

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, June 28, 1995**

**NINETY-NINTH SESSION DAY**

**TWO HUNDRED SIXTH 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 28, 1995

The Assembly met at 9:30 a.m.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Goldsmith moved a quorum call of the Assembly.

Motion carried. Time, 9:31 a.m.

The Majority Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

#### CAUCUS ANNOUNCEMENTS

At 10:15 a.m., Majority Speaker pro Tempore Setencich announced that the Democratic Caucus would meet, at this time, in the Tom Bane Rules Committee Room.

#### QUORUM PRESENT

At 11:53 a.m., Majority Speaker pro Tempore Setencich declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—78:

Aguiar	Cannella	Kaloogian	Olberg
Alby	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	Margett	Sweeney
Bowen	Callegos	Martinez	Takasugi
Bowler	Goldsmith	Mazzoni	Thompson
Brewer	Granlund	McDonald	Tucker
Brown, Valerie	Hannigan	McPherson	Vasconcellos
Brown, Willie	Harvey	Miller	Villaraigosa
Brulte	Hauser	Morrissey	Weggeland
Burton	Hawkins	Morrow	Woods
Bustamante	Hoge	Murray, Kevin	Mme. Speaker
Caldera	House	Murray, Willard	
Campbell	Isenberg	Napolitano	

**PRAYER**

Upon invitation of Majority Speaker pro Tempore Setencich, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

*O Lord in Heaven, Strengthen our God-fearing leaders; make firm the faith; calm the nations, pacify the world; protect this beautiful state we live in; place our departed parents, kin and friends where the just dwell; and accept us in repentance as a good and loving God.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Majority Speaker pro Tempore Setencich, Assembly Member Bustamante then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Cortese, seconded by Assembly Member Cunneen.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

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

**COMMUNICATIONS**

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

June 28, 1995

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Dotson: Please be advised that I will serve as Chairwoman of the Assembly Select Committee on the Insolvency of Orange County and Assemblymember Marguerite Archie-Hudson will serve as Vice Chairwoman of this committee for the 1995-96 Regular Legislative Session. I have also appointed Assemblymembers Brett Granlund and Bernie Richter to this committee. Assemblymembers Mike Sweeney and Bruce Thompson will no longer serve on this select committee.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Brett Granlund to the Assembly Budget Committee to fill an existing vacancy for today's hearing only, June 28, 1995.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymembers Mickey Conroy and Peter Frusetta to the Assembly Appropriations Committee to fill existing vacancies for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that Assemblymember Marilyn Brewer will not serve as Chairwoman of the Assembly Human Services Committee, but will continue to serve as a member for the hearing today only, June 28, 1995. I have appointed Assemblymember Brett Granlund to this committee as Chairman, to fill an existing vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Bruce McPherson to the Assembly Education Committee to fill an existing vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN  
Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Mickey Conroy as Vice Chairman of the Assembly Utilities and Commerce Committee.

Sincerely,

DORIS ALLEN  
Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember James Brulte to the Assembly Water, Parks and Wildlife Committee to fill an existing vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN  
Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Ted Weggeland to the Assembly Agriculture Committee to fill an existing vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN  
Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I will not serve on the Assembly Education Committee for today only, June 28, 1995 and that I have appointed Assemblymember Jim Cunneen to this committee in my place for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

June 28, 1995

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

Dear Dotson: Please be advised that I will no longer serve on the Assembly Water, Parks and Wildlife Committee. I have also appointed Assemblymember Curt Pringle to this committee to fill my vacancy for the hearing today only, June 28, 1995.

Sincerely,

DORIS ALLEN

Speaker of the Assembly

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, June 28, 1995

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

Assembly Bill No. 531

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 28, 1995

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

Assembly Bill No. 365

Assembly Bill No. 917

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

#### **AUTHOR'S AMENDMENTS**

##### **Committee on Local Government**

June 28, 1995

Mme. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 288

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

RAINEY, Chairman

**SENATE BILL NO. 288**—An act to add Sections 36550.3 and 36552 to the Streets and Highways Code, relating to assessments.

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 Higher Education**

Date of Hearing: June 27, 1995

Mme. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 4	Senate Bill No. 433
Senate Bill No. 179	Senate Bill No. 1062
Senate Bill No. 400	Senate Bill No. 703

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

ARCHIE-HUDSON, Chairwoman

Above bills re-referred to the Committee on Appropriations.

#### **Committee on Health**

Date of Hearing: June 27, 1995

The Committee on Health reports:

Senate Bill No. 316	Senate Bill No. 762
Senate Bill No. 675	Senate Bill No. 779
Senate Bill No. 685	Senate Bill No. 1169

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

ALLEN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

#### **Committee on Consumer Protection, Governmental Efficiency and Economic Development**

Date of Hearing: June 27, 1995

Mme. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 137	Senate Bill No. 679
Senate Bill No. 286	Senate Bill No. 888
Senate Bill No. 378	Senate Bill No. 1265

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

SPEIER, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 27, 1995

Mme. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 477
Senate Bill No. 648
Senate Bill No. 1174

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

SPEIER, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 27, 1995

Mme. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 452
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With the recommendation: Do pass, and be re-referred to the Committee on Judiciary.

SPEIER, Chairwoman

Above bill re-referred to the Committee on Judiciary.

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

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

**Senate Joint Resolution No. 10.**

**BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file.

**Assembly Bill No. 397**, on request of Assembly Member Bustamante.

**RECESS**

By unanimous consent, at 11:55 a.m., Majority Speaker pro Tempore Setencich declared the Assembly recessed.

**REASSEMBLED**

At 4:16 p.m., the Assembly reconvened.

Hon. Brian Setencich, Majority Speaker pro Tempore of the Assembly, presiding.

**JOINT RULE 62(a) WAIVED**

Assembly Member Poochigian was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 531 for hearing in the Committee on Appropriations.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Granlund was granted unanimous consent that the Committee on Human Services be permitted to hold a meeting today, upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing:

Senate Bills Nos. 503, 520, 575, 732, 817, 965, 971, 973, and 1262.

**MOTION TO ADJOURN**

At 4:17 p.m., Assembly Member Hannigan moved that the Assembly do now adjourn.

Assembly Member Bustamante seconded the motion.

Motion carried.

**ADJOURNMENT**

At 4:18 p.m., pursuant to the motion by Assembly Member Hannigan, the Assembly adjourned until 1 p.m., Thursday, June 29, 1995.

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DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JUNE 28, 1995**

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The following measure was amended in the Assembly on this day:

*Senate Bill*

288