

CALIFORNIA LEGISLATURE  
1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, February 6, 1996**

**ONE HUNDRED SIXTY-FOURTH SESSION DAY  
FOUR HUNDRED TWENTY-NINTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Tuesday, February 6, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

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

Quorum present.

**At 12:05 p.m., Hon. Jim Battin, 80th 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 McDonald and Weggeland.*

**EXPLANATIONS OF ABSENCE**

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

February 6, 1996

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

Dear Mr. Speaker: I am writing to request that I be excused from Session today due to pressing legislative business in my district.

Thank you for your consideration.

Respectfully,

JUANITA M. McDONALD, Assembly Member  
Fifty-fifth District

February 5, 1996

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

Dear Speaker Pringle: I request authorization to travel from Sacramento to my district in Riverside. I wish to tend to legislative business in my district from Tuesday, February 6, 1996 through Thursday, February 8, 1996.

Thank you for your consideration in this matter.

Sincerely,

TED WEGGELAND, Assembly Member  
Sixty-fourth District

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 2149—Kuehl.** An act to amend Sections 2330.5, 2331, and 2336 of, and to add Sections 2335.5 and 2338.5 to, the Family Code, relating to family law.

**ASSEMBLY BILL NO. 2150—Morrissey.** An act to amend Sections 2800.1, 2800.3, 13201, 14602, 22655.3, and 40000.7 of, and to repeal Section 2800.2 of, the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 2151—Hannigan.** An act to add Part 6 (commencing with Section 60000) to Division 10 of the Public Utilities Code, relating to transportation.

**ASSEMBLY BILL NO. 2152—Mazzoni.** An act to amend Section 112165 of the Health and Safety Code, and to add Section 14959 to the Water Code, relating to shellfish.

**ASSEMBLY BILL NO. 2153—Kuehl.** An act to add Section 1417.8 to the Penal Code, relating to criminal procedure.

**ASSEMBLY BILL NO. 2154—Kuehl.** An act to amend Sections 213.5, 304, and 362.4 of the Welfare and Institutions Code, relating to juveniles.

**ASSEMBLY BILL NO. 2155—Kuehl.** An act to amend Section 372 of the Code of Civil Procedure, and to amend Section 6301 of the Family Code, relating to minors.

**ASSEMBLY BILL NO. 2156—Woods (Senator Johannessen, coauthor).** An act to amend Sections 11333.7 and 11334.51 of, and to add Article 3.6 (commencing with Section 11335) to Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to public social services.

**ASSEMBLY BILL NO. 2157—Bowen.** An act to amend Sections 8880.4 and 8880.56 of the Government Code, relating to the state lottery.

**ASSEMBLY BILL NO. 2158—Burton.** An act to add Chapter 2.65 (commencing with Section 7286.25) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 2159—Richter.** An act to add Sections 99243.1 and 99246.1 to the Public Utilities Code, relating to transportation.

**ASSEMBLY BILL NO. 2160—Baldwin.** An act to amend Section 1722 of the Business and Professions Code, to amend Section 2204 of the Corporations Code, to amend Section 40054 of the Financial Code, to amend Sections 6006, 6988, 14971, 27574, 29028, 40576, 41008, 41867 and 52885 of the Food and Agricultural Code, to amend Sections 3541, 8164.1, 8870.4, 11101, 13332.07, 13943.2, 14613.05, 15865, 15866, 16304.6a, 16475, 16486, 16487, 21155, and 29874 of, and to repeal Sections 13450 and 13450.1 of, the Government Code, to amend Section 685.3 of the Insurance Code, to amend Section 3352 of the Labor Code, to amend Section 322 of the Military and Veterans Code, to amend Section 10302 of the Public Contract Code, to amend Sections 5008.4 and 6217 of the Public Resources Code, to amend Sections 9154, 30179, 30366, 32405, 43455, 45655, and 50142.1 of the Revenue and Taxation Code, and to amend Sections 1011, 1077, 4121, 4310, and 4490 of the Welfare and Institutions Code, relating to state expenditures.

**ASSEMBLY BILL NO. 2161—Baldwin.** An act to amend Section 980 of the Military and Veterans Code, relating to veterans.

**ASSEMBLY BILL NO. 2162—Willard Murray.** An act to amend Section 76300 of the Education Code, relating to postsecondary education.

**ASSEMBLY BILL NO. 2163—Rainey.** An act relating to hazardous substances, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2164—Knox.** An act to amend Section 12031 of the Penal Code, relating to firearms.

**ASSEMBLY BILL NO. 2165—Goldsmith.** An act to amend Sections 7901, 8502, 8801.3, 8802, 8814.5, and 9102 of, and to add Sections 8712.5, 8811.5, and 8814.6 to, the Family Code, and to add Section 17208 to the Revenue and Taxation Code, relating to family law, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2166—Miller.** An act to amend Section 1363.1 of the Civil Code, relating to common interest developments.

**AUTHOR'S AMENDMENTS**  
**Committee on Transportation**

February 6, 1996

Mr. Speaker: The Chair of your Committee on Transportation reports:

Senate Bill No. 655

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

BOWLER, Chairman

**SENATE BILL NO. 655—**An act to add Section 2421.6 to the Vehicle Code, relating to vehicles.

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 Appropriations**

February 6, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 703

Senate Bill No. 948

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

POOCHIGIAN, Chairman

**SENATE BILL NO. 703**—An act to augment Item 6870-101-001 of Section 2.00 of the Budget Act of 1994, relating to the California Community Colleges, to take effect immediately as an appropriation for the usual current expenses of the state.

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.

**SENATE BILL NO. 948**—An act to amend Section 14087.325 of, and to add Section 14170.3 to, the Welfare and Institutions Code, relating to Medi-Cal.

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 Local Government**

February 6, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 19

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

RAINEY, Chairman

**SENATE BILL NO. 19**—An act to add Sections 17575.7 and 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.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 7, 1996.

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CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 6, 1996**

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

<b>SB</b>	<b>RN</b>
19	9602493
655	9605665
703	9605559
948	9534723