

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 28, 1996

ONE HUNDRED SEVENTY-SEVENTH SESSION DAY

FOUR HUNDRED FIFTY-FIRST 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, February 28, 1996

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 Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

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

Quorum present.

At 2:05 p.m., Hon. Curtis R. Tucker, Jr., 51st 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 Bowen, Isenberg, Knox, and Kevin Murray.

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

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
State Capitol, Room 219
Sacramento, California*

Dear Mr. Pringle: I am writing to request that I be excused from session on Wednesday, February 28th and Thursday, February 29th. I will be in Denver, Colorado serving on a Government Technology panel discussing the role of technology in government.

Please feel free to call me should you have any questions.

Sincerely,

DEBRA BOWEN, Assembly Member
Fifty-third District

February 27, 1996

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

Dear Mr. Speaker: This is to request that I be excused from session on Wednesday, February 28, 1996. I will be in my district conducting legislative business.

Thank you for your consideration of this request.

Sincerely,

WALLY KNOX, Assembly Member
Forty-second District

February 26, 1996

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

Dear Speaker Pringle: This letter is to request to be excused from Session on Wednesday and Thursday, February 28-29, 1996 on legislative business.

Yours sincerely,

KEVIN MURRAY, Assembly Member
Forty-seventh District

(NOTE: For letter explaining the absence of Assembly Member Isenberg on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, February 27, 1996.)

COMMUNICATIONS

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

February 28, 1996

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

Dear Mr. Wilson,

Please be advised that Assemblyman Knowles is appointed to the Appropriations Committee to fill the existing vacancy for the purpose of today's hearing.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

California State Auditor

95001

February 28, 1996

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: The Bureau of State Audits presents its Independent Auditors' Report on the State of California's general purpose financial statements for the year ended June 30, 1995. These financial statements are presented on a basis in conformity with generally accepted accounting principles (GAAP). The financial statements show that the State's General Fund generated approximately \$600 million more in revenues than it spent for fiscal year ended June 30, 1995. However, the General Fund ended the fiscal year with a fund deficit of \$1.1 billion. The GAAP basis statements include all liabilities owed by the State while the budgetary basis statements that are used to report on the State's budget do not reflect all liabilities.

We conducted the audit to comply with the California Government Code, Section 8546.4.

Respectfully submitted,

KURT R. SJOBERG
State Auditor

Above report referred to the Committee on Budget.

The following communications were presented by the Chief Clerk from:

Kathleen F. DaRosa, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Health Care. Regulation. Consumer Protection.
Initiative Statute.**

Referred by the Speaker to the Committee on Health.

**Medical Care. Regulation. Consumer Protection.
Initiative Statute.**

Referred by the Speaker to the Committee on Health.

**Medical Services. Regulation. Consumer Protection.
Initiative Statute.**

Referred by the Speaker to the Committee on Health.

**Health Care Businesses. Regulation. Consumer Protection.
Initiative Statute.**

Referred by the Speaker to the Committee on Health.

**Health Care Businesses. Consumer Protection. Regulation.
Initiative Statute.**

Referred by the Speaker to the Committee on Health.

**Health Care Services. Regulation. Consumer Protection.
Initiative Statute.**

Referred by the Speaker to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 28, 1996

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

Assembly Bill No. 2058

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

February 28, 1996

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

Senate Bill No. 979

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

POOCHIGIAN, Chairman

SENATE BILL NO. 979—An act to amend Sections 18042, 24306, 24611, and 24954 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Human Services

February 28, 1996

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 2036

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

BORDONARO, Chairman

ASSEMBLY BILL NO. 2036—An act to amend Section 11320.3 of, and to add Section 11451.5 to, the Welfare and Institutions Code, relating to public social services.

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 Natural Resources

February 28, 1996

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Senate Bill No. 1155

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

OLBERG, Chairman

SENATE BILL NO. 1155—An act to amend Section 42322 of the Public Resources Code, relating to solid waste.

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 Banking and Finance

February 28, 1996

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Senate Bill No. 362

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

GOLDSMITH, Chairman

SENATE BILL NO. 362—An act to add Chapter 14 (commencing with Section 5970) to Division 6 of Title 1 of the Government Code, relating to public financing.

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.

REPORTS OF STANDING COMMITTEES
Committee on Natural Resources

February 28, 1996

Mr. Speaker: Your Committee on Natural Resources reports the following bills pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 490
Senate Bill No. 1104

OLBERG, Chairman

Above bills ordered filed with the Chief Clerk.

SPECIAL COMMITTEE MEETINGS

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

Governmental Organization on Wednesday, March 20, 1996, at 3 p.m.;

Public Employees, Retirement and Social Security on Wednesday, March 13, 1996, at 9 a.m. at City Hall in San Diego.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 28, 1996

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

Assembly Concurrent Resolution No. 58

And reports the same correctly enrolled, and presented to the Secretary of State on the 28th day of February, 1996, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until 8:30 a.m., Thursday, February 29, 1996.

CURT PRINGLE, Speaker

ROCEL BETTENCOURT, Acting Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 28, 1996**

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

AB	RN
2036	9605927

SB	RN
362	9605564
979	9606639
1155	9606277