

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 6, 1996

**ONE HUNDRED EIGHTY-FIRST SESSION DAY
FOUR HUNDRED FIFTY-EIGHTH 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
Wednesday, March 6, 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 Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—72:

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

Quorum present.

At 1:47 p.m., Hon. Cruz M. Bustamante, 31st 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 Brulte and Kevin Murray.

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

Because of jury duty: Assembly Member Bowen.

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

EXPLANATIONS OF ABSENCE

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

March 6, 1996

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

Dear Mr. Speaker: Please excuse me from check-in session on March 6, 1996, as I will be in my district on legislative business.

Thank you.

Sincerely,

JAMES L. BRULTE, Assembly Member
Sixty-third District

(NOTE: For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, March 5, 1996; for letter explaining the absence of Assembly Member Bowen on this day on jury duty and legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Tuesday, March 5, 1996.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 5, 1996

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

Dear Mr. Wilson: Please be advised pursuant to SCR 22 (1985), I have appointed Assemblyman Steve Kuykendall to the Pacific Fisheries Legislative Task Force to fill an existing vacancy.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

March 5, 1996

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

Dear Mr. Wilson: I have appointed Assemblyman Bruce Thompson, Assemblyman Keith Olberg and Mr. Tony Gonzales to the California Policy Seminar, replacing Assemblyman John Vasconcellos and Mr. Jimmy Lewis who are removed.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Yolo County Private Industry Council,
Yolo County Community Partnership Agency,
Plan Summary for 1996-98 Two Year Plan
(Pursuant to the Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Alexander M. Laiewski, Director, Community Partnership Agency, Woodland, dated March 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Santa Ana Private Industry Council, PY 1996-98 Job Training Plan Summary
(Pursuant to the Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Patricia Nunn, Executive Director, Private Industry Council of Santa Ana, Santa Ana, dated March 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**NoRTEC Job Training Plan Summary, PY 1996-98
(Pursuant to the Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Terrienne Brown, Program Operations Director, NoRTEC, Paradise, dated March 1, 1996, referred by the Speaker to the Committee on Labor and Employment.

**NOVA Private Industry Council,
Draft Summary of NOVA's FYs 1997 & 1998 Job Training Plan
(Pursuant to the Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Michael J. Curran, Director, NOVA Private Industry Council, Sunnyvale, dated March 3, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Ratios of California Public School Administrative Employees
to Teachers as of October 1994
(Pursuant to Education Code Section 41407)**

Above transmitted report, together with letter of transmittal from Paula Mishima, Director, Governmental Affairs Office, Department of Education, Sacramento, dated March 1, 1996, referred by the Speaker to the Committee on Education.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 6, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 2052

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to 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. 848, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1106—An act to add Section 2954.11 to the Civil Code, relating to mortgages.

Bill read second time, and ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 6, 1996

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

Assembly Bill No. 1859

And reports the same correctly enrolled, and presented to the Governor at 2:30 p.m., March 6, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, March 6, 1996

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

Assembly Concurrent Resolution No. 56

And reports the same correctly enrolled, and presented to the Secretary of State on the 6th day of March, 1996, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 3473—The Committee on Consumer Protection, Governmental Efficiency and Economic Development (Morrissey (Chairman), Baldwin, Firestone, Knight, Thompson, and Woods.) An act to amend Sections 110, 2467, 2601, 2602, 2603, 2604, 2604.5, 2605, 2606, 2607, 2607.5, 2608.5, 2609, 2611, 2612, 2613, 2614, 2615, 2620.3, 2620.5, 2630, 2632, 2633, 2634, 2636, 2636.1, 2636.5, 2637, 2638, 2639, 2650, 2650.1, 2651, 2652, 2653, 2655, 2655.1, 2655.2, 2655.3, 2655.4, 2655.5, 2655.6, 2655.7, 2655.71, 2655.8, 2655.9, 2655.91, 2655.92, 2660, 2661, 2661.5, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2672, 2680, 2682, 2684, 2685, 2687, 2688, 2688.5, 2689, 2690, 2696, 2987.5, 3356, 3360, 3401, 3427.5, 3901, 3902, 3924, 3930.5, 4980.03, 4980.40, 4984.5, 4984.6, 4987.5, 4990.1, 4990.2, 4990.15, 4994, 4996.3, 4996.6, 4998, 8516, 8522, 8550, 8564.5, 8614, 8617, 8622, and 8675 of, to add Section 8656 to, and to repeal Sections 3924.5, 3930.1, 4940.1, 4940.2, 4940.3, and 4990.17 of, the Business and Professions Code, relating to businesses and professions.

AUTHOR'S AMENDMENTS**Committee on Elections, Reapportionment and Constitutional Amendments**

March 6, 1996

Mr. Speaker: The Chair of your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Constitutional Amendment No. 33

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

McPHERSON, Chairman

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, relating to the state budget.

Resolution read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 6, 1996

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

Assembly Bill No. 2017

Assembly Bill No. 2112

Assembly Bill No. 2085

Assembly Bill No. 2125

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

BOLAND, Chairwoman

ASSEMBLY BILL NO. 2017—An act to amend Sections 4582.01, 4582.03, 4582.05, 4582.06, and 4852.13, relating to criminal offenders.

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.

ASSEMBLY BILL NO. 2085—An act to amend Sections 11160, 11161.9, and 11162.5 of the Penal Code, relating to crimes.

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.

ASSEMBLY BILL NO. 2112—An act to amend Section 6025 of the Penal Code, relating to corrections.

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.

ASSEMBLY BILL NO. 2125—An act to add Article 8 (commencing with Section 124170) to Chapter 3 of Part 2 of Division 106 of the Health and Safety Code, and to add Section 273.4 to the Penal Code, relating to female genital mutilation.

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

March 6, 1996

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

Senate Bill No. 354

Senate Bill No. 909

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

POOCHIGIAN, Chairman

SENATE BILL NO. 354—An act to amend Sections 1749.1 and 1749.3 of, and to repeal Section 1749.8 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.

SENATE BILL NO. 909—An act to amend Section 84040 of the Education Code, relating to postsecondary education.

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 6, 1996

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 2092

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

GRANLUND, Chairman

ASSEMBLY BILL NO. 2092—An act to amend Sections 7150.1, 7151, 7151.5, 7152, 7153, 7154, and 7184 of, and to add Section 7165 to, the Health and Safety Code, to add Article 14 (commencing with Section 18850) to Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, and to amend Section 1672 of the Vehicle Code, relating to organ donation.

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 Transportation

March 6, 1996

Mr. Speaker: The Chair of your Committee on Transportation reports:
Senate Bill No. 956

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

BOWLER, Chairman

SENATE BILL NO. 956—An act relating to energy resources.

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 Labor and Employment

March 6, 1996

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Senate Bill No. 500

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

HOUSE, Chairman

SENATE BILL NO. 500—An act to amend Section 1182 of the Labor Code, relating to minimum wage.

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 Revenue and Taxation

March 6, 1996

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 2055

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

TAKASUGI, Chairman

ASSEMBLY BILL NO. 2055—An act to amend Section 17039 of, and to add Section 17052.1 to, 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 Consumer Protection, Governmental Efficiency
and Economic Development**

March 6, 1996

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 435

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

MORRISSEY, Chairman

SENATE BILL NO. 435—An act relating to economic development.

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 Consumer Protection, Governmental Efficiency
and Economic Development**

March 6, 1996

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 2124

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

MORRISSEY, Chairman

ASSEMBLY BILL NO. 2124—An act to amend Section 7048 of the Business and Professions Code, relating to contractors.

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.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until 9:30 a.m., Thursday, March 7, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 6, 1996**

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

AB	RN
2017	9605380
2055	9607197
2085	9607236
2092	9607053
2112	9607140
2124	9607052
2125	9607182

ACA	RN
33	9606949

SB	RN
354	9606575
435	9607223
500	9607155
909	9606651
956	9606179