

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 27, 1995

**ONE HUNDRED TWENTY-FIRST SESSION DAY
TWO HUNDRED THIRTY-FIFTH 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
Thursday, July 27, 1995

By unanimous consent the Assembly met at 6:35 a.m.
Hon. Trice Harvey, Assembly Member, 32nd 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—46:

| | | | |
|----------------|-----------|-----------------|--------------|
| Aguiar | Campbell | Knight | Rainey |
| Alpert | Cannella | Knox | Richter |
| Baca | Cortese | Kuehl | Rogan |
| Boland | Davis | Lee | Setencich |
| Bordonaro | Ducheny | Machado | Sher |
| Bowler | Friedman | Martinez | Tucker |
| Brown, Valerie | Granlund | McDonald | Vasconcellos |
| Brown, Willie | Harvey | Morrow | Villaraigosa |
| Brulte | Hauser | Murray, Willard | Weggeland |
| Burton | Hawkins | Napolitano | Mme. Speaker |
| Bustamante | Kaloogian | Olberg | |
| Caldera | Katz | Pringle | |

Quorum present.

At 3:12 p.m., Minority Speaker pro Tempore Joe Baca, 62nd 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 Members Baldwin, Bowen, Brewer, Conroy, Frusetta, Gallegos, Goldsmith, Hannigan, Hoge, Knowles, Kuykendall, Margett, Mazzoni, McPherson, Miller, Morrissey, Kevin Murray, Speier, and Takasugi.

On legislative business, and waiving per diem: Assembly Members Bates, Cunneen, Firestone, and Sweeney.

On personal business, and waiving per diem: Assembly Members Alby, Escutia, Figueroa, House, Poochigian, Thompson, and Woods.

Because of a death in her family: Assembly Member Archie-Hudson.

Because of illness in his family: Assembly Member Battin.

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 explanations of absence were ordered printed in the Journal:

July 27, 1995

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

Dear Speaker Allen: Please excuse me from check-in session for Thursday, July 27, 1995 because I am in my district office on legislative business.

I have several meetings in my district office with constituents. Thank you in advance for your consideration.

Sincerely,

STEVE BALDWIN, Assembly Member
 Seventy-seventh District

July 27, 1995

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

Dear Speaker Allen: I am respectfully requesting to be excused from check-in session on Thursday, July 27, 1995, due to legislative business in my district.

Your consideration in this matter is greatly appreciated.

Sincerely,

MARILYN C. BREWER, Assembly Member
 Seventieth District

July 26, 1995

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

Dear Madame Speaker: I ask that you excuse me from check-in session tomorrow, July 27, 1995, so that I may attend to legislative business in my district.

I appreciate your consideration of my request.

Sincerely,

MICKEY CONROY, Assembly Member
 Seventy-first District

July 26, 1995

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

Dear Speaker Allen: I would like to request that I be excused from session on Thursday, July 27, waiving per diem, as I must be away from Sacramento in my district on legislative business. Thank you.

Sincerely,

JIM CUNNEEN, Assembly Member
Twenty-fourth District

July 27, 1995

*Hon. Doris Allen
Speaker of the Assembly
State Capitol
Sacramento, California*

Dear Ms. Allen, Please be advised that I will be attending a town hall meeting in my district and will miss session today. I waive my per diem.

Sincerely,

BROOKS FIRESTONE, Assembly Member
Thirty-fifth District

July 27, 1995

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

Dear Madame Speaker: Please excuse me from Check-in Session July 27, 1995. I am in my district attending to legislative business. Thank you for your consideration.

Sincerely,

PETER FRUSETTA, Assembly Member
Twenty-eighth District

July 26, 1995

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

Dear Madam Speaker: This letter is to request to be excused from check-in session on Thursday, July 27, 1995, due to legislative business meeting with constituents in my district office.

Thank you for your consideration.

Sincerely,

MARTIN GALLEGOS, D.C., Assembly Member
Fifty-seventh District

July 26, 1995

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

Dear Madame Speaker: This is to request that I be excused on Thursday, July 27, 1995 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JAN GOLDSMITH, Assembly Member
Seventy-fifth District

July 27, 1995

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

Dear Doris: I respectfully request to be excused from legislative session on Thursday, July 27, 1995 on legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

THOMAS M. HANNIGAN, Assembly Member
Eighth District

July 27, 1995

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

Dear Madam Speaker: I would appreciate being excused from Check-in Session on legislative business on Thursday, July 27, 1995.

Thank you for your consideration on this matter.

Sincerely,

BILL HOGE, Assembly Member
Forty-fourth District

July 26, 1995

*Assembly Speaker Doris Allen
State Capitol, Room 219
Sacramento, California*

Dear Mme. Speaker: Please excuse me from check-in Session for Thursday, July 27, 1995. I will be out of town until Thursday evening due to legislative business.

Thank you for your consideration on this matter.

Sincerely,

DAVID KNOWLES, Assembly Member
Fourth District

July 27, 1995

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

Dear Speaker Allen: I will be absent from Session on Thursday, July 27, 1995 due to Legislative Business.

Thank you for your attention to this matter.

Sincerely,

STEVEN T. KUYKENDALL, Assembly Member
Fifty-fourth District

July 26, 1995

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

Dear Madame Speaker: I would like to request permission to be excused from check-in session on Thursday, July 27, 1995, to travel to my district on legislative business. I will be returning on Friday, July 28, 1995 to attend session.

Sincerely,

BOB MARGETT, Assembly Member
Fifty-ninth District

July 27, 1995

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

Dear Madame Speaker: This is to advise you that I will not be in the Capitol today due to legislative business in my District Office.

Thank you for your attention to this matter.

Sincerely,

KERRY MAZZONI, Assembly Member
Sixth District

July 26, 1995

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

Dear Madame Speaker: Please excuse me from check-in session tomorrow, July 27, 1995. I will be attending to prior commitments and conducting legislative business in my district.

Thank you for your attention to this request.

Sincerely,

BRUCE MCPHERSON, Assembly Member
Twenty-seventh District

July 27, 1995

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

Dear Speaker Allen: Please excuse me from check-in session on Thursday, July 27, 1995. I will be in my district due to legislative business.

Thank you for your attention to this matter. Please do not hesitate to contact my office if you have any questions.

Sincerely,

GARY G. MILLER, Assembly Member
Sixtieth District

July 27, 1995

*Honorable Speaker Doris Allen
State Capitol, Room 219
Sacramento, California*

Dear Madam Speaker: I respectfully request permission to be excused on legislative business in my district on Thursday, July 27, 1995.

Sincerely,

JIM MORRISSEY, Assembly Member
Sixty-ninth District

July 26, 1995

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

Dear Speaker Allen: This letter is to request to be excused from Session on Thursday, July 27, 1995, on legislative business. I have very important matters in the District which I am unable to reschedule.

Your approval of my request would be greatly appreciated.

Thank you.

Yours sincerely,

KEVIN MURRAY, Assembly Member
Forty-seventh District

July 27, 1995

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

Dear Madame Speaker: I respectfully request that I be excused from check-in session today, Thursday, July 27, 1995 on legislative business in my district.

Thank you for your consideration of this request.

All the best,

JACKIE SPEIER, Assembly Member
Nineteenth District

July 26, 1995

*Hon. Doris Allen
Speaker of the Assembly
California State Legislature
State Capitol—Room 219
Sacramento, California*

Dear Madame Speaker: Please excuse me from legislative session Thursday, July 27, 1995. I will be in my district conducting legislative business and on a panel for the League of California Cities Annual Executive Forum. I will be waiving my per diem.

Thank you for your attention to this matter.

Sincerely,

MICHAEL SWEENEY, Assembly Member
Eighteenth District

July 26, 1995

*Hon. Doris Allen
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Madame Speaker: This is to request that I be excused from check-in session on Thursday, July 27, 1995 due to legislative business in my district. I will be back in Sacramento in time for Session on Friday, July 28.

Thank you for your consideration of my request.

Sincerely,

NAO TAKASUGI, Assembly Member
Thirty-seventh District

(NOTE: For letter explaining the absence of Assembly Member Bates on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Wednesday, July 26, 1995; for letter explaining the absence of Assembly Member Bowen on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for Sunday, July 23, 1995.)

COMMUNICATIONS

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

July 27, 1995

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

Dear Dotson: Please be advised that Assemblymember Peter Frusetta will no longer serve on the Assembly Labor and Employment Committee.

Sincerely,

DORIS ALLEN
Speaker of the Assembly

July 27, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Bob Margett to the Assembly Local Government Committee to fill an existing vacancy for the hearing on Friday, July 28, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

July 27, 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 Transportation Committee to fill an existing vacancy for the hearing on Friday, July 28, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

July 27, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Peter Frusetta to the Assembly Transportation Committee to fill an existing vacancy for the hearing on Friday, July 28, 1995 only.

Sincerely,

DORIS ALLEN
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 27, 1995

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

| | |
|------------------------|------------------------|
| Assembly Bill No. 21 | Assembly Bill No. 1358 |
| Assembly Bill No. 92 | Assembly Bill No. 1409 |
| Assembly Bill No. 107 | Assembly Bill No. 1461 |
| Assembly Bill No. 391 | Assembly Bill No. 1464 |
| Assembly Bill No. 434 | Assembly Bill No. 1506 |
| Assembly Bill No. 465 | Assembly Bill No. 1742 |
| Assembly Bill No. 633 | Assembly Bill No. 1806 |
| Assembly Bill No. 747 | Assembly Bill No. 1821 |
| Assembly Bill No. 867 | Assembly Bill No. 1916 |
| Assembly Bill No. 1305 | |

And reports the same correctly enrolled, and presented to the Governor at 9 a.m., July 27, 1995.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 27, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Constitutional Amendment No. 13
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, July 27, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 600
Assembly Bill No. 1110
Assembly Bill No. 1164
And reports the same correctly enrolled, and presented to the Governor at 11:30 a.m.,
July 27, 1995.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 27, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 42
And reports the same correctly enrolled, and presented to the Secretary of State on
the 27th day of July, 1995, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33—Burton. A resolution to
propose to the people of the State of California an amendment to the Constitution of
the State, by amending Section 12 of Article IV thereof, relating to the state budget.

RESOLUTIONS

The following resolution was offered:
ASSEMBLY CONCURRENT RESOLUTION NO. 42—Archie-Hudson, Baca,
Campbell, Ducheny, Isenberg, Katz, Knox, Kuehl, Lee, Martinez, McDonald, Speier,
Vasconcellos, and Villaraigosa. Relative to the Joint Committee on the Master Plan for
Higher Education.

AUTHOR'S AMENDMENTS Committee on Rules

July 27, 1995

Mme. Speaker: The Chair of your Committee on Rules reports:
Assembly Joint Resolution No. 38
With author's amendments with the recommendation: Amend, and re-refer to the
committee.

AGUIAR, Alternate Chair

ASSEMBLY JOINT RESOLUTION NO. 38—Relative to the Reserve Officer
Training Corps.

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 Appropriations

July 27, 1995

Mme. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 991
With author's amendments with the recommendation: Amend, and re-refer to the
committee.

POOCHIGIAN, Chairman

SENATE BILL NO. 991—An act to amend Section 441 of, and to add Sections 408.5 and 487 to, the Revenue and Taxation Code, relating to real property.

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: July 26, 1995

Mme. Speaker: Your Committee on Appropriations reports:

| | |
|---------------------|----------------------|
| Senate Bill No. 34 | Senate Bill No. 727 |
| Senate Bill No. 184 | Senate Bill No. 735 |
| Senate Bill No. 298 | Senate Bill No. 1016 |
| Senate Bill No. 658 | Senate Bill No. 1054 |
| Senate Bill No. 695 | Senate Bill No. 1102 |

With the recommendation: Do pass.

POOCHIGIAN, Chairman

Above bills ordered to second reading.

Date of Hearing: July 26, 1995

Mme. Speaker: Your Committee on Appropriations reports:

| | |
|---------------------|----------------------|
| Senate Bill No. 39 | Senate Bill No. 988 |
| Senate Bill No. 69 | Senate Bill No. 1109 |
| Senate Bill No. 488 | |

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.

POOCHIGIAN, Chairman

Above bills ordered to second reading.

Date of Hearing: July 26, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 20

With the recommendation: Be adopted.

POOCHIGIAN, Chairman

Above resolution ordered to third reading.

Date of Hearing: July 26, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 396

With the recommendation: Do pass, as amended.

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.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

SENATE BILL NO. 661—An act to amend Sections 289.7 and 309 of the Health and Safety Code, relating to hereditary disorders, and declaring the urgency thereof, to take effect immediately.

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

UNFINISHED BUSINESS
MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 111—Set 94 amendments, Assembly Bill No. 1574; and Senate Bill No. 772 were continued until the next legislative day.

SPECIAL COMMITTEE MEETINGS

Unanimous consent was granted that the Committee on Transportation be permitted to hold a special meeting on Friday, July 28, 1995, at 5 p.m., and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 146 for hearing.

Unanimous consent was granted that the Committee on Budget be permitted to hold a special meeting on Friday, July 28, 1995, and that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing:

Senate Bills Nos. 803, 1330, 1332, 1334, 1337, 1344, 1345, 1346, 1354, 1356, and 1358; and Assembly Bill No. 861.

ADJOURNMENT

At 3:30 p.m., the Assembly adjourned until 6 p.m., Friday, July 28, 1995.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 27, 1995**

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

*Assembly
Joint
Resolution*

38

Senate Bills

661
991