

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 27, 1996

ONE HUNDRED SEVENTY-SIXTH SESSION DAY

FOUR HUNDRED FIFTIETH 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
Tuesday, February 27, 1996

The Assembly met at 7 a.m.

Hon. Dick Ackerman, Assembly Member, 72nd 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—73:

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

Quorum present.

At 1:22 p.m., Hon. Sal Cannella, 26th 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 Alpert, Isenberg, and Willard Murray.

On personal business, and waiving per diem: Assembly Members Lee and McPherson.

Because of illness: Assembly Member Gallegos.

EXPLANATIONS OF ABSENCE

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

February 27, 1996

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

Dear Mr. Speaker: Please excuse me from session on Tuesday, February 27. I will be traveling to Los Angeles to speak to the Public Education Network Fund Conference.

Sincerely,

DEDE ALPERT, Assembly Member
Seventy-eighth District

February 26, 1996

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

Dear Curt: I will be traveling to Los Angeles, on legislative business, on Tuesday, February 27, and returning late afternoon on February 28.

Please excuse me from session and any committee meetings that may be held during this time.

Per my usual practice, I will not be requesting per diem; however, as this is related to legislative business, I am respectfully requesting reimbursement for lodging and travel expenses associated with this trip.

Anita, my secretary, will be contacting the travel office to make flight arrangements.

Thank you for your consideration.

Sincerely,

PHIL ISENBERG, Assembly Member
Ninth District

February 27, 1996

*Honorable Curt Pringle
Speaker of the Assembly*

Dear Speaker Pringle: I respectfully request to be excused from Floor Session on Tuesday, February 27, 1996. I will be attending to legislative business in my district.

Thank you for your consideration and approval of this request.

Sincerely,

WILLARD H. MURRAY, JR., Assembly Member
Fifty-second District

COMMUNICATIONS

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

February 27, 1996

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol
Sacramento, California

Dear Dotson: Please be advised that the Environmental Safety and Toxic Materials Committee has been rescheduled to meet on the 2nd and 4th Tuesday of each month at 1:30 p.m. in Rm. 444.

Additionally, please be advised that the Human Services Committee has been rescheduled to meet on the 2nd and 4th Tuesday of each month at 1:30 p.m. in Rm. 437.

Sincerely,

CURT PRINGLE
 Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**California State Council on Developmental Disabilities,
 Annual Program Performance Report 1995
 (Pursuant to Welfare and Institutions Code Section 4540(f))**

Above transmitted report, together with letter of transmittal from Rosario Marin, Chairperson, State Council on Developmental Disabilities, Sacramento, dated February 22, 1996, referred by the Speaker to the Committee on Health.

**Veterans Farm and Home Building Fund of 1943
 (Pursuant to Military and Veterans Code Section 998.082)**

Above transmitted report, together with letter of transmittal from Jay R. Vargas, Secretary, California Department of Veterans Affairs, Sacramento, dated February 23, 1996, referred by the Speaker to the Committee on Governmental Organization.

**Redevelopment Housing Activities in California,
 Fiscal Year 1993-94
 (Pursuant to Health and Safety Code Section 33080)**

Above transmitted report, together with letter of transmittal from Lita G. Flores, Acting Director, Department of Housing and Community Development, Sacramento, dated February 22, 1996, referred by the Speaker to the Committee on Housing and Community Development.

**INTRODUCTION AND FIRST READING OF
 ASSEMBLY BILLS**

The following resolution was introduced and read the first time:
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 42—Poochigian. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4.5 to Article VII of the California Constitution, relating to state functions.

RESOLUTIONS

The following resolution was offered:
HOUSE RESOLUTION NO. 34—Firestone. Relative to the Citizen Advisory Task Force on California State University Vendor Payment.

AUTHOR'S AMENDMENTS
Committee on Public Safety

February 27, 1996

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 2058

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

BOLAND, Chairwoman

ASSEMBLY BILL NO. 2058—An act to amend Sections 667.5, 1170.1, and 1170.95 of the Penal Code, relating to sentencing.

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 27, 1996

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

Senate Bill No. 207

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

POOCHIGIAN, Chairman

SENATE BILL NO. 207—An act to amend Section 739.3 of the Public Utilities Code, relating to telephones, and declaring the urgency thereof, to take effect immediately.

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.

CONSIDERATION OF DAILY FILE
SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 265, ordered to third reading.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 28, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 27, 1996**

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

AB	RN
2058	9602922

SB	RN
207	9606656