

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 15, 1995
FORTY-SECOND SESSION DAY
ONE HUNDRED 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.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 15, 1995

The Assembly met at 7 a.m.

Hon. Mickey Conroy, Assembly Member, 71st District, presiding.

Assistant Chief Clerk Lawrence A. Murman at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

The following were placed upon the morning roll call—45:

Aguiar	Ducheny	Kaloogian	Setencich
Alby	Escutia	Knight	Sher
Allen	Figueroa	Knowles	Speier
Alpert	Firestone	Knox	Sweeney
Baldwin	Friedman	Kuykendall	Thompson
Bowler	Gallegos	Mazzoni	Tucker
Burton	Goldsmith	McDonald	Vasconcellos
Caldera	Hannigan	Morrissey	Weggeland
Campbell	Hawkins	Morrow	Woods
Conroy	Hoge	Poochigian	
Cortese	House	Rainey	
Cunneen	Isenberg	Richter	

Quorum present.

At 1:55 p.m., Hon. Juanita McDonald, 55th 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 Archie-Hudson, Bates, Battin, Boland, Bordonaro, Bowen, Brewer, Valerie Brown, Willie Brown, Brulte, Bustamante, Davis, Frusetta, Granlund, Harvey, Hauser, Horcher, Katz, Kuehl, Lee, Machado, Martinez, McPherson, Kevin Murray, Willard Murray, Napolitano, Olberg, Pringle, Rogan, Takasugi and Villaraigosa.

On personal business, and waiving per diem: Assembly Members Cannella and Johnson.

Because of illness in his family: Assembly Member Baca.

(NOTE: For letters explaining the absences of Assembly Members Archie-Hudson, Bates, Battin, Boland, Bordonaro, Bowen, Brewer, Valerie Brown, Willie Brown, Brulte, Bustamante, Davis, Frusetta, Granlund, Harvey, Hauser, Horcher, Katz, Kuehl, Lee, Machado, Martinez, McPherson, Kevin Murray, Willard Murray, Napolitano, Olberg, Pringle, Rogan, Takasugi, and Villaraigosa on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 14, 1995.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 15, 1995

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

Assembly Bill No. 44	Assembly Bill No. 114
Assembly Bill No. 70	Assembly Bill No. 214
Assembly Bill No. 92	Assembly Bill No. 260

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

MESSAGES FROM THE SENATE

Senate Chamber, March 13, 1995

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

Assembly Concurrent Resolution No. 5

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolution ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY JOINT RESOLUTION NO. 15—Alpert, Baldwin, Ducheny, Goldsmith, and Morrow (Senator Killea, coauthor). Relative to the Tijuana River International Wastewater Treatment Plant.

ASSEMBLY JOINT RESOLUTION NO. 16—Setench (Principal Senate coauthor: Monteith) Aguiar, Alby, Boland, Bordonaro, Bowler, Conroy, Harvey, House, Kuykendall, Morrissey, Morrow, Poochigian, Rainey, Richter, Rogan, Thompson, and Weggeland (Senators Haynes, Lewis, and Russell, coauthors). Relative to the federal Endangered Species Management Act of 1995.

AUTHOR'S AMENDMENTS

Committee on Revenue and Taxation

March 15, 1995

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 315

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 315—An act to add Section 401.6 to the Revenue and Taxation Code, relating to taxation.

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 15, 1995

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

Assembly Bill No. 23

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

SPEIER, Chairwoman

ASSEMBLY BILL NO. 23—An act to add Article 10 (commencing with Section 14080) to Chapter 1 of Part 5 of Division 3 of the Corporations Code, relating to small businesses.

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 Education

March 15, 1995

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

Assembly Bill No. 331

Assembly Bill No. 181

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

ALPERT, Chairwoman

ASSEMBLY BILL NO. 331—An act to add Sections 8481 and 8489 to the Education Code, relating to child care 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.

ASSEMBLY BILL NO. 181—An act to amend Sections 17717.5 and 17717.7 of, and to add Sections 17702.2, 17752, 17753, 17754, and 17754.5 to, the Education Code, relating to community school facilities.

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 Public Safety

March 15, 1995

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

Assembly Bill No. 126

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

BOLAND, Chairwoman

ASSEMBLY BILL NO. 126—An act to amend Sections 17, 18, 664, 2900.5, and 4019 of, to amend and renumber Section 669 of, to add Sections 1170.01, 1170.02, 1170.03, 2910.7, and 4000.2 to, to repeal Sections 1170.13, 1170.15, and 1170.95 of, and to repeal and add Sections 1170 and 1170.1 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 Public Safety

March 15, 1995

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

Assembly Bill No. 127

Assembly Bill No. 144

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

BOLAND, Chairwoman

ASSEMBLY BILL NO. 127—An act to add Division 8.5 (commencing with Section 7800) to Title 1 of the Government Code, relating to public moneys.

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. 144—An act to amend Sections 12022, 12022.2, and 12022.5 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.

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 15, 1995

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 64

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

BOLAND, Chairwoman

ASSEMBLY BILL NO. 64—An act to amend and renumber Section 181 of, and to add Chapter 7.5 (commencing with Section 176) to Title 7 of Part 1 of, the Penal Code, relating to employment of unauthorized aliens, making an appropriation therefor, 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 Revenue and Taxation

March 15, 1995

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 208

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 208—An act to add and repeal Sections 6377.3, 17053.51, and 23651 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 Public Safety

March 15, 1995

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 95
Assembly Bill No. 290

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

BOLAND, Chairwoman

ASSEMBLY BILL NO. 95—An act to amend Sections 207, 208, 209, 664, 667.71, 667.8, and 2933.5 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. 290—An act to repeal and add Section 1102.6 of the Penal Code, relating to criminal procedure.

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 Judiciary

March 15, 1995

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 334

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

ISENBERG, Chairman

ASSEMBLY BILL NO. 334—An act to amend Section 3104 of the Family Code, relating to family law.

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 15, 1995

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 97

Assembly Bill No. 309

Assembly Bill No. 182

Assembly Bill No. 342

Assembly Bill No. 258

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

RAINEY, Chairman

ASSEMBLY BILL NO. 97—An act to add and repeal Section 31000.05 of the Government Code, relating to county contracts, 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.

ASSEMBLY BILL NO. 182—An act to add Section 22435.7 to the Business and Professions Code, relating to shopping carts.

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. 258—An act to amend Section 67675 of the Government Code, relating to land use, 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.

ASSEMBLY BILL NO. 309—An act to add Chapter 12 (commencing with Section 19985) to Part 11 of the Education Code, relating to financing a library construction and renovation program by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

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. 342—An act to add Section 54981.5 to the Government Code, relating to municipal 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 Education

March 15, 1995

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

Assembly Bill No. 84

Assembly Bill No. 105

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

ALPERT, Chairwoman

ASSEMBLY BILL NO. 84—An act to add Part 26.9 (commencing with Section 47800) to the Education Code, relating to 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.

ASSEMBLY BILL NO. 105—An act to add Article 2.3 (commencing with Section 56331) to Chapter 4 of Part 30 of the Education Code, relating to schools.

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 15, 1995

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 271

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 271—An act to amend Sections 17053.8 and 23622 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 Local Government

March 15, 1995

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 65

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

RAINEY, Chairman

ASSEMBLY BILL NO. 65—An act to amend Section 50 of the Antelope Valley Storm Water Conservation and Flood Control District Act (Chapter 764 of the Statutes of 1994), relating to water.

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 15, 1995

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

Assembly Bill No. 255

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

SPEIER, Chairwoman

ASSEMBLY BILL NO. 255—An act to amend Sections 16582, 16583, and 16584 of, to add Sections 15705 and 16583.5 to, and to repeal Section 16581 of, the Government Code, relating to state funds.

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 Transportation**

Date of Hearing: March 6, 1995

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 6

With amendments with the recommendation: Be adopted, as amended, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

KATZ, Chairman

Above resolution ordered to second reading.

Date of Hearing: March 6, 1995

Mr. Speaker: Your Committee on Transportation reports:

House Resolution No. 11

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

KATZ, Chairman

Above resolution ordered to second reading.

Committee on Judiciary

Date of Hearing: March 15, 1995

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Concurrent Resolution No. 14

With the recommendation: Be adopted and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

ISENBERG, Chairman

Above resolution re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 34—An act to amend Sections 35107, 44831, and 45103 of the Education Code, relating to school districts.

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

ASSEMBLY BILL NO. 99—An act to amend Sections 12021.5 and 12323 of the Penal Code, relating to ammunition, and declaring the urgency thereof, to take effect immediately.

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

SECOND READING OF SENATE BILLS

SENATE BILL NO. 59—An act to amend Section 49550.3 of the Education Code, relating to schools.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 16, 1995.

JOHN BURTON, Chair
Assembly Rules Committee

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 15, 1995**

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

Assembly Bills

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65
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*Senate
Bill*

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