

CALIFORNIA LEGISLATURE
1995-96 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 14, 1996
FOURTEENTH SESSION DAY
THIRTY-FIRST 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
Thursday, March 14, 1996

The Assembly met at 9:20 a.m.

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

Quorum present.

PRAYER

The following prayer was offered by Monsignor Edward J. Kavanagh, of Saint Patrick's Home for Children, in Sacramento:

It has been said by many an eminent historian that the greatest Irishman of them all was not an Irishman at all.

The birth place of St. Patrick was not in Ireland. Some people say he was born in Gaul, others that he was born by the mouth of the Seven River in Wales; but regardless of his birth place he was the one that was commissioned by Pope Celestine I to bring the Catholic faith to Ireland and he did so very successfully.

And so as we are gathered here this morning in our State Capitol, we pray

Heavenly Father, We thank You for the many gifts that You have given to us. We thank You for the gift of life itself. May we always reverence it and respect it. We thank You for the life of St. Patrick whom we celebrate and honor today.

We thank You for this wonderful State of California in this United States, where so many spiritual and adopted sons and daughters of St. Patrick and Ireland, and other cultures, races, and nations of the world have come and founded, new homes, new families and new lives.

Lord, we pray that You bestow rich blessings on California and all its people.

We ask You to bless all the Members of the California Legislature, and especially today bless the spiritual sons and daughters of St. Patrick, and inspire and strengthen them all to always seek the truth in their deliberations and always act for the true good of all persons.

In the spirit of St. Patrick, we ask You to bring peace and harmony to Ireland, to Bosnia, to the Middle East, and throughout the world.

Through our Lord Jesus Christ, we pray that You bless Californians of every race and creed and bring peace and prosperity to their families and our state.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Assembly Member Conroy 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 Hoge, seconded by Assembly Member Davis.

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 Kevin Murray, Willard Murray, and Napolitano.

On personal business, and waiving per diem: Assembly Members Bowen, McDonald, and Sher.

Because of illness in her family: Assembly Member Kuehl.

(NOTE: For explanations of absences of Assembly Members Kevin Murray, Willard Murray, and Napolitano on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

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

ASSEMBLY BILL NO. 1 (Bordonaro)—An act to amend Sections 4643, 4791, 11450.01, 11450.015, 11450.017, 11450.018, 11452, 11453, 11462, 12200.01, 12200.015, 12200.017, 12200.018, 12201.03, and 19355.5 of, to repeal Section 12201 of, to repeal Article 3 (commencing with Section 12550) of, and to repeal and add Article 1 (commencing with Section 12500) of, Chapter 4 of Part 3 of Division 9 of, the Welfare and Institutions Code, and to repeal Section 37 of Chapter 722 of the Statutes of 1992, relating to human services.

Bill read third time.

Consideration of Amendments by Unanimous Consent

Assembly Member Burton was granted unanimous consent to take up Set 8 amendments to Assembly Bill No. 1, out of order.

Motion to Amend by Assembly Member Burton—Set 8

Assembly Member Burton moved the adoption of amendments.
Amendments read.

**Motion to Table Burton Amendments
to Assembly Bill No. 1—Set 8**

Assembly Member Thompson moved that the amendments offered by Assembly Member Burton to Assembly Bill No. 1—Set 8 be laid upon the table.

Assembly Member Battin seconded the motion.

Motion carried by the following vote:

AYES—36

Ackerman	Brewer	House	Poochigian
Aguiar	Brulte	Kaloogian	Rainey
Alby	Conroy	Knight	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Goldsmith	Margett	Takasugi
Baugh	Granlund	Miller	Thompson
Boland	Harvey	Morrissey	Weggeland
Bordonaro	Hawkins	Morrow	Woods
Bowler	Hoge	Olberg	Mr. Speaker

NOES—23

Alpert	Campbell	Callegos	Machado
Archie-Hudson	Cannella	Hannigan	Mazzoni
Baca	Ducheny	Hauser	Sweeney
Bates	Escutia	Isenberg	Tucker
Burton	Figueroa	Katz	Villaraigosa
Bustamante	Friedman	Lee	

Objection to Vote Adds

Assembly Member Burton withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on his amendments to Assembly Bill No. 1—Set 8.

Consideration of Amendments by Unanimous Consent

Assembly Member Machado was granted unanimous consent to take up his amendments to Assembly Bill No. 1—Set 2, out of order.

Motion to Amend by Assembly Member Machado—Set 2

Assembly Member Machado moved the adoption of amendments. Amendments read.

Motion to Table Machado Amendments to Assembly Bill No. 1—Set 2

Assembly Member Thompson moved that the amendments offered by Assembly Member Machado to Assembly Bill No. 1—Set 2 be laid upon the table.

Assembly Member Battin seconded the motion.

Motion carried by the following vote:

AYES—37

Ackerman	Brulte	Knight	Rogan
Aguiar	Conroy	Kuykendall	Sweeney
Alby	Firestone	Margett	Takasugi
Baldwin	Goldsmith	Miller	Thompson
Battin	Granlund	Morrissey	Weggeland
Baugh	Harvey	Morrow	Woods
Boland	Hawkins	Olberg	Mr. Speaker
Bordonaro	Hoge	Poochigian	
Bowler	House	Rainey	
Brewer	Kaloogian	Richter	

NOES—26

Alpert	Cannella	Hannigan	Martinez
Archie-Hudson	Davis	Hauser	Mazzoni
Baca	Ducheny	Isenberg	Speier
Bates	Escutia	Katz	Tucker
Burton	Figueroa	Knox	Villaraigosa
Bustamante	Friedman	Lee	
Campbell	Gallegos	Machado	

Objection to Vote Adds

Assembly Member Machado withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on his amendments to Assembly Bill No. 1—Set 2.

Motion to Amend by Assembly Member Davis—Set 1

Assembly Member Davis moved the adoption of amendments. Amendments read.

**Motion to Table Davis Amendments
to Assembly Bill No. 1—Set 1**

Assembly Member Thompson moved that the amendments offered by Assembly Member Davis to Assembly Bill No. 1—Set 1 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—36

Ackerman	Brewer	House	Poochigian
Aguiar	Brulte	Kaloogian	Rainey
Alby	Conroy	Knight	Richter
Baldwin	Firestone	Kuykendall	Rogan
Battin	Goldsmith	Margett	Takasugi
Baugh	Granlund	Miller	Thompson
Boland	Harvey	Morrissey	Weggeland
Bordonaro	Hawkins	Morrow	Woods
Bowler	Hoge	Olberg	Mr. Speaker

NOES—26

Alpert	Davis	Hauser	Mazzoni
Archie-Hudson	Ducheny	Isenberg	Speier
Baca	Escutia	Katz	Sweeney
Bates	Figueroa	Knox	Tucker
Burton	Friedman	Lee	Villaraigosa
Bustamante	Gallegos	Machado	
Campbell	Hannigan	Martinez	

Objection to Vote Adds

Assembly Member Battin withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Davis amendments to Assembly Bill No. 1—Set 1.

Motion to Amend by Assembly Member Friedman—Set 4

Assembly Member Friedman moved the adoption of amendments. Amendments read.

**Motion to Table Friedman Amendments
to Assembly Bill No. 1—Set 4**

Assembly Member Thompson moved that the amendments offered by Assembly Member Friedman to Assembly Bill No. 1—Set 4 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—35

Ackerman	Brewer	Kaloojian	Rainey
Aguiar	Conroy	Knight	Richter
Alby	Firestone	Kuykendall	Rogan
Baldwin	Goldsmith	Margett	Takasugi
Battin	Granlund	Miller	Thompson
Baugh	Harvey	Morrissey	Weggeland
Boland	Hawkins	Morrow	Woods
Bordonaro	Hoge	Olberg	Mr. Speaker
Bowler	House	Poochigian	

NOES—25

Alpert	Ducheny	Isenberg	Speier
Archie-Hudson	Escutia	Katz	Sweeney
Baca	Figueroa	Knox	Tucker
Bates	Friedman	Lee	Villaraigosa
Burton	Gallegos	Machado	
Campbell	Hannigan	Martinez	
Davis	Hauser	Mazzoni	

Objection to Vote Adds

Assembly Member Friedman withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on her amendments to Assembly Bill No. 1—Set 4.

Motion to Amend by Assembly Member Archie-Hudson—Set 5

Assembly Member Archie-Hudson moved the adoption of amendments.

Amendments read.

**Motion to Table Archie-Hudson Amendments
to Assembly Bill No. 1—Set 5**

Assembly Member Thompson moved that the amendments offered by Assembly Member Archie-Hudson to Assembly Bill No. 1—Set 5 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—37

Ackerman	Brulte	Kaloogian	Richter
Aguiar	Conroy	Knight	Rogan
Alby	Cunneen	Kuykendall	Takasugi
Baldwin	Firestone	Margett	Thompson
Battin	Goldsmith	Miller	Weggeland
Baugh	Granlund	Morrissey	Woods
Boland	Harvey	Morrow	Mr. Speaker
Bordonaro	Hawkins	Olberg	
Bowler	Hoge	Poochigian	
Brewer	House	Rainey	

NOES—26

Alpert	Ducheny	Isenberg	Speier
Archie-Hudson	Escutia	Katz	Sweeney
Baca	Figueroa	Knox	Tucker
Bates	Friedman	Lee	Vasconcellos
Burton	Gallegos	Machado	Villaraigosa
Campbell	Hannigan	Martinez	
Cannella	Hauser	Mazzoni	

Objection to Vote Adds

Assembly Member Archie-Hudson withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on her amendments to Assembly Bill No. 1—Set 5.

Motion to Amend by Assembly Member Villaraigosa—Set 6

Assembly Member Villaraigosa moved the adoption of amendments.

Amendments read and refused adoption by the following vote:

AYES—23

Archie-Hudson	Cannella	Hauser	Mazzoni
Baca	Ducheny	Isenberg	Speier
Bates	Escutia	Katz	Sweeney
Burton	Figuroa	Lee	Tucker
Bustamante	Friedman	Machado	Villaraigosa
Campbell	Hannigan	Martinez	

NOES—42

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

Objection to Vote Adds

Assembly Members Rogan and Bustamante withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Villaraigosa amendments to Assembly Bill No. 1—Set 6.

**Amendments by Assembly Member Brown—Set 7
as presented by Assembly Member Hannigan**

Assembly Member Hannigan moved the adoption of amendments.
Amendments read.

**Motion to Table Brown Amendments
to Assembly Bill No. 1—Set 7**

Assembly Member Thompson moved that the amendments offered by Assembly Member Hannigan to Assembly Bill No. 1—Set 7 be laid upon the table.

Assembly Member Battin seconded the motion.

Motion carried by the following vote:

AYES—38

Ackerman	Brulte	Kaloogian	Rainey
Aguiar	Conroy	Knight	Richter
Alby	Cunneen	Knowles	Rogan
Baldwin	Firestone	Kuykendall	Takasugi
Battin	Goldsmith	Margett	Thompson
Baugh	Granlund	Miller	Weggeland
Boland	Harvey	Morrissey	Woods
Bordonaro	Hawkins	Morrow	Mr. Speaker
Bowler	Hoge	Olberg	
Brewer	House	Poochigian	

NOES—25

Archie-Hudson	Ducheny	Isenberg	Sweeney
Baca	Escutia	Katz	Tucker
Bates	Figueroa	Lee	Vasconcellos
Burton	Friedman	Machado	Villaraigosa
Bustamante	Gallegos	Martinez	
Campbell	Hannigan	Mazzoni	
Cannella	Hauser	Speier	

Objection to Vote Adds

Assembly Members Rogan and Bustamante withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Brown amendments to Assembly Bill No. 1—Set 7.

Consideration of Amendments by Unanimous Consent

Assembly Member Villaraigosa was granted unanimous consent to take up Bowen amendments to Assembly Bill No. 1—Set 3, out of order.

**Amendments by Assembly Member Bowen—Set 3
as Presented by Assembly Member Villaraigosa**

Assembly Member Villaraigosa moved the adoption of amendments.

Amendments read.

**Motion to Table Bowen Amendments
to Assembly Bill No. 1—Set 3**

Assembly Member Thompson moved that the amendments offered by Assembly Member Villaraigosa to Assembly Bill No. 1—Set 3 be laid upon the table.

Assembly Member Olberg seconded the motion.

Motion carried by the following vote:

AYES—37

Ackerman	Brulte	Kaloogian	Richter
Aguiar	Conroy	Knight	Rogan
Alby	Firestone	Kuykendall	Takasugi
Baldwin	Frusetta	Margett	Thompson
Battin	Goldsmith	Miller	Weggeland
Baugh	Granlund	Morrissey	Woods
Boland	Harvey	Morrow	Mr. Speaker
Bordonaro	Hawkins	Olberg	
Bowler	Hoge	Poochigian	
Brewer	House	Rainey	

NOES—28

Alpert	Cannella	Hannigan	Martinez
Archie-Hudson	Davis	Hauser	Mazzoni
Baca	Ducheny	Isenberg	Speier
Bates	Escutia	Katz	Sweeney
Burton	Figuroa	Knox	Tucker
Bustamante	Friedman	Lee	Vasconcellos
Campbell	Gallegos	Machado	Villaraigosa

Objection to Vote Adds

Assembly Members Rogan and Bustamante withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Bowen amendments to Assembly Bill No. 1—Set 3.

Further Consideration of Assembly Bill No. 1

The question being on the passage of the bill.

Point of Order

Assembly Member Burton arose to the following point of order:

That Assembly Member Richter is reading a statement on the Floor of the Assembly.

Reply by Speaker

The Speaker replied that he did not observe Assembly Member Richter reading a statement on the Floor.

Point of Order

Assembly Member Speier arose to the following point of order:

That Assembly Member Richter is reading a statement on the Floor of the Assembly.

Reply by Speaker

The Speaker replied that a Member may refer to notes during Floor debate.

Point of Personal Privilege

Assembly Member Martinez arose to a point of personal privilege.

Ruling by Speaker

The Speaker ruled the point of personal privilege out of order.

Point of Order

Assembly Member Tucker arose to the following point of order:

That Assembly Member Richter speak to the merits of Assembly Bill No. 1.

Reply by Speaker

The Speaker replied that Assembly Member Richter is speaking to the merits of Assembly Bill No. 1, and is permitted to reference historical information in his debate.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—41

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

NOES—30

Alpert	Cannella	Hauser	Setencich
Archie-Hudson	Davis	Isenberg	Speier
Baca	Ducheny	Katz	Sweeney
Bates	Escutia	Knox	Tucker
Brown	Figueroa	Lee	Vasconcellos
Burton	Friedman	Machado	Villaraigosa
Bustamante	Gallegos	Martinez	
Campbell	Hannigan	Mazzoni	

Bill ordered transmitted to the Senate immediately.

MOTION TO ADJOURN

At 11:22 a.m., Assembly Member Katz moved that the Assembly do now adjourn.

Assembly Member Rogan seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Archie-Hudson and Brulte arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Katz that the Assembly adjourn.

Motion carried.

COMMUNICATIONS

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

March 14, 1996

Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Mr. Wilson: Although I am recorded as being present on the attendance roll for today, I did not arrive for session until 12 noon. By that time votes had been recorded on several measures, and unanimous consent had already been withheld for anyone to add or change their votes on those measures.

Therefore, I would like the record to reflect that I arrived too late to have my vote recorded on any measures taken up today.

Sincerely,

LOUIS CALDERA, Assembly Member
Forty-sixth District

ADJOURNMENT

At 11:26 a.m., pursuant to the motion by Assembly Member Katz the Assembly adjourned until 9:30 a.m., Monday, March 18, 1996 or upon Call of the Speaker.

CURT PRINGLE, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 14, 1996

Amendments were considered by the Assembly, but not adopted, to the following measure:

Assembly Bill

- 1 (Davis amendments—Set 1, RN 9607499, laid upon the table)
(Machado amendments—Set 2, RN 9607495, laid upon the table)
(Bowen amendments—Set 3, RN 9607496, laid upon the table)
(Friedman amendments—Set 4, RN 9607804, laid upon the table)
(Archie-Hudson amendments—Set 5, RN 9607493, laid upon the table)
(Villaraigosa amendments—Set 6, RN 9607500)
(Brown amendments—Set 7, RN 9607503, laid upon the table)
(Burton amendments—Set 8, RN 9607549, laid upon the table)