

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 5, 1996

ONE HUNDRED EIGHTIETH SESSION DAY

FOUR HUNDRED FIFTY-SEVENTH 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
Tuesday, March 5, 1996

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st 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—68:

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

Quorum present.

At 1:10 p.m., Hon. Marilyn C. Brewer, 70th 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 Caldera, Knox, Kevin Murray, Pringle, and Speier.

On personal business, and waiving per diem: Assembly Members Lee, McDonald, and Willard Murray.

Because of jury duty and legislative business: Assembly Member Bowen.

Because of illness in her family: Assembly Member Kuehl.

The following Assembly Member was excused for the day: Isenberg.

EXPLANATIONS OF ABSENCE

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

March 4, 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 Tuesday, March 5, Wednesday, March 6, and Thursday, March 7. I will be in Los Angeles continuing my jury duty service that I began in December over the Assembly Holiday Recess.

Additionally, I will be conducting legislative business while I am in Los Angeles as I do not have to report to the jury room until 10:00 a.m. and expect to be done by late afternoon each day.

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

Sincerely,

DEBRA BOWEN, Assembly Member
Fifty-third District

March 4, 1996

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

Dear Mr. Speaker: Due to legislative business in my district this Tuesday, March 5, I would like to be excused from attending check in session.

Sincerely,

LOUIS CALDERA, Assembly Member
Forty-sixth District

March 5, 1996

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

Dear Mr. Speaker: This letter is to request that I be excused from session on Tuesday, March 5, 1996. I will be in Los Angeles on legislative business. Thank you.

Sincerely,

WALLY KNOX, Assembly Member
Forty-second District

March 4, 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 from Tuesday, March 5, 1996 to Thursday, March 9, 1996 on legislative business.

Yours sincerely,

KEVIN MURRAY, Assembly Member
Forty-seventh District

January 30, 1996

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

Dear Mr. Wilson: Please be advised that on Tuesday, March 5, 1996 I will be in my district office on legislative business.

Thank you for your consideration.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

March 5, 1996

*The Honorable Curt Pringle
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, Tuesday, March 5, 1996. I am conducting 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 communication was presented by the Chief Clerk from:

Bill Jones, Secretary of State, Office of the Secretary of State, dated February 26, 1996, transmitting a copy of the qualified initiative entitled "Campaign Contributions and Spending Limits. Disclosure. Initiative Statute." Referred pursuant to Elections Code, Section 9034, to the Committee on Elections, Reapportionment and Constitutional Amendments.

REPORTS

The following reports were presented by the Chief Clerk:

**Private Industry Council of Southeast Los Angeles County,
Two Year Plan Summary, 1996-98
(Pursuant to JTPA, FESA, Title II Job Training Plan, and
Title III Substate Plan Instructions)**

Above transmitted report, together with letter of transmittal from Bill Plaster, Executive Director, Private Industry Council of Southeast Los Angeles County, Cerritos, dated March 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Oakland Private Industry Council, 1996-98 Job Training Plan, Summary
(Pursuant to Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Gay Plair Cobb, Oakland Private Industry Council, Oakland, dated February 28, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Foothill Private Industry Council,
Job Training Plan Summary, First Publication—March 1, 1996
(Pursuant to Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Phillip L. Dunn, Executive Director, Foothill Private Industry Council, Pasadena, dated February 29, 1996, referred by the Speaker to the Committee on Labor and Employment.

**County of Ventura, Job Training Plan 1996-98,
Summary of Systems and Activities, March 1, 1996
(Pursuant to Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Bruce Stenslie, Planning Manager, Workforce Development Division County of Ventura, dated March 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**City of San Bernardino, Employment and Training Agency,
Program Years 1996 and 1997, Job Training Plan Summary
(Pursuant to Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Ernest B. Dowdy, Executive Director, City of San Bernardino Employment and Training Agency, San Bernardino, dated March 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Employers' Training Resource, Summary of Proposed Job Training Plan
for Program Years 1996-1998, July 1, 1996-June 30, 1998
(Pursuant to Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Peter Parra, Director, Employers' Training Resource, Bakersfield, dated March 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Report on the Status of Utility Research and Marketing Activities
(Pursuant to Public Utilities Code Section 701.6)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, San Francisco, dated February 29, 1996, referred by the Speaker to the Committee on Natural Resources.

**California Department of Forestry and Fire Protection Report
on the Impacts of Designating High Fire Hazard Severity Zones
(Pursuant to Public Resources Code Section 4205)**

Above transmitted report, together with letter of transmittal from Richard A. Wilson, Director, Department of Forestry and Fire Protection, Sacramento, dated February 23, 1996, referred by the Speaker to the Committee on Natural Resources.

**CDF Report Regarding Minority, Women, and Disabled Veteran Enterprises
(Pursuant to Budget Item #95 3540-001-001, 1995)**

Above transmitted report, together with letter of transmittal from Richard A. Wilson, Director, Department of Forestry and Fire Protection, Sacramento, dated February 27, 1996, referred by the Speaker to the Committee on Budget.

**1996 Annual Report of the
California DUI Management Information System
(Pursuant to Assembly Bill 757, Chapter 450, 1989)**

Above transmitted report, together with letter of transmittal from Anne Bersinger, Acting Director, Department of Motor Vehicles, Sacramento, dated February 27, 1996, referred by the Speaker to the Committee on Transportation.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3472—The Committee on Local Government (Rainey (Chairman), Ackerman, Granlund, Hannigan, Kuykendall, Margett, Kevin Murray, Napolitano, Setencich, and Sweeney. An act to amend Sections 8762 and 8771 of the Business and Professions Code, to amend Section 17850 of the Education Code, to amend Sections 26907, 27279, 65361, 66416.5, and 66417 of, to amend and renumber Sections 12035 and 12036 of, and to repeal Sections 12037, 12038, and 66452.7 of, the Government Code, to amend Sections 40275, 41210, and 41220 of the Health and Safety Code, to amend Sections 8813, 8813.1, 8813.2, 8815.2, and 8815.3 of the Public Resources Code, and to amend Section 50752 of the Water Code, relating to local government.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 43—Conroy (Senator Peace, coauthor). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 23 to Article IV thereof, amending Section 8 of Article VII thereof, and repealing Article XII thereof, relating to public utilities.

**AUTHOR'S AMENDMENTS
Committee on Insurance**

March 5, 1996

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 2052

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

KNOWLES, Chairman

ASSEMBLY BILL NO. 2052—An act to amend Sections 1065.2 and 1065.4 of the Insurance Code, relating to insurance.

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 Insurance**

March 5, 1996

Mr. Speaker: The Chair of your Committee on Insurance reports:
Senate Bill No. 464

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

KNOWLES, Chairman

SENATE BILL NO. 464—An act to add Section 675.1 to the Insurance Code, relating to insurance.

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 Health**

March 5, 1996

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 563

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

GRANLUND, Chairman

SENATE BILL NO. 563—An act to amend Section 3327.5 of the Business and Professions Code, relating to hearing aid dispensers.

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 Banking and Finance**

Date of Hearing: March 4, 1996

Mr. Speaker: Your Committee on Banking and Finance reports:
Senate Bill No. 1106

With the recommendation: Do pass.

GOLDSMITH, Chairman

Above bill ordered to second reading.

**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. 411, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 703—An act to augment Item 6870-101-001 of Section 2.00 of the Budget Act of 1995, relating to the California Community Colleges, to take effect immediately, as an appropriation for the usual current expenses of the state.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be re-referred to the Committee on Budget.

SENATE BILL NO. 848—An act to amend Section 22349 of, and to add and repeal Section 22349.5 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

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.

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. 714, on request of Assembly Member Friedman.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 6, 1996.

FRED AGUIAR, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 5, 1996**

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

AB	RN
2052	9606348

SB	RN
464	9606968
563	9606554
703	9607048
848	9607045