

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 14

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## INTERIM RECESS

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Assembly Chamber, Sacramento  
Friday, December 15, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Regular Session was printed while the Assembly was in Interim Study Recess:

### COMMUNICATIONS

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

December 7, 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 Joint Committee on Fisheries and Aquaculture to fill an existing vacancy.

Sincerely,

BRIAN SETENCICH  
Speaker of the Assembly

December 13, 1995

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

Dear Dotson: Please be advised that Assemblymember Jan Goldsmith will no longer serve on the Assembly Local Government Committee and the Assembly Transportation Committee.

Sincerely,

BRIAN SETENCICH  
Speaker of the Assembly

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

December 14, 1995

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

Dotson: I hereby resign my seat in the California State Assembly as a representative of the 13th District, effective 11:55 p.m. December 14, 1995.

Sincerely,

WILLIE L. BROWN, JR

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

California State Auditor

95021

December 12, 1995

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As required by Chapter 303, Statutes of 1995, the Bureau of State Audits presents its audit report concerning the actions taken by the California Student Aid Commission (commission) to address the concerns and implement the recommendations made by Deloitte & Touche in its September 28, 1994, report, entitled "An Independent Assessment of the Financial Aid Processing System." Our report concludes that the commission has not fully addressed the concerns nor fully implemented the recommendations reported by Deloitte & Touche. Although improvements have been made to the commission's Financial Aid Processing System (FAPS), the design of the FAPS database and application remains poor and the system operates inefficiently. As a result, many of the conditions reported by Deloitte & Touche continue to exist. The commission recently hired a new management team that has developed a comprehensive strategy to address the problems with FAPS. The comprehensive strategy consists of both short- and long-term plans. The long-term plan includes completing an analysis of alternative solutions to FAPS by May 1996. Therefore, because the commission is still in the process of determining the best approach to address the issues reported by Deloitte & Touche, we could not fully assess the commission's actions to address the problems with FAPS.

Respectfully submitted,

KURT R. SJOBERG  
State Auditor

Above report referred to the Committee on Higher Education.

The following communications were presented by the Chief Clerk from:

Kathleen F. DaRosa, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Increased Penalties for Hate Violence. Initiative Statute.**

Referred by the Speaker to the Committee on Public Safety.

**Marijuana Legalization. Initiative Statute.**

Referred by the Speaker to the Committee on Judiciary.

**Residency Status Verification. DMV Identification Cards. Initiative Statute.**

Referred by the Speaker to the Committee on Transportation.

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The following communications were presented by the Chief Clerk from:

Kathleen F. DaRosa, Initiative Coordinator, Department of Justice, Office of the Attorney General, transmitting copies of the ballot titles, summaries, and labels, March 26, 1996, Primary Election Ballot, for the following Propositions in accordance with the provisions of Section 6 (Chapter 310, Statutes of 1995 and Chapter 779, Statutes of 1995), and in accordance with Elections Code Sections 9050-9051, 13280-13281, and 13247, and Government Code Sections 88002-88003:

**Proposition 192  
Seismic Retrofit Bond Act of 1996  
Chapter 310, Statutes of 1995 (SB 146)**

Referred by the Speaker to the Committees on Governmental Organization and Elections, Reapportionment and Constitutional Amendments.

**Proposition 193  
Property Appraisal. Exemption. Grandparent-Grandchild Transfer.  
Legislative Constitutional Amendment.  
Resolution Chapter 110, Statutes of 1994 (ACA 17)**

Referred by the Speaker to the Committees on Revenue and Taxation and Elections Reapportionment and Constitutional Amendments.

**Proposition 194  
Prisoners. Joint Venture Program. Unemployment Benefits. Parole.  
Legislative Initiative Amendment.  
Chapter 440, Statutes of 1995 (SB 103)**

Referred by the Speaker to the Committees on Human Services and Elections, Reapportionment and Constitutional Amendments.

**Proposition 195**  
**Punishment. Special Circumstances. Carjacking. Murder of Juror.**  
**Legislative Initiative Amendment.**  
**Chapter 477, Statutes of 1995 (SB 32)**

Referred by the Speaker to the Committees on Public Safety and Elections, Reapportionment and Constitutional Amendments.

**Proposition 196**  
**Punishment for Murder. Special Circumstances. Drive-By Shootings.**  
**Legislative Initiative Amendment.**  
**Chapter 478, Statutes of 1995 (SB 9)**

Referred by the Speaker to the Committees on Public Safety and Elections, Reapportionment and Constitutional Amendments.

**Proposition 197**  
**Amendment of the California Wildlife Protection Act of 1990.**  
**Mountain Lions. Legislative Initiative Amendment.**  
**Chapter 779, Statutes of 1995 (SB 28)**

Referred by the Speaker to the Committees on Water, Parks and Wildlife and Elections, Reapportionment and Constitutional Amendments.

**Proposition 198**  
**Elections. Open Primary. Initiative Statute.**

Referred by the Speaker to the Committee on Elections, Reapportionment and Constitutional Amendments.

**Proposition 199**  
**Limits on Mobilehome Rent Control. Low-Income Rental Assistance.**  
**Initiative Statute.**

Referred by the Speaker to the Committees on Housing and Community Development and Elections, Reapportionment and Constitutional Amendments.

**Proposition 200**  
**No-Fault Motor Vehicle Insurance. Limits Lawsuits.**  
**Initiative Statute.**

Referred by the Speaker to the Committees on Insurance and Elections, Reapportionment and Constitutional Amendments.

**Proposition 201**  
**Attorney's Fees. Shareholder Actions. Class Actions.**  
**Initiative Statute.**

Referred by the Speaker to the Committees on Judiciary and Elections, Reapportionment and Constitutional Amendments.

**Proposition 202**  
**Attorney's Contingent Fees. Limits. Initiative Statute.**

Referred by the Speaker to the Committees on Judiciary and Elections, Reapportionment and Constitutional Amendments.

**REPORTS**

The following reports were presented by the Chief Clerk:

**Minority/Women/Disabled Veteran Business Enterprise Participation**  
**in Contracts Awarded by the State Teachers' Retirement System**  
**(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from James D. Mosman, Chief Executive Officer, State Teachers' Retirement System, Sacramento, dated December 1, 1995, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Report Joint Enforcement Strike Force on the Underground Economy  
(Pursuant to Senate Bill 1490, Chapter 1117, Statutes of 1994)**

Above transmitted report, together with letter of transmittal from Victoria L. Bradshaw, Director, Employment Development Department, Sacramento, dated December 13, 1995, referred by the Speaker to the Committee on Labor and Employment.

**Electronic Filing: A New Era in Campaign and Lobbying Financial Disclosure  
(Pursuant to Assembly Bill 3575)**

Above transmitted report, together with letter of transmittal from Bill Jones, Secretary of State, Sacramento, dated December 13, 1995, referred by the Speaker to the Committee on Elections, Reapportionment and Constitutional Amendments.

**Alternative Examination and Selection Program  
for Health and Welfare Agency Data Center (HWDC) Employees,  
Proposed Demonstration Project  
(Pursuant to Government Code Section 19600)**

Above transmitted report, together with letter of transmittal from C. Lance Barnett, Ph.D., Executive Officer, California State Personnel Board, Sacramento, dated December 7, 1995, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Wright, McCorquodale, and Bronzan Act  
(Pursuant to Welfare and Institutions Code Section 5800)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, Sacramento, dated December 13, 1995, referred by the Speaker to the Committee on Health.

**Progress Report on the Phase-Down of  
Rice Straw Burning in the Sacramento Valley Air Basin, 1992-94  
(Pursuant to Chapter 787, Statutes of 1991)**

Above transmitted report, together with letter of transmittal from John D. Dunlap, III, Chairman, Air Resources Board, Sacramento, dated December 12, 1995, referred by the Speaker to the Committee on Natural Resources.

**OATH OF OFFICE**

The following oath of office was administered by E. Dotson Wilson, Chief Clerk of the Assembly, and ordered printed in the Journal:

**OATH***for the Office of Speaker pro Tempore of the Assembly*

I, Fred Aguiar, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

FRED AGUIAR

Subscribed and sworn to before me,  
this 11th day of December  
A.D. 1995

E. DOTSON WILSON

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BRIAN SETENCICH, Speaker

PAM CAVILEER, Minute Clerk