

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 23, 1995

SECOND SESSION DAY

SEVENTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, February 23, 1995

The Assembly met at 9:02 a.m.
Hon. Willie L. Brown, Jr., Speaker of the 1995–96 Regular Session
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	Figueroa	Knox	Setencich
Battin	Firestone	Kuehl	Sher
Boland	Friedman	Kuykendall	Speier
Bordonaro	Frusetta	Lee	Sweeney
Bowen	Gallegos	Machado	Takasugi
Bowler	Goldsmith	Martinez	Thompson
Brewer	Granlund	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 Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995–96 Regular Session, 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 Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995–96 Regular Session, 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.

NOMINATIONS FOR SPEAKER AND SPEAKER PRO TEMPORE OF THE ASSEMBLY

Assembly Member Vasconcellos nominated Assembly Member Willie L. Brown for the Office of Speaker of the Assembly and Assembly Member Joe Baca for the Office of Speaker pro Tempore of the Assembly, for the 1995–96 Second Extraordinary Session.

Nominations seconded by Assembly Member Martinez.

Further Nominations

Assembly Member Johnson nominated Assembly Member James L. Brulte for the Office of Speaker of the Assembly and Assembly Member James Rogan for the Office of Speaker pro Tempore of the Assembly for the 1995–96 Second Extraordinary Session.

Nominations seconded by Assembly Member Pringle.

There being no further nominations, the roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Bowen moved a call of the Assembly.

Motion carried. Time, 9:05 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 1

By Assembly Member Hannigan:

Relative to the organization of the Assembly for the 1995–96 Second Extraordinary Session.

Resolved by the Assembly of the State of California,

(1) That the Chief Clerk or the Sergeant at Arms is authorized to receipt to the Controller for all warrants for the payment of Members, Officers, and attachés of the Assembly.

(2) That the Chief Clerk shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.

Consideration of House Resolution No. 1

HOUSE RESOLUTION NO. 1—Relative to the organization of the Assembly for the 1995–96 Second Extraordinary Session.

Resolution read.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Brulte moved a call of the Assembly.

Motion carried. Time, 9:07 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

COMMUNICATIONS

The following communication was presented by Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995-96 Regular Session, 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 created a Select Committee on the Insolvency of Orange County for the Second Extraordinary Session and the Regular 1995-96 Legislative Session. The following Assemblymembers have been appointed to this select committee:

Marguerite Archie-Hudson,
Chairwoman
Doris Allen
Marilyn Brewer
John Burton
Mickey Conroy
Ross Johnson
Richard Katz
Sheila Kuehl
Diane Martinez

Jim Morrissey
Bill Morrow
Kevin Murray
Curt Pringle
Richard Rainey
Byron Sher
Mike Sweeney
Bruce Thompson
Antonio Villaraigosa

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

**CALL OF THE ASSEMBLY DISPENSED WITH ON
HOUSE RESOLUTION NO. 1**

At 9:10 a.m., on motion of Assembly Member Brulte, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Brulte moved to continue the call of the Assembly.

Motion carried. Time, 9:10 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
HOUSE RESOLUTION NO. 1**

At 9:10 a.m., on motion of Assembly Member Brulte, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

House Resolution No. 1 adopted by the following vote:

AYES—70

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

NOES—3

Baldwin	Bowler	Kuykendall
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RECESS

By unanimous consent, at 9:11 a.m., Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995–96 Regular Session, declared the Assembly recessed.

REASSEMBLED

At 9:51 a.m., the Assembly reconvened.

Hon. Willie L. Brown, Jr., Speaker of the Assembly for the 1995–96 Regular Session, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ELECTION OF SPEAKER AND SPEAKER PRO TEMPORE OF THE ASSEMBLY**

At 9:52 a.m., on motion of Assembly Member Bowen, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

For Assembly Member Willie Brown for the Office of Speaker of the Assembly and Assembly Member Joe Baca for the Office of Speaker pro Tempore of the Assembly:

Alpert, Archie-Hudson, Baca, Bates, Bowen, Valerie Brown, Willie Brown, Burton, Bustamante, Caldera, Campbell, Cannella, Cortese, Davis, Ducheny, Escutia, Figueroa, Friedman, Gallegos, Hannigan, Hauser, Horcher, Isenberg, Katz, Knox, Kuehl, Lee, Machado, Martinez, Mazzoni, McDonald, Kevin Murray, Willard Murray, Napolitano, Sher, Speier, Sweeney, Tucker, Vasconcellos, and Villaraigosa—40.

For Assembly Member James L. Brulte for the Office of Speaker of the Assembly and Assembly Member James Rogan for the Office of Speaker pro Tempore of the Assembly:

Aguiar, Alby, Allen, Baldwin, Battin, Boland, Bordonaro, Bowler, Brewer, Brulte, Conroy, Cunneen, Firestone, Frusetta, Goldsmith, Granlund, Harvey, Hawkins, Hoge, House, Johnson, Kaloogian, Knight, Knowles, Kuykendall, McPherson, Morrissey, Morrow, Olberg, Poochigian, Pringle, Rainey, Richter, Rogan, Setencich, Takasugi, Thompson, Weggeland, and Woods—39.

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 Second 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.

Remarks by Speaker pro Tempore Baca

Speaker pro Tempore Baca then addressed the assemblage.

RECESS

By unanimous consent, at 9:56 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 Second Extraordinary Session.

Sincerely,

WILLIE L. BROWN, JR.
Speaker of the Assembly

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

January 25, 1995

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

Dear Dotson: In accordance with existing provisions which requires the respective caucuses of the Assembly to organize within 48 hours of the November general election, I am writing to inform you that upon November 10, 1994 the Assembly Republican Caucus elected me as their Floor Leader.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

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

Dear Dotson: I would like to inform you that the following members have been chosen to serve within the Assembly Republican Caucus' leadership:

Assistant Republican Leader—Assemblyman Jan Goldsmith
Republican Caucus Chair—Assemblyman Bruce Thompson
Republican Whip—Assemblyman Jim Battin
Republican Whip—Assemblyman Steven Kuykendall
Republican Whip—Assemblyman Brian Setencich

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

January 25, 1995

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

Dear Dotson: I would like to inform you that the following selections complete the Assembly Republican Caucus' leadership team for the 1995-96 legislative session:

Assistant Republican Leader—Assemblyman Fred Aguiar
Assistant Republican Leader—Assemblyman Curt Pringle

Assemblyman Pringle served as an Assistant Republican Leader last session and will do so again this session. Assemblyman Aguiar will serve as an Assistant Republican Leader in place of Assemblyman Knowles who is now the Chairman of the Insurance Committee.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

JAMES L. BRULTE
Assembly Republican Leader

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 20—Morrow. An act relating to solid waste, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 21—Pringle (Senator Lewis, coauthor). An act to add Sections 53584.1, 53585.1, and 53856.1 to the Government Code, relating to local agency finances.

ADJOURNMENT

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

WILLIE L. BROWN, JR., Speaker

PAM CAVILEER, Minute Clerk