

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, April 4, 1995

FIFTY-THIRD SESSION DAY

ONE HUNDRED TWENTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, April 4, 1995

The Assembly met at 7 a.m.

Hon. Jim Morrissey, Assembly Member, 69th District, presiding.

Assistant Chief Clerk Lawrence A. Murman at the Desk.

Assistant Clerk Sue Walker reading.

ROLL CALL

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

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

Quorum present.

At 3 p.m., Speaker Willie L. Brown, Jr., 13th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Bowler.

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

(NOTE: For letter explaining the absence of Assembly Member Bowler on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for April 3, 1995.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 4, 1995

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

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 1 | Assembly Bill No. 979 |
| Assembly Bill No. 6 | Assembly Bill No. 983 |
| Assembly Bill No. 23 | Assembly Bill No. 1012 |
| Assembly Bill No. 110 | Assembly Bill No. 1096 |
| Assembly Bill No. 193 | Assembly Bill No. 1177 |
| Assembly Bill No. 212 | Assembly Bill No. 1328 |
| Assembly Bill No. 219 | Assembly Bill No. 1406 |
| Assembly Bill No. 263 | Assembly Bill No. 1416 |
| Assembly Bill No. 316 | Assembly Bill No. 1515 |
| Assembly Bill No. 362 | Assembly Bill No. 1547 |
| Assembly Bill No. 398 | Assembly Bill No. 1687 |
| Assembly Bill No. 475 | Assembly Bill No. 1821 |
| Assembly Bill No. 684 | Assembly Bill No. 1910 |
| Assembly Bill No. 685 | Assembly Bill No. 1957 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 4, 1995

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

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 142 | Assembly Bill No. 1429 |
| Assembly Bill No. 687 | Assembly Bill No. 1485 |
| Assembly Bill No. 795 | Assembly Bill No. 1854 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 4, 1995

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

- Assembly Joint Resolution No. 15

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 13—Firestone. Relative to Assembly fiscal reports and audits.

AUTHOR'S AMENDMENTS

Committee on Utilities and Commerce

April 4, 1995

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 515

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

CONROY, Chairman

ASSEMBLY BILL NO. 515—An act to amend Section 491 of the Public Utilities Code, relating to public utilities.

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

April 4, 1995

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

Assembly Bill No. 1493

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

KATZ, Chairman

ASSEMBLY BILL NO. 1493—An act to amend Section 22352 of 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

April 4, 1995

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

Assembly Bill No. 1143

Assembly Bill No. 1958

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

KATZ, Chairman

ASSEMBLY BILL NO. 1143—An act to add Article 2.5 (commencing with Section 14020) to Chapter 1 of Part 5 of Division 3 of Title 2 of the Government Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 1958—An act to add Sections 430.5 and 670.5 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 Natural Resources

April 4, 1995

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1376

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

SHER, Chairman

ASSEMBLY BILL NO. 1376—An act to add Section 3233 to the Public Resources Code, relating to oil and gas.

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 4, 1995

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 1145

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

SHER, Chairman

ASSEMBLY BILL NO. 1145—An act relating to the California Conservation Corps, making an appropriation therefor, to take effect immediately, usual current expenses.

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 4, 1995

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 1071

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

SHER, Chairman

ASSEMBLY BILL NO. 1071—An act to amend Section 42808 of the Public Resources Code, relating to waste tires.

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

April 4, 1995

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

Assembly Bill No. 1043
Assembly Bill No. 1532

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

McPHERSON, Chairman

ASSEMBLY BILL NO. 1043—An act to add Section 84320 to, and to add Article 5 (commencing with Section 84550) to Chapter 4 of Title 2 of, the Government Code, relating to the Political Reform Act of 1974.

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. 1532—An act to amend Section 2159 and 18108 of the Elections Code, relating to elections.

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 4, 1995

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

Assembly Bill No. 725
 Assembly Bill No. 1833

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

ISENBERG, Chairman

ASSEMBLY BILL NO. 725—An act to amend Section 1033 of the Code of Civil Procedure, relating to judgments.

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. 1833—An act to amend Section 754 of the Evidence Code, and to amend Section 68562 of the Government Code, relating to court interpreters, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

April 4, 1995

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

Assembly Bill No. 850
 Assembly Bill No. 1224
 Assembly Bill No. 1502

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

MCDONALD, Chairwoman

ASSEMBLY BILL NO. 850—An act to amend Section 7073 of the Government Code, relating to enterprise zones.

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. 1224—An act to add Section 17041.8 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.

ASSEMBLY BILL NO. 1502—An act to amend Section 23649 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 Local Government

April 4, 1995

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

Assembly Bill No. 486

Assembly Bill No. 1715

Assembly Bill No. 1934

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

RAINEY, Chairman

ASSEMBLY BILL NO. 486—An act to amend Section 54984.9 of the Government Code, relating to local agencies.

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. 1715—An act to amend Section 65585 of, and to add Section 65585.1 to, the Government Code, relating to housing elements.

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. 1934—An act to amend Section 57087.3 of the Government Code, relating to local government, 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 Environmental Safety and Toxic Materials

April 4, 1995

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

Assembly Bill No. 1475

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

RICHTER, Chairman

ASSEMBLY BILL NO. 1475—An act to add Section 57001.5 to the Health and Safety Code, relating to hazardous materials.

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 4, 1995

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

Assembly Bill No. 325

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

HORCHER, Chairman

ASSEMBLY BILL NO. 325—An act to amend Section 19607.5 of the Business and Professions Code, relating to horseracing, 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 Transportation

April 4, 1995

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1560

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

KATZ, Chairman

ASSEMBLY BILL NO. 1560—An act to amend Sections 1803.5, 1808.7, 11202, 11205, 41501, and 42007 of, and to add Section 41502 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.

REPORTS OF STANDING COMMITTEES
Committee on Utilities and Commerce

Date of Hearing: April 3, 1995

Mr. Speaker: Your Committee on Utilities and Commerce reports:
Assembly Bill No. 119
Assembly Bill No. 1451

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

CONROY, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: April 3, 1995

Mr. Speaker: Your Committee on Utilities and Commerce reports:
Assembly Bill No. 689
Assembly Bill No. 710
Assembly Bill No. 1589

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

CONROY, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Natural Resources

Date of Hearing: April 3, 1995

Mr. Speaker: Your Committee on Natural Resources reports:
Assembly Bill No. 1505

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

SHER, Chairman

Above bill re-referred to the Committee on Budget.

Date of Hearing: April 3, 1995

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1004

Assembly Bill No. 1413

Assembly Bill No. 1103

Assembly Bill No. 1849

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

SHER, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Banking and Finance

Date of Hearing: April 3, 1995

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 1159

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

WEGGELAND, Chairman

Above bill re-referred to the Committee on Appropriations.

Committee on Natural Resources

Date of Hearing: April 3, 1995

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1102

Assembly Bill No. 1851

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

SHER, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: March 28, 1995

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 610

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

ALLEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 28, 1995

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 161

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

ALLEN, Chairwoman

Above bill ordered to second reading.

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. 1317

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

HAUSER, Chairman

Above bill ordered to second reading.

Committee on Health

Date of Hearing: March 28, 1995

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1183

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

ALLEN, Chairwoman

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: March 28, 1995

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1133

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

HORCHER, Chairman

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: April 3, 1995

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 996

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

SHER, Chairman

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS****ASSEMBLY BILL NO. 374**—An act to amend Section 56 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to water.

Bill read second time, and ordered to the Consent Calendar.

ASSEMBLY BILL NO. 463—An act to amend Section 1365.5 of, and to add Section 1368.4 to, the Civil Code, relating to common interest developments.

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

ASSEMBLY BILL NO. 323—An act to amend Section 10652.5 of the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed on the Consent Calendar.

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

Bill read second time; 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.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 4, 1995

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 374

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday,
April 5, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 4, 1995**

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

Assembly Bills

204
323
325
463
486
515
725
850
1043
1071
1143
1145
1224
1376
1475
1493
1502
1532
1560
1715
1833
1934
1958