

CALIFORNIA LEGISLATURE  
1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 5, 1996**

**TWO HUNDRED TWENTY-SIXTH SESSION DAY  
FIVE HUNDRED FORTY-NINTH 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, June 5, 1996

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 Sue Parker reading.

#### ROLL CALL

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

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

Quorum present.

**At 1 p.m., Hon. Mickey Conroy, 71st 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 Vasconcellos.*

*Because of illness: Assembly Member Kuehl.*

**COMMUNICATIONS**

The following communications were presented by the Chief Clerk and ordered printed in the Journal:

**Explanation of Vote—Assembly Bill No. 3174**

June 5, 1996

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that during last Thursday's (May 30) floor session I inadvertently cast a "no" vote on Assembly Bill 3174. It was my intention and still is, to support this measure to hopefully move it to conference by voting "aye". However, due to this House's rules regarding vote corrections, I am unable to have the vote tabulation properly record my support. I would therefore like to submit this letter to accurately reflect my position and intentions with respect to Assembly Bill 3174.

Respectfully submitted,

CRUZ M. BUSTAMANTE, Assembly Member  
Thirty-first District

**Explanation of Vote—Assembly Bill No. 2482**

June 5, 1996

*Chief Clerk  
Mr. Dotson Wilson  
Room 3196  
State Capitol*

Dear Dotson: Last Thursday, May 30, 1996, when the roll call was taken on file item #76—AB 2482 (Pringle) I voted "aye" but reconsidered and changed my vote by signature on the ballot to "no". Inadvertently, due to the late hour, I omitted to make the voice vote change announcement at the end of Session.

Please let the record reflect my intention to be recorded as a "no" vote on AB 2482. Thank you.

Sincerely,

MARTHA ESCUTIA, Assembly Member  
Fiftieth District

**APPOINTMENT OF COMMITTEES ON CONFERENCE**

The Speaker appointed the following Assembly Members as Committees on Conference concerning:

Assembly Bill No. 2049: Miller, Ducheny, and Poochigian.

Senate Bill No. 1393: Miller, Ducheny, and Poochigian.

Senate Bill No. 49: Knowles, Brulte, and Kevin Murray.

Assembly Bill No. 423: Olberg, Richter, and Sweeney.

Assembly Bill No. 3054: House, Thompson, and Brown.

Assembly Bill No. 3268: House, Thompson, and Brown.

Senate Bill No. 728: House, Thompson, and Brown.

**CHANGES IN CONFEREES—CONFERENCE COMMITTEE ON  
SENATE BILL NO. 38**

The Speaker made the following changes in the Conference Committee on Senate Bill No. 38:

Assembly Member Pringle, in place of Assembly Member Hannigan.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 5, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 2888

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 5, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
House Resolution No. 51

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**AUTHOR'S AMENDMENTS**

**Committee on Elections, Reapportionment and Constitutional Amendments**

June 5, 1996

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

Assembly Bill No. 3481

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

MCPHERSON, Chairman

**ASSEMBLY BILL NO. 3481**—An act to amend Section 84305.5 of the Government Code, relating to the Political Reform Act of 1974, 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 Water, Parks and Wildlife**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Senate Concurrent Resolution No. 51

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

CORTESE, Chairman

**SENATE CONCURRENT RESOLUTION NO. 51**—Relative to the Lake Domenigoni Reservoir.

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 Labor and Employment**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:  
Senate Bill No. 500

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

HOUSE, Chairman

**SENATE BILL NO. 500**—An act to amend Section 1182 of the Labor Code, relating to minimum wage.

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**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Senate Bill No. 1923

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

HOGE, Chairman

**SENATE BILL NO. 1923**—An act to add and repeal Section 23817.8 of the Business and Professions Code, relating to alcoholic beverages, 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 Judiciary**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Senate Bill No. 744

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

MORROW, Chairman

**SENATE BILL NO. 744**—An act to amend Section 1942.5 of the Civil Code, relating to landlord-tenant.

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 Health**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Health reports:  
Senate Bill No. 1581

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

GRANLUND, Chairman

**SENATE BILL NO. 1581**—An act to add Section 1363.05 to the Health and Safety Code, and to amend Section 10194.7 of the Insurance Code, relating to health 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**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:  
Senate Bill No. 1112

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

HOUSE, Chairman

**SENATE BILL NO. 1112**—An act to amend Section 2675 of, and to add Section 2675.2 to, the Labor Code, relating to the garment industry.

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**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Senate Bill No. 1921

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

KNOWLES, Chairman

**SENATE BILL NO. 1921**—An act to amend Section 1241 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 Insurance**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Senate Bill No. 1739

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

KNOWLES, Chairman

**SENATE BILL NO. 1739**—An act to add Section 201.7 to the Corporations Code, and to amend Sections 11535, 11536, 11537, 11538, 11539, 11540, 11541, 11542, and 11543 of, and to add Sections 11535.1, 11537.1, 11537.2, 11537.3, 11541.1, 11542.1, 11542.2, 11543.1, 11547, and 11548 to, the Insurance Code, relating to insurance, 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 Health**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Health reports:  
Senate Bill No. 1536

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

GRANLUND, Chairman

**SENATE BILL NO. 1536**—An act to amend Section 3077 of the Business and Professions Code, relating to optometry.

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 Banking and Finance**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:  
Senate Bill No. 1318

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

GOLDSMITH, Chairman

**SENATE BILL NO. 1318**—An act to amend Section 15015 of the Corporations Code, relating to limited liability partnerships.

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 Water, Parks and Wildlife**

June 5, 1996

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Senate Bill No. 1904  
Senate Bill No. 1205

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

CORTESE, Chairman

**SENATE BILL NO. 1904**—An act to amend Section 408 of the Revenue and Taxation Code, to amend Sections 1055, 1425, 1435, 5104, 5106, 5107, 13223, and 31483 of, to add Section 13229 to, and to repeal Section 13302 of, the Water Code, and to repeal Section 141 of the Sacramento Area Flood Control Agency Act (Chapter 510 of the Statutes of 1990), relating to water, 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.

**SENATE BILL NO. 1205**—An act to amend Section 4105 of the Food and Agricultural Code, relating to fairs and expositions.

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 Judiciary**

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1530

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

MORROW, Chairman

Above bill ordered to second reading.

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1982

Senate Bill No. 2030

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 bills be placed on the Consent Calendar.

MORROW, Chairman

Above bills ordered to second reading.

**Committee on Utilities and Commerce**

Date of Hearing: June 4, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 1139

Senate Bill No. 1141

With the recommendation: Do pass.

CONROY, Chairman

Above bills ordered to second reading.

Date of Hearing: June 4, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 1572

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

CONROY, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 4, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 678

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

CONROY, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 4, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Concurrent Resolution No. 54

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

CONROY, Chairman

Above resolution re-referred to the Committee on Appropriations.



Date of Hearing: June 4, 1996

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Constitutional Amendment No. 21

With amendments with the recommendation: Amend, be adopted, as amended, and be re-referred to the Committee on Elections, Reapportionment and Constitutional Amendments.

CONROY, Chairman

Above resolution ordered to second reading.

**Committee on Housing and Community Development**

Date of Hearing: June 5, 1996

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

Senate Bill No. 1594

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

HAWKINS, Chairman

Above bill ordered to second reading.

Date of Hearing: June 5, 1996

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

Senate Bill No. 2112

With the recommendation: Do pass.

HAWKINS, Chairman

Above bill ordered to second reading.

Date of Hearing: June 5, 1996

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

Senate Bill No. 1450

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

HAWKINS, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Appropriations**

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 57

Assembly Concurrent Resolution No. 61

Assembly Concurrent Resolution No. 68

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

POOCHIGIAN, Chairman

Above resolutions ordered to second reading.

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 50

Assembly Concurrent Resolution No. 84

Assembly Concurrent Resolution No. 85

With the recommendation: Be adopted.

POOCHIGIAN, Chairman

Above resolutions ordered to third reading.

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1192

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.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2757

Assembly Bill No. 2930

Assembly Bill No. 3306

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bills ordered to second reading.

Date of Hearing: June 5, 1996

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 415

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bill ordered to second reading.

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

**ASSEMBLY BILL NO. 3497**—An act relating to corrections, and declaring the urgency thereof, to take effect immediately.

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

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, June 6, 1996.

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CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JUNE 5, 1996**

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

<b>AB</b>	<b>RN</b>
3481	9620346
3497	96201555

<b>SB</b>	<b>RN</b>
500	9620378
744	9620069
1112	9620315
1205	9620335
1318	9620280
1536	9619888
1581	9617798
1739	9619725
1904	9619374
1921	9618816
1923	9620016

<b>SCR</b>	<b>RN</b>
51	9620389