#### CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

## ASSEMBLY DAILY JOURNAL

#### Monday, March 4, 1996

## ONE HUNDRED SEVENTY-NINTH SESSION DAY FOUR HUNDRED FIFTY-SIXTH 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 Monday, March 4, 1996

The Assembly met at 11:09 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk. Assistant Clerk Akiba H. Howard reading.

#### **ROLL CALL**

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Hawkins moved a quorum call of the Assembly. Motion carried. Time, 11:10 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

#### Quorum Present

At 11:22 a.m., Speaker pro Tempore Aguiar declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—76:

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

#### **PRAYER**

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Assembly Member Susan Davis, of the 76th Assembly District:

Father, We live in a world of great confusion, despair, and problems. We need, therefore, the strength to recognize our weaknesses and the vision to identify what needs to be done. Give us, Lord, the wisdom to do that which is right, the will and the determination to stand for truth even though it may be at times unpopular. But above all, Father, help us serve with dignity and honor the good people of this great state.—AMEN.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Baldwin then led the Assembly in the pledge of allegiance to the Flag.

#### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Villaraigosa, seconded by Assembly Member Granlund.

#### 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 Member Willard Murray.

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

Because of illness in her family: Assembly Member Escutia.

#### **EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 4, 1996

Honorable Curt Pringle

Speaker of the Assembly

Dear Speaker Pringle: I respectfully request to be excused from Floor Session on Monday, March 4, 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 communications were presented by the Speaker, and ordered printed in the Journal:

March 4, 1996

E. Dotson Wilson

Chief Clerk, State Assembly State Capitol, Room 3196

Dear Mr. Wilson,

Please be advised of the composition of the following Select Committees of the Assembly for the remainder of the 1995–1996 Session:

Select Committee on the Arts, the Entertainment Industry, Software and Technology

Rogan (Chair), Battin, Bordonaro, Davis, Escutia, K. Murray, Poochigian, Villaraigosa and Weggeland

Select Committee on the Americas and the Select Committee on California-Africa Affairs are renamed the "Select Committee on International Trade"

Kuykendall (Chair), Napolitano (Vice-Chair), Baldwin, Bustamante, Cunneen, Ducheny, Firestone, Gallegos, Hawkins, Lee, W. Murray, Rainey, Setencich, Thompson

#### Select Committee on California's Children

Knowles (Chair), Baldwin, Escutia, Friedman, Olberg, Thompson, Villaraigosa

#### Select Committee on California-Mexico Affairs

Battin (Co-Chair), Ducheny (Co-Chair), Aguiar, Alpert, Battin, Brown, Bustamante, Campbell, Escutia, Firestone, Goldsmith, Hawkins, Kaloogian, Morrissey, Morrow, W. Murray and Takasugi

Select Committee on California Wine Production and Economy

Cortese (Chair), Bordonaro, Brown, Bustamante, Firestone, Hauser, Hoge, House, Mazzoni, McPherson and Thompson

#### **Select Committee on Defense Conversion**

Alby (Chair), Conroy (Vice-Chair), Archie-Hudson, Baca, Bates, Bordonaro, Brown, Campbell, Hannigan, Hawkins, Knight, Kuykendall, Lee, McDonald, McPherson, Morrissey, Rainey and Weggeland

Additionally, please be advised that the following Select Committees are to be subsumed into Standing Committees as noted: Select Committee on California's Health Care Safety Net (Health Committee)

Select Committee on Common Sense in Government (Consumer Protection, Governmental Efficiency and Economic Development Committee)

Select Committee on DMV Confidentiality (Public Safety Committee)

Select Committee on House Reorganization Post Term Limits (Rules Committee)

Select Committee on High Technology (Budget Sub-Committee on Information Technology and Transportation)

Select Committee on the Insolvency of Orange County (Local Government Committee)

Select Committee on Marine Resources (Joint Committee on Fisheries and Aquaculture)

Select Committee on Statewide Immigration Impact (various Standing Committees as applicable)

Select Committee on Urban Education Quality (Education Committee)

Sincerely,

CURT PRINGLE Speaker of the Assembly

March 4, 1996

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

Dear Mr. Wilson,

Please be advised of the following appointments to the Committee on Governmental Organization Subcommittee on Veterans' Affairs (Knight, Chair): Assembly Members Tom Bordonaro, Sal Cannella. Sincerely.

CURT PRINGLE Speaker of the Assembly

March 4, 1996

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

Dear Mr. Wilson,

Please be advised that Assemblyman Hawkins is removed from Budget Subcommittee No. 2, and is appointed to Subcommittee No. 4.

Additionally, Assemblyman Baugh is removed from Budget Subcommittee No. 4, and is appointed to Subcommittee No. 2.

Sincerely,

CURT PRINGLE Speaker of the Assembly

March 4, 1996

E. Dotson Wilson, Chief Clerk California State Assembly State Capitol Building, Room 3196 Sacramento, California

Dear Mr. Wilson: Please be advised pursuant to Public Resources Code, Sec. 31100, I have appointed Assemblyman Tom Bordonaro to the State Coastal Conservancy to fill an existing vacancy.

Sincerely,

CURT PRINGLE Speaker of the Assembly

March 4, 1996

E. Dotson Wilson, Chief Clerk California State Assembly State Capitol Building, Room 3196 Sacramento, California

Dear Mr. Wilson: Please be advised pursuant to Government Code, Sec. 8855, I have appointed Assemblyman Jan Goldsmith to the Debt Advisory Commission, replacing Assemblyman Wally Knox who is removed.

Sincerely,

CURT PRINGLE Speaker of the Assembly

March 4, 1996

E. Dotson Wilson, Chief Clerk California State Assembly State Capitol Building, Room 3196 Sacramento, California

Dear Mr. Wilson: Please be advised pursuant to Penal Code 13810, I have appointed Assemblywoman Paula Boland to the Council on Criminal Justice. This appointment reflects Ms. Boland's appointment as the Chairman of the Public Safety Committee.

Sincerely,

CURT PRINGLE Speaker of the Assembly

March 4, 1996

E. Dotson Wilson, Chief Clerk California State Assembly State Capitol Building, Room 3196 Sacramento, California

Dear Mr. Wilson: Please be advised pursuant to Government Code, Sec. 8260, I have appointed James Rogan to the Commission on Uniform State Laws, replacing Assemblyman Byron Sher who is removed.

Sincerely,

CURT PRINGLE Speaker of the Assembly The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

February 29, 1996

Mr. E. Dotson Wilson Chief Clerk of the Assembly State Capitol, Room 3196 Sacramento, California

Dear Dotson: Please be advised that the following payment has been received by the Assembly Rules Committee in connection with the 58th Assembly District Youth Summit:

Source Montebello United School District
Amount Nonmonetary donation of \$400.00
Purpose 58th Assembly District Youth Summit

Person/Class for

Whom Payment Used Assembly Member Grace Napolitano

and Staff

Please cause this information to be printed in the Assembly Journal in accordance with HR 37 and Regulation 18944.2 of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.

Very truly yours,

JIM RICHARDSON Chief Administrative Officer Assembly Rules Committee

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 4, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 2108

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

#### LAST DAY TO CONSIDER GOVERNOR'S VETOES

Pursuant to Joint Rule 58.5, March 2, 1996 was the last day to consider the Governor's vetoes of Assembly Bills Nos. 1336, 1013, 1337, and 1343.

#### REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to Committee:

Assembly	
Bill No.	Committee
2472	G.O.
	Jud.
2474	Jud.
2475	Hum. S.
2476	C.P.,G.E. & E.D.
2477	Higher Ed.
2478	Ed. and C.P.,G.E. & E.D.
2479	G.O.
2480	Rev & Tax

2482	!Jud.
2483	3Jud.
2484	
2486	
2487	
	<u> </u>
2488	
2489	
2490	Health
2491	Jud.
2492	
2493	
2494	CPCE & Ed
2495	
2496	
2497	
2498	
2499	
2500	
2501	U. & C.
2502	
2503	
2504	
2505	
2506	
2507	
2508	Nat. Res.
2509	
2510	
2512	
2513	Health
2514	<u>_</u> <u>J</u> ud.
2515	
2516	Trans.
2517	Trans.
2519	P.E.,R. & S.S.
2523	L. Gov. and Rev. & Tax.
2524	Ed.
2526	L. Gov.
2527	Pub. S.
2528	Jud.
2529	Hum. S.
2531	L. Gov. and Pub. S.
2532	Trans.
2533	B. & F.
2534	
2534 2535	
	Ins.
2536	
2538	Ins.
2540	Ins.
2542	Pub. S.
2544	Higher Ed.
2545	Pub. S.
2545 2546	Pub. S. E.,R. & C.A.
2545	Pub. S. E.,R. & C.A.

2548	Pub. S.
2549	
2550	
2551	
2554	
2555	
2556	
2557	
2558	Nat. Res.
2559	E.S. & T.M.
2560	G.O.
2561	C.P.,G.E. & E.D.
2562	Agri.
2563 2564	Jud.
2565 2565	Pub. S. Pub. S.
2567	rub. s. Jud.
2568	Health
2569	H. & C.D.
2570	P.E.,R. & S.S.
2573	Nat. Res.
2574	C.P.,G.E. & E.D.
2575	L. Gov.
2576	U. & C.
2577	Health
2578	Pub. S.
2579	Pub. S.
2580 2581	Higher Ed.
2582	B. & F. P.E.,R. & S.S.
2583	
2584	P.E.,R. & S.S.
2586	L. Gov.
2587	
2588	Health
2589	U. & C.
2590	L. Gov.
2591	Higher Ed.
2592	Rev. & Tax.
2593	L. Gov.
2594 2595	Ins. Pub. S.
2595 2596	Pub. s.
2597	U. & C.
2598	Nat. Res.
2599	C.P.,G.E. & E.D.
2600	L. & E.
2601	W.,P. & W.
2602	Jud.
2603	Pub. S.
2604	Trans.
2605	Agri.
2606	Pub. S.
2607	E.S. & T.M.

<b>2608</b> Jud.
2610U. & C.
2612Hum. S.
<b>261</b> 3Higher Ed.
<b>2614</b> Pub. S.
<b>2615</b> G.O.
<b>2616</b> Health
2619Pub. S.
2620W,,P. & W.
2621Jud.
2622C.P.,G.E. & E.D.
2623Trans.
2624Pub. S.
2625Pub. S.
2626Agri.
2627 Higher Ed.
2628
2629Higher Ed. and Rev. & Tax. 2630Ed.
2631Ed. 2631Ed.
2632Hum. S.
2633P.E.,R. & S.S.
2634Ins.
2635Nat. Res.
2636Trans.
2637Pub. S.
2637Pub. S. 2639Trans.
2640Rev. & Tax.
2641Trans.
2642Pub. S.
2643Jud.
2645Pub. S.
2646H. & C.D.
2647Jud.
2649Ins. and Health 2650Rev. & Tax.
2651Pub. S.
2652Trans.
2654 Health
2655P.E.,R. & S.S.
<b>2656</b> Pub. S.
2657U. & C.
2658Pub. S.
2659Nat. Res.
2661Rev. & Tax.
2663G.O.
2664H. & C.D. and Rev. & Tax.
2665Health
2666 L. Gov. 2667 Jud.
2667Jud. 2669Health
2670Pub. S.
2671Rev. & Tax.
2672Ed. and Higher Ed.

0070	DED & CC
2673	
2674	_C.P.,G.E. & E.D.
2676	
2678	
2679	_ Hum. S.
2680	
	-Agii.
2682	
2683	_ Nat. Res.
2684	_ C.P.,G.E. & E.D.
2685	
2686	
2000	-1 ub. b.
2687	_ E.,n. & C.A.
2688	_ Rev. & Tax.
2689	_P.E.,R. & S.S.
2690	
2691	
2692	_ ins.
2693	Pub. S. and Higher Ed.
2694	_ E.,R. & C.A.
2695	Ins
2696	CDCF & FD
2697	· — -
2699	
2700	
2703	_Trans.
2705	_P.EB. & S.S.
2706	
2707	Pd
2708	_ Ea.
2709	
2710	_Pub. S.
2712	_U. & C.
2713	
2714	
2/14	
2715	
2716	_ C.P.,G.E. & E.D.
2717	_ L. & E.
2718	_ Ed.
2719	
2720	
2721	
2722	- L. GOV.
Senate Concurrent	
Resolution No.	Committee
45	_ Rls.
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#### REQUEST FOR UNANIMOUS CONSENT

Assembly Member Sweeney was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Fred Crabtree, of Livermore.

Assembly Member Villaraigosa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gregorio E. Moreno, III, of Los Angeles.

Assembly Member Rogan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carl Anderson, of Palm Springs.

Assembly Member Frusetta was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Scott David Gadway, of Morgan Hill.

Assembly Member Cunneen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Russell L. Hulme, of Saratoga; and Ellis Harvey, of Cupertino.

### NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Friedman announced her intention to request that Senate Bill No. 714 be removed from the inactive file.

#### **REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Rogan was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Evan Jeremiah Hildebrand, son of Eric and Elizabeth Hildebrand, of Glendale; Maegan Bethany Bitts, daughter of Randy and Julie Bitts, of Anaheim, and granddaughter of Ted and Pat Kampenga; and Christopher Brandon Van Dam, son of David and Dawn Van Dam and grandson of Art and Judy Van Dam, of Burbank.

#### **BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 671, on request of Assembly Member Rainey.

#### WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Bordonaro was granted unanimous consent that Senate Bill No. 1125 be withdrawn from the Committee on Human Services and re-referred to the Committee on Judiciary.

#### **REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Napolitano was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

#### **RECESS**

By unanimous consent, at 11:27 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Ducheny and Napolitano introduced former Member of the Assembly Phil Soto, one of the first two Hispanics in California history to be elected to the State Assembly. Assembly Member Napolitano also introduced Mrs. Nell Soto, Vice Mayor of Pomona, and Mr. and Mrs. Soto's daughter, Ana Soto.

Assembly Member Ducheny then presented a resolution congratulating Mr. Soto on the occasion of his 70th birthday, on March 3, 1996, whereupon Phil Soto addressed the assemblage.

#### REASSEMBLED

At 11:29 a.m., the Assembly reconvened.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

#### RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 56—Brulte, Mazzoni, and McPherson, (Senator Lockyer, coauthor). Relative to the Israeli-Palestinian Interim Agreement.

#### ASSEMBLY JOINT RESOLUTION NO. 56 TAKEN UP BY UNANIMOUS CONSENT

Assembly Member Brulte was granted unanimous consent to take up Assembly Joint Resolution No. 56, without reference to committee, print, or file, and that the same be considered engrossed.

 ${\bf ASSEMBLY\ JOINT\ RESOLUTION\ NO.\ 56} - {\bf Relative\ to\ the\ Israeli-Palestinian\ Interim\ Agreement.}$ 

Resolution read.

#### Members Made Coauthors of Assembly Joint Resolution No. 56

Assembly Member Brulte was granted unanimous consent that all Assembly Members voting "Aye" be placed upon Assembly Joint Resolution No. 56 as coauthors.

#### Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

#### **Request for Unanimous Consent**

Assembly Member Brulte was granted unanimous consent to take up Assembly Joint Resolution No. 56, as amended, without reference to print or file, and that the same be considered engrossed.

#### Consideration of Assembly Joint Resolution No. 56, as Amended

Resolution read, as amended, and adopted by the following vote:

#### AYES-71

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

#### **NOES—None**

Resolution ordered transmitted to the Senate.

#### REQUEST FOR UNANIMOUS CONSENT

Assembly Member Knowles was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of those who were killed in the recent bombings in Tel Aviv.

#### ASSEMBLY CONCURRENT RESOLUTION NO. 60 TAKEN UP BY UNANIMOUS CONSENT

Assembly Member Morrissey was granted unanimous consent to take up Assembly Concurrent Resolution No. 60, without reference to committee or file, and that the same be considered engrossed.

ASSEMBLY CONCURRENT RESOLUTION NO. 60—Relative to proclaiming Southeast Asia Genocide Remembrance Week.

Resolution read.

#### Members Made Coauthors of Assembly Concurrent Resolution No. 60

Assembly Member Morrissey was granted unanimous consent that all Assembly Members voting "Aye" be placed upon Assembly Concurrent Resolution No. 60 as coauthors.

#### Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

#### **Request for Unanimous Consent**

Assembly Member Morrissey was granted unanimous consent to take up Assembly Concurrent Resolution No. 60, as amended, without reference to print or file, and that the same be considered engrossed.

#### Consideration of Assembly Concurrent Resolution No. 60, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 60—Relative to proclaiming Southeast Asia Genocide Remembrance Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

#### CONSIDERATION OF SENATE BILL NO. 1147 BY UNANIMOUS CONSENT

Assembly Member Tucker was granted unanimous consent to take up Senate Bill No. 1147, out of order.

SENATE BILL NO. 1147 (Watson)—An act to add Section 14085.52 to the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Tucker.

#### **Urgency Clause**

Urgency clause read, and adopted by the following vote:

#### AVES 72

<del>Ackerman</del>	<del>Cannella</del>	<del>Kaloogian</del>	<del>Poochigian</del>
Aguiar	<del>Conroy</del>	Katz	Rainey
	Cortese	<del>Knight</del>	<del>Richtér</del>
Alpert	<del>Cunneen</del>	<del>Knowles</del>	Rogan
Archie Hudson	<del>Davis</del>	<del>Knox</del>	Seteneieh
<del>Baca</del>	Ducheny	Kuchl	Sher
<del>Baldwin</del>	Firestone	<del>Kuykendall</del>	Speier
Bates	<del>Friedman</del>	Lee	Sweeney
Battin	<del>Frusetta</del>	<del>Machado</del>	<del>Takasugi</del>
Baugh	Calleges	Margett	<del>Thompson</del>
<del>Beland</del>	<del>Coldsmith</del>	<del>Martinez</del>	<del>Tucker</del>
<del>Bordonaro</del>	<del>Cranlund</del>	<del>Mazzoni</del>	<del>Vasconcellos</del>
<del>Bowen</del>	<del>Hannigan</del>	<b>MePherson</b>	<del>Villaraigosa</del>
Bowler	Harvey	Miller	Weggeland
Brown	Hauser	Morrissey	Woods
Burton	Hawkins	Morrow	Mr. Speaker
<del>Bustamante</del>	Hoge	Murray, Kevin	
<del>Caldera</del>	House	Napolitano	
<del>Campbell</del>	<del>Isenberg</del>	<del>Olberg</del>	

#### **NOES None**

The question being on the passage of the bill. Bill passed by the following vote:

#### AYES 73

Ackerman Aguiar Alby Alport Archie Hudson Baca Baldwin Battes Battin Baugh Beland Bordonare Bowen Bowen Brown	Cannella Conroy Cortese Cunneen Davis Ducheny Firestone Friedman Frusetta Calleges Coldsmith Granlund Hannigan Harvey Hauser	Kaloogian Katz Knight Knowles Know Kuehl Kuykendall Lee Machado Margett Martinez Mazzoni MePherson Morrissey	Poochigian Raincy Richter Rogan Setencich Sher Speier Sweency Taksaugi Thompson Tucker Vasconcelles Villaraigosa Weggeland Woods
<del>Bowler</del>	Harvey	Miller Marrissov	<del>Weggeland</del>

#### **NOES None**

#### Bill ordered transmitted to the Senate.

(NOTE: On May 9, 1996, the action was rescinded whereby the urgency clause to Senate Bill No. 1147 was adopted and whereby the bill was passed and ordered transmitted to the Senate. See page 6209.)

#### CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Hawkins was granted unanimous consent to take up Assembly Bill No. 1489, out of order for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 1489 (Hawkins)—An act to add and repeal Section 48916.2 of the Education Code, relating to pupil expulsion, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

#### **Urgency Clause**

Urgency clause read, and adopted by the following vote:

#### AYES-73

Ackerman Aguiar Alby Alpert Archie-Hudson Baca Baldwin Bates Battin Baugh Boland Bordonaro Bowen Bowler Brewer Brown Brulte Burton	Caldera Campbell Conroy Cortese Cunneen Davis Ducheny Firestone Friedman Frusetta Gallegos Goldsmith Granlund Hannigan Harvey Hauser Hawkins Hoge	Isenberg Kaloogian Katz Knight Knox Kuehl Kuykendall Lee Machado Margett Martinez Mazzoni McPherson Miller Morrissey Morrow Murray, Kevin Napolitano	Poochigian Rainey Richter Rogan Setencich Sher Speier Sweeney Takasugi Thompson Tucker Vasconcellos Villaraigosa Weggeland Woods Mr. Speaker
Dustamante	110030	Olocig	

#### **NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

#### AYES-73

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

#### **NOES—None**

Above bill ordered enrolled.

#### CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Goldsmith was granted unanimous consent to take up Assembly Concurrent Resolution No. 56, out of order for purpose of consideration of Senate amendments.

ASSEMBLY CONCURRENT RESOLUTION NO. 56 (Goldsmith)—Relative to Mediation Week.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The Assembly concurred in Senate amendments.

Above resolution ordered enrolled.

# CONSIDERATION OF DAILY FILE UNFINISHED BUSINESS MOTION TO RECONSIDER URGENCY CLAUSE TO SENATE BILL NO. 1332 WAIVED

Assembly Member Goldsmith waived his motion to reconsider the vote whereby the urgency clause to Senate Bill No. 1332 was refused adoption.

#### CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Brewer was granted unanimous consent to take up Assembly Bill No. 1770, out of order, for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 1770 (Brewer)—An act to amend Sections 10009.6, 10016, 12811.1, 12811.5, and 12822.6 of the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

#### **Urgency Clause**

Urgency clause read.

The roll was opened.

#### Call of the Assembly

Pending the announcement of the vote, Assembly Member Weggeland moved a call of the Assembly.

Motion carried. Time, 11:47 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

#### CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT

Assembly Member Brown was granted unanimous consent to take up Assembly Bill No. 1859, out of order for purpose of consideration of Senate amendments.

ASSEMBLY BILL NO. 1859 (Brown)—An act to amend Section 11351 of the Government Code, relating to administrative regulations.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

#### AYES-72

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

#### **NOES—None**

Above bill ordered enrolled.

#### ASSEMBLY BILL NO. 1855 RETURNED TO SENATE

Assembly Member Sher was granted unanimous consent that Assembly Bill No. 1855 be returned to the Senate for further action.

## CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) MOTION TO RECONSIDER ASSEMBLY BILL NO. 574

In compliance with a motion given on a previous day, Assembly Member Villaraigosa moved that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 574 were refused concurrence.

The roll was opened.

#### Call of the Assembly

Pending the announcement of the vote, Assembly Member Villaraigosa moved a call of the Assembly.

Motion carried. Time, 11:54 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 574

At 11:57 a.m., on motion of Assembly Member Villaraigosa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion to reconsider the vote whereby Senate amendments to Assembly Bill No. 574 were refused concurrence lost by the following vote:

AVEC 24

Alpert	Campbell	Katz	Setencich
Archie-Hudson	Cannella	Knox	Sher
Baca	Davis	Kuehl	Speier
Bates	Ducheny	Lee	Sweeney
Bowen	Friedman	Machado	Tucker
Brown	Gallegos	Martinez	Vasconcellos
Burton	Hannigan	Mazzoni	Villaraigosa
n	**	3.6	

Bustamante Hauser Murray, Kevin Caldera Isenberg Napolitano

#### NOES-32

Ackerman	Conroy	Knight	Poochigian
Aguiar	Firestone	Knowles	Rainey
Aguiar Alby	Goldsmith	Kuykendall	Richter
Baldwin	Granlund	Margett	Takasugi
Bordonaro	Harvey	Miller	Thompson
Bowler	Hawkins	Morrissey	Weggeland
Brewer	Hoge	Morrow	Woods
Brulte	House	Olberg	Mr. Speaker

## CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) MOTION TO RECONSIDER ASSEMBLY BILL NO. 458 WAIVED

Assembly Member Ducheny waived her motion to reconsider the vote whereby Senate amendments to Assembly Bill No. 458 were refused concurrence.

## CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1770

At 12:08 p.m., on motion to Assembly Member Weggeland, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

#### Record Expunged and Action Rescinded on Assembly Bill No. 1770

Assembly Member Brewer was granted unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Assembly Bill No. 1770, and that the bill be passed on file, to retain its place on file.

#### **CAUCUS ANNOUNCEMENTS**

At 12:13 p.m., Assembly Member Katz was granted unanimous consent that the Democratic Caucus be permitted to meet in the Tom Bane Rules Committee Room.

#### RECESS

By unanimous consent, at 12:14 p.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

#### REASSEMBLED

At 12:54 p.m., the Assembly reconvened.

Hon. Curt Pringle, Speaker of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED) SECOND READING OF SENATE BILLS

**SENATE BILL NO. 411**—An act to amend Section 50401 of, and to add Chapter 9 (commencing with Section 50700) to Division 20 of, the Financial Code, relating to lending.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

### UNFINISHED BUSINESS (RESUMED) MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 976 and 378 were continued until Thursday, March 7, 1996.

#### MOTION TO ADJOURN

At 12:56 p.m., Assembly Member Brewer moved that the Assembly do now adjourn.

Assembly Member Gallegos seconded the motion.

Motion carried.

#### **VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items:

Assembly Joint Resolution No. 56, Coauthors: Archie-Hudson, Cortese, and Knox—Aye.

Assembly Joint Resolution No. 56: Archie-Hudson, Cortese, and Knox—Aye.

Assembly Concurrent Resolution No. 60, Coauthors: Archie-Hudson, Cortese, and Knox—Aye.

Senate Bill No. 1147 and Urgency: Cortese and Knox-Aye.

Assembly Bill No. 1489, Urgency and Concurrence: Cortese, Knox, and Olberg—Aye.

Assembly Bill No. 1859, Concurrence: Cortese, Knox, and Machado—Aye.

Assembly Bill No. 574, Motion to Reconsider: Knox-Aye.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:56 p.m., Speaker Pringle declared the quorum call of the Assembly dispensed with.

### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3470—The Committee on Judiciary (Morrow (Chairman), Alby, Battin, Baugh, Bowen, Goldsmith, House, Kaloogian, Knight, Knowles, Machado, and Mazzoni.) An act to amend Sections 650.4, 2725, 12240, 23057, 23104.1, and 25662 of the Business and Professions Code, to amend Sections 2079.12, 2945.11. 2983.2, 3319, 3320, and 3321 of the Civil Code, to amend Section 1991.1 of, to amend and renumber Sections 107.65 and 708.750 of, and to repeal the heading of Part 3.5 (commencing with former Section 1823) of, the Code of Civil Procedure, to amend Section 9501 of the Commercial Code, to amend Sections 15320, 19336, 48664, 58552, 58751, 60242, and 84751 of, and to repeal the heading of Chapter 15 (commencing with Section 11400) of Part 7 of, the Education Code, to amend Sections 8051.2 and 8280.5 of the Fish and Game Code, to amend Section 24014 of the Food and Agricultural Code, to amend Sections 6518, 8546, 8879.13, 8880.68, 11354.1, 11504, 12805, 15399.22. 19853.1, 19854, 29530.5, 50022.5, 53069.8, 69911, and 73665.5 of, to amend and renumber Sections 6599, 6599.1, and 12173 of, and to amend and renumber the heading of Title 7.91 (commencing with Section 67910), Title 7.92 (commencing with Section 67920), and Title 7.93 (commencing with Section 67930) of, the Government Code, to amend Sections 1597.15, 1771, 1779, 1779.4, 11837.9, 18062.8, 18080.9, 25158.4, 25198, 25201.1, 25218.11, 41503.6, 44017, 44085, and 44220 of, to amend and renumber Sections 1250.9, 18965, 18966, 18967, 18968, 18969, 18970, 18971, 27622.5, and 27623 of, to add the heading of Chapter 7 (commencing with Section 18949.25) to Part 2.5 of Division 13 of, and to repeal the heading of Chapter 7 (commencing with Section 18965) of Part 2.5 of Division 13 of, the Health and Safety Code, to amend Sections 10082, 10083, 10089.40, 10089.7, 10603, 10604, and 12376 of, and to amend and renumber Section 10089.7 of, the Insurance Code, to amend Section 626.10 of, and to amend and renumber Section 11113 of, the Penal Code, to amend Sections 4551.3 and 30514 of, and to repeal Section 21083.8 of, the Public Resources Code, to amend Section 2889.5 of, and to amend and renumber Sections 739.3 and 5387.5 of, the Public Utilities Code, to amend Section 75.60, 214, 2503.2, 2611.6, 3698.5, 3698.7, 6202.5, 6359, 17233, 17266, 23051.5, 23622, 24356.4, 24385, 60706.1, and 60707.1 of, and to amend the heading of Chapter 2.92 (commencing with Section 7286.50) of Part 1.7 of Division 2 of, the Revenue and Taxation Code, to amend Sections 10218.5 and 15037.1 of the Unemployment Insurance Code, to amend Sections 415, 672, 1656.2, 1675, 1810, 4655, 5011.5, 5070, 8200, 9252, 11216.2, 13378, 17302, 21114.5, 21663, 22507.9, 22512, 22851.1, 23197, 23203, 25110, 25802, 27207, 32050, 33002, 35782, 35790, 36505, 38010, 38080, 40000.7, 40513, 40802, 40802.5, 40803, 40901, 42003, and 42230 of the Vehicle Code, to amend Sections 10610.2, 10635, 10913, 13274, 35281, and 35282 of, and to amend and renumber Section 21267 of, the Water Code, to amend and renumber the heading of Article 4.05 (commencing with Section 14139.05) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, and to amend Section 5 of Chapter 52 of the Statutes of 1941 and Section 3 of Chapter 981 of the Statutes of 1995, relating to maintenance of the codes.

ASSEMBLY BILL NO. 3471—The Committee on Judiciary (Morrow (Chairman), Alby, Battin, Baugh, Bowen, Davis, Goldsmith, House, Kaloogian, Knight, Knowles, Machado, and Mazzoni.) An act to amend Sections 284 and 285 of the Code of Civil Procedure, relating to attorneys.

## **AUTHOR'S AMENDMENTS**Committee on Public Safety

March 4, 1996

Mr. Speaker: The Chair of your Committee on Public Safety reports: Senate Bill No. 989

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

BOLAND, Chairwoman

SENATE BILL NO. 989—An act relating to the Commission on Medical 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

March 4, 1996

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Senate Bill No. 836

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

OLBERG, Chairman

SENATE BILL NO. 836—An act to add Section 39613 to the Health and Safety Code, relating to air pollution.

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 Governmental Organization

March 4, 1996

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 632

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

HOGE, Chairman

SENATE BILL NO. 632—An act to amend Sections 23951, 23953, and 24071 of, and to add Sections 23405.3 and 24071.2 to, the Business and Professions Code, relating to alcoholic beverages, 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.

## AUTHOR'S AMENDMENTS Committee on Local Government

March 4, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports: Senate Bill No. 805

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

RAINEY, Chairman

**SENATE BILL NO. 805**—An act to amend Section 17525 of 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.

## AUTHOR'S AMENDMENTS Committee on Higher Education

March 4, 1996

Mr. Speaker: The Chair of your Committee on Higher Education reports: Senate Bill No. 1301

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

FIRESTONE, Chairman

**SENATE BILL NO. 1301**—An act to add Chapter 1.7 (commencing with Section 66004) to Part 40 of the Education Code, relating to postsecondary education, and making an appropriation therefor.

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 Appropriations

Date of Hearing: February 28, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 703

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Budget.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

Date of Hearing: February 28, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 848

With amendments with the recommendation: Amend, and do pass, as amended.

POOCHIGIAN. Chairman

Above bill ordered to second reading.

#### **MESSAGES FROM THE SENATE**

Senate Chamber, March 4, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Joint Resolution No. 56

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above resolution ordered to unfinished business file.

Senate Chamber, March 4, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 691

JOHN W. ROVANE, Acting Secretary of the Senate

#### SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Budget Subcommittee No. 2 on Education Finance and Higher Education on Wednesday, March 6, 1996, at 3:30 p.m. in Room 4202; and on Wednesday, March 13, 1996, at 3:30 p.m. in Room 127.

#### INTRODUCTION OF GUESTS

Assembly Member Lee, of the 16th Assembly District, introduced the California Association of Black Social Workers for the 1996 Legislative Lobby Day.

Assembly Member Baca, of the 62nd Assembly District, introduced the following individuals from the California School Board Administrators: Jerry Sturmer, Rialto Unified School District; Linda Fabre, Colton Joint Unified School District; Dave Ackley, San Bernardino Unified School District; Janey Kozlowski, San Bernardino County Schools; and Charles Terrell, Jr., Educational Consulting, San Bernardino.

Assembly Member Morrissey, of the 69th Assembly District, introduced his wife Margret Morrissey and the Best Man at their wedding, Ben Arnty and his wife Dorrie Arnty.

#### **ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Brewer, the Assembly adjourned until 7 a.m., Tuesday, March 5, 1996, out of respect to the memory of Fred Crabtree, on motion of Assembly Member Sweeney; out of respect to the memory of Gregorio E. Moreno, III, on motion of Assembly Member Villaraigosa; out of respect to the memory of Scott David Gadway, on motion of Assembly Member Frusetta; out of respect to the memory of Dr. Russell L. Hulme and Ellis Harvey, on motion of Assembly Member Cunneen; out of respect to the memory of those who were killed in the recent bombings in Tel Aviv, on motion of Assembly Member Knowles; out of respect to the memory of Carl Anderson, on motion of Assembly Member Rogan; and in honor of the birth of Evan Jeremiah Hildebrand, Maegan Bethany Bitts, and Christopher Brandon Van Dam, on motion of Assembly Member Rogan.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

#### **AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 4, 1996**

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

SB	$\mathbf{R}\mathbf{N}$
411	9605773
632	9606665
805	9606979
836	9605803
1301	9606995