

CALIFORNIA LEGISLATURE
1995-96 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 7, 1996
SEVENTEENTH SESSION DAY
SIXTY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(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, March 7, 1996

The Assembly met at 10:09 a.m.

Hon. Fred Aguiar, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Akiba H. Howard reading.

ROLL CALL

The roll was called, and the following answered to their names—72:

Ackerman	Caldera	Hawkins	Morrow
Aguiar	Campbell	Hoge	Napolitano
Alby	Cannella	House	Olberg
Alpert	Conroy	Isenberg	Poochigian
Archie-Hudson	Cortese	Kaloogian	Rainey
Baca	Cunneen	Katz	Richter
Baldwin	Davis	Knight	Rogan
Bates	Ducheny	Knox	Setencich
Battin	Escutia	Kuykendall	Speier
Baugh	Figuroa	Lee	Sweeney
Boland	Firestone	Machado	Takasugi
Bordonaro	Frusetta	Margett	Thompson
Bowler	Gallegos	Martinez	Tucker
Brewer	Goldsmith	Mazzoni	Vasconcellos
Brown	Granlund	McDonald	Villaraigosa
Brulte	Hannigan	McPherson	Weggeland
Burton	Harvey	Miller	Woods
Bustamante	Hauser	Morrissey	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Aguiar, the following prayer was offered by Rev. Constantine C. Pappademos, Pastor of Saint Katherine Greek Orthodox Church:

O Lord Who Loves Us All, You know our created nature; You know our infirmity. Though we have sinned, we have not forsaken You, O God, nor have we stretched out our hands to a strange god. Free us then, O Heavenly Master, from every bond of iniquity and spare us in Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Aguiar, Assembly Member Rainey then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Sweeney, seconded by Assembly Member Burton.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Friedman, Knowles, Kevin Murray, and Willard Murray.

On personal business, and waiving per diem: Assembly Member Sher.

Because of jury duty and legislative business: Assembly Member Bowen.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For letter explaining the absence of Assembly Member Kevin Murray on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; for letter explaining the absence of Assembly Member Bowen on this day on jury duty and legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for the Regular Session for Tuesday, March 5, 1996; and for explanations of absences of Assembly Members Friedman, Knowles, and Willard Murray on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

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

SENATE BILL NO. 1 (Mello)—An act to repeal and add Section 13127.32 of the Food and Agricultural Code, relating to economic poisons.

Bill read third time, and presented by Assembly Member Machado.

Demand for Previous Question

Assembly Members Brewer, Alby, Baldwin, Knight, and Battin demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Parliamentary Inquiry

Assembly Member Bates arose to the following parliamentary inquiry:

Did the Chair not recognize five Members to speak in support of the bill?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that Assembly Member Machado opened debate on the bill, two Members were recognized to speak in support and two Members were recognized to speak in opposition, and that Assembly Member Harvey closed debate on the bill after the previous question was demanded.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—46

Ackerman	Bustamante	Hoge	Poochigian
Aguiar	Cannella	House	Rainey
Alby	Conroy	Kalooagian	Richter
Alpert	Cortese	Knight	Rogan
Baldwin	Cunneen	Kuykendall	Setencich
Battin	Firestone	Machado	Takasugi
Baugh	Frusetta	Margett	Thompson
Boland	Goldsmith	McPherson	Weggeland
Bordonaro	Granlund	Miller	Woods
Bowler	Hannigan	Morrissey	Mr. Speaker
Brewer	Harvey	Morrow	
Brulte	Hawkins	Olberg	

NOES—25

Archie-Hudson	Davis	Katz	Sweeney
Baca	Ducheny	Knox	Tucker
Bates	Escutia	Lee	Vasconcellos
Brown	Figueroa	Martinez	Villaraigosa
Burton	Gallegos	Mazzoni	
Caldera	Hauser	Napolitano	
Campbell	Isenberg	Speier	

Bill ordered transmitted to the Senate.

VOTE ADDS

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

Senate Bill No. 1: Cunneen—Aye; Campbell and Knox—No.

RECESS

By unanimous consent, at 10:26 a.m., Speaker pro Tempore Aguiar declared the Assembly recessed.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to Committee:

Assembly Concurrent

Resolution No.

Committee

1 ----- Rls.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 7, 1996

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 1

With the recommendation: Be adopted.

PRINGLE, Chairman

Above resolution ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until Monday, March 11, 1996, or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk