

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 3, 1995

FIFTY-SECOND SESSION DAY

ONE HUNDRED TWENTIETH 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
Monday, April 3, 1995

The Assembly met at 11 a.m.
Hon. Joe Baca, Speaker pro Tempore of the Assembly, presiding.
Assistant Chief Clerk Lawrence A. Murman at the Desk.
Assistant Clerk Sue Walker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

At 11:01 a.m., Speaker pro Tempore Baca placed a quorum call upon the Assembly.

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

Quorum Present

At 11:11 a.m., Speaker pro Tempore Baca declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—75:

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

PRAYER

Upon invitation of Speaker pro Tempore Baca, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church.

Remember, Lord, all officials and authorities and our brethren in government and in the service of the country. Preserve the good in their goodness; make the wicked good through Your goodness. And grant us all Your deep and enduring peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Baca, Assembly Member Bordonaro 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 Hannigan, seconded by Assembly Member Brulte.

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 Bowler, Willie Brown, and Willard Murray.

On personal business, and waiving per diem: Assembly Member Speier.

EXPLANATIONS OF ABSENCE

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

March 29, 1995

*Speaker Willie Brown
State Capitol, #219
Sacramento, California*

Dear Willie: The purpose of this letter is to inform you that I will be travelling to Washington, D.C. on official business from April 1-5, 1995 and will miss session and committee meetings on April 3rd, 4th and 5th. I will be joining community and political leaders for the 25th Annual Cap to Cap trip.

I have advised Assembly Republican Leader Jim Brulte of my absence and authorized him to appoint substitute members for my committee assignments on those days.

Sincerely,

LARRY BOWLER, Assembly Member
Tenth District

April 3, 1995

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

Dear Dotson: Please be advised that I will not be in the Capitol today for session due to legislative business.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

April 3, 1995

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

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Monday, April 3, 1995. I will be attending to legislative business in my district, in that I will be meeting with the Superintendent of the Lynwood Unified School District.

Thank you for your consideration and approval of this request.

Sincerely,

WILLARD H. MURRAY, JR., Assembly Member
 Fifty-second District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 3, 1995

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

Assembly Bill No. 31
 Assembly Bill No. 98
 Assembly Bill No. 632
 Assembly Bill No. 984
 Assembly Bill No. 1549

Assembly Bill No. 1621
 Assembly Bill No. 1698
 Assembly Bill No. 1721
 Assembly Bill No. 1849
 Assembly Bill No. 1850

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 3, 1995

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

Assembly Bill No. 67
 Assembly Bill No. 86
 Assembly Bill No. 119
 Assembly Bill No. 146
 Assembly Bill No. 156
 Assembly Bill No. 190
 Assembly Bill No. 199
 Assembly Bill No. 283
 Assembly Bill No. 442
 Assembly Bill No. 454
 Assembly Bill No. 507
 Assembly Bill No. 626
 Assembly Bill No. 630
 Assembly Bill No. 847

Assembly Bill No. 996
 Assembly Bill No. 1002
 Assembly Bill No. 1059
 Assembly Bill No. 1201
 Assembly Bill No. 1272
 Assembly Bill No. 1301
 Assembly Bill No. 1335
 Assembly Bill No. 1342
 Assembly Bill No. 1407
 Assembly Bill No. 1409
 Assembly Bill No. 1436
 Assembly Bill No. 1617
 Assembly Bill No. 1636
 Assembly Bill No. 1638

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 3, 1995

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

Assembly Joint Resolution No. 7

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
273 -----	Trans.
608 -----	Pub. S.
1934 -----	L. Gov.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
22 -----	Rev. & Tax.

Senate

<i>Bill No.</i>	<i>Committee</i>
3 -----	Rev. & Tax.
12 -----	Higher Ed.
21 -----	C.P.,G.E. & E.D.
45 -----	Jud.
98 -----	Ed.
102 -----	Ed.
119 -----	Ed.
276 -----	G.O.
287 -----	Jud.
310 -----	H. & C.D.
332 -----	H. & C.D.
398 -----	G.O.

Senate Joint

<i>Resolution No.</i>	<i>Committee</i>
16 -----	Pub. S.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, April 3, 1995

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Assembly Bill No. 1653.

TED WEGGELAND

Above request ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS

Committee on Governmental Organization

April 3, 1995

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 684

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

HORCHER, Chairman

ASSEMBLY BILL NO. 684—An act to amend Sections 23805, 24072, and 24300 of, to add Section 23057 to, and to repeal Sections 23323 and 24015.5 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

April 3, 1995

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
 Assembly Bill No. 1406
 Assembly Bill No. 1547

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

KNOX, Chairman

ASSEMBLY BILL NO. 1406—An act to amend Section 1281 of the Code of Civil Procedure, and to add Section 12940.2 to the Government 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.

ASSEMBLY BILL NO. 1547—An act to amend Section 1156.3 of the Labor Code, relating to labor relations.

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

April 3, 1995

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

Assembly Bill No. 1910

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

KALOOGIAN, Chairman

ASSEMBLY BILL NO. 1910—An act to add Section 21382.6 to the Government Code, relating to public employees.

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 Utilities and Commerce

April 3, 1995

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
 Assembly Bill No. 193

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

CONROY, Chairman

ASSEMBLY BILL NO. 193—An act to amend Section 10115.2 of the Public Contract Code, relating to state contracts.

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

April 3, 1995

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

Assembly Bill No. 362
Assembly Bill No. 1328

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

RICHTER, Chairman

ASSEMBLY BILL NO. 362—An act to amend Section 13172 of the Water Code, relating to solid 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.

ASSEMBLY BILL NO. 1328—An act to amend Sections 25205.2, 25205.7, and 24343, of the Health and Safety Code, relating to hazardous substances.

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

April 3, 1995

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 685

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

HORCHER, Chairman

ASSEMBLY BILL NO. 685—An act to amend Section 8880.26 of the Government Code, relating to the state lottery.

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 Local Government

Date of Hearing: March 29, 1995

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 477

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

RAINEY, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 29, 1995

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 374

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.

RAINEY, Chairman

Above bill ordered to second reading.

JOINT RULE 62(a) WAIVED

Assembly Member McDonald was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Constitutional Amendment No. 13 for hearing in the Committee on Revenue and Taxation today.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member McDonald was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of E. Thomas Jennings, of Long Beach.

Assembly Member Bowen was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Paul Rothchild, of Los Angeles.

Assembly Member Firestone was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alpert P. Bogner, of Ventura.

Assembly Member Horcher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Mahoney, of Diamond Bar.

**ASSEMBLY CONCURRENT RESOLUTION NO. 25 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Mazzoni was granted unanimous consent to take up Assembly Concurrent Resolution No. 25, without reference to committee or file, and that the same be considered engrossed.

ASSEMBLY CONCURRENT RESOLUTION NO. 25—Relative to Donor Family Recognition Day.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 25**

Assembly Member Mazzoni was granted unanimous consent that all Assembly Members voting "Aye" be placed upon Assembly Concurrent Resolution No. 25 as coauthors.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alpert, Archie-Hudson, Baca, Bowen, Valerie Brown, Bustamante, Caldera, Cannella, Cortese, Cunneen, Davis, Figueroa, Firestone, Friedman, Gallegos, Harvey, Hauser, Horcher, Isenberg, Katz, Kuehl, Kuykendall, Lee, Machado, Martinez, McDonald, McPherson, Kevin Murray, Napolitano, Rainey, Sher, Sweeney, Takasugi, Tucker, Vasconcellos, Villaraigosa, and Woods.

Request for Unanimous Consent

Assembly Member Mazzoni was granted unanimous consent to take up Assembly Concurrent Resolution No. 25, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 25, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 25—Relative to Donor Family Recognition Day.

Resolution read, as amended, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

**SENATE CONCURRENT RESOLUTION NO. 22 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Escutia was granted unanimous consent to take up Senate Concurrent Resolution No. 22, without reference to committee or file.

SENATE CONCURRENT RESOLUTION NO. 22—Relative to Unwed Teenage Pregnancy Prevention Month.

Resolution read.

Senate Concurrent Resolution No. 22 Passed Temporarily

By unanimous consent Senate Concurrent Resolution No. 22 was passed temporarily.

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

ASSEMBLY BILL NO. 316—An act to add Section 4049.55 to the Health and Safety Code, relating to water supply.

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

ASSEMBLY BILL NO. 212—An act to amend Sections 1257 and 2101 of the Unemployment Insurance Code, relating to unemployment insurance.

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.

ASSEMBLY BILL NO. 522—An act to amend Section 1719 of the Civil Code, relating to commercial paper.

Bill read second time, and ordered to third reading.

RECESS

By unanimous consent, at 11:24 a.m., Speaker pro Tempore Baca declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Alpert and Davis introduced Tsutomu Shimomura and presented a resolution to him commending his outstanding record of contributions in the investigation that led to the recent successful apprehension of a most-wanted cyberthief and federal fugitive.

REASSEMBLED

At 11:26 a.m., the Assembly reconvened.

Hon. Joe Baca, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT

On behalf of Speaker Brown and Republican Floor Leader Brulte, Assembly Member Hannigan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sheila Frances Wilson, mother of Chief Clerk of the Assembly E. Dotson Wilson.

Assembly Member Hannigan announced that the funeral would be held at Taylor Memorial United Methodist Church in Oakland, on April 5, 1995, at 11 a.m., and was joined by all Members of the Assembly in extending condolences to the Wilson family.

**ASSEMBLY CONCURRENT RESOLUTION NO. 19 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Horcher was granted unanimous consent to take up Assembly Concurrent Resolution No. 19, without reference to committee or file, and that the same be considered engrossed.

ASSEMBLY CONCURRENT RESOLUTION NO. 19—Relative to the Armenian Genocide.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 19**

Assembly Member Horcher was granted unanimous consent that all Assembly Members voting "Aye" be placed upon Assembly Concurrent Resolution No. 19 as coauthors.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aguiar, Alpert, Archie-Hudson, Baca, Baldwin, Bates, Bordonaro, Bowen, Valerie Brown, Brulte, Burton, Bustamante, Caldera, Campbell, Cannella, Conroy, Cortese, Davis, Ducheny, Escutia, Figueroa, Friedman, Frusetta, Gallegos, Granlund, Hannigan, Harvey, Hauser, Hawkins, Hoge, House, Isenberg, Johnson, Kaloogian, Katz, Kuehl, Lee, Machado, Martinez, Mazzoni, McDonald, McPherson, Morrow, Napolitano, Poochigian, Pringle, Rainey, Richter, Rogan, Setencich, Sher, Sweeney, Takasugi, Thompson, Tucker, Vasconcellos, Villaraigosa, and Weggeland.

Request for Unanimous Consent

Assembly Member Horcher was granted unanimous consent to take up Assembly Concurrent Resolution No. 19, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 19, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 19—Relative to the Armenian Genocide.

Resolution read, as amended, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

**FURTHER CONSIDERATION OF SENATE CONCURRENT
RESOLUTION NO. 22 BY UNANIMOUS CONSENT**

SENATE CONCURRENT RESOLUTION NO. 22—Relative to Unwed Teenage Pregnancy Prevention Month.

Resolution read.

Motion to Amend

Assembly Member Escutia moved the adoption of amendments. Amendments read and adopted; resolution ordered reprinted.

Request for Unanimous Consent

Assembly Member Escutia was granted unanimous consent to take up Senate Concurrent Resolution No. 22, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 22, as Amended

SENATE CONCURRENT RESOLUTION NO. 22—Relative to Unwed Teenage Pregnancy Prevention Month.

Resolution read, as amended, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Burton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Suren M. Saroyan, of San Francisco.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Alpert announced that the Committee on Education would meet on Wednesday, April 5, 1995, at 1:30 p.m., instead of 9:30 a.m. as previously announced.

JOINT RULE 62(a) WAIVED

Assembly Member Alpert was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 181 for hearing in the Committee on Education on Wednesday, April 5, 1995.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

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

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

(NOTE: Later this day, the action was rescinded and the record expunged whereby a roll call vote was taken on Senate Bill No. 59.)

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 479 (Hoge)—An act to amend Section 19619.6 of the Business and Professions Code, relating to horseracing.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 682 (Tucker)—An act to amend Section 24300 of, and to repeal Section 24015.5 of, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 511 (Harvey)—An act to add Sections 100.01 and 401.8 to the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

*(For the vote on the above bill and urgency clause, see this day's
Consent Calendar roll call.)*

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

AYES—75

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

NOES—None

BILLS CONSIDERED ENGROSSED

Speaker pro Tempore Baca was granted unanimous consent that Assembly Bills Nos. 597, 968, and 1670 be considered engrossed.

ANNOUNCEMENT

Speaker pro Tempore Baca announced that Speaker Brown had been inadvertently voted on roll calls taken on this day and that his vote would be removed from the roll calls.

RECORD EXPUNGED AND ACTION RESCINDED ON SENATE BILL NO. 59

Assembly Member Brulte was granted unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Senate Bill No. 59.

Further Consideration of Senate Bill No. 59 by Unanimous Consent

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:54 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 59**

At 11:55 a.m., on motion of Assembly Member Alpert, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Pringle moved to continue the call of the Assembly.

Motion carried. Time, 11:56 a.m.

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

WITHDRAWAL AND RE-REFERENCE OF BILLS

Assembly Member Alpert was granted unanimous consent that Assembly Bill No. 21 be withdrawn from the Committee on Education and re-referred to the Committee on Higher Education.

JOINT RULE 62(a) WAIVED

Assembly Member Archie-Hudson was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 21 for hearing in the Committee on Higher Education on Tuesday, April 4, 1995.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 59**

At 11:59 a.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 59 passed by the following vote:

AYES—41

Allen	Cannella	Hauser	McPherson
Alpert	Cortese	Horcher	Murray, Kevin
Archie-Hudson	Cunneen	Isenberg	Napolitano
Baca	Davis	Katz	Sher
Bates	Ducheny	Knox	Sweeney
Bowen	Escutia	Kuehl	Tucker
Brown, Valerie	Figueroa	Lee	Vasconcellos
Burton	Firestone	Machado	Villaraigosa
Bustamante	Friedman	Martinez	
Caldera	Gallegos	Mazzoni	
Campbell	Hannigan	McDonald	

NOES—32

Aguiar	Conroy	Johnson	Poochigian
Alby	Frusetta	Kaloogian	Pringle
Baldwin	Goldsmith	Knight	Rainey
Battin	Granlund	Knowles	Rogan
Boland	Harvey	Kuykendall	Setencich
Bordonaro	Hawkins	Morrissey	Takasugi
Brewer	Hoge	Morrow	Thompson
Brulte	House	Olberg	Weggeland

Bill ordered transmitted to the Senate.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items:

Assembly Concurrent Resolution No. 25, Coauthors: Aguiar, Valerie Brown, Cortese, Martinez, and Villaraigosa—Aye.

Assembly Concurrent Resolution No. 19, Coauthors: McPherson—Aye.

MOTION TO ADJOURN

At 12 m., Assembly Member Brulte moved that the Assembly do now adjourn.

Assembly Member Hannigan seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12 m., Speaker pro Tempore Baca declared the quorum call of the Assembly dispensed with.

COMMUNICATIONS

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

April 3, 1995

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

Dear Dotson: Please be advised of the following Republican committee membership change:

Assemblyman Jim Brulte will replace Assemblyman Larry Bowler on the Committees on Banking and Finance, Education, Public Safety, and Transportation, for the period of April 3–5, 1995 only.

Sincerely,

JAMES L. BRULTE
 Assembly Republican Leader

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 3, 1995

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

Assembly Bill No. 11	Assembly Bill No. 1388
Assembly Bill No. 171	Assembly Bill No. 1471
Assembly Bill No. 402	Assembly Bill No. 1487
Assembly Bill No. 700	Assembly Bill No. 1525
Assembly Bill No. 845	Assembly Bill No. 1599
Assembly Bill No. 914	Assembly Bill No. 1668
Assembly Bill No. 1109	Assembly Bill No. 1675
Assembly Bill No. 1200	Assembly Bill No. 1690
Assembly Bill No. 1205	Assembly Bill No. 1737
Assembly Bill No. 1258	Assembly Bill No. 1929
Assembly Bill No. 1288	Assembly Bill No. 1944
Assembly Bill No. 1314	Assembly Bill No. 1964
Assembly Bill No. 1344	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly bill:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Barbara Friedman to introduce a bill relating to healing arts, and declaring the urgency thereof, to take effect immediately. Request No. 9516283.

WILLIE L. BROWN, JR.
 Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1974—Friedman, Alpert, Gallegos, Knox, and Willard Murray. An act to amend Section 805 of, and to add Section 805.6 to, the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately.

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 27—Katz. Relative to Child Passenger Safety Week.

ASSEMBLY JOINT RESOLUTION NO. 23—Hauser and Hawkins. Relative to condominiums.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, April 3, 1995

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Assembly Bills Nos. 780, 781, 782, 783, and 784.

DEDE ALPERT

Above request ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

April 3, 1995

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Assembly Bill No. 1594

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

CORTESE, Chairman

ASSEMBLY BILL NO. 1594—An act to add Section 76.9 to the Harbors and Navigation Code, relating to harbors.

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

April 3, 1995

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

Assembly Bill No. 1429

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

SPEIER, Chairwoman

ASSEMBLY BILL NO. 1429—An act to add Section 10232.6 to the Business and Professions Code, relating to real estate.

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

April 3, 1995

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

Assembly Bill No. 1425

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

ISENBERG, Chairman

ASSEMBLY BILL NO. 1425—An act to add Section 1714.49 to the Civil 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 Environmental Safety and Toxic Materials

April 3, 1995

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

Assembly Joint Resolution No. 15

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

RICHTER, Chairman

ASSEMBLY JOINT RESOLUTION NO. 15—Relative to the Tijuana River International Wastewater Treatment Plant.

Resolution read; 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 Banking and Finance

April 3, 1995

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

Assembly Bill No. 1110

Assembly Bill No. 1646

Assembly Bill No. 1725

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

WEGGELAND, Chairman

ASSEMBLY BILL NO. 1110—An act to amend Sections 5104 and 5106 of the Financial Code, relating to financial institutions.

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. 1646—An act to amend Section 17006 of the Financial Code, relating to escrow.

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. 1725—An act to repeal Section 17005 of the Financial Code, relating to escrow agents.

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

April 3, 1995

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

Assembly Bill No. 6

Assembly Bill No. 1731

Assembly Bill No. 1928

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

RAINEY, Chairman

ASSEMBLY BILL NO. 6—An act to add Section 97.39 to the Revenue and Taxation Code, relating to local government finance.

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. 1731—An act to amend Sections 65583 and 65585 of the Government Code, relating to land use.

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. 1928—An act to amend Section 65400 of the Government Code, relating to planning.

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

April 3, 1995

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

Assembly Bill No. 23

Assembly Bill No. 475

Assembly Bill No. 1485

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

KNOWLES, Chairman

ASSEMBLY BILL NO. 23—An act to amend Section 1665 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. 475—An act to amend Section 10248 of, and to add Section 10247 to, the insurance code, relating to funeral insurance contracts.

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. 1485—An act to amend Section 12350 of the Insurance Code, relating to insurance.

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

AUTHOR'S AMENDMENTS
Committee on Labor and Employment

April 3, 1995

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Bill No. 263
Assembly Bill No. 398
Assembly Bill No. 983

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

KNOX, Chairman

ASSEMBLY BILL NO. 263—An act to amend Section 98 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.

ASSEMBLY BILL NO. 398—An act to amend Sections 1723, 1810, 1811, 1813, and 1815 of, and to add Section 1185.1 to, 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.

ASSEMBLY BILL NO. 983—An act to amend Section 6401.7 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 Environmental Safety and Toxic Materials

April 3, 1995

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:
Assembly Bill No. 1854

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

RICHTER, Chairman

ASSEMBLY BILL NO. 1854—An act to amend Section 25299 of, and to add Section 25299.05 to, the Health and Safety Code, relating to hazardous substances.

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 Agriculture

April 3, 1995

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1047

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

HARVEY, Chairman

ASSEMBLY BILL NO. 1047—An act to amend Section 16302 of, to add Section 16527 to, and to add Part 4 (commencing with Section 19801) to Division 9 of, the Food and Agricultural Code, and to amend Sections 597c and 597j of, and to add Section 597.2 to, the Penal Code, relating to animal husbandry.

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

April 3, 1995

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 1042

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

HORCHER, Chairman

ASSEMBLY BILL NO. 1042—An act to add Section 24013.5 to 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 Revenue and Taxation

April 3, 1995

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports: Assembly Bill No. 1011

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 1011—An act to amend Section 19011 of 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 Natural Resources

April 3, 1995

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Assembly Bill No. 925

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

SHER, Chairman

ASSEMBLY BILL NO. 925—An act to amend Sections 6217.6 and 6501.1 of, and to add Sections 4129.5 and 6504 to, the Public Resources Code, relating to state lands, 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 Revenue and Taxation

April 3, 1995

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 915

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 915—An act to add Section 74.7 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 Natural Resources

April 3, 1995

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 795

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

SHER, Chairman

ASSEMBLY BILL NO. 795—An act to add Section 40920.6 to 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 Consumer Protection, Governmental Efficiency and Economic Development

April 3, 1995

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

Assembly Bill No. 687

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

SPEIER, Chairwoman

ASSEMBLY BILL NO. 687—An act to add Section 39140.3 to, and to amend Section 39116 of, the Education Code, relating to 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 Governmental Organization

April 3, 1995

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 142

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

HORCHER, Chairman

ASSEMBLY BILL NO. 142—An act to amend Sections 6256 and 6257 of, and to add Section 6256.5 to, the Government Code, relating to public records.

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 Housing and Community Development

Date of Hearing: March 29, 1995

Mr. Speaker: Your Committee on Housing and Community Development reports: Assembly Bill No. 463

With amendments with the recommendation: Amend, and do pass, as amended.

HAUSER, Chairman

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: March 29, 1995

Mr. Speaker: Your Committee on Judiciary reports: Assembly Bill No. 323

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.

ISENBERG, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: April 3, 1995

Mr. Speaker: Your Committee on Governmental Organization reports: Assembly Bill No. 304

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

HORCHER, Chairman

Above bill re-referred to the Committee on Appropriations.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: March 28, 1995

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports: Assembly Bill No. 204

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

RICHTER, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, April 3, 1995

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

Senate Bill No. 231

Senate Bill No. 413

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

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 231—An act to repeal and add Article 8 (commencing with Section 1263.710) of Chapter 9 of Title 7 of Part 3 of the Code of Civil Procedure, relating to eminent domain.

SENATE BILL NO. 413—An act to amend Section 8020 of the Business and Professions Code, relating to court reporters.

JOINT RULE 62(a) WAIVED

Unanimous consent was granted that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 2 for hearing in the Committee on Appropriations on April 5, 1995.

INTRODUCTION OF GUESTS

Assembly Member Brulte, of the 63rd Assembly District, introduced former Member of the Assembly, Secretary of State Bill Jones.

Assembly Member Valerie Brown, of the 7th Assembly District, introduced Holly Reeves, of Santa Rosa and Courtney Correll, of Los Angeles.

Assembly Member Gallegos, of the 57th Assembly District, introduced Carmine R. Lanza, Chief of Police, City of Baldwin Park Police Department; and Steven A. Feld, Director of Finance, Maclin Company.

Assembly Member Weggeland, of the 64th Assembly District, introduced Mike and Sharon Roberts and their children Jenny and Nichole, of Moreno Valley.

Assembly Member Archie-Hudson, of the 48th Assembly District, introduced members of the Delta Sigma Theta Sorority, Inc.

Assembly Member Thompson, of the 66th Assembly District, introduced his sons Scott and Danny Thompson, of Fallbrook.

Assembly Member Napolitano, of the 58th Assembly District, introduced Jim Rojas and Mike Forge, teachers from El Rancho High School in the City of Pico Rivera, who were accompanied by the following students: Veronica Alvarado, Kim Brusca, Olivia Caceres, Erika Delgadillo, Veronica Arriaga, Sandra Cabrera, Araceli Campos, Louis Donis, Steve Espinoza, Josie Garcia, Adrian Gonzalez, Freddie Gonzalez, Carlen Le, Brian Navarro, Stephanie Obregon-Cole, Darlene Prieto, Brenda Ramirez, Joe Rosales, Lisa Sanchez, Ruben Torres, Desiree Zamora, Juan Favier, Adrian Gonzalez, Elizabeth Gonzalez, Jessica Hernandez, Monica Martinez, Cynthia Ortega, Tricia Quintero, Joseph Renteria, Lisa Salas, Diego Torres, and Angelica Velasco; and adult chaperones, Gordon Chamberlin, Deborah Lopez, and Frank Llanes.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Brulte, the Assembly adjourned until 7 a.m, Tuesday, April 4, 1995, out of respect to the memory of E. Thomas Jennings, on motion of Assembly Member McDonald; out of respect to the memory of Paul Rothchild, on motion of Assembly Member Bowen; out of respect to the memory of Alpert P. Bogner, on motion of Assembly Member Firestone; out of respect to the memory of John Mahoney, on motion of Assembly Member Horcher; out of respect to the memory of Sheila Frances Wilson, on motion of Assembly Member Hannigan; and out of respect to the memory of Suren M. Saroyan, on motion of Assembly Member Burton.

JOE BACA
Speaker pro Tempore

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 3, 1995

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

<i>Assembly Bills</i>	
6	1406
23	1425
142	1429
193	1485
212	1547
263	1594
316	1646
362	1725
398	1731
475	1731
684	1854
685	1910
687	1928
795	
915	<i>Assembly Joint Resolution</i>
925	15
983	
1011	
1042	<i>Senate Concurrent Resolution</i>
1047	22
1110	
1328	