

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 17, 1995

SEVENTY-FOURTH SESSION DAY

ONE HUNDRED SIXTY-FOURTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, May 17, 1995

The Assembly met at 7 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

At 3:30 p.m., Hon. Dominic L. Cortese, 23rd 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 Horcher.

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

EXPLANATIONS OF ABSENCE

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

May 15, 1995

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

Dear Mr. Speaker: I am requesting to be excused for the May 17, 1995 session due to legislative business in my district.

Thank you,

**PAUL V. HORCHER, Assembly Member
Sixtieth District**

(NOTE: Assembly Member Paul Horcher (60th Assembly District) was recalled in a special election, which was held on May 16, 1995. Pursuant to Elections Code Section 11384, Assembly Member Horcher is not removed from office until the "qualification of his successor".)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

May 17, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Richard Katz to the Assembly Appropriations Committee in place of Assemblymember Paul Horcher for today only, May 17, 1995.

Sincerely,

**WILLIE L. BROWN, JR.
Speaker of the Assembly**

May 17, 1995

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

Dear Dotson: Please be advised that according to Joint Rule 40, Assemblymember William "Pete" Knight is on the Assembly Joint Committee on Rules.

Sincerely,

**WILLIE L. BROWN, JR.
Speaker of the Assembly**

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 17, 1995

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

Assembly Bill No. 61
 Assembly Bill No. 115
 Assembly Bill No. 119
 Assembly Bill No. 182
 Assembly Bill No. 317
 Assembly Bill No. 318
 Assembly Bill No. 356
 Assembly Bill No. 376
 Assembly Bill No. 407
 Assembly Bill No. 417
 Assembly Bill No. 513
 Assembly Bill No. 585
 Assembly Bill No. 590
 Assembly Bill No. 686
 Assembly Bill No. 754
 Assembly Bill No. 791

Assembly Bill No. 796
 Assembly Bill No. 1028
 Assembly Bill No. 1051
 Assembly Bill No. 1120
 Assembly Bill No. 1296
 Assembly Bill No. 1316
 Assembly Bill No. 1325
 Assembly Bill No. 1326
 Assembly Bill No. 1434
 Assembly Bill No. 1429
 Assembly Bill No. 1501
 Assembly Bill No. 1545
 Assembly Bill No. 1647
 Assembly Bill No. 1690
 Assembly Bill No. 1717
 Assembly Bill No. 1750

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 17, 1995

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

Assembly Bill No. 186
 Assembly Bill No. 839
 Assembly Bill No. 1027

Assembly Bill No. 1205
 Assembly Bill No. 1733
 Assembly Bill No. 1912

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 17, 1995

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

Assembly Bill No. 1571
 Assembly Bill No. 1840
 Assembly Bill No. 1841

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 17, 1995

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

Assembly Bill No. 1812
 Assembly Bill No. 1830

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 17, 1995

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

Assembly Concurrent Resolution No. 9
 Assembly Joint Resolution No. 29

And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of May, 1995, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, May 17, 1995

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 129

And reports the same correctly enrolled, and presented to the Governor at 1:45 p.m.,
May 17, 1995.

E. DOTSON WILSON, Chief Clerk

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, May 17, 1995

Mr. Speaker: I request permission to suspend Joint Rule 61 as it
relates to Assembly Bill No. 1855.

BYRON D. SHER

Above request ordered transmitted to the Committee on Rules.

AUTHOR'S AMENDMENTS
Committee on Appropriations

May 17, 1995

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 1541

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

PRINGLE, Chairman

ASSEMBLY BILL NO. 1541—An act to amend Sections 7500, 7500.1, 7500.2, 7500.3,
7502.1, 7502.2, 7502.5, 7503.4, 7503.9, 7504, 7506.3, 7506.5, 7506.7, 7506.8, 7506.9, 7506.10,
7506.11, 7506.13, 7507.2, 7507.3, 7507.4, 7507.5, 7507.6, 7507.7, 7507.9, 7507.10, 7508.2,
7508.3, 7508.4, 7508.5, 7510.1, 7510.2, and 7511 of, and to add Section 7507.12 and 7507.13
to, the Business and Professions Code, and to amend Section 28 of the Vehicle Code,
relating to repossessors.

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 Budget

May 17, 1995

Mr. Speaker: The Chair of your Committee on Budget reports:
Assembly Bill No. 1505

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

VASCONCELLOS, Chairman

ASSEMBLY BILL NO. 1505—An act relating to forest resources, 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.

REPORTS OF STANDING COMMITTEES**Committee on Transportation**

Date of Hearing: May 8, 1995

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1143

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

KATZ, Chairman

Above bill ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: May 17, 1995

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 397

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

HAUSER, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: May 17, 1995

Mr. Speaker: Your Committee on Housing and Community Development reports:

Senate Bill No. 332

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

HAUSER, Chairman

Above bill ordered to second reading.

Date of Hearing: May 17, 1995

Mr. Speaker: Your Committee on Housing and Community Development reports:

Senate Joint Resolution No. 12

With the recommendation: Be adopted.

HAUSER, Chairman

Above resolution ordered to third reading.

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

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

Assembly Bills Nos. 417, 513, 1326, 1830, 590, 356, 1429, 1812, 1296, 1051, 1750, 585, 1434, 376, 119, 1325, 1647, 61, 317, 791, 796, 1545, 1717, 115, 686, 182, 318, and 407, ordered to third reading;

Assembly Bills Nos. 1120, 1501, 1690, 1028, 754, and 1316, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 958—An act to amend Section 6254 of, and to add Section 6254.13 to, the Government Code, relating to public records.

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

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

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

ASSEMBLY BILL NO. 1241—An act to add Section 21168.3 to the Public Resources Code, relating to environmental quality.

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

ASSEMBLY BILL NO. 1935—An act to add Section 21064.6 to the Public Resources Code, relating to environmental quality.

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

ASSEMBLY BILL NO. 806—An act to amend Sections 2105 and 2106 of the Family Code, relating to family law.

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. 1192—An act to amend Section 415.21 of the Code of Civil Procedure, relating to civil procedure.

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. 512—An act to add Section 1561.1 to the Financial Code, relating to trust companies.

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

ASSEMBLY BILL NO. 1293—An act to amend Section 22340 of the Financial Code, relating to loans.

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

ASSEMBLY BILL NO. 1910—An act to add Section 21365.56 to the Government Code, relating to public employees.

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

ASSEMBLY BILL NO. 645—An act to amend Section 25205.2 of the Health and Safety Code, relating to hazardous waste.

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

ASSEMBLY BILL NO. 772—An act to add Article 3.5 (commencing with Section 14055) to Chapter 1 of Part 5 of, and to repeal Section 14033 of, the Government Code, relating to transportation.

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

ASSEMBLY BILL NO. 1208—An act to add Chapter 23.5 (commencing with Section 22740) to the Business and Professions Code, relating to business practices.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1270—An act to amend Sections 7593, 7598.4, and 7599.36 of the Business and Professions Code, relating to alarm companies.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 135—An act to amend Sections 9250.7, 9250.14, and 22710 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

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

ASSEMBLY BILL NO. 1776—An act to add Section 20217 to the Public Contract Code, relating to transportation.

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

ASSEMBLY BILL NO. 307—An act to amend Section 17576 and 17579 of the Government Code, relating to state mandates.

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

ASSEMBLY BILL NO. 930—An act to add Section 6527 to the Government Code, relating to joint powers entities.

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

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of the Rules, the following bills were ordered re-referred to the Committee on Appropriations:

Assembly Bills Nos. 1501, 1051, and 1028.

ADJOURNMENT

At 4:20 p.m., the Assembly adjourned until 8 a.m., Thursday, May 18, 1995.

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 17, 1995**

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

Assembly Bills

82
135
307
512
645
772
806
930
958
1192
1208
1241
1270
1293
1776
1505
1541
1910
1935