

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, July 2, 1996

**TWO HUNDRED FORTY-SECOND SESSION DAY
FIVE HUNDRED SEVENTY-SIXTH 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
Tuesday, July 2, 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 Akiba H. Howard reading.

ROLL CALL

The following were placed upon the morning roll call—78:

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

Quorum present.

At 1:41 p.m., Hon. Martin Gallegos, 57th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

COMMUNICATIONS

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

July 2, 1996

E. Dotson Wilson
Chief Clerk, State Assembly
State Capitol, Room 3196

Dear Mr. Wilson: Please be advised that Assembly Member Phil Hawkins is temporarily appointed to the Public Safety Committee for the purpose of today's hearing, replacing Assembly Member James Rogan.

Sincerely,

CURT PRINGLE
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 2, 1996

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

Assembly Joint Resolution No. 60

And reports the same correctly enrolled, and presented to the Secretary of State on the 2nd day of July, 1996, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 2, 1996

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

Assembly Bill No. 2138

~~Assembly Bill No. 2755~~

With author's amendments, and presented to the Governor at 11 a.m., July 2, 1996.

E. DOTSON WILSON, Chief Clerk

(NOTE: On July 11, 1996, the action was rescinded whereby Assembly Bill No. 2755 was reported correctly enrolled and presented to the Governor. See page 7988.)

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 2, 1996

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

Senate Bill No. 515

Senate Bill No. 909

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

POOCHIGIAN, Chairman

SENATE BILL NO. 515—An act to amend Sections 2900, 21202, 21208, 21212, 21750, 23110, and 39002 of, and to repeal Section 39012 of, the Vehicle Code, relating to vehicles.

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. 909—An act to add Article 3 (commencing with Section 79140) to Chapter 9 of Part 48 of the Education Code, to amend Section 1777.5 of the Labor Code, and to amend Section 10214.5 of the Unemployment Insurance Code, relating to postsecondary education, 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.

REPORTS OF STANDING COMMITTEES
Committee on Natural Resources

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Joint Resolution No. 52

With the recommendation: Be adopted.

OLBERG, Chairman

Above resolution ordered to third reading.

Committee on Revenue and Taxation

Date of Hearing: July 1, 1996

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

Senate Bill No. 1447

Senate Bill No. 1909

Senate Bill No. 1506

Senate Bill No. 2023

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

TAKASUGI, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 1996

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

Senate Bill No. 44

With the recommendation: Do pass.

TAKASUGI, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1996

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

Senate Bill No. 1563

Senate Bill No. 2106

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.

TAKASUGI, Chairman

Above bills ordered to second reading.

Date of Hearing: July 1, 1996

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

Senate Bill No. 1692

Senate Bill No. 1804

Senate Bill No. 1737

Senate Bill No. 1836

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

TAKASUGI, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Utilities and Commerce

Date of Hearing: July 1, 1996

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

Senate Joint Resolution No. 48

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.

CONROY, Chairman

Above resolution ordered to Consent Calendar.

Date of Hearing: July 1, 1996

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

Senate Bill No. 1398

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.

Committee on Natural Resources

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 2038

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.

OLBERG, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1888

With the recommendation: Do pass.

OLBERG, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 2007

Senate Bill No. 2073

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

OLBERG, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1410

Senate Bill No. 2170

Senate Bill No. 2174

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

OLBERG, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Governmental Organization

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 2114

With the recommendation: Do pass.

HOGUE, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 323

Senate Bill No. 1470

Senate Bill No. 1401

Senate Bill No. 2118

Senate Bill No. 1439

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

HOGE, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1923

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

HOGE, Chairman

Above bill ordered to second reading.

Committee on Higher Education

Date of Hearing: June 25, 1996

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 1809

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

FIRESTONE, Chairman

Above bill ordered to second reading.

Committee on Rules

Assembly Chamber, July 1, 1996

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 1507

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

PRINGLE, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Rules reports:

Senate Bill No. 1138

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

PRINGLE, Chairman

Above bill re-referred to the Committee on Transportation.

Committee on Elections, Reapportionment and Constitutional Amendments

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 1421

Senate Bill No. 1799

With the recommendation: Do pass.

McPHERSON, Chairman

Above bills ordered to second reading.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 1841

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

MCPHERSON, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 1251

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

MCPHERSON, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Constitutional Amendment No. 21

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

MCPHERSON, Chairman

Above resolution re-referred to the Committee on Appropriations.

Committee on Governmental Organization

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 1864

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

HOGE, Chairman

Above bill ordered to second reading.

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Concurrent Resolution No. 89

With amendments with the recommendation: Amend, and be adopted, as amended.

HOGE, Chairman

Above resolution ordered to second reading.

Committee on Revenue and Taxation

Date of Hearing: July 1, 1996

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

Senate Bill No. 715

Senate Bill No. 1827

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

TAKASUGI, Chairman

Above bills ordered to second reading.

Committee on Natural Resources

Date of Hearing: July 1, 1996

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1445

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

OLBERG, Chairman

Above bill ordered to second reading.

Committee on Education

Date of Hearing: June 26, 1996

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 2138

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

BALDWIN, Chairman

Above bill ordered to second reading.

**CONSIDERATION OF DAILY 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 Bills Nos. 1306 and 1382, ordered to third reading;**Senate Bill No. 1493**, ordered to the Consent Calendar.**SECOND READING OF SENATE BILLS****SENATE BILL NO. 441**—An act to add Chapter 2 (commencing with Section 55850) to Part 3 of Division 2 of Title 5 of the Government Code, relating to local governmental agencies.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1152—An act to add Section 85301.1 to the Government Code, and to repeal and add Section 130051 of the Public Utilities Code, relating to transportation.

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

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

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

SENATE BILL NO. 2034—An act to add Section 69639 to, and to add Article 7 (commencing with Section 69620) to Chapter 2 of Part 42 of, the Education Code, relating to postsecondary education.

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

SENATE BILL NO. 362—An act to add Chapter 14 (commencing with Section 5970) to Division 6 of Title 1 of the Government Code, relating to public financing.

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

SENATE BILL NO. 1959—An act to amend Sections 1789.30, 1789.31, 1789.35, and 1789.37 of, and to add Section 1789.33 to, the Civil Code, and to amend Section 22050 of the Financial Code, relating to check cashers.

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

SENATE BILL NO. 1033—An act to amend Section 664.5 of, and to add Section 1278.5 to, the Code of Civil Procedure, to amend Sections 2021, 2060, 2080, 2081, 2105, 2106, 7571, 7574, and 7576 of the Family Code, and to amend Section 308 of the Welfare and Institutions Code, relating to family law.

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

SENATE BILL NO. 1843—An act to add Sections 1128.1 and 1735.1 to the Unemployment Insurance Code, relating to unemployment compensation.

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

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. 3116, on request of Assembly Member Brulte.

REPORTS OF STANDING COMMITTEES

Committee on Rules

July 1, 1996

Mr. Speaker: Your Committee on Rules recommends that the requests to suspend Joint Rule 61, as it relates to the following bills be granted:

Assembly Bill No. 3352
Senate Bill No. 1851
Senate Bill No. 1889

PRINGLE, Chairman

JOINT RULE 62(a) WAIVED

Unanimous consent was granted that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 618 for hearing in the Committee on Elections, Reapportionment and Constitutional Amendments on Wednesday, July 3, 1996.

MESSAGES FROM THE SENATE

Senate Chamber, July 2, 1996

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Craven, Sher and Boatwright as a Committee on Conference concerning:

Assembly Bill No. 2167.

JOHN W. ROVANE, Acting Secretary of the Senate

CONFERENCE COMMITTEE REPORTS RECEIVED

Assembly Chamber, July 2, 1996

Mr. Speaker: The Committee on Conference has met concerning: **Senate Bill No. 457**, as amended in Assembly on August 31, 1995, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

DAVID G. KELLEY
 QUENTIN L. KOPP

MARILYN C. BREWER
 THOMAS M. HANNIGAN
 LARRY BOWLER

Senate Committee on Conference

Assembly Committee on Conference

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 2, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports:
 Senate Bill No. 331

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

POOCHIGIAN, Chairman

SENATE BILL NO. 331—An act to amend Sections 667, 1170.12, and 1385 of the Penal Code, relating to criminal procedure, 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.

ADJOURNMENT

At 4:35 p.m., the Assembly adjourned until 7 a.m., Wednesday, July 3, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 2, 1996**

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

SB	RN
331	9623043
362	9622478
457	9622984 (Conf.)
500	9622616
515	9622788
909	9622692
1033	9622708
1152	9622583
1843	9622803
1959	9622489
2034	9622340