

CALIFORNIA LEGISLATURE
1995-96 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 23, 1995

SECOND SESSION DAY

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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 445-6021)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 23, 1995

The Assembly met at 11:04 a.m.

Hon. Willie L. Brown, Jr., Senior Member of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Stephen J. Greene, Jr. reading.

ROLL CALL

The roll was called, and the following answered to their names—80:

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

Quorum present.

PRAYER

Upon invitation of Senior Member of the Assembly Willie Brown, the following prayer was offered by Assembly Member Dede Alpert, of the 78th Assembly District:

God, Our Father, We all wish to be remembered. It is part of that mystery in us which is akin to immortality. Give us each day the moral courage to perform each task as if it were our last; the willingness to show each person encountered the kindness of a brother or sister; and the fortitude to avoid the things that make us less human. Perhaps then the good that we do will live after us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Senior Member of the Assembly Willie Brown, Assembly Member Sweeney then led the Assembly in the pledge of allegiance to the Flag.

CONSIDERATION OF ASSEMBLY BILL NO. 6 BY UNANIMOUS CONSENT

Assembly Member Kuykendall was granted unanimous consent to take up Assembly Bill No. 6, for purpose of amendment.

ASSEMBLY BILL NO. 6 (Kuykendall)—An act to repeal and add Sections 17207 and 24347.5 of, and to repeal Sections 17208, 17208.1, 17208.2, 17208.3, 24347.6, 24347.7, 24347.8, and 24347.9 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time.

Motion to Amend

Assembly Member Kuykendall moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the second reading file.

ASSEMBLY BILL NO. 5 TAKEN UP BY UNANIMOUS CONSENT FOR SECOND READING

Assembly Member Sher was granted unanimous consent to take up Assembly Bill No. 5, for the purpose of reading the bill a second time.

ASSEMBLY BILL NO. 5—An act to add Section 8326.5 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF ASSEMBLY BILL NO. 4 BY UNANIMOUS CONSENT

Assembly Member Allen was granted unanimous consent to take up Assembly Bill No. 4, for purpose of amendment.

ASSEMBLY BILL NO. 4 (Allen)—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Assembly Member Allen moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

Further Consideration of Assembly Bill No. 4 by Unanimous Consent

Assembly Member Allen was granted unanimous consent to take up Assembly Bill No. 4, as amended, for purpose of consideration at this time, and that the bill be considered engrossed.

ASSEMBLY BILL NO. 4 (Allen)—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Is the subject matter of Assembly Bill No. 4 within the purview of the Call of the First Extraordinary Session as stated in the Governor's Proclamation?

Reply by Senior Member of the Assembly

Senior Member of the Assembly Willie Brown replied that the question may be determined by the Rules Committee, or in the absence of such, determined by the House.

The question being on the adoption of the urgency clause.

Urgency clause refused adoption by the following vote:

AYES—16

Allen	Frusetta	Johnson	Richter
Brewer	Granlund	Morrissey	Thompson
Brulte	Harvey	Morrow	Weggeland
Conroy	House	Pringle	Woods

NOES—46

Aguiar	Davis	Isenberg	Napolitano
Alpert	Ducheny	Kaloogian	Olberg
Archie-Hudson	Escutia	Katz	Poochigian
Baca	Figueroa	Knox	Rainey
Bordonaro	Firestone	Kuehl	Setencich
Bowen	Friedman	Lee	Sher
Brown, Valerie	Gallegos	Machado	Speier
Brown, Willie	Hannigan	Martinez	Sweeney
Caldera	Hauser	Mazzoni	Vasconcellos
Cannella	Hawkins	McPherson	Villaraigosa
Cortese	Hoge	Murray, Kevin	
Cunneen	Horcher	Murray, Willard	

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 1—Baca, Brulte, Aguiar, Granlund, and Olberg. Relative to flooding in California.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following item:

Assembly Bill No. 4 and Urgency: Bowen, Katz, and Speier—No.

ADJOURNMENT

At 11:38 a.m., the Assembly adjourned until 9 a.m., Thursday, January 26, 1995.

WILLIE L. BROWN, JR., Senior Member of the Assembly

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 23, 1995**

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

Assembly Bills

4
6