

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 9, 1995

**TWENTY-THIRD SESSION DAY
SIXTY-SEVENTH CALENDAR DAY**

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 9, 1995

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th 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—73:

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

Quorum present.

At 10:20 a.m., Hon. Trice Harvey, 32nd 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 Cortese, Figueroa, Gallegos, Isenberg, and Speier.

Because of illness: Assembly Member Caldera.

EXPLANATIONS OF ABSENCE

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

February 9, 1995

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

Dear Mr. Speaker: Please excuse me from Session today, February 9, 1995, for the purpose of legislative business in my district. I would respectfully appreciate your consideration of this request.

Sincerely,

DOMINIC L. CORTESE, Assembly Member
 Twenty-third District

February 6, 1995

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

Dear Mr. Speaker: This letter is to respectfully request your approval to be excused from Floor Session on Thursday, February 9, 1995. I am scheduled to attend and make a presentation at "The Women's Movement Program of Conscience," in Newark.

Your favorable consideration to this matter would be greatly appreciated.

Sincerely,

LIZ FIGUEROA, Assembly Member
 Twentieth District

February 6, 1995

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

Dear Mr. Speaker: I will be out of town on Thursday, February 9th and Friday, February 10th on district office business. Please excuse me from check-in on Thursday and floor session on Friday. I will be in my district office on legislative business.

Thank you for your consideration.

Sincerely,

MARTY GALLEGOS, Assembly Member
 Fifty-seventh District

February 9, 1995

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

Dear Willie: I am writing to inform you that I plan to be away on legislative business on Thursday, February 9th and will not be returning till the afternoon of the 10th.

Please excuse me from Session and any committees that may be meeting at that time.

I am requesting one day's per diem and reimbursement for travel and lodging for Thursday the 9th and wish to waive session per diem for Friday the 10th.

Thank you in advance for your consideration.

Sincerely,

PHIL ISENBERG, Assembly Member
Ninth District

February 9, 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 check-in session today, Thursday, February 9, 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

COMMUNICATIONS

The following assignment of committee hearing rooms was presented by the Speaker and ordered printed in the Journal:

Monday

<i>Committee</i>	<i>Room</i>
Agriculture	126
Banking and Finance	447
Elections, Reapportionment and Constitutional Amendments	437
Natural Resources	444
Revenue and Taxation	447
Rules	3162
Televising the Assembly and Information Technology	127
Transportation	4202
Utilities and Commerce	437

Tuesday

Consumer Protection, Governmental Efficiency and Economic Development	447
Environmental Safety and Toxic Materials	444
Governmental Organization	437
Health	4202
Higher Education	126
Insurance	4202
Public Safety	126
Water, Parks and Wildlife	444

Wednesday

Appropriations	437
Budget	4202
Education	4202
Housing and Community Development	126
Human Services	447
Judiciary	444
Labor and Employment	447
Local Government	437
Public Employees, Retirement and Social Security	444

REPORTS

The following reports were presented by the Chief Clerk:

**1993-94 Annual Minority/Women/Disabled Veteran
Business Enterprises Report**

Above transmitted report, together with letter of transmittal from M. David Stirling, Chief Deputy Attorney General, Department of Justice, Sacramento, dated January 12, 1995, referred by the Speaker to the Committee on Utilities and Commerce.

**Partnerships for a Safer California
(Pursuant to Section 13508, Penal Code)**

Above transmitted report, together with letter of transmittal from Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, Sacramento, dated January 31, 1995, referred by the Speaker to the Committee on Public Safety.

**LEAD: A Boot Camp and Intensive Parole Program:
An Impact Evaluation: Preliminary Findings
(Pursuant to Chapter 10, Statutes of 1992)**

Above transmitted report, together with letter of transmittal from Francisco J. Alarcon, Chief Deputy Director, Department of the Youth Authority, Sacramento, dated January 26, 1995, referred by the Speaker to the Committee on Public Safety.

**Ratios of California Public School
Administrative Employees to Teachers as of October 1993
(Pursuant to Section 41407, Education Code)**

Above transmitted report, together with letter of transmittal from Martha Zaragoza-Diaz, Director, Governmental Affairs Office, California Department of Education, Sacramento, dated January 16, 1995, referred by the Speaker to the Committee on Education.

**Minority, Women, and Disabled Veteran
Business Enterprise Participation Goals for State Contracts
(Pursuant to Section 10115.5, Public Contract Code)**

Above transmitted report, together with letter of transmittal from Fern M. Laethem, State Public Defender, Sacramento, dated February 6, 1995, referred by the Speaker to the Committee on Utilities and Commerce.

**Report of Fire Insurance in Force as of December 31, 1994
(Pursuant to Section 11007, Government Code)**

Above transmitted report, together with letter of transmittal from John Lockwood, Director, Department of General Services, Sacramento, dated February 2, 1995, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Peace Officer Feasibility Study
(Pursuant to Sections 13540-13542, Penal Code)**

Above transmitted report, together with letter of transmittal from Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, Sacramento, dated January 31, 1995, referred by the Speaker to the Committee on Public Safety.

**Small Employer Group Reforms: Monitoring of Standard Employee Risk Rates
(Pursuant to Section 1357.18, Health & Safety Code)**

Above transmitted report, together with letter of transmittal from Laura L. Olson, Supervision Examiner, Department of Corporations, Sacramento, dated January 31, 1995, referred by the Speaker to the Committee on Insurance.

Report on Santa Monica Bay Restoration Project

Above transmitted report, together with letter of transmittal from Walt Pettit, Executive Director, State Water Resources Control Board, Sacramento, dated February 1, 1995, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 318—Katz. An act to add Sections 113 and 114 to the Water Code, relating to water.

ASSEMBLY BILL NO. 319—Archie-Hudson. An act to add Section 11322.41 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 320—Archie-Hudson. An act to add Section 11322.45 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 321—Baca. An act relating to a study of retirement options for correctional peace officers.

ASSEMBLY BILL NO. 322—Alpert. An act to amend Sections 11055 and 11056 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 323—Bustamante. An act to amend Section 10652.5 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 324—Setenich, Conroy, Harvey, Hawkins, House, Johnson, Kuykendall, Richter, and Weggeland, (Senators Haynes, Hurtt, Kopp, and Monteith, coauthors.) An act to add Section 43.94 to the Civil Code, relating to civil recovery.

ASSEMBLY BILL NO. 325—Tucker. An act to amend Section 19607.5 of the Business and Professions Code, relating to horseracing, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 326—Knowles. An act to amend Section 14007.5 of the Welfare and Institutions Code, and to repeal Section 1 of Chapter 1441 of the Statutes of 1988, relating to health.

ASSEMBLY BILL NO. 327—Hannigan. An act to add Section 11465.5 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 328—Conroy. An act to amend Section 1764.1 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 329—Bustamante. An act amending Section 309.77 of the Health and Safety Code, relating to childhood lead poisoning prevention.

ASSEMBLY BILL NO. 330—Woods. An act to amend Section 1239 of the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 331—Alpert (Principal Senate coauthor: Killea). An act to add Sections 8481 and 8489 to the Education Code, relating to child care programs.

ASSEMBLY BILL NO. 332—Allen. An act to amend Sections 3103 and 3104 of the Family Code, relating to family law.

ASSEMBLY BILL NO. 333—Sher. An act to amend Sections 21152 and 21167 of the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 334—Allen. An act to amend Section 3104 of the Family Code, relating to family law.

ASSEMBLY BILL NO. 335—Hannigan. An act to amend Section 8215 of the Education Code, relating to child care, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 336—Villaraigosa. An act to add Part 21 (commencing with Section 42001) to Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 337—Robert Campbell. An act to add Section 97.41 to the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 338—Vasconcellos. An act to amend Section 84305.5 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 339—Richter. An act to add Section 43023 to the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 340—Woods. An act to add Section 11011.23 to the Government Code, relating to surplus property.

ASSEMBLY BILL NO. 341—Johnson. An act to amend Section 11580.9 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 342—Hauser. An act to add Section 54981.5 to the Government Code, relating to municipal services.

ASSEMBLY BILL NO. 343—Hoge. An act to amend Sections 1202.4 and 1203.3 of, to add Chapter 2.95 (commencing with Section 1001.90) to Title 6 of Part 2 of, and to repeal Section 1203.04 of, the Penal Code, to amend Sections 656, 659, 700, and 730.6 of, to add Section 730.7 to, and to repeal Sections 729.6 and 731.1 of, the Welfare and Institutions Code, relating to crime, and making an appropriation therefor.

ASSEMBLY BILL NO. 344—Ducheny. An act to amend Section 2700 of the Penal Code, relating to prisons.

ASSEMBLY BILL NO. 345—House. An act to amend Section 113 of the Penal Code, relating to false documents.

ASSEMBLY BILL NO. 346—House. An act to amend Section 1661 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 347—Woods. An act to amend Sections 6401 and 7145 of the Fish and Game Code, relating to sportfishing.

ASSEMBLY BILL NO. 348—Woods. An act to amend Section 25299.52 of the Health and Safety Code, relating to underground storage tanks.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Friday, February 10, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk