

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 15, 1995

TWENTY-SIXTH SESSION DAY

SEVENTY-THIRD CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 15, 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—75:

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

Quorum present.

At 12:03 p.m., Hon. Martha M. Escutia, 50th 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 Gallegos and Speier.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

EXPLANATIONS OF ABSENCE

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

February 14, 1995

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

Dear Mr. Speaker: I will be out of town on Wednesday, February 15th and return Thursday, February 16th on district office business. Please excuse me from check-in on Wednesday. I will be in my district office on legislative business.

Thank you for your consideration.

Sincerely,

MARTY GALLEGOS, Assembly Member
Fifty-seventh District

February 15, 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, Wednesday, February 15, 1995. I am conducting legislative business in my district office.

Thank you for your consideration of this request.

All the best,

JACKIE SPEIER, Assembly Member
Nineteenth District

(NOTE: For letter explaining the absence of Assembly Member Harvey on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 14, 1995.)

COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Kathleen F. DaRosa, Initiative Coordinator, Department of Justice, Office of the Attorney General, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 3506, Elections Code:

**Declaration of Desire to Amend United States Constitution
and Restructure Federal Government.
Initiative Statute**

Referred by the Speaker to the Committee on Elections, Reapportionment and Constitutional Amendments.

**Death Penalty Appeals.
Initiative Constitutional Amendment**

Referred by the Speaker to the Committee on Public Safety.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 408—Battin. An act to add Section 1109 to the Evidence Code, relating to civil liability.

ASSEMBLY BILL NO. 409—Battin. An act to amend Section 14007.1 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 410—Battin. An act to amend Section 1151 of the Evidence Code, relating to evidence.

ASSEMBLY BILL NO. 411—Bordonaro (Principal coauthor; Boland) Alby, Baldwin, Bowler, Conroy, Harvey, Hawkins, House, Morrissey, Morrow, Rainey, Richter, Rogan, and Weggeland (Senators Haynes, Hurtt, and Monteith, coauthors). An act to amend Section 2601 of the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 412—Hannigan. An act to amend Section 69534.1 of the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 413—Kuehl. An act to add Section 1567 to the Evidence Code, and to amend Section 3664 of the Family Code, relating to family law.

ASSEMBLY BILL NO. 414—Sher and Cunneen. An act to add Section 65089.10 to the Government Code, and to amend Sections 44241 and 44242 of, and to add Section 44241.5 to, the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 415—Knight and Bowler. An act to add Article 6 (commencing with Section 89250) to Chapter 2 of Part 55 of the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 416—Escutia. An act to add Section 18904.26 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 417—Burton and Johnson. An act to amend Sections 11837 and 11838.10 of, and to add Section 11838.12 to, the Health and Safety Code, relating to drug and alcohol programs.

ASSEMBLY BILL NO. 418—Knowles. An act to amend Section 14007.5 of the Welfare and Institutions Code, relating to health.

ASSEMBLY BILL NO. 419—Olberg. An act to amend Section 33615 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 420—Weggeland. An act to amend Sections 35789.5 and 35790 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 421—Olberg. An act to amend Section 41200 of, and to add Section 39606.1 to, the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 422—Olberg. An act to amend Section 41220 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 423—Olberg. An act to add Section 21080.27 to the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 424—Speier. An act to amend Section 82048.7 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 425—Kuehl. An act to amend Section 885.060 of the Civil Code, relating to real property.

ASSEMBLY BILL NO. 426—Kevin Murray. An act to amend Section 17929 of the Business and Professions Code, relating to business names.

ASSEMBLY BILL NO. 427—Olberg. An act to amend Section 2050 of the Fish and Game Code, relating to endangered species.

ASSEMBLY BILL NO. 428—Olberg. An act to add Sections 2069 and 2074.7 to the Fish and Game Code, relating to threatened and endangered species.

ASSEMBLY BILL NO. 429—Hauser. An act to add Section 40059.1 to the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 430—Cannella. An act to add Section 24312 to the Education Code, relating to the Teachers' Retirement System.

ASSEMBLY BILL NO. 431—Hauser. An act to amend, renumber, and add Section 18008 of, and to repeal Section 50082.5 of, the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 432—Rainey. An act to add Section 3333.4 to the Civil Code, relating to liability.

ASSEMBLY BILL NO. 433—Rainey. An act to amend Section 1463 of the Penal Code, and to amend Section 42200 of the Vehicle Code, relating to fines and forfeitures.

ASSEMBLY BILL NO. 434—Rainey. An act to amend Section 1739.7 of the Civil Code, relating to collectibles.

ASSEMBLY BILL NO. 435—Rainey. An act to amend Section 3521 of the Government Code, relating to state employees.

ASSEMBLY BILL NO. 436—Morrow. An act to amend Sections 1596.792 and 1596.793 of the Health and Safety Code, relating to child day care facilities.

ASSEMBLY BILL NO. 437—Morrow. An act to amend Section 25270.2 of the Health and Safety Code, relating to petroleum storage.

ASSEMBLY BILL NO. 438—Campbell. An act to amend Sections 1630, 41327, 42103, 42127.2, 42127.6, 42131, and 42647 of the Education Code, relating to school finance.

ASSEMBLY BILL NO. 439—McPherson. An act to add Section 97.26 to the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 440—House. An act to add Section 51207 to the Education Code, relating to schools.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9—Rainey. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 20 to Article XVI thereof, relating to public finance.

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 7—Hauser. Relative to manufactured housing.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Thursday, February 16, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk