

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Monday, February 5, 1996**

**ONE HUNDRED SIXTY-THIRD SESSION DAY**

**FOUR HUNDRED TWENTY-EIGHTH 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  
Monday, February 5, 1996

The Assembly met at 11:20 a.m.  
Hon. Fred Aguiar, Speaker pro Tempore of the Assembly,  
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Ackerman moved a quorum call of the Assembly.

Motion carried. Time, 11:21 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

**At 11:27 a.m., Speaker Curt Pringle, 68th District, presiding**

#### Quorum Present

At 11:28 a.m., Speaker Pringle declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—75:

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

**PRAYER**

Upon invitation of Speaker Pringle, the following prayer was offered by Bishop William K. Weigand, of the Sacramento Catholic Diocese:

*Blessed are You, O Lord Our God! For You are our Creator and Lord, the source of life and truth and justice. We praise You and worship You. We acknowledge the sacred dignity that You have given to all men and women, each made to Your "image and likeness." You have given a share in Your providential care over this state to these distinguished members of the State Assembly.*

Today we ask Your blessing upon these Your servants. Give them wisdom. Grant them courage and strength. Endow them with a thirst for justice, deep respect for each person, and zeal to serve adequately the needs of all. Through their leadership and action, Lord God, may the citizens of this state be served in light of their dignity as human beings and their need to live in solidarity with others. Lord, if anyone is to be favored, let this august body be blessed with the moral strength to favor those in our midst who are most vulnerable, those with the greatest needs.

Bless these servants of California in all their weighty deliberations this day. All this we pray with the confidence of sons and daughters, sure of Your fatherly love and providential care.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker Pringle, Assembly Member Thompson 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 Rogan, seconded by Assembly Member Aguiar.

**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 Member Willard Murray.*

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

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

*Because of illness: Assembly Member Figueroa.*

**EXPLANATIONS OF ABSENCE**

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

January 31, 1996

*The Honorable Curt Pringle*  
*Speaker, California State Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker: Due to important legislative business in my district, I will be unable to attend the Floor Session scheduled for Monday, February 5, 1996.

Please note my absence in the Daily Journal. I waive per diem for the day.

Thank you for your consideration of this request.

Sincerely,

HOWARD KALOOGIAN, Assembly Member  
 Seventy-fourth District

February 5, 1996

*Honorable Curt Pringle*  
*Speaker of the Assembly*

Dear Honorable Pringle: This is to request that I be excused from Session on February 5, 1996, due to Legislative Business in the district.

Sincerely,

WILLARD H. MURRAY, Assembly Member  
 Fifty-second District

**COMMUNICATIONS**

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

February 5, 1996

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

Dear Mr. Wilson,

Please be advised of the following appointments to the Joint Committee on Worker's Compensation: Assembly Members Alby, Brewer, Brulte, Knowles and Tucker.

Sincerely,

CURT PRINGLE  
 Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 5, 1996

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

Assembly Constitutional Amendment No. 25

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, February 5, 1996

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

Assembly Bill No. 1095

And reports the same correctly enrolled, and presented to the Governor at 10:30 a.m. February 5, 1996.

E. DOTSON WILSON, Chief Clerk

### REQUEST FOR UNANIMOUS CONSENT

Assembly Member Alby was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kathy Skeie, of Rio Linda.

### RESOLUTIONS

The following resolution was offered:

#### Assembly Concurrent Resolution No. 53

By Assembly Member Cunneen.

*Relative to Random Acts of Kindness Week.*

WHEREAS, Random acts of kindness are those sweet or lovely things that we do for no reason except that, momentarily, the best of our humanity has sprung into full bloom; and

WHEREAS, In 1982, an individual named Ann Herbert penned a very special phrase—"Practice random kindness and senseless acts of beauty"; and

WHEREAS, Random Acts of Kindness Week is a way to counteract random acts of violence, and the first Random Acts of Kindness Week took place in February 1995; since then, the nonprofit Random Acts of Kindness Foundation has been formed, and orchestrates the annual awareness campaign each February; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the week of February 12 through February 18, 1996, be recognized as Random Acts of Kindness Week, and that the public be urged to observe this week with appropriate individual or group activities; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the author for appropriate distribution.

### REQUEST TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 53 BY UNANIMOUS CONSENT

Assembly Member Cunneen requested unanimous consent to take up Assembly Concurrent Resolution No. 53, without reference to committee, print, or file.

Assembly Member Martinez withheld unanimous consent.

### CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

**SENATE BILL NO. 1147 (Watson)**—An act to add Section 14085.52 to, and to add and repeal Sections 14105.985 and 14163.5 of, the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Assembly Member Tucker moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**ANNOUNCEMENTS**

Speaker Pringle announced new policies adopted by Rules Committee on February 1, 1996 restricting the use of cellular phones on the Assembly Floor, rear of the Chamber, and Gallery; and advising Members to submit names of individuals to be memorialized in the Assembly Journal to the Desk, rather than under Motions and Resolutions during Floor session.

**OBJECTION WITHDRAWN**

Assembly Member Martinez withdrew her objection to the request by Assembly Member Cunneen to take up Assembly Concurrent Resolution No. 53, without reference to file.

**ASSEMBLY CONCURRENT RESOLUTION NO. 53 TAKEN UP BY UNANIMOUS CONSENT**

Assembly Member Cunneen was granted unanimous consent to take up Assembly Concurrent Resolution No. 53, without reference to committee, print, or file, and that the same be considered engrossed.

**ASSEMBLY CONCURRENT RESOLUTION NO. 53**—Relative to Random Acts of Kindness Week.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 53**

Assembly Member Cunneen was granted unanimous consent that all Assembly Members voting "Aye" be placed upon Assembly Concurrent Resolution No. 53 as coauthors.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors.

Ackerman, Aguiar, Alpert, Archie-Hudson, Baca, Baldwin, Baugh, Boland, Bowen, Brown, Burton, Caldera, Davis, Firestone, Friedman, Frusetta, Goldsmith, Harvey, Hauser, Hawkins, Hoge, House, Katz, Knight, Knox, Kuehl, Kuykendall, Machado, Martinez, Mazzoni, McPherson, Miller, Kevin Murray, Napolitano, Olberg, Poochigian, Pringle, Rainey, Richter, Setencich, Sher, Speier, Sweeney, Takasugi, Tucker, Vasconcellos, Villaraigosa, and Woods.

**Request for Unanimous Consent**

Assembly Member Cunneen was granted unanimous consent to take up Assembly Concurrent Resolution No. 53, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 53, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 53**—Relative to Random Acts of Kindness Week.

Resolution read, as amended, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

**SENATE CONCURRENT RESOLUTION NO. 44 TAKEN UP  
BY UNANIMOUS CONSENT**

Assembly Member McPherson was granted unanimous consent to take up Senate Concurrent Resolution No. 44, without reference to committee or file.

**SENATE CONCURRENT RESOLUTION NO. 44**—Relative to College Awareness Month.

Resolution read.

**Members Made Coauthors of Senate Concurrent Resolution No. 44**

Assembly Member McPherson was granted unanimous consent that all Assembly Members voting “Aye” be placed upon Senate Concurrent Resolution No. 44 as coauthors.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Aguiar, Alpert, Archie-Hudson, Baca, Baldwin, Battin, Baugh, Boland, Bowen, Brown, Brulte, Burton, Caldera, Cannella, Conroy, Cunneen, Davis, Ducheny, Escutia, Firestone, Friedman, Frusetta, Gallegos, Goldsmith, Granlund, Harvey, Hauser, Hawkins, Hoge, House, Isenberg, Katz, Knight, Knox, Kuehl, Kuykendall, Lee, Machado, Margett, Martinez, Mazzoni, McPherson, Miller, Morrissey, Morrow, Kevin Murray, Napolitano, Olberg, Poochigian, Pringle, Rainey, Richter, Setencich, Sher, Speier, Sweeney, Takasugi, Tucker, Vasconcellos, Villaraigosa, and Woods.

**Request for Unanimous Consent**

Assembly Member McPherson was granted unanimous consent to take up Senate Concurrent Resolution No. 44, as amended, without reference to file.

**Consideration of Senate Concurrent Resolution No. 44, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 44**—Relative to College Awareness Month.

Resolution read, as amended, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1397 (Poochigian)**—An act to amend Section 1463.007 of the Penal Code, and to amend Sections 207, 207.1, 208.1, 210, 210.1, 210.2, 229, 727.1, 872, 885, 886.5, 896, and 1857 of the Welfare and Institutions Code, relating to corrections, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—69**

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

**NOES—1**

Villaraigosa

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—69**

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

**NOES—1**

Villaraigosa

Above bill ordered enrolled.



**BILL RETURNED TO SENATE**

Without objection, Assembly Member Takasugi returned Assembly Bill No. 1668 to the Senate for further action.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1418 (Bordonaro)**—An act to add Section 1597.41 to the Health and Safety Code, relating to child day care facilities, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—63**

Ackerman	Bustamante	Harvey	Morrow
Aguiar	Caldera	Hauser	Murray, Kevin
Alby	Cannella	Hawkins	Napolitano
Alpert	Conroy	Hoge	Olberg
Archie-Hudson	Cortese	House	Poochigian
Baca	Cunneen	Isenberg	Rainey
Baldwin	Davis	Knight	Rogan
Battin	Ducheny	Knox	Setencich
Baugh	Escutia	Kuykendall	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Friedman	Margett	Thompson
Bowen	Frusetta	Martinez	Tucker
Bowler	Gallegos	Mazzoni	Villaraigosa
Brewer	Goldsmith	McPherson	Woods
Brown	Granlund	Miller	Mr. Speaker
Brulte	Hannigan	Morrissey	

**NOES—5**

Bates	Kuehl	Speier
Burton	Richter	

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—63**

Ackerman	Bustamante	Harvey	Morrow
Aguiar	Caldera	Hauser	Murray, Kevin
Alby	Cannella	Hawkins	Napolitano
Alpert	Conroy	Hoge	Olberg
Archie-Hudson	Cortese	House	Poochigian
Baca	Cunneen	Isenberg	Rainey
Baldwin	Davis	Knight	Rogan
Battin	Ducheny	Knox	Setencich
Baugh	Escutia	Kuykendall	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Friedman	Margett	Thompson
Bowen	Frusetta	Martinez	Tucker
Bowler	Gallegos	Mazzoni	Villaraigosa
Brewer	Goldsmith	McPherson	Woods
Brown	Granlund	Miller	Mr. Speaker
Brulte	Hannigan	Morrissey	

**NOES—5**

Bates	Kuehl	Speier
Burton	Richter	

Above bill ordered enrolled.

**BILL RETURNED TO SENATE**

Without objection, Assembly Member Goldsmith returned Assembly Bill No. 482 to the Senate for further action.

**BILLS STRICKEN FROM FILE**

Assembly Member Martinez was granted unanimous consent that Assembly Bills Nos. 1722 and 1217 be stricken from file.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF GOVERNOR'S VETO—  
ASSEMBLY BILL NO. 133**

**ASSEMBLY BILL NO. 133 (Hauser)**—An act to amend Section 3003 of the Penal Code, relating to prisoners.

Governor's message stating his objections appears at page 4158 of the Assembly Journal for October 17, 1995.

The question being: Shall Assembly Bill No. 133 become a law notwithstanding the objections of the Governor?

**Roll Call**

The roll was opened, and the Governor's veto sustained by the following vote:

**AYES—33**

Alpert	Cannella	Isenberg	Sher
Archie-Hudson	Cortese	Katz	Speier
Baca	Davis	Knox	Sweeney
Bates	Ducheny	Kuehl	Tucker
Bowen	Escutia	Lee	Vasconcellos
Brown	Friedman	Machado	Villaraigosa
Burton	Gallegos	Martinez	
Bustamante	Hannigan	Murray, Kevin	
Caldera	Hauser	Napolitano	

**NOES—37**

Ackerman	Brulte	Knight	Richter
Aguiar	Conroy	Kuykendall	Rogan
Alby	Cunneen	Margett	Takasugi
Baldwin	Firestone	McPherson	Thompson
Battin	Frusetta	Miller	Weggeland
Baugh	Goldsmith	Morrissey	Woods
Boland	Granlund	Morrow	Mr. Speaker
Bordonaro	Hawkins	Olberg	
Bowler	Hoge	Poohigian	
Brewer	House	Rainey	

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 458, 976, 1317, 574, and 378; and Senate Bills Nos. 1332 and 394 were continued until Friday, February 9, 1996.

**RESOLUTIONS**

The following resolution was offered:

**Assembly Concurrent Resolution No. 54**

By Assembly Member Rogan.

*Relative to commending President Ronald Wilson Reagan on the occasion of his 85th birthday.*

WHEREAS, On the occasion of his 85th birthday, it is appropriate to acknowledge and applaud the numerous achievements of Ronald Wilson Reagan, the 40th President of the United States; and

WHEREAS, Born on February 6, 1911, in Tampico, Illinois, President Reagan graduated from Eureka College in 1932, after which he worked as a sports announcer in Des Moines, Iowa; and

WHEREAS, President Reagan began his successful career as an actor in 1937, and he starred in numerous motion pictures and television programs over the next three decades; and

WHEREAS, President Reagan was honored by his colleagues in the entertainment industry with election to the presidency of the Screen Actors Guild, which he served in that capacity from 1947 to 1952 and in 1959; and

WHEREAS, The people of California twice elected President Reagan as our Governor, and he distinguished himself in that office during his service from January 1, 1967, to January 1, 1975; and

WHEREAS, The people of the United States twice elected President Reagan to our nation's highest office, where he served from January 20, 1981, to January 20, 1989; and

WHEREAS, President Reagan's leadership renewed a spirit in Americans to value their faith, their families, and the principles upon which our nation was founded; and

WHEREAS, President Reagan's efforts helped to bring a successful conclusion to the Cold War, to demolish the Berlin Wall, and to end Communist rule in the former Soviet Union; and

WHEREAS, President Reagan is a beloved figure, revered by Americans of all political persuasions; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That, along with other Americans throughout this land, the Legislature of the State of California celebrates the 85th birthday of Ronald Wilson Reagan, the 40th President of the United States, lauds the many accomplishments of his life of public service, and wishes him many happy returns of the day; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the Honorable Ronald Wilson Reagan.

**Assembly Concurrent Resolution No. 54 Taken up  
by Unanimous Consent**

Assembly Member Rogan was granted unanimous consent to take up Assembly Concurrent Resolution No. 54, without reference to committee, print, or file, and that the same be considered engrossed.

**ASSEMBLY CONCURRENT RESOLUTION NO. 54**—Relative to commending President Ronald Wilson Reagan on the occasion of his 85th birthday.

Resolution read.

**Members Made Coauthors of Assembly Concurrent Resolution No. 54**

Assembly Member Rogan was granted unanimous consent that all Assembly Members voting "Aye" be placed upon Assembly Concurrent Resolution No. 54 as coauthors.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Ackerman, Aguiar, Alby, Alpert, Archie-Hudson, Baca, Baldwin, Battin, Baugh, Boland, Bordonaro, Bowen, Bowler, Brewer, Brown, Brulte, Bustamante, Caldera, Conroy, Cortese, Cunneen, Davis, Ducheny, Firestone, Frusetta, Gallegos, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Isenberg, Katz, Knight, Knowles, Knox, Kuykendall, Machado, Margett, Martinez, McPherson, Miller, Morrissey, Morrow, Kevin Murray, Napolitano, Olberg, Poochigian, Pringle, Rainey, Richter, Setencich, Sher, Speier, Sweeney, Takasugi, Thompson, Villaraigosa, Weggeland, and Woods.

**Request for Unanimous Consent**

Assembly Member Rogan was granted unanimous consent to take up Assembly Concurrent Resolution No. 54, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 54, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 54**—Relative to commending President Ronald Wilson Reagan on the occasion of his 85th birthday.

Resolution read, as amended, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 174**—An act to amend Sections 8275.2, 8275.5, and 8275.7 of the Government Code, relating to the California Constitution Revision Commission, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Elections, Reapportionment and Constitutional Amendments read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Morrissey was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**CAUCUS ANNOUNCEMENTS**

At 12:01 p.m., Assembly Member Katz was granted unanimous consent that the Democratic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

**LAST DAY TO CONSIDER GOVERNOR'S VETO**

Pursuant to Joint Rule 58.5, February 4, 1996 was the last day to consider the Governor's veto of Assembly Bill No. 1338.

**RECESS**

By unanimous consent, at 12:02 p.m., Speaker Pringle declared the Assembly recessed.

**REASSEMBLED**

At 12:50 p.m., the Assembly reconvened.  
Hon. Curt Pringle, Speaker of the Assembly, presiding.

**MOTION TO ADJOURN**

At 12:50 p.m., Assembly Member Rogan moved that the Assembly do now adjourn.  
Assembly Member Katz seconded the motion.  
Motion carried.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

**Assembly Concurrent Resolution No. 53, Coauthors:** Burton, Richter, and Speier—Aye.

**Senate Concurrent Resolution No. 44, Coauthors:** Burton and Richter—Aye.

**Assembly Bill No. 1397, Concurrence:** Burton, Ducheny, Katz, Mazzoni, Richter, Weggeland, and Woods—Aye.

**Assembly Bill No. 1418, Concurrence:** Bowen—Aye; Burton, Richter, and Speier—No.

**Assembly Bill No. 133, Governor's Veto:** Bustamante and Katz—Aye; Richter—No.

**Assembly Concurrent Resolution No. 54, Coauthors:** Bustamante, Richter, and Weggeland—Aye.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:51 p.m., Speaker Pringle 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. 2128—Willard Murray.** An act relating to prison education programs.

**ASSEMBLY BILLS NO. 2129—Goldsmith, Alby, Baldwin, Bowler, Granlund, Harvey, Hawkins, Margett, Rainey, and Richter, (Senators Haynes and Leslie, coauthors).** An act to amend Section 3294 of the Civil Code, and to amend Section 425.14 of, and to add Section 425.17 to, the Code of Civil Procedure, relating to punitive damages.

**ASSEMBLY BILL NO. 2130—McPherson.** An act to add Section 13177 to the Water Code, relating to the California Mussel Watch Program.

**ASSEMBLY BILL NO. 2131—Willard Murray.** An act to add Section 1120.2 to the Welfare and Institutions Code, relating to youthful offenders.

**ASSEMBLY BILL NO. 2132—Rainey.** An act to add Section 148.6 to the Penal Code, relating to emergencies.

**ASSEMBLY BILL NO. 2133—Rainey.** An act to add and repeal Sections 17053.52 and 23652 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2134—Mazzoni.** An act to amend Section 47602 of the Education Code, relating to charter schools.

**ASSEMBLY BILL NO. 2135—Mazzoni.** An act to amend Section 47605 of, and to add Section 47608 to, the Education Code, relating to charter schools.

**ASSEMBLY BILL NO. 2136—Mazzoni.** An act to amend Section 47616 of the Education Code, relating to charter schools.

**ASSEMBLY BILL NO. 2137—Mazzoni.** An act to amend Section 47605 of the Education Code, relating to charter schools.

**ASSEMBLY BILL NO. 2138—Campbell.** An act to amend Section 1384 of the Health and Safety Code, relating to health care service plans.

**ASSEMBLY BILL NO. 2139—Cortese.** An act relating to parks and recreation.

**ASSEMBLY BILL NO. 2140—Kuehl.** An act to add Section 640.2 to the Penal Code, relating to crimes.

**ASSEMBLY BILL NO. 2141—Kuehl.** An act to amend Section 208 of the Penal Code, relating to kidnapping.

**ASSEMBLY BILL NO. 2142—Battin.** An act to amend Section 32121 of the Health and Safety Code, relating to local health care districts.

**ASSEMBLY BILL NO. 2143—Battin.** An act to amend Section 707 of the Welfare and Institutions Code, relating to minors.

**ASSEMBLY BILL NO. 2144—Goldsmith.** An act to amend Section 194 of the Penal Code, relating to crimes.

**ASSEMBLY BILL NO. 2145—Goldsmith.** An act to amend Sections 1033 and 1034 of the Penal Code, relating to criminal procedure.

**ASSEMBLY BILL NO. 2146—Rainey.** An act to amend Sections 2459, 2544, 2943, 13100, 13101, 13151, 13152, 13154, and 13200 of the Probate Code, relating to probate.

**ASSEMBLY BILL NO. 2147—Rainey.** An act to amend Sections 1621.5 and 120290 of, and to add Sections 120291 and 120292 to, the Health and Safety Code, and to amend Sections 273a, 803, and 12022.95 of the Penal Code, relating to human immunodeficiency virus.

**ASSEMBLY BILL NO. 2148—Rainey.** An act to amend Section 18945 of the Health and Safety Code, relating to building standards.

The following resolutions were offered:

**ASSEMBLY JOINT RESOLUTION NO. 50—Sher.** Relative to the federal mortgage interest deduction.

**ASSEMBLY JOINT RESOLUTION NO. 51—Baldwin.** Relative to Filipino veterans.

### MESSAGES FROM THE SENATE

Senate Chamber, February 5, 1996

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

Assembly Concurrent Resolution No. 52

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above resolution ordered to unfinished business file.

Senate Chamber, February 5, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 668

JOHN W. ROVANE, Acting Secretary of the Senate

February 5, 1996

*Hon. E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson: The Senate this day rescinded the action whereby it refused to concur in Assembly amendments to Senate Bill 1221. The Senate then ordered the bill returned to the Assembly.

Sincerely,

JOHN W. ROVANE  
Acting Secretary of the Senate

Above bill held at the Desk.

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

- Transportation Committee Oversight Hearing, on March 1, 1996, from 1-5 p.m., Ventura City Council Chambers;
- Water, Parks and Wildlife, on March 19, 1996, at 9 a.m.;
- Transportation, on February 9, 1996.

**JOINT RULE 62(a) WAIVED**

Unanimous consent was granted that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 848 for hearing in the Committee on Transportation on February 9, 1996.

**INTRODUCTION OF GUESTS**

Speaker Pringle introduced his wife Alexis and their children Kyle and Katie; his parents Larry and Carolyn Pringle; his in-laws Bob and Delight Nease; Pat and Pam Skinner and their children, Courtney and Ryan; and Dennis and Susie Kusinsky, and their daughter, Amanda.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Rogan, the Assembly adjourned until 7 a.m., Tuesday, February 6, 1996 out of respect to the memory of Kathy Skeie, on motion of Assembly Member Alby.

---

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 5, 1996**

---

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

<b>SB</b>	<b>RN</b>
174	9603200
1147	9600972