

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 14, 1995

NINETY-FIRST SESSION DAY

ONE HUNDRED NINETY-SECOND 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, June 14, 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 Sue Walker reading.

ROLL CALL

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

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

Quorum present.

At 1:43 p.m., Hon. Debra Bowen, 53rd 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 Setencich.

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

Because of illness: Assembly Member Boland.

The following Assembly Member was excused for the day, and his per diem was waived: Isenberg.

EXPLANATIONS OF ABSENCE

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

June 14, 1995

*The Honorable Doris Allen
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Allen: Please excuse me from check-in session on June 14, 1995 as I have legislative business in my district.

Thank you for your consideration.

Sincerely,

BRIAN SETENCICH, Assembly Member
Thirtieth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 14, 1995

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

Assembly Constitutional Amendment No. 12

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 14, 1995

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

Assembly Bill No. 271

Assembly Bill No. 1191

Assembly Bill No. 397

Assembly Bill No. 1277

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, June 14, 1995

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

Assembly Bill No. 58

Assembly Bill No. 531

Assembly Bill No. 1943

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

June 14, 1995

Mme. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 615

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

PRINGLE Chairman

SENATE BILL NO. 615—An act to amend Sections 1174.2, 1174.4, and 6228 of the Penal Code, relating to sentencing.

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 14, 1995

Mme. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 832

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

ISENBERG, Chairman

SENATE BILL NO. 832—An act to amend Sections 703.140, 704.010, 704.030, 704.040, 704.060, 704.080, 704.100, and 704.780 of, the Code of Civil Procedure, relating to debtor-creditor relations.

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 14, 1995

Mme. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 1029

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

ISENBERG, Chairman

SENATE BILL NO. 1029—An act to add Section 1375 to the Civil Code, relating to civil law.

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 Housing and Community Development

June 14, 1995

Mme. Speaker: The Chair of your Committee on Housing and Community Development reports:

Senate Bill No. 69

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

HAUSER, Chairman

SENATE BILL NO. 69—An act to amend Section 798.61 of the Civil Code, to amend Sections 700.080 and 715.010 of the Code of Civil Procedure, and to amend Section 18005.8 of, and to add Section 18080.9 to, the Health and Safety Code, relating to mobilehomes, and making an appropriation therefor.

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 Appropriations

June 14, 1995

Mme. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 689

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

PRINGLE, Chairman

ASSEMBLY BILL NO. 689—An act to amend Section 830.7 of the Penal Code, and to add Sections 5321 and 5322 to the Public Utilities Code, relating to household goods carriers.

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 Public Safety

June 14, 1995

Mme. Speaker: The Chair of your Committee on Public Safety reports:
Senate Bill No. 911

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

BOLAND, Chairwoman

SENATE BILL NO. 911—An act to amend Sections 422.75, 422.95, 1547, and 11413 of the Penal Code, relating to hate crimes.

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

June 14, 1995

Mme. Speaker: The Chair of your Committee on Natural Resources reports:
Senate Bill No. 872

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

SHER, Chairman

SENATE BILL NO. 872—An act to amend Section 8670.7 of the Government Code, relating to oil spills.

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 Appropriations

Date of Hearing: June 14, 1995

Mme. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 1758

With the recommendation: That the bill be re-referred to the Committee on Health.

PRINGLE, Chairman

Above bill re-referred to the Committee on Health.

Date of Hearing: June 14, 1995

Mme. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 1055

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

PRINGLE, Chairman

Above bill ordered to second reading.

Date of Hearing: June 14, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 128

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

PRINGLE, Chairman

Above bill ordered to second reading.

Date of Hearing: June 14, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Joint Resolution No. 30

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 resolution be placed on the Consent Calendar.

PRINGLE, Chairman

Above resolution ordered to Consent Calendar.

Date of Hearing: June 14, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 7

Senate Bill No. 364

Senate Bill No. 170

Senate Bill No. 604

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.

PRINGLE, Chairman

Above bills ordered to second reading.

Date of Hearing: June 14, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 233

With the recommendation: Do pass.

PRINGLE, Chairman

Above bill ordered to second reading.

Committee on Insurance

Date of Hearing: June 13, 1995

Mme. Speaker: Your Committee on Insurance reports:

Senate Bill No. 733

Senate Bill No. 905

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.

KNOWLES, Chairman

Above bills ordered to second reading.

Date of Hearing: June 13, 1995

Mme. Speaker: Your Committee on Insurance reports:

Senate Bill No. 247

Senate Bill No. 680

Senate Bill No. 682

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

KNOWLES, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Revenue and Taxation

Date of Hearing: June 12, 1995

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 3

Senate Bill No. 209

Senate Bill No. 311

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

McDONALD, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 12, 1995

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 720

Senate Bill No. 721

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.

McDONALD, Chairwoman

Above bills ordered to second reading.

Date of Hearing: June 12, 1995

Mme. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 364

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

McDONALD, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Committee on Public Safety

May 30, 1995

Mme. Speaker: Your Committee on Public Safety reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 44

Assembly Bill No. 592

Assembly Bill No. 75

Assembly Bill No. 1009

Assembly Bill No. 190

Assembly Bill No. 1059

Assembly Bill No. 359

BOLAND, Chairwoman

Above bills ordered filed with the Chief Clerk.

Committee on Judiciary

June 8, 1995

Mme. Speaker: Your Committee on Judiciary reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 41

ISENBERG, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Local Government

June 6, 1995

Mme. Speaker: Your Committee on Local Government reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 96

RAINEY, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Public Safety

Date of Hearing: June 13, 1995

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 775

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

BOLAND, Chairwoman

Above bill ordered to second reading.

Date of Hearing: June 13, 1995

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 317

Senate Bill No. 1093

Senate Bill No. 1095

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.

BOLAND, Chairwoman

Above bills ordered to second reading.

Date of Hearing: June 13, 1995

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 132

Senate Bill No. 419

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

BOLAND, Chairwoman

Above bills re-referred to the Committee on Appropriations.

ACTION RESCINDED ON SENATE BILL NO. 133

Assembly Member Boland was granted unanimous consent to rescind the action whereby on June 7, 1995 (Assembly Journal, page 2022), the Report of the Committee on Public Safety relative to Senate Bill No. 133, was received and read in the Assembly, and whereby on June 8, 1995 (Assembly Journal, page 2046), the bill was read a second time and 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. 271, 397, 1191, and 1277, ordered to third reading.

**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. 110, ordered to the Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 14, 1995

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

Assembly Joint Resolution No. 15

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of June, 1995, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

COMMUNICATIONS

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

June 14, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3195

Sacramento, California

Dear Dotson: Please be advised that Assemblymember Bob Margett will no longer serve on the Assembly Rules Committee.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

June 14, 1995

E. Dotson Wilson

Chief Clerk

State Capitol, Room 3195

Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to the Assembly Rules Committee.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

ADJOURNMENT

At 7:15 p.m., the Assembly adjourned until 9 a.m., Thursday, June 15, 1995.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 14, 1995**

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

Assembly Bill

689

Senate Bills

69

615

832

872

911

1029