

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, May 31, 1995**

**EIGHTY-SECOND SESSION DAY**

**ONE HUNDRED SEVENTY-EIGHTH 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 31, 1995

The Assembly met at 7 a.m.

Hon. Bruce Thompson, Assembly Member, 66th 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	House	Olberg
Alby	Cannella	Isenberg	Poochigian
Allen	Conroy	Kaloogian	Pringle
Alpert	Cortese	Katz	Rainey
Archie-Hudson	Cunneen	Knight	Richter
Baca	Davis	Knowles	Rogan
Baldwin	Ducheny	Knox	Setencich
Bates	Figueroa	Kuehl	Sher
Battin	Firestone	Kuykendall	Speier
Boland	Friedman	Lee	Sweeney
Bordonaro	Frusetta	Machado	Takasugi
Bowen	Gallegos	Martinez	Thompson
Bowler	Goldsmith	Mazzoni	Tucker
Brewer	Granlund	McDonald	Vasconcellos
Brown, Valerie	Hannigan	Miller	Villaraigosa
Brulte	Harvey	Morrissey	Weggeland
Burton	Hauser	Murray, Kevin	Woods
Bustamante	Hawkins	Murray, Willard	Mr. Speaker
Caldera	Hoge	Napolitano	

Quorum present.

At 2:34 p.m., Hon. Byron Sher, 21st 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 Members Escutia and McPherson.*

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

**COMMUNICATIONS**

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

May 31, 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 John Burton, for the hearing today only, May 31, 1995.

Sincerely,

WILLIE L. BROWN, JR.  
Speaker of the Assembly

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

May 31, 1995

*Mr. E. Dotson Wilson, Chief Clerk*

*California State Assembly*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: In accordance with the provisions of HR 10, I am removing Assemblyman Bill Morrow from the Assembly Budget Committee and from Budget Subcommittees One and Four. Furthermore, in Mr. Morrow's place, I am appointing Assemblyman Brett Granlund.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Thank you for your attention to this matter.

Sincerely,

JAMES L. BRULTE  
Assembly Republican Leader

**Explanation of Absence—May 30, 1995**

May 31, 1995

*The Honorable Willie L. Brown*

*State Capitol Building, Room 219*

*Sacramento, California*

Dear Mr. Speaker, This is to request a change in the Assembly public record RE: my absence from check-in on May 30, 1995. I would like to request that my reasons for absence be listed in the public record as illness in the family, rather than personal business.

Sincerely,

BILL MORROW, Assembly Member  
Seventy-third District

**REPORTS**

The following report was presented by the Chief Clerk:

**Report on Lottery Expenditures and Revenues for K-12 Education  
(Pursuant to Control Section 24.60 of the Budget Act of 1994)**

Above transmitted report, together with letter of transmittal from Annette Porini, Deputy Superintendent, Department Management Services Branch, California Department of Education, Sacramento, dated April 7, 1995, referred by the Speaker to the Committee on Budget.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 31, 1995

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

Assembly Bill No. 6	Assembly Bill No. 1130
Assembly Bill No. 59	Assembly Bill No. 1298
Assembly Bill No. 73	Assembly Bill No. 1338
Assembly Bill No. 151	Assembly Bill No. 1449
Assembly Bill No. 229	Assembly Bill No. 1509
Assembly Bill No. 275	Assembly Bill No. 1590
Assembly Bill No. 307	Assembly Bill No. 1777
Assembly Bill No. 404	Assembly Bill No. 1785
Assembly Bill No. 536	Assembly Bill No. 1802
Assembly Bill No. 557	Assembly Bill No. 1821
Assembly Bill No. 739	Assembly Bill No. 1840
Assembly Bill No. 839	Assembly Bill No. 1868
Assembly Bill No. 977	Assembly Bill No. 1883
Assembly Bill No. 1028	Assembly Bill No. 1892
Assembly Bill No. 1030	Assembly Bill No. 1958
Assembly Bill No. 1048	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 31, 1995

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

Assembly Bill No. 122	Assembly Bill No. 897
Assembly Bill No. 133	Assembly Bill No. 922
Assembly Bill No. 145	Assembly Bill No. 978
Assembly Bill No. 188	Assembly Bill No. 1342
Assembly Bill No. 262	Assembly Bill No. 1608
Assembly Bill No. 349	Assembly Bill No. 1694
Assembly Bill No. 386	Assembly Bill No. 1758
Assembly Bill No. 439	Assembly Bill No. 1867
Assembly Bill No. 650	Assembly Bill No. 1919
Assembly Bill No. 538	Assembly Bill No. 42
Assembly Bill No. 810	Assembly Bill No. 1253
Assembly Bill No. 879	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 31, 1995

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

Assembly Bill No. 246	Assembly Bill No. 689
Assembly Bill No. 299	Assembly Bill No. 789
Assembly Bill No. 399	Assembly Bill No. 1535
Assembly Bill No. 442	Assembly Bill No. 1577

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 37—Hauser.** Relative to Lighthouse Recognition Week.

**MESSAGES FROM THE SENATE**

Senate Chamber, May 30, 1995

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

Senate Bill No. 111

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

Senate Chamber, May 30, 1995

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

Senate Bill No. 1  
Senate Bill No. 9  
Senate Bill No. 25  
Senate Bill No. 30  
Senate Bill No. 32  
Senate Bill No. 86  
Senate Bill No. 113  
Senate Bill No. 160  
Senate Bill No. 165  
Senate Bill No. 201  
Senate Bill No. 206  
Senate Bill No. 273  
Senate Bill No. 278  
Senate Bill No. 292  
Senate Bill No. 316  
Senate Bill No. 320  
Senate Bill No. 395  
Senate Bill No. 425  
Senate Bill No. 430  
Senate Bill No. 454

Senate Bill No. 509  
Senate Bill No. 542  
Senate Bill No. 658  
Senate Bill No. 728  
Senate Bill No. 769  
Senate Bill No. 823  
Senate Bill No. 828  
Senate Bill No. 833  
Senate Bill No. 937  
Senate Bill No. 1051  
Senate Bill No. 1053  
Senate Bill No. 1069  
Senate Bill No. 1073  
Senate Bill No. 1107  
Senate Bill No. 1110  
Senate Bill No. 1152  
Senate Bill No. 1169  
Senate Bill No. 1170  
Senate Bill No. 1176  
Senate Bill No. 1189

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

Senate Chamber, May 30, 1995

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

Senate Bill No. 1198  
Senate Bill No. 1209  
Senate Bill No. 1276

Senate Bill No. 1290  
Senate Bill No. 1322

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. 1**—An act to repeal and add Chapter 7 (commencing with Section 11700) of, and to add Chapter 8 (commencing with Section 11781) to, Part 1 of Division 3 of Title 2 of the Government Code, to amend Section 11112.3 of the Penal Code, to repeal Chapter 3 (commencing with Section 12100) of, and Chapter 3.5 (commencing with Section 12120) of, Part 2 of Division 2 of the Public Contract Code, and to amend Sections 4902 and 4903 of the Unemployment Insurance Code, relating to information technology.

**SENATE BILL NO. 9**—An act to amend Section 190.2 of the Penal Code, relating to murder.

**SENATE BILL NO. 25**—An act to add Section 701.2 to the Public Utilities Code, relating to public utilities.

**SENATE BILL NO. 30**—An act to add Chapter 1.7 (commencing with Section 24190) to Division 20 of the Health and Safety Code, relating to prostate cancer.

**SENATE BILL NO. 32**—An act to amend Section 190.2 of the Penal Code, relating to murder.

**SENATE BILL NO. 86**—An act to amend Section 355 of, and to add Sections 351 and 358.5 to, the Welfare and Institutions Code, relating to minors.

**SENATE BILL NO. 113**—An act to amend Sections 1203, 1204, 1206, 1207, 1208, 1209, 1209.1, 1210, 1211, 1212, 1220, 1222, 1223, 1224, 1227, 1241, 1245, 1246.5, 1261, 1261.5, 1262, 1265, 1269, 1300, 1320, 1321, 1322, 1323, 1324, 1325, and 1327 of, to add Sections 1202.5, 1206.5, 1224.5, and 1288.5 to, to add Article 6.5 (commencing with Section 1310) to Chapter 3 of Division 2 of, and to repeal Sections 1229, and 1241.1 of, the Business and Professions Code, relating to clinical laboratories.

**SENATE BILL NO. 160**—An act to amend Sections 14523, 14524, 14525, 14526, 14527, 14529.6, 14536, and 65082 of, and to add Sections 14529.1 and 14529.8 to, to repeal and add Section 14529 of, and to repeal Sections 14520.3, 14524.5, 14529.01, 14529.2, and 14530.5 of, the Government Code, to amend Sections 99310, 99312, and 99315 of, and to repeal Sections 99315.5, 99315.6, 99318, and 99318.2 of, the Public Utilities Code, and to amend Sections 167, 188, and 188.8 of, to repeal and add Section 164 of, to repeal Sections 164.1, 164.2, 164.50, 168, 188.9, 190, 199, 199.1, and 199.8 of, and to repeal Chapter 16 (commencing with Section 2600) of Division 3 of, the Streets and Highways Code, relating to transportation.

**SENATE BILL NO. 165**—An act to add Section 9010 to the Penal Code, relating to work intensive programs.

**SENATE BILL NO. 201**—An act to add and repeal Section 11254 of the Welfare and Institutions Code, relating to public social services.

**SENATE BILL NO. 206**—An act to add Section 25143.8 to the Health and Safety Code, and to amend Section 13050 of the Water Code, relating to waste.

**SENATE BILL NO. 273**—An act to amend Section 2714 of the Public Resources Code, relating to mining.

**SENATE BILL NO. 278**—An act to amend Section 12302.7 of the Welfare and Institutions Code, relating to social services.

**SENATE BILL NO. 292**—An act to add Chapter 15 (commencing with Section 53000) to Part 28 of the Education Code, relating to the California Scholars Program.

**SENATE BILL NO. 316**—An act to add Section 240.5 to the Health and Safety Code, relating to nutrition.

**SENATE BILL NO. 320**—An act to amend Sections 1761 and 1770 of the Civil Code, relating to unfair trade practices.

**SENATE BILL NO. 395**—An act relating to earthquake insurance, and making an appropriation therefor.

**SENATE BILL NO. 425**—An act to amend Section 5908.5 of the Labor Code, relating to workers' compensation.

**SENATE BILL NO. 430**—An act to add Chapter 5 (commencing with Section 60600) to Part 33 of the Education Code, relating to pupil testing.

**SENATE BILL NO. 454**—An act to amend Sections 1367 and 1368 of the Health and Safety Code, relating to health care service plans.

**SENATE BILL NO. 509**—An act to amend Sections 4320 and 4330 of, and to add Section 4304 to, the Family Code, relating to family law.

**SENATE BILL NO. 542**—An act to amend Section 2655 of the Unemployment Insurance Code, relating to unemployment disability, and making an appropriation therefor.

**SENATE BILL NO. 658**—An act to amend Section 3212.6 of the Labor Code, relating to workers' compensation.

**SENATE BILL NO. 728**—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

**SENATE BILL NO. 769**—An act to amend Sections 585, 1701, 2053, 4234, 4390, 7502.3, 7565, 7592.6, 7739, and 11023 of the Business and Professions Code, to amend Sections 2254, 2255, 2256, 6811, 6812, 6813, 6814, 8812, 8813, 8814, 8815, 12672, 12673, 12674, 12675, 14087, 22001, 22002, 25540, 25541, 27203, 29100, 29101, 29102, 31410, 31411, 35300, and 35201 of the Corporations Code, to amend Sections 39154, 81144, 94319.14 and 94336 of the Education Code, to amend Sections 18002, 18100, 18101, 18102, 18106, 18110, 18200, 18201, 18203, 18204, 18205, 18310, 18311, 18400, 18403, 18500, 18501, 18502, 18520, 18521, 18522, 18523, 18524, 18540, 18541, 18543, 18544, 18545, 18560, 18561, 18564, 18565, 18566, 18567, 18568, 18569, 18573, 18575, 18578, 18611, 18613, 18614, 18620, 18621,

18640, 18660, 18661, and 18680 of the Elections Code, to amend Sections 6306, 18933, 19441, and 35283 of the Food and Agricultural Code, to amend Sections 1026, 1097, 1195, 1369, 1855, 3109, 5503, 6200, 6201, 8214.2, 8227.3, 8670.64, 8926, 9050, 9052, 9053, 9054, 9056, 9130.5, 27443, 66499.31, and 91002 of the Government Code, to amend Sections 264, 302, 304, 305, 306, and 668 of the Harbors and Navigation Code, to amend Sections 201.1, 1390, 1621.5, 1709, 1715, 4039.6, 7051, 7051.5, 7052, 7155, 8101, 8113.5, 8785, 10690, 11100, 11100.1, 11104, 11105, 11106, 11153, 11153.5, 11162.5, 11350, 11351, 11351.5, 11352, 11353, 11353.5, 11353.7, 11354, 11355, 11357, 11358, 11359, 11360, 11361, 11363, 11364.7, 11366, 11366.5, 11366.6, 11366.7, 11366.8, 11368, 11370.1, 11370.6, 11370.9, 11371, 11371.1, 11374.5, 11375, 11377, 11378, 11378.5, 11379, 11379.2, 11379.5, 11379.6, 11380, 11382, 11383, 11390, 11391, 11550, 12305, 12401, 12702, 17061, 18124.5, 25097, 25189.5, 25189.6, 25189.7, 25190, 25191, 25515, 25541, and 25865 of the Health and Safety Code, to amend Sections 700, 750, 833, 900.9, 1043, 1215.10, 1764.7, 1814, 1871.4, 10198.4, 11161, 11162, 11163, 11760, 11880, 12660, 14080, and 15053 of the Insurance Code, to amend Sections 1778, 3218, 3219, 5195, 7770, and 7771 of the Labor Code, to amend Sections 421, 616, 1318, 1670, 1671, and 1673 of the Military and Veterans Code, to amend Sections 18, 33, 38, 67, 67.5, 68, 69, 71, 72, 72.5, 76, 85, 86, 92, 93, 95, 96, 107, 109, 110, 115, 115.5, 116, 117, 126, 132, 134, 136.1, 136.5, 136.7, 138, 139, 142, 148.1, 148.3, 148.4, 149, 151, 153, 154, 155, 156, 157, 165, 171b, 181, 182, 186.22, 186.26, 191.5, 193, 193.5, 204, 208, 210, 210.5, 213, 214, 215, 217.1, 219.1, 219.2, 220, 222, 237, 241.1, 241.4, 241.7, 243, 243.1, 243.3, 243.4, 243.7, 244, 244.5, 245, 245.2, 245.3, 245.5, 246, 246.3, 247, 247.5, 264, 264.1, 265, 266, 266a, 266b, 266c, 266d, 266e, 266f, 266g, 266h, 266i, 266j, 267, 270, 271, 271a, 273a, 273d, 273.5, 273.55, 273.6, 277, 278, 278.5, 280, 283, 284, 285, 286, 288, 288a, 289, 311.1, 311.2, 311.3, 311.4, 311.9, 311.10, 313.4, 314, 337, 337a, 337b, 337c, 337d, 337e, 337f, 337i, 337.3, 337.7, 347, 350, 367f, 368, 374.2, 375, 382.5, 382.6, 386, 399, 401, 405b, 417, 417.1, 417.3, 417.6, 417.8, 422, 422.7, 424, 425, 432, 451, 452, 453, 454, 455, 461, 464, 470a, 470b, 473, 474, 475, 475a, 476, 476a, 478, 479, 480, 481, 481.1, 484b, 484f, 484i, 487b, 487d, 487h, 489, 496, 496a, 498, 499, 499c, 499d, 502, 502.7, 502.8, 506b, 514, 520, 524, 528, 529, 532a, 533, 534, 535, 537, 537e, 538.5, 540, 541, 542, 543, 548, 550, 560, 560.4, 566, 570, 577, 578, 580, 581, 587, 587.1, 588a, 591, 593, 593a, 593c, 594, 594.3, 594.4, 594.7, 597, 597.5, 600, 610, 617, 620, 625b, 625c, 626.9, 626.10, 631, 632, 632.5, 632.6, 634, 635, 636, 637, 639, 639a, 642, 647f, 647.6, 648, 653f, 653h, 653j, 653s, 653t, 653u, 653w, 664, 666, 666.5, 666.7, 1026.4, 1170, 1320, 1320.5, 4011.7, 4131.5, 4133, 4501, 4502, 4503, 4530, 4532, 4533, 4535, 4536, 4550, 4571, 4573, 4573.5, 4573.6, 4573.8, 4573.9, 4574, 4600, 11412, 11413, 12020, 12021, 12021.1, 12021.3, 12023, 12025, 12031.5, 12034, 12035, 12040, 12051, 12072, 12090, 12101, 12220, 12280, 12303, 12303.1, 12303.2, 12303.3, 12303.6, 12304, 12308, 12309, 12312, 12316, 12320, 12321, 12355, 12403.7, 12422, and 12520 of, and to add Sections 1170.01 to, the Penal Code, to amend Sections 5097.99, 5190, 14591, 25205, 40413, 48650.5, and 48680 of the Public Resources Code, to amend Sections 827, 2114, 4874, 7676, 7679, 7680, 7724, 7903, 8285, and 21407.6 of the Public Utilities Code, to amend Sections 7153.5, 8103.5, 9354.5, 14251, 16910, 19705, 19706, 19708, 30473, 30475, 30480, 32552, 32553, 32555, 40187, 43604, 45953, 46703, and 60707 of the Revenue and Taxation Code, to amend Sections 2117.5, 2118.5, and 2122 of the Unemployment Insurance Code, to amend Sections 2800.2, 2800.3, 4463, 10501, 10752, 10801, 10802, 10803, 10851, 20001, 21464, 21651, 23104, 23110, 23175, 23180, 23185, 23190, 38318, 38318.5, and 42000 of the Vehicle Code, and to amend Sections 1768.7 and 10980 of the Welfare and Institutions Code, relating to crimes.

**SENATE BILL NO. 823**—An act to amend Section 54726 of, to add Section 52891 to, to add and repeal Article 7 (commencing with Section 52900) of Chapter 12 of Part 28 of, and to add and repeal Chapter 3.5 (commencing with Section 58550) of Part 31 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 828**—An act to add Article 15.7 (commencing with Section 25874.7) to Chapter 7.6 of Division 20 of the Health and Safety Code, relating to radioactive waste, and making an appropriation therefor, to take effect immediately, tax levy.

**SENATE BILL NO. 833**—An act to amend Sections 14602.6 and 40000.11 of, to amend, repeal, and add Sections 210, 22451, and 40518 of, and to add and repeal Section 21455.5 of, the Vehicle Code, relating to vehicles.

**SENATE BILL NO. 937**—An act to amend Sections 42247.4 and 48209.11 of the Education Code, relating to school finance.

**SENATE BILL NO. 1051**—An act to amend Sections 11721 and 11759.1 of the Insurance Code, and to amend Section 62.7 of, and to add Section 6354.5 to, the Labor Code, relating to insurance.

**SENATE BILL NO. 1053**—An act to amend Sections 1871, 1872.83, 1877.3, 11760, and 11880 of the Insurance Code, relating to insurance.

**SENATE BILL NO. 1069**—An act to add and repeal Section 8053 of the Penal Code, relating to corrections.

**SENATE BILL NO. 1073**—An act to amend Section 65582 of, to add Section 65586.5 to, and to repeal and add Sections 65583, 65584, 65585, and 65587 of, the Government Code, relating to housing elements.

**SENATE BILL NO. 1107**—An act to amend Sections 25404.1 and 25404.5 of the Health and Safety Code, relating to hazardous materials, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 1110**—An act to add Section 11274 to the Welfare and Institutions Code, relating to public social services.

**SENATE BILL NO. 1152**—An act to add Section 130051.20 to, and to repeal and add Section 130051 of, the Public Utilities Code, relating to transportation.

**SENATE BILL NO. 1169**—An act to add Chapter 1.6 (commencing with Section 160) to Part 1 of Division 1 of the Health and Safety Code, relating to teenage pregnancy.

**SENATE BILL NO. 1170**—An act to add Sections 8801.1, 8804.3, 8804.4, and 8805.1 to the Education Code, relating to teenage pregnancy.

**SENATE BILL NO. 1176**—An act to add Section 9025.2 to, and to add and repeal Section 9027 of, the Fish and Game Code, relating to fish.

**SENATE BILL NO. 1189**—An act to add Chapter 6 (commencing with Section 82000) to Part 49 of the Education Code, relating to community colleges, and making an appropriation therefor.

**SENATE BILL NO. 1198**—An act relating to vehicles.

**SENATE BILL NO. 1209**—An act to add Chapter 10 (commencing with Section 92800) to Part 57 of the Education Code, relating to the University of California.

**SENATE BILL NO. 1276**—An act to amend Sections 16740, 16743, and 17302 of, and to add Sections 16731.6 and 16781.5 to, the Government Code, relating to state bonds and notes.

**SENATE BILL NO. 1290**—An act to add and repeal Section 1267.3 of the Health and Safety Code, relating to health facilities.

**SENATE BILL NO. 1322**—An act to amend Sections 1216, 1353, 1420, 1756, 1758, 1759, 1760, 1762, 1763, 1764, 1765, 1766, 2766, 3731, 3740, 5251, and 5257 of, to add Section 1756.2 to, and to repeal and add Sections 1757 and 1761 of, the Public Utilities Code, relating to public utilities.

#### **BILLS TAKEN UP BY UNANIMOUS CONSENT**

Unanimous consent was granted that all bills reported from all committees with a "Do Pass as Amended" recommendation be taken up without reference to file for purpose of second reading and adoption of committee amendments and that the bills be returned to the second reading file.

#### **CONSIDERATION OF DAILY FILE**

##### **UNFINISHED BUSINESS**

#### **MOTIONS TO WITHDRAW BILLS FROM COMMITTEE CONTINUED**

Unanimous consent was granted that the motion to withdraw Assembly Bill No. 109 from the Committee on Public Safety; the motion to withdraw Assembly Bill No. 184 from the Committee on Local Government; and the motion to withdraw Assembly Bills Nos. 1862, 1423, and 1601 from the Committee on Judiciary be continued until the next legislative day.

#### **MOTIONS TO RECONSIDER BILLS CONTINUED**

Unanimous consent was granted that the motions to reconsider the votes on Assembly Bills Nos. 1719 and 1870 be continued until the next legislative day.



**CONSIDERATION OF DAILY FILE (RESUMED)  
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. 73, 151, 229, 739, 839, 1802, 1868, 1958, 275, 404, 1030, 1883, 1892, 1048, 1590, 59, 536, 557, 1785, 1840, 6, 1338, 1821, 977, 1298, 1449, and 1028, ordered to third reading;**

**Assembly Bills Nos. 307, 1509, 1777, and 1130, ordered to the Consent Calendar.**

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 31, 1995

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

Assembly Concurrent Resolution No. 31

Assembly Concurrent Resolution No. 35

And reports the same correctly enrolled, and presented to the Secretary of State on the 31st day of May, 1995, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

**MESSAGES FROM THE SENATE**

Senate Chamber, May 31, 1995

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

Assembly Bill No. 390

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, May 31, 1995

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

Senate Bill No. 58  
Senate Bill No. 75  
Senate Bill No. 124  
Senate Bill No. 127  
Senate Bill No. 239  
Senate Bill No. 256  
Senate Bill No. 285  
Senate Bill No. 374  
Senate Bill No. 377  
Senate Bill No. 424  
Senate Bill No. 449  
Senate Bill No. 450  
Senate Bill No. 501  
Senate Bill No. 527  
Senate Bill No. 544  
Senate Bill No. 581  
Senate Bill No. 590  
Senate Bill No. 613  
Senate Bill No. 652  
Senate Bill No. 667

Senate Bill No. 708  
Senate Bill No. 729  
Senate Bill No. 747  
Senate Bill No. 752  
Senate Bill No. 770  
Senate Bill No. 793  
Senate Bill No. 835  
Senate Bill No. 856  
Senate Bill No. 882  
Senate Bill No. 895  
Senate Bill No. 920  
Senate Bill No. 944  
Senate Bill No. 1055  
Senate Bill No. 1143  
Senate Bill No. 1162  
Senate Bill No. 1194  
Senate Bill No. 1222  
Senate Bill No. 1301  
Senate Bill No. 1313  
Senate Bill No. 1328

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. 58**—An act to amend Sections 10081 and 10086 of, and to amend, repeal, and add Section 10086.5 of, the Insurance Code, relating to earthquake insurance, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 75**—An act to amend Section 2150 of, and to add Section 2144 to, the Elections Code, relating to voter registration.

**SENATE BILL NO. 124**—An act to add Section 97.313 to the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 127**—An act to add Part 5 (commencing with Section 1179) to Division 1 of the Health and Safety Code, relating to rural health care.

**SENATE BILL NO. 239**—An act to amend Section 667.5 of the Penal Code, relating to sentencing.

**SENATE BILL NO. 256**—An act to amend Sections 15364.51, 15364.52, 15364.53, and 15364.54 of, to add Chapter 2.2 (commencing with Section 15372.60) to Part 6.7 of Division 3 of Title 2 of, the Government Code, relating to state tourism.

**SENATE BILL NO. 285**—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 374**—An act to amend Section 20916.3 of the Public Contract Code, relating to public purchases, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 377**—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 424**—An act to add Section 676.9 to the Insurance Code, relating to insurance.

**SENATE BILL NO. 449**—An act relating to education funding.

**SENATE BILL NO. 450**—An act to add Section 71027 to the Education Code, relating to postsecondary education.

**SENATE BILL NO. 501**—An act to amend Sections 44091, 44092, and 44094 of, to add Article 10 (commencing with Section 44100) to Chapter 5 of Part 5 of Division 26 of, and to repeal Section 44095 of, the Health and Safety Code, relating to air pollution.

**SENATE BILL NO. 527**—An act to add Sections 13100.1, 13100.2, and 13100.3 to, and to repeal Section 13125 of, the Penal Code, relating to criminal offender record information.

**SENATE BILL NO. 544**—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 581**—An act to amend Section 2150 of, and to add Section 14311 to, the Elections Code, relating to elections.

**SENATE BILL NO. 590**—An act to amend Section 5406.5 of the Labor Code, relating to workers' compensation.

**SENATE BILL NO. 613**—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 652**—An act to add Section 97.44 to the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 667**—An act relating to family care leave.

**SENATE BILL NO. 708**—An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 729**—An act to amend Sections 51225.3, 51226, 52300, 52302.5, 52322, 52335.4, 52335.6, and 52372.1 of, to add Sections 51226.1, 52314.8, and 52335.9 to, and to repeal Sections 52318, 52319, and 52335.7 of, the Education Code, relating to career education.

**SENATE BILL NO. 747**—An act to add Section 24416 to the Education Code, relating to school employees.

**SENATE BILL NO. 752**—An act to add Section 83122.5 to, to add Chapter 5 (commencing with Section 85100) to Title 9 of, and to repeal Chapter 5 (commencing with Section 85100), as added by Proposition 73 of the 1988 direct primary election, of Title 9 of, the Government Code, and to add Article 11 (commencing with Section 18900) to Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to elections.

**SENATE BILL NO. 770**—An act to add Chapter 6 (commencing with Section 60700) to Part 33 of the Education Code, relating to pupil testing.

**SENATE BILL NO. 793**—An act relating to education.

**SENATE BILL NO. 835**—An act to amend Sections 14016.5, 14301, 14304, and 14408 of, and to add Section 14464 to, the Welfare and Institutions Code, relating to Medi-Cal.

**SENATE BILL NO. 856**—An act to add Sections 3060.7 and 14202.2 to the Penal Code, relating to parole.

**SENATE BILL NO. 882**—An act to add and repeal Chapter 8.9 (commencing with Section 10089.7) of Part 1 of Division 2 of the Insurance Code, relating to earthquake insurance, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 895**—An act to amend Section 51.3 of the Civil Code, relating to civil rights.

**SENATE BILL NO. 920**—An act to add Chapter 14 (commencing with Section 11652) to Division 10 of the Health and Safety Code, relating to the Statewide Integrated Narcotics System.

**SENATE BILL NO. 944**—An act to add Sections 2550.5, 2550.6, and 2550.7 to the Education Code, relating to pupils.

**SENATE BILL NO. 1055**—An act to add Article 1.9 (commencing with Section 26639.5) to Chapter 2 of Part 3 of Division 2 of Title 3 of the Government Code, relating to county officers.

**SENATE BILL NO. 1143**—An act to amend Section 6250 of, and to add Article 4 (commencing with Section 6600) to Chapter 2 of Part 2 of Division 6 of, the Welfare and Institutions Code, relating to sexual predators.

**SENATE BILL NO. 1162**—An act to amend Section 23170 and 23175 to the Vehicle Code, relating to vehicles.

**SENATE BILL NO. 1194**—An act to amend Section 1265.7 of the Health and Safety Code, and to amend Section 14132a of the Welfare and Institutions Code, relating to health facilities.

**SENATE BILL NO. 1222**—An act to amend Sections 25117, 25141, 25141.5, 25160, 25174, 25174.6, 25200.3, 25200.14, 25205.7, and 25245.4 of, to add Sections 25200.15 and 25200.18 to, to repeal Sections 25155.5, 25155.6, 25155.7, and 25174.9 of, and to repeal and add Article 7.7 (commencing with Section 25179.1) of Chapter 6.5 of Division 20 of, the Health and Safety Code, relating to hazardous waste.

**SENATE BILL NO. 1301**—An act to add Chapter 1.7 (commencing with Section 66004) to Part 40 of the Education Code, relating to postsecondary education, and making an appropriation therefor.

**SENATE BILL NO. 1313**—An act to amend Section 2240 of, and to repeal and add Article 2 (commencing with Section 2220) of, Chapter 3 of Division 2 of, the Elections Code, relating to voter registration.

**SENATE BILL NO. 1328**—An act to amend Sections 1033 and 10541 of the Insurance Code, relating to insurance.

## **REPORTS OF STANDING COMMITTEES**

### **Committee on Budget**

Date of Hearing: May 25, 1995

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 825

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

VASCONCELLOS, Chairman

Above bill ordered to second reading.

### **Committee on Appropriations**

Date of Hearing: May 31, 1995

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 940

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

PRINGLE, Chairman

Above bill ordered to second reading.

**MESSAGES FROM THE GOVERNOR**

The following message from the Governor was received and ordered printed in the Journal:

**Governor's Message  
Reorganization Plan No. 2 of 1995**

Governor's Office, Sacramento  
May 31, 1995

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

Dear Assembly Members: It is my pleasure to submit to you and the Legislature Reorganization Plan #2 for 1995. The Plan calls for the consolidation of the State's energy functions and programs into a single department, the expanded and newly titled Department of Energy and Conservation. The Plan is being submitted to you in conformance with the provision of Section 12080.2 of the Government Code.

After careful consideration and wide consultation with many Californians, I have found this reorganization to be in the public interest. The consolidation of the energy functions of the Department of Conservation and the California Energy Commission is long overdue. The merger of these two entities into the Department of Energy Conservation will create a primary point of accountability for the State's energy programs; allow for more rapid deployment of coordinated government action to meet California's energy needs; and, lead to the reduction of overlapping and the redundant bureaucracies.

While this reorganization transfers functions to the Department of Energy and Conservation, it does not abolish any functions. This reorganization does provide for the appointment of state officials, particularly the Director of Energy and Conservation and declare the appointment of such officers to be in the public interest in order to effectively implement this reorganization.

Thank you in advance for your consideration.

Sincerely,

PETE WILSON

cc: Assemblyman Brulte

**RECEIPT**

I acknowledge receipt this 31st day of May, 1995, at 4:45 p.m., of the Governor's Reorganization Plan No. 2, pursuant to Government Code Section 12080.2, delivered to me personally by Karen Morgan.

**LAWRENCE A. MURMAN**  
Assistant Chief Clerk of the Assembly

Governor's Reorganization Plan No. 2 of 1995 ordered held at the Desk and printed as a separate document.

**REPORTS OF STANDING COMMITTEES****Committee on Budget**

Date of Hearing: May 31, 1995

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 111

With amendments but without recommendation.

VASCONCELLOS, Chairman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: May 31, 1995

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 92

Assembly Bill No. 733

Assembly Bill No. 203

Assembly Bill No. 789

Assembly Bill No. 349

Assembly Bill No. 888

Assembly Bill No. 383

~~Assembly Bill No. 1081~~

Assembly Bill No. 388

Assembly Bill No. 1431

Assembly Bill No. 574

Assembly Bill No. 1881

Assembly Bill No. 632

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

PRINGLE, Chairman

Above bills ordered to second reading.

(NOTE: On June 1, 1995, the action was rescinded whereby the above Report of the Committee on Appropriations relative to Assembly Bill No. 1081 was received and read in the Assembly and whereby the bill was ordered to second reading. See page 1887.)

**SECOND READING OF BILLS BY UNANIMOUS CONSENT**

Pursuant to unanimous consent granted earlier this day, the following bills were taken up without reference to file for purpose of second reading and adoption of committee amendments:

**ASSEMBLY BILL NO. 111**—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

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

**ASSEMBLY BILL NO. 92**—An act to amend Sections 12023, 12026, 12026.1, and 12026.2 of, and to add and repeal Section 12038 of, the Penal Code, relating to firearms.

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

**ASSEMBLY BILL NO. 203**—An act to add and repeal Chapter 10 (commencing with Section 15399.40) of Part 6.7 of Division 3 of Title 2 of the Government Code, relating to supercomputer centers, 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 adopted, bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 349**—An act to add Sections 51012.4 and 51017 to the Government Code, relating to pipeline safety.

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

**ASSEMBLY BILL NO. 383**—An act to add and repeal Section 13826.45 of the Penal Code, relating to gangs, 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 adopted, bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 388**—An act to add Article 10 (commencing with Section 11525) to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public social services.

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

**ASSEMBLY BILL NO. 574**—An act to amend Sections 13510 and 13526.1 of the Penal Code, relating to peace officers, and making an appropriation therefor.

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

**ASSEMBLY BILL NO. 632**—An act to amend Sections 12025 and 12031 of, and to repeal Section 12031.5 of, the Penal Code, relating to firearms.

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

**ASSEMBLY BILL NO. 733**—An act to add Sections 4026.7 and 4026.8 to the Health and Safety Code, relating to drinking water.

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

**ASSEMBLY BILL NO. 789**—An act to add Chapter 5.3 (commencing with Section 8830) to Part 6 of the Education Code, relating to child care.

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

**ASSEMBLY BILL NO. 888**—An act to amend Section 6250 of, and to add Article 4 (commencing with Section 6600) to Chapter 2 of Part 2 of Division 6 of, the Welfare and Institutions Code, relating to sexual predators.

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

**ASSEMBLY BILL NO. 1081**—An act to amend Section 7073 of, and to add Section 7073.8 to, the Government Code, relating to economic development.

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

(NOTE: On June 1, 1995, the action was rescinded whereby Assembly Bill No. 1081 was read a second time, amendments proposed by the Committee on Appropriations read and adopted, and the bill ordered reprinted and ordered returned to the second reading file. See page 1887.)

**ASSEMBLY BILL NO. 1431**—An act to amend Section 35033 of the Public Resources Code, relating to ocean resources.

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

**ASSEMBLY BILL NO. 1881**—An act to amend Sections 311.2, 311.3, 311.4, and 311.11 of, and to repeal Section 311.1 of, the Penal Code, relating to crimes.

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

### REPORTS OF STANDING COMMITTEES

#### Committee on Appropriations

Date of Hearing: May 31, 1995

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 12	Assembly Bill No. 291
Assembly Bill No. 42	Assembly Bill No. 295
Assembly Bill No. 49	Assembly Bill No. 350
Assembly Bill No. 95	Assembly Bill No. 399
Assembly Bill No. 114	Assembly Bill No. 442
Assembly Bill No. 118	Assembly Bill No. 456
Assembly Bill No. 133	Assembly Bill No. 491
Assembly Bill No. 136	Assembly Bill No. 521
Assembly Bill No. 137	Assembly Bill No. 593
Assembly Bill No. 144	Assembly Bill No. 625
Assembly Bill No. 145	Assembly Bill No. 650
Assembly Bill No. 174	Assembly Bill No. 692
Assembly Bill No. 187	Assembly Bill No. 698
Assembly Bill No. 200	Assembly Bill No. 720
Assembly Bill No. 201	Assembly Bill No. 752
Assembly Bill No. 207	Assembly Bill No. 878

With the recommendation: Do pass.

PRINGLE, Chairman

Above bills ordered to second reading.

Date of Hearing: May 31, 1995

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 918	Assembly Bill No. 1342
Assembly Bill No. 922	Assembly Bill No. 1343
Assembly Bill No. 928	Assembly Bill No. 1361
Assembly Bill No. 981	Assembly Bill No. 1397
Assembly Bill No. 1012	Assembly Bill No. 1513
Assembly Bill No. 1035	Assembly Bill No. 1543
Assembly Bill No. 1041	Assembly Bill No. 1577
Assembly Bill No. 1046	Assembly Bill No. 1605
Assembly Bill No. 1157	Assembly Bill No. 1606
Assembly Bill No. 1178	Assembly Bill No. 1608
Assembly Bill No. 1184	Assembly Bill No. 1764
Assembly Bill No. 1187	Assembly Bill No. 1788
Assembly Bill No. 1189	Assembly Bill No. 1818
Assembly Bill No. 1253	Assembly Bill No. 1906
Assembly Bill No. 1300	

With the recommendation: Do pass.

PRINGLE, Chairman

Above bills ordered to second reading.

### ADJOURNMENT

At 9:30 p.m., the Assembly adjourned until 8 a.m., Thursday, June 1, 1995.

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WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 31, 1995**

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

*Assembly Bills*

92  
111  
203  
349  
383  
388  
574  
632  
733  
789  
888  
1081  
1431  
1881