

CALIFORNIA LEGISLATURE  
1995-96 REGULAR SESSION

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**ASSEMBLY DAILY JOURNAL**

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**Wednesday, March 22, 1995**

**FORTY-SIXTH SESSION DAY**

**ONE HUNDRED EIGHTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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 22, 1995

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 Sue Walker reading.

#### ROLL CALL

The following were placed upon the morning roll call—77:

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

Quorum present.

At 2:30 p.m., Hon. John Vasconcellos, 22nd 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 Member was granted leave of absence for the day:

*On legislative business: Assembly Member Speier.*

*The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.*

**EXPLANATIONS OF ABSENCE**

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

March 22, 1995

*Honorable Willie L. Brown, Jr.  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Willie: I respectfully request to be excused from check-in Session on Wednesday, March 22, as I will be attending to legislative business in my district.

Thank you for your consideration of this matter.

All the best,

JACKIE SPEIER, Assembly Member  
Nineteenth District

**REPORTS**

The following report was presented by the Speaker:

**State Personnel Board Notice of Demonstration Project  
Relative to Examination and Selection of  
Managerial Employees in California State Civil Service  
(Report and Attachment A) (Pursuant to Section 19600, Government Code)**

Above transmitted report, together with letter of transmittal from Walter Vaughn, Acting Executive Officer, State Personnel Board, Sacramento, dated March 6, 1995, referred by the Speaker to the Committee on Labor and Employment.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 22, 1995

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

Assembly Bill No. 157

Assembly Bill No. 456

Assembly Bill No. 243

Assembly Bill No. 480

Assembly Bill No. 417

Assembly Bill No. 483

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 22, 1995

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

Assembly Concurrent Resolution No. 10

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**REQUEST TO SUSPEND JOINT RULES**

The following request was received, and read:

Assembly Chamber, March 22, 1995

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Assembly Bill No. 775.

TED WEGGELAND

Above request ordered transmitted to the Committee on Rules.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 23**—Willard Murray. Relative to affirmative action.

**ASSEMBLY JOINT RESOLUTION NO. 19**—Speier. Relative to child support enforcement.

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

March 22, 1995

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

Assembly Bill No. 58

Assembly Bill No. 267

Assembly Bill No. 172

Assembly Bill No. 488

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

BOLAND, Chairwoman

**ASSEMBLY BILL NO. 58**—An act to add Chapter 17 (commencing with Section 7440) to Title 7 of Part 3 of the Penal Code, relating to financing a prison and community-based correctional facilities construction 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. 172**—An act to add Section 13205 to the Penal Code, relating to criminal street gangs.

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. 267**—An act to add Section 1202.45 to the Penal Code, and to amend Section 204.5 of, and to add Sections 730.7 and 827.3 to, the Welfare and Institutions Code, relating to crime.

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. 488**—An act to amend Section 13012 of, and to add Section 13010.5 to, the Penal Code, relating to crime.

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 Housing and Community Development**

March 22, 1995

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 489

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

HAUSER, Chairman

**ASSEMBLY BILL NO. 489**—An act to amend Section 13220 of the Health and Safety Code, relating to fire protection, 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 Water, Parks and Wildlife**

March 22, 1995

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 229

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

CORTESE, Chairman

**ASSEMBLY BILL NO. 229**—An act to amend Section 8308 of the Fish and Game Code, relating to commercial fishing.

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 Environmental Safety and Toxic Materials**

March 22, 1995

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 204

Assembly Bill No. 349

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

RICHTER, Chairman

**ASSEMBLY BILL NO. 204**—An act to amend Sections 8589.7 and 51018 of the Government Code, and to amend Sections 25270.8 and 25359.4 of the Health and Safety Code, relating to disasters.

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. 349**—An act to amend Section 51015.05 of the Government Code, relating to pipeline safety.

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 22, 1995

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

Assembly Bill No. 82

Assembly Bill No. 337

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

RAINEY, Chairman

**ASSEMBLY BILL NO. 82**—An act to amend Section 29550 of the Government Code, relating to booking fees.

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. 337**—An act to add Section 97.41 to the Revenue and Taxation Code, relating to local government finance, 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 Housing and Community Development**

March 22, 1995

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 419

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

HAUSER, Chairman

**ASSEMBLY BILL NO. 419**—An act to amend Section 33615 of the Health and Safety Code, relating to redevelopment.

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 22, 1995

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

Assembly Bill No. 73

Assembly Bill No. 161

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

ALLEN, Chairwoman

**ASSEMBLY BILL NO. 73**—An act to add Sections 1368.5 and 1385.5 to the Health and Safety Code, and to add Section 10145.5 to the Insurance Code, relating to health coverage.

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. 161**—An act to amend Section 22430 of the Business and Professions Code, and to add Sections 10125.6 and 10206 to the Health and Safety Code, relating to vital statistics.

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 Public Safety**

Date of Hearing: March 21, 1995

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 80
- Assembly Bill No. 129

With the recommendation: Do pass.

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

BOLAND, Chairwoman

Above bills ordered to second reading.

Date of Hearing: March 21, 1995

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 106
- Assembly Bill No. 144
- Assembly Bill No. 264
- Assembly Bill No. 400

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BOLAND, Chairwoman

Above bills re-referred to the Committee on Appropriations.

**Committee on Governmental Organization**

Date of Hearing: March 21, 1995

Mr. Speaker: Your Committee on Governmental Organization reports:

- Assembly Bill No. 141

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

HORCHER, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 21, 1995

Mr. Speaker: Your Committee on Governmental Organization reports:

- Assembly Bill No. 369

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

HORCHER, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Health**

Date of Hearing: March 21, 1995

Mr. Speaker: Your Committee on Health reports:

- Assembly Bill No. 409

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

ALLEN, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 21, 1995

Mr. Speaker: Your Committee on Health reports:

- Assembly Bill No. 396

With the recommendation: Do pass.

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

ALLEN, Chairwoman

Above bill ordered to second reading.

**ASSEMBLY BILL NO. 471 PASSED AND RETAINED**

Without objection, Assembly Bill No. 471 was passed on file, to retain its place on file.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 23, 1995.

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WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk



**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 22, 1995**

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

*Assembly Bills*

58  
73  
82  
161  
172  
204  
229  
267  
337  
349  
419  
488  
489