

CALIFORNIA LEGISLATURE  
1995-96 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, February 23, 1995**

**NINTH SESSION DAY**

**THIRTY-SIXTH CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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**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  
Thursday, February 23, 1995

The Assembly met at 9:56 a.m.

Hon. Willie L. Brown, Jr., Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Walker reading.

#### ROLL CALL

The roll was called, and the following answered to their names—79:

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

Quorum present.

#### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Reverend Constantine C. Pappademos, Pastor of St. Katherine Greek Orthodox Church:

*O Lord Our God,* You are holy. You are rich in grace and mercy. Teach us to ask You for proper blessings. Guide our life toward You. Let Your Spirit curb our wayward senses, and enable us to keep Your laws. In all our works forevermore, may we rejoice in Your glorious and gladdening Presence. For Yours is the glory and praise from all Your saints for ever and ever.—AMEN.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, Assembly Member Napolitano then led the Assembly in the pledge of allegiance to the Flag.

#### READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 1**—An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

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

**ELECTION OF SPEAKER AND SPEAKER PRO TEMPORE**

Assembly Member Katz moved that Assembly Member Willie L. Brown, Jr. be elected Speaker of the Assembly and Assembly Member Joe Baca be elected Speaker pro Tempore of the Assembly for the 1995–96 First Extraordinary Session, consistent with their election in the Second Extraordinary Session.

Assembly Member Vasconcellos seconded the motion.

Motion carried by the following vote:

**AYES—40**

Alpert	Cannella	Horcher	Murray, Kevin
Archie-Hudson	Cortese	Isenberg	Murray, Willard
Baca	Davis	Katz	Napolitano
Bates	Ducheny	Knox	Sher
Bowen	Escutia	Kuehl	Speier
Brown, Valerie	Figueroa	Lee	Sweeney
Burton	Friedman	Machado	Tucker
Bustamante	Gallegos	Martinez	Vasconcellos
Caldera	Hannigan	Mazzoni	Villaraigosa
Campbell	Hauser	McDonald	Mr. Speaker

**NOES—39**

Aguiar	Conroy	Johnson	Pringle
Alby	Cunneen	Kaloogian	Rainey
Allen	Firestone	Knight	Richter
Baldwin	Frusetta	Knowles	Rogan
Battin	Goldsmith	Kuykendall	Setencich
Boland	Granlund	McPherson	Takasugi
Bordonaro	Harvey	Morrissey	Thompson
Bowler	Hawkins	Morrow	Weggeland
Brewer	Hoge	Olberg	Woods
Brulte	House	Poochigian	

Whereupon Speaker-elect Willie L. Brown, Jr. announced the vote as the Assembly's choice for Speaker and Speaker pro Tempore for the 1995–96 First Extraordinary Session of the Legislature.

**Oaths of Office Administered**

Speaker-elect Willie L. Brown, Jr. appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by E. Dotson Wilson, Chief Clerk of the Assembly:

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

I 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.

Speaker pro Tempore-elect Joe Baca appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by E. Dotson Wilson, Chief Clerk of the Assembly:

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

I 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.

**RECESS**

By unanimous consent, at 9:57 a.m., Speaker Brown declared the Assembly recessed.

**COMMUNICATIONS**

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

February 23, 1995

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

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Hannigan as Democratic Floor Leader for the First Extraordinary Session.

Sincerely,

**WILLIE L. BROWN, JR.**  
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

**ASSEMBLY BILL NO. 9**—Sher. An act to amend Sections 2714 and 2776 of, and to add Article 4.5 (commencing with Section 2765) to Chapter 9 of Division 2 of, the Public Resources Code, relating to surface mining, and declaring the urgency thereof, to take effect immediately.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: February 23, 1995

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 5

With the recommendation: That the bill be re-referred to the Committee on Housing and Community Development.

BURTON, Chairman

Above bill re-referred to the Committee on Housing and Community Development.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 2, 1995.

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WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk

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

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The following measure was amended in the Assembly on this day:

*Senate Bill*

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