

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 24, 1995**

**SEVENTY-EIGHTH SESSION DAY**

**ONE HUNDRED SEVENTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, May 24, 1995

The Assembly met at 7 a.m.

Hon. Doris Allen, Assembly Member, 67th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

#### ROLL CALL

The following were placed upon the morning roll call—75:

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

Quorum present.

At 1:50 p.m., Hon. William J. "Pete" Knight, 36th 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 personal business, and waiving per diem: Assembly Member Escutia.*

*Because of illness: Assembly Member Vasconcellos.*

*Because of illness in his family: Assembly Member Hannigan.*

**COMMUNICATIONS**

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

May 24, 1995

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Grace Napolitano to the Assembly Budget Subcommittee #2 in place of Assemblymember Tom Hannigan for the hearing today only, May 24, 1995. I have also appointed Assemblymember Valerie Brown to the Assembly Budget Subcommittee #3 in place of Assemblymember Tom Hannigan for the hearing today only, May 24, 1995.

Sincerely,

WILLIE L. BROWN, JR.  
Speaker of the Assembly

May 24, 1995

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that Assemblymember Curtis Tucker is no longer on the Assembly Appropriations Committee and that I have appointed Assemblymember Tom Bates to this committee.

Sincerely,

WILLIE L. BROWN, JR.  
Speaker of the Assembly

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The following communication was presented by the Chief Clerk from:

Bob Borzelleri, Chief Deputy Director, Department of Toxic Substances Control, Sacramento, dated May 9, 1995, relative to delay in submitting the report on Hazardous Waste Reduction Technology, Department and Demonstration Grant Program. (Pursuant to Health and Safety Code Section 25244.11) Referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**REPORTS**

The following reports were presented by the Chief Clerk:

**Humboldt County's 1994-96 Job Training Plan  
(Pursuant to the Job Training Partnership Act)**

Above transmitted report, together with letter of transmittal from Farrel G. Starr, Director, Private Industry Council of Humboldt County, Eureka, dated May 12, 1995, referred by the Speaker to the Committee on Labor and Employment.

**Report of the Orange County Restructuring Plan  
(Pursuant to the Joint Legislative Audit Committee)**

Above transmitted report, together with letter of transmittal from Kurt R. Sjoberg, State Auditor, California State Auditor, Sacramento, dated May 22, 1995, referred by the Speaker to the Select Committee on the Insolvency of Orange County.

**Monthly Management Information Report for April 1995  
(Pursuant to Government Code Section 8880.42)**

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Manager Fiscal Services Branch, California Lottery, Sacramento, dated May 12, 1995, referred by the Speaker to the Committee on Governmental Organization.

**1995 Comprehensive Power of Attorney Law**

**Annual Report for 1994**

**Debtor-Creditor Relations Administrative Adjudication by State Agencies**

**Uniform Prudent Investor Act**

**(Pursuant to Government Code Sections 8291 and 11095)**

Above transmitted reports, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, Palo Alto, dated May 22, 1995, referred by the Speaker to the Committee on Judiciary.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 24, 1995

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

Assembly Bill No. 391  
Assembly Bill No. 415  
Assembly Bill No. 573  
Assembly Bill No. 886  
Assembly Bill No. 1010  
Assembly Bill No. 1040

Assembly Bill No. 1177  
Assembly Bill No. 1525  
Assembly Bill No. 1761  
Assembly Bill No. 1855  
Assembly Bill No. 1940

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 24, 1995

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

Assembly Joint Resolution No. 28

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 24, 1995

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

Assembly Bill No. 126  
Assembly Bill No. 364  
Assembly Bill No. 773

Assembly Bill No. 797  
Assembly Bill No. 1095

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 24, 1995

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

Assembly Bill No. 176

Assembly Bill No. 354

Assembly Bill No. 258

Assembly Bill No. 1658

Assembly Bill No. 290

And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m., May 24th, 1995.

E. DOTSON WILSON, Chief Clerk

## REPORTS OF STANDING COMMITTEES

### Committee on Appropriations

Date of Hearing: May 17, 1995

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 481

Assembly Bill No. 482

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

PRINGLE, Chairman

Above bills ordered to second 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. 1855, 573, 886, 1010, 1761, 391, 415, 1040, and 1940, ordered to third reading;

(NOTE: Later this day Assembly Bill No. 1855 was re-referred to the Committee on Appropriations.)

Assembly Bills Nos. 1177 and 1525, ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**ASSEMBLY BILL NO. 668**—An act to amend Sections 1000, 1001, and 1002 of, and to add Section 1003 to, the Health and Safety Code, relating to health.

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. 161**—An act to amend Section 22430 of the Business and Professions Code, to amend Section 1798.24 of the Civil Code, to amend Sections 10000, 10001.1, 10030, 10040, 10061, 10063, 10065, 10131, 10360, 10361, 10575.2, 10576, 10578, 10579, 10605.1, 10605.2, 10608, 10610.1, 10615, 10616, 10617, 10618, 10619, and 10676 of, to add Sections 10001.2, 10125.6, 10206, and 10439.1 to, to repeal Sections 10067, 10068, 10068.1, 10126, 10127, 10128, 10129, 10581, 10582, 10585, 10586, 10650, 10651, 10652, and 10653 of, and to repeal and add Sections 10066, 10575, and 10605.3 of, the Health and Safety Code, relating to vital statistics.

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. 320**—An act to add Section 11322.45 to the Welfare and Institutions Code, relating to public social services.

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, and to be placed on the Consent Calendar.

**ASSEMBLY BILL NO. 455**—An act to amend Sections 19401, 19411, and 19412 of, and to add and repeal Section 19610.8 of, the Business and Professions Code, relating to horseracing, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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.

**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 Bill No. 77**, ordered to third reading.

**RE-REFERENCE OF BILLS PURSUANT TO THE RULES**

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

**Assembly Bill No. 1855.**

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, May 25, 1995.

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**WILLIE L. BROWN, JR., Speaker**

**PAM CAVILEER, Minute Clerk**

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 24, 1995**

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

*Assembly Bills*

161  
320  
455  
668