

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, March 25, 1996**

**ONE HUNDRED NINETY-FIRST SESSION DAY**

**FOUR HUNDRED SEVENTY-SEVENTH 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  
Monday, March 25, 1996

The Assembly met at 10:30 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 Hannigan moved a quorum call of the Assembly.

Motion carried. Time, 10:31 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 10:53 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—68:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Assembly Member Tom Hannigan, of the 8th Assembly District.

*God of Infinite Depth and Infinite Variety,* Take away monotony from our lives. Give to each one of us the capacity to change when change is necessary; the capacity to excel when excellence is called for; the capacity to stand fast when firmness is needed; the capacity to be a friend to and enjoy the friendship of a variety of people, with a variety of needs and a variety of virtues, for only one reason—because we are brothers and sisters.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Aguiar, Assembly Member Hoge 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 Firestone, seconded by Assembly Member Alpert.

**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 Cortese.*

*On legislative business, and waiving per diem: Assembly Members Brewer, Goldsmith, Kaloogian, and Tucker.*

*On personal business, and waiving per diem: Assembly Members Archie-Hudson, Bordonaro, Hawkins, Lee, Willard Murray, and Takasugi.*

**EXPLANATIONS OF ABSENCE**

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

March 25, 1996

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

Dear Mr. Speaker:

Please excuse me from Session today, March 25, 1996, for Legislative Business. I am meeting with the Santa Clara Valley Water District.

I would respectfully appreciate your consideration of this request.

Sincerely,

DOMINIC L. CORTESE, Assembly Member  
Twenty-third District

March 21, 1996

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

Dear Speaker Pringle: I am respectfully requesting to be excused without per diem on March 25 & 26, 1996, due to legislative business in my district office.

Sincerely,

MARILYN C. BREWER, Assembly Member  
Seventieth District

March 19, 1996

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

Dear Mr. Speaker: I respectfully request to be excused from session on Monday, March 25, 1996. I have legislative business in my district and would like to waive my per-diem.

Thank you for your attention to this matter.

Sincerely,

JAN GOLDSMITH, Assembly Member  
Seventy-fifth District

March 25, 1996

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

Dear Mr. Speaker: Due to important legislative business in my district, I will be unable to attend the Floor Session scheduled for Monday, March 25, 1996.

Please note my absence in the Daily Journal. I waive per diem for the day.

Thank you for your consideration of this request.

Sincerely,

HOWARD KALOGIAN, Assembly Member  
Seventy-fourth District

March 14, 1996

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

Dear Mr. Speaker: Due to legislative business, I would like to respectfully request that I be excused from session waiving per diem from Wednesday, March 20, 1996 to Tuesday, March 26, 1996.

Thank you for your consideration to this matter.

Sincerely,

CURTIS R. TUCKER, JR., Assembly Member  
Fifty-first District

**COMMUNICATIONS**

The following communication was presented by the Speaker, and ordered printed in the Journal:

March 25, 1996

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol  
Sacramento, California*

Dear Dotson: This letter is to inform you that I have appointed Assemblyman Steve Kuykendall to fill the vacancy on the Rules Committee due to the absence of Assemblywoman Marilyn Brewer. This appointment is for today's hearing only.

Sincerely,

**CURT PRINGLE**  
Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 20, 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 **Assembly Governmental Organizational Committee hearing:**

|         |   |
|---------|---|
| Source  | California Exposition and State Fair                    |
| Amount  | Nonmonetary donation of \$60.00                         |
| Purpose | Assembly Governmental Organization<br>Committee hearing |

Person/Class for  
Whom Payment Used Assembly Member Hoge 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

The following communication was presented by the Chief Clerk from:

Charles Francis, Chief Executive Officer, Fresno Private Industry Council, relative to notifying the general public that a summary of the 1996-98 Job Training Plan for the City and County of Fresno is available.

Referred by the Speaker to the Committee on Labor and Employment.

**REPORTS**

The following reports were presented by the Chief Clerk:

**County of San Mateo Job Training & Economic Development,  
JTPA Job Training Plan Summary, 1996-98  
(Pursuant to the Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from M. Melody Page, Grants & Contracts Manager, County of San Mateo, Redwood City, dated March 7, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Summary of Marin County SDA's Job Training Plan 1996-98  
(Pursuant to the Job Training Partnership Act (JTPA))**

Above transmitted report, together with letter of transmittal from Ruth McNurney, Director, Division of Employment and Training, County of Marin, San Rafael, dated March 18, 1996, referred by the Speaker to the Committee on Labor and Employment.

**Final Report to the Legislature on Verifying Financial Responsibility  
with Respect to Vehicles Being Registered or Reregistered  
(Pursuant to SB 228, 1990-91 Regular Session)**

Above transmitted report, together with letter of transmittal from Anne Bersinger, Acting Director, Department of Motor Vehicles, Sacramento, dated March 21, 1996, referred by the Speaker to the Committee on Transportation.

**REFERENCE OF BILLS TO COMMITTEE**

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

| <i>Assembly<br/>Bill No.</i>       | <i>Committee</i>         |
|------------------------------------|--------------------------|
| 2127 -----                         | Pub. S.                  |
| 2440 -----                         | B. & F.                  |
| 2459 -----                         | Jud.                     |
| 2522 -----                         | G.O.                     |
| 2530 -----                         | L. Gov.                  |
| 2978 -----                         | Rev. & Tax.              |
| 3017 -----                         | C.P.,G.E. & E.D. and Ed. |
| 3204 -----                         | Rev. & Tax.              |
| 3310 -----                         | G.O.                     |
| 3374 -----                         | Trans.                   |
| 3399 -----                         | Higher Ed.               |
| 3425 -----                         | Pub. S.                  |
| 3452 -----                         | L. Gov. and H. & C.D.    |
| 3478 -----                         | Ins.                     |
| 3479 -----                         | L. & E.                  |
| <br><i>Assembly Constitutional</i> |                          |
| <i>Amendment No.</i>               | <i>Committee</i>         |
| 34 -----                           | L. Gov.                  |
| 35 -----                           | P.E.,R. & S.S.           |
| 36 -----                           | Jud.                     |
| 37 -----                           | E.,R. & C.A.             |
| 38 -----                           | Rev. & Tax. and L. Gov.  |
| 39 -----                           | Rev. & Tax.              |
| 40 -----                           | Rev. & Tax.              |
| 41 -----                           | E.,R. & C.A.             |

|    |       |                |
|----|-------|----------------|
| 42 | ----- | P.E.,R. & S.S. |
| 43 | ----- | U. & C.        |
| 44 | ----- | Higher Ed.     |

*Assembly Concurrent*

| <i>Resolution No.</i> |       | <i>Committee</i> |
|-----------------------|-------|------------------|
| 47                    | ----- | Trans.           |
| 48                    | ----- | Rls.             |
| 49                    | ----- | B. & F.          |
| 50                    | ----- | Trans.           |
| 57                    | ----- | Trans.           |
| 59                    | ----- | W.,P. & W.       |
| 61                    | ----- | Trans.           |
| 63                    | ----- | U. & C.          |
| 65                    | ----- | G.O.             |
| 66                    | ----- | Trans.           |
| 67                    | ----- | Higher Ed.       |
| 68                    | ----- | Trans.           |
| 71                    | ----- | Rls.             |
| 73                    | ----- | Rls.             |
| 75                    | ----- | Jud.             |
| 76                    | ----- | Health           |

*Assembly Joint*

| <i>Resolution No.</i> |       | <i>Committee</i> |
|-----------------------|-------|------------------|
| 46                    | ----- | Rls.             |
| 50                    | ----- | Rev. & Tax.      |
| 51                    | ----- | G.O.             |
| 52                    | ----- | Nat. Res.        |
| 53                    | ----- | Health           |
| 54                    | ----- | Jud.             |
| 55                    | ----- | Health           |
| 58                    | ----- | Rls.             |
| 59                    | ----- | Health           |
| 60                    | ----- | E.S. & T.M.      |

*House*

| <i>Resolution No.</i> |       | <i>Committee</i> |
|-----------------------|-------|------------------|
| 37                    | ----- | W.,P. & W.       |
| 38                    | ----- | Jud.             |

*Senate Concurrent*

| <i>Resolution No.</i> |       | <i>Committee</i> |
|-----------------------|-------|------------------|
| 46                    | ----- | Pub. S.          |
| 48                    | ----- | Hum. S.          |

*Senate Joint*

| <i>Resolution No.</i> |       | <i>Committee</i> |
|-----------------------|-------|------------------|
| 35                    | ----- | G.O.             |

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 25, 1996

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

Assembly Bill No. 2039  
 Assembly Bill No. 2084  
 Assembly Bill No. 2153  
 Assembly Bill No. 2161  
 Assembly Bill No. 2163  
 Assembly Bill No. 2168

Assembly Bill No. 2204  
 Assembly Bill No. 2221  
 Assembly Bill No. 2224  
 Assembly Bill No. 2306  
 Assembly Bill No. 2329  
 Assembly Bill No. 2352

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 25, 1996

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

Assembly Bill No. 2056

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 25, 1996

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

Assembly Bill No. 2029  
 Assembly Bill No. 2034  
 Assembly Bill No. 2086  
 Assembly Bill No. 2342

Assembly Bill No. 2410  
 Assembly Bill No. 2426  
 Assembly Bill No. 2455

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 25, 1996

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

Assembly Constitutional Amendment No. 32

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Human Services**

March 25, 1996

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 2034

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

BORDONARO, Chairman

**ASSEMBLY BILL NO. 2034**—An act to add Section 11451.4 to the Welfare and Institutions Code, relating to public social 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 Environmental Safety and Toxic Materials**

March 25, 1996

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

Assembly Bill No. 2202

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

RICHTER, Chairman

**ASSEMBLY BILL NO. 2202**—An act to add Section 25218.12 to the Health and Safety Code, relating to household hazardous waste.

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 25, 1996

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

Assembly Bill No. 2566

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2566**—An act to add Section 6301.1 to the Business and Professions Code, relating to law libraries.

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 Elections, Reapportionment and Constitutional Amendments**

March 25, 1996

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

Assembly Bill No. 2871

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

MCPHERSON, Chairman

**ASSEMBLY BILL NO. 2871**—An act to repeal Section 85300 of the Government Code and to add Article 1.5 (commencing with Section 18710) to Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to the public financing of elections, 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.

**AUTHOR'S AMENDMENTS**

**Committee on Judiciary**

March 25, 1996

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

Assembly Bill No. 2682

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2682**—An act to amend Section 11302 of the Business and Professions Code, to amend Sections 580a and 726 of the Code of Civil Procedure, to amend Sections 2610, 2614, 2943, 8900, 8905, 8906, 8908, 8909, 10309, 13052, 13103, 13152, 13200, and 16247 of, to repeal Sections 8902, 8903, and 8904 of, to repeal and add Section 8901 of, to repeal Article 2 (commencing with Section 8920), Article 3 (commencing with Section 8940), Article 4 (commencing with Section 8960), and Article 5 (commencing with Section 8980) of, Chapter 3 of Part 3 of Division 7 of, and to repeal Part 12 (commencing with Section 400) of Division 2 of, the Probate Code, and to amend Sections 408 and 408.2 of the Revenue and Taxation Code, relating to probate referees.

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 25, 1996

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

Assembly Bill No. 2492

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2492**—An act to amend Section 70141.7 of the Government Code, relating to courts.

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 25, 1996

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

Assembly Bill No. 2866

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2866**—An act to amend Section 1936 of the Civil Code, relating to car rentals.

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 25, 1996

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

Assembly Bill No. 2899

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2899**—An act to add Section 820.5 to the Government Code, relating to liability.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 3283

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

MORROW, Chairman

**ASSEMBLY BILL NO. 3283**—An act to amend Section 6147 of, and to add Section 6146.1 to, the Business and Professions Code, to add Sections 3333.15 and 3333.3 to the Civil Code, to add Section 667.75 to the Code of Civil Procedure, and to amend Sections 984 and 985 of the Government Code, relating to tort liability.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 2342

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2342**—An act to add Section 816.5 to the Government Code, relating to liability.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 2482

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2482**—An act to add Section 1714.49 to the Civil Code, and to add Section 490.6 to the Penal Code, relating to amusement rides.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Transportation reports:  
Assembly Bill No. 2426

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

BOWLER, Chairman

**ASSEMBLY BILL NO. 2426**—An act to amend Section 9269 of, and to add Section 9562.1 to, the Vehicle Code, relating to vehicles.

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 25, 1996

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

Assembly Bill No. 2410

Assembly Bill No. 2604

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

BOWLER, Chairman

**ASSEMBLY BILL NO. 2410**—An act to add Section 34501.19 to the Vehicle Code, relating to vehicles.

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. 2604**—An act to add Section 34501.17 to the Vehicle Code, relating to vehicles.

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 25, 1996

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

Assembly Bill No. 2413

Assembly Bill No. 2428

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

MORRISSEY, Chairman

**ASSEMBLY BILL NO. 2413**—An act to amend Sections 8704 and 15364.2 of the Government Code, relating to state government.

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. 2428**—An act relating to state property.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Assembly Bill No. 2026

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

HOGE, Chairman

**ASSEMBLY BILL NO. 2026**—An act to amend Sections 84, 694, 700, 987.25, and 987.88 of the Military and Veterans Code, relating to veterans.

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 25, 1996

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

Assembly Bill No. 2512

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2512**—An act to add Section 12652.5 to the Government Code, relating to state actions.

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 25, 1996

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

Assembly Bill No. 2563

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2563**—An act to add Section 391.8 to the Code of Civil Procedure, to amend Section 68511.3 of the Government Code, and to amend Section 2601 of the Penal Code, relating to inmate litigants.

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 Elections, Reapportionment and Constitutional Amendments**

March 25, 1996

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

Assembly Constitutional Amendment No. 32

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

MCPHERSON, Chairman

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 32**—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 Local Government**

March 25, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Assembly Bill No. 2455

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

RAINEY, Chairman

**ASSEMBLY BILL NO. 2455**—An act to amend Section 31000 of the Government Code, relating to counties.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Higher Education reports:  
Senate Bill No. 1074

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

FIRESTONE, Chairman

**SENATE BILL NO. 1074**—An act to amend Sections 66010.2, 66903, 66950, and 66951 of 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.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Banking and Finance**

Date of Hearing: March 18, 1996

Mr. Speaker: Your Committee on Banking and Finance reports:  
Assembly Bill No. 2313

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

GOLDSMITH, Chairman

Above bill ordered to second reading.

**Committee on Insurance**

Date of Hearing: March 19, 1996

Mr. Speaker: Your Committee on Insurance reports:  
Assembly Bill No. 2262

With the recommendation: Do pass, as amended.

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.

KNOWLES, Chairman

Above bill ordered to second reading.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Alby was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeanette Perkut of West Sacramento, mother of Cyndy Perkut-Kelly.

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 Ronald J. Custer of Hayward.

Assembly Member McPherson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lewis "Fizz" Nelson of Soquel.

Assembly Member Granlund was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lorene "Pete" Burklow of Yucaipa.

Assembly Member Speier was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jose Celedonio Garcia of Burlingame.

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 Herman J. Mager of Los Gatos.

#### **JOINT RULE 62(a) WAIVED**

Assembly Member Hoge was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 2015 and 2161 and Senate Bill No. 852 for hearing in the Committee on Governmental Organization on Wednesday, March 27, 1996.

#### **RECESS**

By unanimous consent, at 10:57 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Hannigan introduced the following special guests representing the Rumsey Band of Wintun Indians: Yolanda Gonzales, Tribal Board; Bessey Frease and Leland Kinter, Rumsey Rancheria Tribal Council Members; Paula Lorenzo, Chairwoman of the Tribal Council, and her husband William Woodman; and Arlin Opper, Advisor. He then introduced Tom Stallard and Frank Siefertman, Yolo County Board of Supervisors and former Member of the Assembly Mike Gotch.

Assembly Member Hannigan then presented a resolution to Paula Lorenzo commending the important role the Rumsey Band of Wintun Indians has played in improving the quality of life in Yolo County.

#### **REASSEMBLED**

At 11:02 a.m., the Assembly reconvened.

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

#### **WITHDRAWAL AND RE-REFERENCE OF BILLS**

Assembly Member Firestone was granted unanimous consent that Assembly Bill No. 2324 be withdrawn from the Committee on Higher Education and re-referred to the Committee on Appropriations.

#### **JOINT RULE 62(a) WAIVED**

Assembly Member Cunneen was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following Budget Items for hearing in Budget Subcommittee No. 5, Wednesday, March 27, 1996:

- Item 8950—Department of Veterans' Affairs,
- Item 0860—Board of Equalization, and
- Item 1730—Franchise Tax Board.

**CONSIDERATION OF DAILY FILE  
ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

**Assembly Bill No. 2056**, ordered to the Consent Calendar.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 2319**—An act to add Section 19264 to the Revenue and Taxation Code, relating to taxation.

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

**ASSEMBLY BILL NO. 2029**—An act to add Section 17255 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

**ASSEMBLY BILL NO. 2033**—An act to amend Sections 12202, 17041, 17062, 23151, and 23455 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

**ASSEMBLY BILL NO. 2086**—An act to amend Section 4660 of the Labor Code, relating to workers' compensation.

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

**SENATE BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

**Senate Bills Nos. 890 and 836**, ordered to third reading.

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Members Sher and Cunneen were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Helen Mineta, of San Jose, sister of former Congressman Norman Mineta.

Assembly Members Bowen and Sher were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jane Sims of Portola Valley.

**REQUEST TO WAIVE JOINT RULE 62(a)**

Assembly Member Knowles requested unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 2086 for hearing in the Committee on Appropriations on Wednesday, March 27, 1996, at 1:30 p.m. in Room 4202.

Assembly Member Kevin Murray withheld unanimous consent.



**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Napolitano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ramona Roman of Norwalk.

**CONGRATULATIONS EXTENDED**

Assembly Member Olberg was joined by the Members of the Assembly in extending congratulations to Speaker Pringle and his wife Alexis on the occasion of their 12th wedding anniversary.

**CONSIDERATION OF SENATE BILL NO. 96 BY UNANIMOUS CONSENT**

Assembly Member Caldera was granted unanimous consent to take up Senate Bill No. 96, out of order.

**SENATE BILL NO. 96 (Greene)**—An act to add Sections 81821.5 and 81822.5 to, and to add Part 66 (commencing with Section 100000) to, the Education Code, and to add Chapter 17 (commencing with Section 7440) to Title 7 of Part 3 of the Penal Code, relating to public facilities construction through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Caldera moved the adoption of amendments. Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 96, as Amended,  
by Unanimous Consent**

Assembly Member Caldera was granted unanimous consent to take up Senate Bill No. 96, as amended, without reference to file for purpose of consideration at this time.

**SENATE BILL NO. 96 (Greene)**—An act to amend Sections 15809, 15814.15, 15819.1, 15819.5, 15819.11, 15832.5, and 16731.6 of, and to repeal Section 15810 of, the Government Code, relating to negotiable notes, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:14 a.m.

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

**REQUEST TO TAKE UP ASSEMBLY BILL NO. 2116  
BY UNANIMOUS CONSENT**

Assembly Member Alby requested unanimous consent to take up Assembly Bill No. 2116, out of order.

Assembly Member Burton withheld unanimous consent.

**CONSIDERATION OF SENATE BILL NO. 862 BY UNANIMOUS CONSENT**

Assembly Member Speier was granted unanimous consent to take up Senate Bill No. 862, out of order.

**SENATE BILL NO. 862 (Kopp)**—An act to add and repeal Section 56132 of the Government Code, relating to governmental organization.

Bill read third time.

**Motion to Amend**

Assembly Member Speier moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**WITHDRAWAL AND RE-REFERENCE OF BILLS**

Assembly Member Morrow was granted unanimous consent that Assembly Bill No. 2462 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Public Safety.

**MOTION TO WAIVE JOINT RULE 62(a)**

Assembly Member Knowles moved to waive Joint Rule 62(a) for the purpose of setting Assembly Bill No. 2086 for hearing in the Committee on Appropriations on Wednesday, March 27, 1996 at 1:30 p.m.

Assembly Member Rogan seconded the motion.

**Parliamentary Inquiry**

Assembly Member Burton arose to the following parliamentary inquiry:

What is the vote requirement to waive Joint Rule 62(a)?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the vote requirement to waive Joint Rule 62(a) is a majority of the House or 40 votes.

**Further Consideration of Knowles Motion**

Motion lost by the following vote:

**AYES—33**

|          |            |            |             |
|----------|------------|------------|-------------|
| Ackerman | Cunneen    | Margett    | Rogan       |
| Aguiar   | Firestone  | McPherson  | Setencich   |
| Baldwin  | Granlund   | Miller     | Thompson    |
| Battin   | Harvey     | Morrissey  | Weggeland   |
| Baugh    | Hoge       | Morrow     | Woods       |
| Boland   | House      | Olberg     | Mr. Speaker |
| Bowler   | Knight     | Poochigian |             |
| Brulte   | Knowles    | Rainey     |             |
| Conroy   | Kuykendall | Richter    |             |

**NOES—28**

|            |          |          |               |
|------------|----------|----------|---------------|
| Alpert     | Campbell | Hannigan | McDonald      |
| Baca       | Cannella | Isenberg | Murray, Kevin |
| Bates      | Davis    | Katz     | Napolitano    |
| Brown      | Ducheny  | Knox     | Sher          |
| Burton     | Escutia  | Kuehl    | Speier        |
| Bustamante | Friedman | Machado  | Sweeney       |
| Caldera    | Gallegos | Martinez | Villaraigosa  |

**Objection to Vote Adds**

Assembly Member Knowles withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on his motion to waive Joint Rule 62(a) as it relates to Assembly Bill No. 2086.

**REQUEST TO TAKE UP ASSEMBLY BILL NO. 2116  
BY UNANIMOUS CONSENT**

Assembly Member Alby requested unanimous consent to take up Assembly Bill No. 2116, out of order.

Assembly Member Burton withheld unanimous consent.

**Objection Withdrawn**

Assembly Member Burton withdrew his objection to the request by Assembly Member Alby to take up Assembly Bill No. 2116 out of order.

**Consideration of Assembly Bill No. 2116 by Unanimous Consent**

Assembly Member Alby was granted unanimous consent to take up Assembly Bill No. 2116, out of order.

**ASSEMBLY BILL NO. 2116 (Alby)**—An act to add Section 243.9 to the Penal Code, relating to domestic violence.

Bill read third time, and passed by the following vote:

**AYES—56**

|            |          |               |              |
|------------|----------|---------------|--------------|
| Ackerman   | Caldera  | House         | Napolitano   |
| Aguiar     | Cannella | Knight        | Olberg       |
| Alby       | Conroy   | Knox          | Poochigian   |
| Alpert     | Cunneen  | Kuehl         | Rainey       |
| Baca       | Davis    | Kuykendall    | Richter      |
| Baldwin    | Escutia  | Machado       | Rogan        |
| Battin     | Figueroa | Margett       | Setencich    |
| Baugh      | Friedman | Martinez      | Sher         |
| Boland     | Frusetta | Mazzoni       | Speier       |
| Bowen      | Gallegos | McPherson     | Sweeney      |
| Bowler     | Granlund | Miller        | Vasconcellos |
| Brown      | Hannigan | Morrissey     | Weggeland    |
| Brulte     | Harvey   | Morrow        | Woods        |
| Bustamante | Hoge     | Murray, Kevin | Mr. Speaker  |

**NOES—3**

|         |          |              |
|---------|----------|--------------|
| Ducheny | Isenberg | Villaraigosa |
|---------|----------|--------------|

Bill ordered transmitted to the Senate.

**ANNOUNCEMENTS**

Speaker pro Tempore Aguiar announced the following Floor session schedule:

Wednesday, March 27, 1996, Check-in session, and  
Thursday, March 28, 1996, Floor session at 9 a.m.

Speaker pro Tempore Aguiar announced that there would not be a Check-in session on Tuesday, March 26, 1996 (Election Day) and that Members wishing to waive per diem for that day must submit a letter to the Speaker's Office.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
URGENCY CLAUSE TO SENATE BILL NO. 96**

At 11:30 a.m., on motion of Assembly Member Knowles, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 96 adopted by the following vote:

**AYES—64**

|            |           |            |               |
|------------|-----------|------------|---------------|
| Ackerman   | Caldera   | House      | Murray, Kevin |
| Aguiar     | Cannella  | Isenberg   | Napolitano    |
| Alby       | Conroy    | Katz       | Olberg        |
| Alpert     | Cunneen   | Knight     | Poochigian    |
| Baca       | Davis     | Knowles    | Rainey        |
| Baldwin    | Ducheny   | Knox       | Richter       |
| Bates      | Escutia   | Kuehl      | Rogan         |
| Battin     | Figueroa  | Kuykendall | Setencich     |
| Baugh      | Firestone | Machado    | Sher          |
| Boland     | Friedman  | Margett    | Speier        |
| Bowen      | Frusetta  | Martinez   | Sweeney       |
| Bowler     | Gallegos  | Mazzoni    | Vasconcellos  |
| Brown      | Granlund  | McPherson  | Villaraigosa  |
| Brulte     | Hannigan  | Miller     | Weggeland     |
| Burton     | Harvey    | Morrissey  | Woods         |
| Bustamante | Hauser    | Morrow     | Mr. Speaker   |

**NOES—None**

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

**AYES—64**

|            |           |            |               |
|------------|-----------|------------|---------------|
| Ackerman   | Caldera   | House      | Murray, Kevin |
| Aguiar     | Cannella  | Isenberg   | Napolitano    |
| Alby       | Conroy    | Katz       | Olberg        |
| Alpert     | Cunneen   | Knight     | Poochigian    |
| Baca       | Davis     | Knowles    | Rainey        |
| Baldwin    | Ducheny   | Knox       | Richter       |
| Bates      | Escutia   | Kuehl      | Rogan         |
| Battin     | Figueroa  | Kuykendall | Setencich     |
| Baugh      | Firestone | Machado    | Sher          |
| Boland     | Friedman  | Margett    | Speier        |
| Bowen      | Frusetta  | Martinez   | Sweeney       |
| Bowler     | Gallegos  | Mazzoni    | Vasconcellos  |
| Brown      | Granlund  | McPherson  | Villaraigosa  |
| Brulte     | Hannigan  | Miller     | Weggeland     |
| Burton     | Harvey    | Morrissey  | Woods         |
| Bustamante | Hauser    | Morrow     | Mr. Speaker   |

**NOES—None**

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS  
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 976, 378, and 1770, and Senate Bill No. 1106 were continued until Thursday, March 28, 1996.

**MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 18  
FROM COMMITTEE CONTINUED**

Assembly Member Caldera was granted unanimous consent that the motion to withdraw Assembly Joint Resolution No. 18 from the Committee on Public Safety be continued until Thursday, March 28, 1996.

**MOTION TO ADJOURN**

At 11:31 a.m., Assembly Member Bustamante moved that the Assembly do now adjourn.

Assembly Member Battin seconded the motion.

Motion carried.

**VOTE ADDS**

The following Assembly Member was granted unanimous consent to record her vote on the following item:

**Assembly Bill No. 2116:** Brown—Aye.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 11:32 a.m., Speaker pro Tempore Aguiar declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 77—Baca.** Relative to women veterans.

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Appropriations on Thursday, March 28, 1996 upon adjournment of session.

**AUTHOR'S AMENDMENTS**

**Committee on Local Government**

March 25, 1996

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

Assembly Bill No. 2403

Assembly Bill No. 2404

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

RAINEY, Chairman

**ASSEMBLY BILL NO. 2403**—An act to amend Section 54954.3 of the Government Code, relating to open meetings.

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. 2404**—An act to amend Section 54954.3 of the Government Code, relating to open meetings.

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 25, 1996

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

Assembly Bill No. 2457

Assembly Bill No. 2853

Assembly Bill No. 2796

Assembly Bill No. 2183

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

MORRISSEY, Chairman

**ASSEMBLY BILL NO. 2457**—An act to add Section 10299 to the Public Contract Code, relating to state procurement.

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. 2796**—An act to amend Section 11349 of the Government Code, relating to administrative regulations.

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. 2853**—An act to add Section 17505.2 to the Business and Professions Code, relating to recreation therapy.

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. 2183**—An act to add Division 3.3 (commencing with Section 700) to Title 1 of the Government Code, relating to the official state language.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Assembly Bill No. 2188

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

HOGE, Chairman

**ASSEMBLY BILL NO. 2188**—An act to amend Section 22960 of the Business and Professions Code, relating to tobacco.

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 Banking and Finance**

March 25, 1996

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 2500

Assembly Bill No. 2533

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

GOLDSMITH, Chairman

**ASSEMBLY BILL NO. 2500**—An act to amend Sections 27001, 27002, and 27200 of, to amend and renumber Sections 27007 and 27200.1 of, to amend the heading of Chapter 3 (commencing with Section 27200) of Division 2 of Title 4 of, to repeal Sections 27003, 27004, 27005, 27006, 27201, and 27203 of, to repeal and add Section 27202 of, and to repeal and add Chapter 2 (commencing with Section 27100) of Division 2 of Title 4 of, the Corporations Code, relating to corporations.

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. 2533**—An act to amend Section 1747.8 of the Civil Code, relating to personal identification.

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 25, 1996

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

Assembly Bill No. 2427

Assembly Bill No. 2631

Assembly Bill No. 2446

Assembly Bill No. 2820

Assembly Bill No. 2460

Assembly Bill No. 2890

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

BALDWIN, Chairman

**ASSEMBLY BILL NO. 2427**—An act to amend Section 44225 of, and to add Section 44259.3 to, the Education Code, relating to teacher credentialing.

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. 2446**—An act to amend Section 48050 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.

**ASSEMBLY BILL NO. 2460**—An act to add and repeal Article 9 (commencing with Section 46220) to Chapter 2 of Part 26 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.

**ASSEMBLY BILL NO. 2631**—An act to add Section 41202.1 to, and to add Chapter 15 (commencing with Section 52990) to Part 28 of, the Education Code, relating to education, 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. 2820**—An act to amend Sections 48980, 60002, and 60044 of, and to add Sections 12, 35021.3, 44858.5, 49062.5, 51514, and 60049 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. 2890**—An act to amend Sections 48222 and 56366 of the Education Code, relating to special 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 Public Employees, Retirement and Social Security**

March 25, 1996

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 2633

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

KALOOGIAN, Chairman

**ASSEMBLY BILL NO. 2633**—An act to amend Section 31529.6 of the Government Code, relating to county retirement systems.

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 25, 1996

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

Assembly Bill No. 2005

Assembly Bill No. 2486

Assembly Bill No. 2433

Assembly Bill No. 2614

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

BOLAND, Chairwoman

**ASSEMBLY BILL NO. 2005**—An act to amend Section 23191 of, and to add Section 23188 to, the Vehicle Code, relating to driving offenses.

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. 2433**—An act to amend Sections 640.5 and 640.6 of, and to add Section 640.8 to, the Penal Code, relating to graffiti.

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. 2486**—An act to amend Section 1820.3 of the Welfare and Institutions Code, relating to juvenile camps.

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. 2614**—An act to add Chapter 2.3 (commencing with Section 273.50) to Title 9 of Part 1 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 Natural Resources**

March 25, 1996

Mr. Speaker: The Chair of your Committee on Natural Resources reports:  
Assembly Bill No. 2858

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

OLBERG, Chairman

**ASSEMBLY BILL NO. 2858**—An act to amend Section 71000 of, and to add Part 4 (commencing with Section 71100) to Division 34 of, the Public Resources Code, relating to environmental protection.

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 25, 1996

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

Assembly Bill No. 2454

Assembly Bill No. 2771

Assembly Bill No. 2892

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

GRANLUND, Chairman

**ASSEMBLY BILL NO. 2454**—An act to amend Section 1432 of the Health and Safety Code, relating to long-term health care.

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. 2771**—An act to amend Sections 3146, 3148, and 3152 of the Business and Professions Code, relating to optometry.

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. 2892**—An act to add Section 1276.4 to the Health and Safety Code, relating to long-term health care 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 Health**

March 25, 1996

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

Senate Bill No. 1365

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

GRANLUND, Chairman

**SENATE BILL NO. 1365**—An act to add and repeal Section 4094.8 of the Welfare and Institutions Code, relating to mental health, 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 Judiciary**

March 25, 1996

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 2468  
Assembly Bill No. 2959

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

MORROW, Chairman

**ASSEMBLY BILL NO. 2468**—An act to add Chapter 3 (commencing with Section 300) to Part 1 of, and Chapter 3.2 (commencing with Section 66130) to Part 40 of, and to repeal Article 4 (commencing with Section 44100) of Chapter 1 of Part 25 of, and Article 4 (commencing with Section 87100) of Chapter 1 of Part 51 of, the Education Code, and to add Chapter 6 (commencing with Section 1950) to Division 4 of Title 1 of, and to repeal Chapter 12 (commencing with Section 19790) of Part 2 of Division 5 of Title 2 of, the Government Code, relating to civil rights.

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. 2959**—An act to add Title 17 (commencing with Section 3269) to Part 4 of Division 3 of the Civil Code, relating to liability.

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 Human Services**

March 25, 1996

Mr. Speaker: The Chair of your Committee on Human Services reports:  
Assembly Bill No. 2679

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

BORDONARO, Chairman

**ASSEMBLY BILL NO. 2679**—An act to amend Sections 300, 361.3, 361.5, and 366.21 of the Welfare and Institutions Code, relating to juveniles.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Transportation reports:  
Assembly Bill No. 2798

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

BOWLER, Chairman

**ASSEMBLY BILL NO. 2798**—An act to amend Section 43156 of 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 25, 1996

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Assembly Bill No. 2841

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

HOGE, Chairman

**ASSEMBLY BILL NO. 2841**—An act to amend Section 23958.4 of the Business and Professions Code, relating to alcoholic beverages.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:  
Assembly Bill No. 2791

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

HOUSE, Chairman

**ASSEMBLY BILL NO. 2791**—An act to amend Sections 351 and 1173 of the Labor Code, relating to employment.

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 25, 1996

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

Assembly Bill No. 2609

Assembly Bill No. 2736

Assembly Bill No. 3015

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

HAWKINS, Chairman

**ASSEMBLY BILL NO. 2609**—An act to amend Section 17980 of the Health and Safety Code, relating to housing.

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. 2736**—An act to amend Sections 33492, 33492.3, 33492.10, 33492.11, and 33492.15 of, to amend the heading of Chapter 4.5 (commencing with Section 33492) of Part 1 of Division 24 of, to add Sections 33492.26, 33492.265, and 33492.275 to, to repeal Sections 33492.19, 33492.21, 33492.23, and 33492.25 of, and to repeal and add Section 33492.27 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.

**ASSEMBLY BILL NO. 3015**—An act to amend Section 1365.5 of the Civil Code, relating to common interest developments.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Assembly Bill No. 2741

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

RAINEY, Chairman

**ASSEMBLY BILL NO. 2741**—An act to amend Sections 25526 and 25536 of the Government Code, relating to county real property.

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 25, 1996

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Assembly Bill No. 2535  
Assembly Bill No. 2538

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

KNOWLES, Chairman

**ASSEMBLY BILL NO. 2535**—An act to amend Section 1861.05 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.

**ASSEMBLY BILL NO. 2538**—An act to amend Sections 1215.4, 1215.5, 1215.8, and 1215.13 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.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Education**

Date of Hearing: March 20, 1996

Mr. Speaker: Your Committee on Education reports:  
Assembly Bill No. 2255

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

BALDWIN, Chairman

Above bill ordered to second reading.

Date of Hearing: March 20, 1996

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1189

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

BALDWIN, Chairman

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

March 25, 1996

*Hon. E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson: The Senate this day rescinded the action whereby it concurred in Assembly amendments to SB 1147. The Senate then ordered the bill returned to the Assembly.

Sincerely,

**JOHN W. ROVANE**  
Acting Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, March 25, 1996

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

Senate Joint Resolution No. 13

JOHN W. ROVANE, Acting Secretary of the Senate

Senate Chamber, March 25, 1996

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

**Senate Bill No. 1094.**

JOHN W. ROVANE, Acting Secretary of the Senate

Senate Chamber, March 25, 1996

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

Assembly Bill No. 1002

JOHN W. ROVANE, Acting Secretary of the Senate

Above bill ordered enrolled.

Senate Chamber, March 25, 1996

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

Assembly Bill No. 1928

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bill ordered to unfinished business file.

Senate Chamber, March 25, 1996

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

Assembly Bill No. 1624

And respectfully requests the Assembly to concur in said amendments.

JOHN W. ROVANE, Acting Secretary of the Senate

Above bill ordered to unfinished business file.

Senate Chamber, March 25, 1996

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

Senate Bill No. 1434

JOHN W. ROVANE, Acting Secretary of the Senate

Senate Chamber, March 25, 1996

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

Senate Concurrent Resolution No. 53

JOHN W. ROVANE, Acting Secretary of the Senate

Senate Chamber, March 25, 1996

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

Senate Joint Resolution No. 42

JOHN W. ROVANE, Acting Secretary of the Senate

### FIRST READING OF SENATE BILLS

The following bill was read the first time:

**SENATE BILL NO. 1434**—An act to add Section 57103.5 to the Government Code, relating to local government organization.

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 53**—Relative to Russian-American Veterans' Week.

**SENATE JOINT RESOLUTION NO. 42**—Relative to Taiwan.

### ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Bustamante, the Assembly adjourned until 7 a.m., Wednesday, March 27, 1996, out of respect to the memory of Jeanette Perkut, on motion of Assembly Member Alby; out of respect to the memory of Ronald J. Custer, on motion of Assembly Member Sweeney; out of respect to the memory of Lewis "Fizz" Nelson, on motion of Assembly Member McPherson; out of respect to the memory of Lorene "Pete" Burklow, on motion of Assembly Member Granlund; out of respect to the memory of Jose Celedonio Garcia, on motion of Assembly Member Speier; out of respect to the memory of Herman J. Mager, on motion of Assembly Member Cunneen; out of respect to the memory of Helen Mineta, on motion of Assembly Members Sher and Cunneen; out of respect to the memory of Jane Sims, on motion of Assembly Members Bowen and Sher; and out of respect to the memory of Ramona Roman, on motion of Assembly Member Napolitano.

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CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 25, 1996**

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

| <b>AB</b> | <b>RN</b> | <b>AB</b>  | <b>RN</b> |
|-----------|-----------|------------|-----------|
| 2005      | 9608076   | 2604       | 9607738   |
| 2026      | 9608151   | 2609       | 9608032   |
| 2029      | 9607765   | 2614       | 9607627   |
| 2033      | 9607593   | 2631       | 9607408   |
| 2034      | 9607866   | 2633       | 9608306   |
| 2086      | 9608270   | 2679       | 9607585   |
| 2183      | 9607656   | 2682       | 9607688   |
| 2188      | 9607658   | 2688       | 9608132   |
| 2202      | 9608226   | 2736       | 9608373   |
| 2319      | 9607805   | 2741       | 9608580   |
| 2342      | 9608041   | 2771       | 9607583   |
| 2403      | 9608103   | 2791       | 9607912   |
| 2404      | 9608112   | 2796       | 9607121   |
| 2410      | 9607880   | 2798       | 9608324   |
| 2413      | 9607551   | 2820       | 9608161   |
| 2426      | 9607614   | 2841       | 9608173   |
| 2427      | 9607824   | 2853       | 9607861   |
| 2428      | 9607702   | 2858       | 9608274   |
| 2433      | 9607749   | 2871       | 9608162   |
| 2446      | 9607251   | 2890       | 9607624   |
| 2454      | 9607884   | 2892       | 9607926   |
| 2455      | 9607526   | 2899       | 9608253   |
| 2457      | 9607960   | 2959       | 9608019   |
| 2460      | 9607406   | 3015       | 9607941   |
| 2468      | 9607229   | 3283       | 9607992   |
| 2482      | 9608056   |            |           |
| 2486      | 9606878   | <b>ACA</b> | <b>RN</b> |
| 2492      | 9608328   | 32         | 9607123   |
| 2500      | 9607399   |            |           |
| 2512      | 9607794   | <b>SB</b>  | <b>RN</b> |
| 2533      | 9607235   | 96         | 9607882   |
| 2535      | 9607986   | 862        | 9608309   |
| 2538      | 9607904   | 1074       | 9607626   |
| 2563      | 9607607   | 1365       | 9607871   |
| 2566      | 9608323   |            |           |