

CALIFORNIA LEGISLATURE
1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, August 6, 1996

**TWO HUNDRED FIFTIETH SESSION DAY
SIX HUNDRED ELEVENTH 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, August 6, 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—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 1:20 p.m., Hon. George House, 25th 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:

August 6, 1996

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

Dear Mr. Wilson: Please be advised that Assembly Member Knight is temporarily appointed to the Environmental Safety and Toxic Materials Committee for the day, replacing Assembly Member Alby.

Sincerely,

CURT PRINGLE
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 5, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 3504

And reports the same correctly enrolled, and presented to the Governor at 4:30 p.m., August 5, 1996.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 6, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 3503

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, August 6, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 48

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, August 6, 1996

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Constitutional Amendment No. 25

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, August 6, 1996

Mr. Speaker: I request permission to suspend Joint Rule 61 as it relates to Senate Bills Nos. 1659 and 1808.

BRETT GRANLUND

Above request ordered transmitted to the Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 97—Kaloogian. Relative to Workplace Fitness Month.

HOUSE RESOLUTION NO. 85—Goldsmith. Relative to the United States Border Patrol.

AUTHOR'S AMENDMENTS
Committee on Appropriations

August 6, 1996

Mr. Speaker: The Chair of your Committee on Appropriations reports:
 Senate Bill No. 1517

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

POOCHIGIAN, Chairman

SENATE BILL NO. 1517—An act to add Section 17956 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Agriculture

August 5, 1996

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

Assembly Bill No. 2714

HARVEY, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Elections, Reapportionment and Constitutional Amendments

Date of Hearing: July 3, 1996

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

Senate Bill No. 618

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.

August 5, 1996

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2018

Assembly Bill No. 2871

Assembly Bill No. 2283

Assembly Bill No. 2872

Assembly Bill No. 2694

Assembly Bill No. 3429

MCPHERSON, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Governmental Organization

August 5, 1996

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

Assembly Bill No. 3382

HOGE, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Insurance

June 26, 1996

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

Senate Bill No. 425

KNOWLES, Chairman

Above bill ordered filed with the Chief Clerk.

August 5, 1996

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

Senate Bill No. 542

KNOWLES, Chairman

Above bill ordered filed with the Chief Clerk.

August 5, 1996

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

Assembly Bill No. 2634

Assembly Bill No. 3185

Assembly Bill No. 2668

Assembly Bill No. 3308

Assembly Bill No. 3005

KNOWLES, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Revenue and Taxation

August 5, 1996

Mr. Speaker: Your Committee on Revenue and Taxation reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2794

TAKASUGI, Chairman

Above bill ordered filed with the Chief Clerk.

August 5, 1996

Mr. Speaker: Your Committee on Revenue and Taxation reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 2884

Assembly Bill No. 3162

Assembly Bill No. 2938

Assembly Bill No. 3212

Assembly Bill No. 2951

Assembly Bill No. 3239

Assembly Bill No. 3161

TAKASUGI, Chairman

Above bills ordered filed with the Chief Clerk.

Committee on Transportation

August 5, 1996

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

Assembly Bill No. 3368

Assembly Bill No. 3405

BOWLER, Chairman

Above bills ordered filed with the Chief Clerk.

June 25, 1996

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

Senate Bill No. 1868

BOWLER, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Higher Education

August 6, 1996

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

Assembly Bill No. 2216

FIRESTONE, Chairman

Above bill ordered filed with the Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber, August 6, 1996

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

Senate Bill No. 836.

JOHN W. ROVANE, Acting Secretary of the Senate

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. 1445, 2000, 509, 2075, and Senate Constitutional Amendment No. 19, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 744—An act to add Article 5 (commencing with Section 3361) to Chapter 2 of Title 2 of Part 1 of Division 4 of the Civil Code, relating to remedies.

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

SENATE BILL NO. 2058—An act to amend Section 1280.1 of the Code of Civil Procedure, relating to arbitration.

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

SENATE BILL NO. 2035—An act to add Chapter 1.5 (commencing with Section 8623) to Part 2 of Division 13 of the Family Code, relating to adoptions.

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. 1510—An act to amend Sections 3045.1 and 3045.4 of the Civil Code, to amend Sections 473 and 998 of the Code of Civil Procedure, to amend Sections 12583 and 68616 of the Government Code, relating to civil procedure.

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

SENATE BILL NO. 1540—An act to amend Section 47 of the Civil Code, relating to defamation.

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

SENATE BILL NO. 144—An act to amend Sections 3130, 3556, and 4845 of, and to add Sections 3135, 3136, 3137, 3655, 3655.5, 3656, 3656.5, 3657, 3657.5, 3658, and 3658.5 to, the Family 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. 1555—An act to add Section 367g to the Penal Code, relating to crimes.

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

SENATE BILL NO. 1501—An act to add Chapter 6 (commencing with Section 31300) to Division 17 of the Streets and Highways Code, relating to highways, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 1853—An act to amend Sections 11020, 11021, 11022, 11041, 11101, 11221, 11301, 11303, 11327, 11381, and 18603 of, to add Sections 100.5, 1043.5, 11105, 11106, 11107, 11108, 11109, and 11110 to, and to repeal and add Sections 11046, 11102, 11103, and 11104 of, the Elections Code, relating to election procedures.

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

SENATE BILL NO. 1280—An act relating to land and water conservation.

Bill read second time, and ordered to third reading.

WITHDRAWAL AND RE-REFERENCE OF BILLS

Unanimous consent was granted that Senate Bill No. 229 be withdrawn from the Committee on Appropriations and re-referred to the Committee on Budget.

JOINT RULE 62(a) WAIVED

Unanimous consent was granted that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 229 for hearing in the Committee on Budget, on August 7, 1996.

BILLS RETURNED TO THIRD READING FILE

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

Senate Bill No. 1077, on request of Assembly Member Morrissey;

Senate Bill No. 1120, on request of Assembly Member Bustamante.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, August 7, 1996.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 6, 1996**

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

SB	RN
144	9625269
744	9624219
1501	9624102
1510	9624992
1517	9625401 Set 2
1540	9624982
1555	9623987
1853	9624117
2035	9624148
2058	9624256