Jr.
State Capitol, Room 219*

Dear Speaker Brown: This is to request that I be excused from Session on Thursday, February 2. I will be on legislative business in my district.

Thank you for your attention to this matter.

Sincerely,

THOMAS M. HANNIGAN, Assembly Member
Eighth District

February 2, 1995

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

Dear Mr. Speaker: I respectfully request that I be excused from session today, Thursday, February 2, 1995. I will be attending to legislative business in my district.

Thank you for your consideration of this request.

All the best,

JACKIE SPEIER, Assembly Member
Nineteenth District

CONGRATULATIONS EXTENDED

Assembly Member Woods was joined by the Members of the Assembly in extending congratulations to Assembly Member Bernie Richter and his wife Rae, on the occasion of their 42nd wedding anniversary on January 31, 1995.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Harvey was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maria Olmos, of Bakersfield, who was his son-in-law's grandmother.

Assembly Member Willard Murray was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bernel Joseph Gains, of Los Angeles.

Assembly Member Boland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Muriel Rice, of Northridge.

Assembly Member Machado was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Claude Brooks, of Stockton.

Assembly Member Sweeney was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marjorie J. Mickey, of Hayward; and Richard A. Silva, of Dublin.

Assembly Member Takasugi was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mrs. Hanako Kato, of Oxnard.

Assembly Member Alpert was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Homer Kripke, of San Diego.

CAUCUS ANNOUNCEMENTS

Speaker Brown announced that the Democratic Caucus would meet today, upon adjournment of Floor session, in the Assembly Lounge; and Assembly Member Brulte announced that the Republican Caucus would meet at the same time, in the Tom Bane Rules Committee Room.

ANNOUNCEMENTS

Assembly Member Isenberg announced that a training seminar for first time committee chairs and vice-chairs, and other interested Members, would be held following Floor session today, in the Tom Bane Rules Committee Room (upon adjournment of the Republican Caucus).

RECESS

By unanimous consent, at 9:31 a.m., Speaker Brown declared the Assembly recessed.

REASSEMBLED

At 9:33 a.m., the Assembly reconvened.

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

MOTION TO ADJOURN

At 9:33 a.m., Assembly Member Brulte moved that the Assembly do now adjourn.

Assembly Member Bustamante seconded the motion.

Motion carried.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 236—Horcher. An act to add Article 2.7 (commencing with Section 53045) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to public officers.

ASSEMBLY BILL NO. 237—Horcher. An act to amend Section 2024 of the Code of Civil Procedure, relating to civil procedure.

ASSEMBLY BILL NO. 238—Horcher. An act to amend Section 2025 of the Code of Civil Procedure, relating to civil procedure.

ASSEMBLY BILL NO. 239—Horcher. An act to amend Section 2025 of the Code of Civil Procedure, relating to civil discovery.

ASSEMBLY BILL NO. 240—Horcher. An act to amend Section 92030 of, to add Sections 92034 and 92035 to, and to repeal Section 92020 of, the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 241—Horcher. An act to add Section 44013.5 to the Public Resources Code, relating to solid waste, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 242—Sher. An act to amend Section 42512 of the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 243—Battin. An act to amend Section 7073 of the Government Code, relating to enterprise zones.

ASSEMBLY BILL NO. 244—Battin. An act to amend Sections 22651 and 40152 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 245—Battin. An act to amend Section 5673 of the Welfare and Institutions Code, relating to community care.

ASSEMBLY BILL NO. 246—Morrow. An act to amend Sections 48900 and 48918 of the Education Code, and to add Section 827.1 to the Welfare and Institutions Code, relating to pupil expulsion.

ASSEMBLY BILL NO. 247—Baldwin, Boland, Bordonaro, Goldsmith, and Morrissey, (Senators Hurtt, Johannessen, Kelley, and Monteith, coauthors). An act to amend Section 16501 of the Welfare and Institutions Code, relating to children.

ASSEMBLY BILL NO. 248—Baldwin. An act to add Section 12023.5 to the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 249—Baldwin. An act to amend Section 23151 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 250—Baldwin and Woods. An act to add and repeal Section 11340.4 of the Government Code, relating to administrative regulations.

ASSEMBLY BILL NO. 251—Valerie Brown. An act to amend Section 6361.1 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 252—Richter. An act to add and repeal Section 17053.28 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 253—Kuehl. An act to amend Section 14571.4 of the Public Resources Code, relating to beverage containers.

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Morrow (Senator Craven, coauthor). Relative to the San Luis Rey Mission Expressway.

MESSAGES FROM THE SENATE

Senate Chamber, February 2, 1995

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 5

Senate Concurrent Resolution No. 8

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 5—Relative to the Los Angeles Rams.

SENATE CONCURRENT RESOLUTION NO. 8—Relative to the creation of the Joint Committee on Coordination of Public Policy Research.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Brulte, the Assembly adjourned until 11 a.m., Monday, February 6, 1995, out of respect to the memory of Maria Olmos, on motion of Assembly Member Harvey; out of respect to the memory of Bernel Joseph Gains, on motion of Assembly Member Willard Murray; out of respect to the memory of Muriel Rice, on motion of Assembly Member Boland; out of respect to the memory of Claude Brooks, on motion of Assembly Member Machado; out of respect to the memory of Marjorie J. Mickey and Richard A. Silva, on motion of Assembly Member Sweeney; out of respect to the memory of Mrs. Hanako Kato, on motion of Assembly Member Takasugi; and out of respect to the memory of Homer Kripke, on motion of Assembly Member Alpert.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk