

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 12, 1995

EIGHTY-NINTH SESSION DAY

ONE HUNDRED NINETIETH 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.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, June 12, 1995

The Assembly met at 10:30 a.m.
Hon. Joe Baca, 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.

Quorum Call of the Assembly

Assembly Member Harvey moved a quorum call of the Assembly.
Motion carried. Time, 10:31 a.m.

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

At 11:16 a.m., Hon. Jan Goldsmith, Assembly Member, 75th District, presiding

Quorum Present

At 11:16 a.m., Acting Speaker Goldsmith declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—77:

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

PRAYER

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

O Heavenly King, Comforter, the Spirit of truth, everywhere present and filling all things, Treasury of blessings and Giver of Life, come and dwell in us; cleanse us of every stain and save our souls, Gracious One.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Goldsmith, Assembly Member Brulte 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 Weggeland, seconded by Assembly Member Pringle.

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 Member Willie Brown.

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

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

June 12, 1995

*Honorable Doris Allen
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Doris: Please be advised that I will not be in the Capitol today for session due to legislative business.

Sincerely,

WILLIE L. BROWN, JR.
Democratic Floor Leader

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 9, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 283

And reports the same correctly enrolled, and presented to the Governor at 9:45 a.m., June 9, 1995.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 12, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 194
Assembly Bill No. 703
Assembly Bill No. 820

Assembly Bill No. 861
Assembly Bill No. 932

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, June 12, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Constitutional Amendment No. 29
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 12, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 33
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

AUTHOR'S AMENDMENTS
Committee on Local Government

June 12, 1995

Mme. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 1105
With author's amendments with the recommendation: Amend, and re-refer to the committee.

RAINEY, Chairman

SENATE BILL NO. 1105—An act to add Chapter 2.12 (commencing with Section 7286.60) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Budget

June 12, 1995

Mme. Speaker: The Chair of your Committee on Budget reports:
Assembly Bill No. 940
With author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chairman

ASSEMBLY BILL NO. 940—An act to add Sections 15819.90 and 15819.95 to the Government Code, and to amend Sections 1010 and 1011 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Budget

June 12, 1995

Mme. Speaker: The Chair of your Committee on Budget reports:
Assembly Bill No. 818
With author's amendments with the recommendation: Amend, and re-refer to the committee.

VASCONCELLOS, Chairman

ASSEMBLY BILL NO. 818—An act relating to local agency costs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Education

June 12, 1995

Mme. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 780

Assembly Bill No. 784

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ALPERT, Chairwoman

ASSEMBLY BILL NO. 780—An act to add Chapter 17 (commencing with Section 43100) to Part 24 of the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 784—An act to add Part 29.5 (commencing with Section 55000) to the Education Code, relating to urban school districts, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Local Government

June 12, 1995

Mme. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 386

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RAINEY, Chairman

SENATE BILL NO. 386—An act to add Section 29.1 to the Mojave Water Agency Law (Chapter 2146 of the Statutes of 1959), relating to the Mojave Water Agency.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Judiciary

June 12, 1995

Mme. Speaker: The Chair of your Committee on Judiciary reports:

Senate Bill No. 60

Senate Bill No. 984

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ISENBERG, Chairman

SENATE BILL NO. 60—An act relating to the State Bar of California.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 984—An act to amend Sections 8205 and 8211 of the Government Code, and to amend Sections 4054, 4150, 4151, 4152, 4153, 4155, 4307, 4402, 4409, 4703, 4753, 4806, and 5204 of the Probate Code, relating to powers of attorney, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

June 12, 1995

Mme. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 156

Senate Bill No. 725

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RAINEY, Chairman

SENATE BILL NO. 156—An act to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 12.5, 13, 14, 15, 16, 17, 18, 20, 21, 22, 24, 25, 27, 28, 30, 31, 33, and 37 of, and to add Sections 1.5, 13.5, and 36 to, the Napa County Flood Control and Water Conservation District Act (Chapter 1449 of the Statutes of 1951), relating to the Napa County Flood Control and Water Conservation District.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 725—An act to amend Section 54954.6 of the Government Code, relating to open meetings.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

June 12, 1995

Mme. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 5

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RAINEY, Chairman

ASSEMBLY BILL NO. 5—An act to add Section 53087 to the Government Code, relating to local agencies, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: June 7, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 271

Assembly Bill No. 397

With amendments with the recommendation: Amend, and do pass, as amended.

PRINGLE, Chairman

Above bills ordered to second reading.

Date of Hearing: June 7, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 58

With amendments with the recommendation: Amend, and re-refer to the Committee on Appropriations.

PRINGLE, Chairman

Above bill ordered to second reading.

Date of Hearing: June 7, 1995

Mme. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1191

Assembly Bill No. 1277

With amendments with the recommendation: Amend, and do pass, as amended.

PRINGLE, Chairman

Above bills ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: June 6, 1995

Mme. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 157

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

CORTESE, Chairman

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: June 6, 1995

Mme. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 232

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

BOLAND, Chairwoman

Above bill ordered to second reading.

Date of Hearing: June 6, 1995

Mme. Speaker: Your Committee on Public Safety reports:

Senate Concurrent Resolution No. 7

With amendments with the recommendation: Amend, and be adopted, as amended.

BOLAND, Chairwoman

Above resolution ordered to second reading.

Committee on Rules

June 12, 1995

The Committee on Rules recommends that the requests to suspend Joint Rule 61, as it relates to the following bills be granted:

Assembly Bill No. 825

Assembly Bill No. 932

Assembly Bill No. 1855

ALLEN, Chairwoman

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

SPECIAL ELECTION PROCLAMATION

I, PETE WILSON, Governor of the State of California, by the power and authority vested in me by Section 15, Article II of the Constitution of the State of California, do hereby proclaim and order that a special election shall be held on the 22nd day of August, 1995, within the 17th District of the State, to determine whether Michael Machado, Member of the Assembly, shall be recalled, and if the majority vote on the question is to recall, to elect a successor.

IN WITNESS WHEREOF I have hereunto set my hand
and caused the Great Seal of the State of
California to be affixed this 9th day of
June 1995.

PETE WILSON
Governor of California

[SEAL]

ATTEST:

BILL JONES
Secretary of State

MESSAGES FROM THE SENATE

Senate Chamber, June 12, 1995

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 374
Assembly Bill No. 561
Assembly Bill No. 1140

Assembly Bill No. 1247
Assembly Bill No. 1629
Assembly Bill No. 1843

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 12, 1995

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 15

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, June 12, 1995

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 461
Assembly Bill No. 1131

And respectfully requests the Assembly to concur in said amendments.

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 12, 1995

Mme. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 323

Senate Bill No. 341

RICK ROLLENS, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 323—An act to amend Sections 6252, 6254, 6255, and 6259 of, to amend and renumber Section 6253 of, to add Sections 6253 and 6253.3 to, to repeal Sections 6256, 6256.1, 6256.2, and 6257 of, and to repeal and add Section 6253.1 of, the Government Code, relating to records.

SENATE BILL NO. 341—An act to add Section 1522.7 to the Health and Safety Code, relating to child care.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ruth Rosner Kornhauser, of Berkeley.

Assembly Member Machado was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of his cousin, Joe Machado.

ROGAN MOTION NO. 1 TO AMEND RULES

Assembly Member Rogan moved that Assembly Rule 7, as contained in the rules adopted by the Assembly by motion on June 5, 1995, be amended to read:

7. The Committee on Rules shall consist of the following 11 members:

(a) The Chair, appointed by the Speaker, who shall be from the same party as the Speaker.

(b) Five members who shall be elected by the caucus of the same party as the Speaker.

(c) Five members who shall be elected by the caucus of the party other than that of the Speaker, one of whom shall be designated by that caucus as the Vice Chair of the committee.

The Committee on Rules shall have the power to refer each bill and house resolution to a committee.

The Committee on Rules shall have general direction over the Assembly Chamber and the rooms set aside for the use of the Assembly, including rooms for use by Members as private offices.

Assembly Member Pringle seconded the motion.

Motion to Table Rogan Motion No. 1

Assembly Member Margett moved that Motion No. 1 by Assembly Member Rogan be laid upon the table.

Assembly Member Hannigan seconded the motion.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:30 a.m.

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

ROGAN MOTION NO. 2 TO AMEND RULES

Assembly Member Rogan moved that paragraphs 1 and 2 of Assembly Rule 9, as contained in the rules adopted by the Assembly by motion on June 5, 1995, be amended to read:

9. The membership of every standing committee, including the Committee on Rules, shall have one more member of the majority party than of the minority party. The term "majority party," for purposes of these rules, means the party with the greater number of Members in the Assembly, as determined by party registration.

Assembly Member Kuykendall seconded the motion.

Point of Personal Privilege

Assembly Member Pringle arose to a point of personal privilege.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

Was Speaker Allen not earlier recognized to speak on the motion before the Body?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied that Speaker Allen had participated in debate on the previous motion by Assembly Member Rogan.

Point of Order

Assembly Member Morrow arose to the following point of order:

That Speaker Allen did speak on the motion currently before the Body.

Ruling by Acting Speaker Goldsmith

The Acting Speaker ruled the point of order well-taken based upon subsequent information, and that, without objection, Speaker Allen would be permitted to speak a second time on the motion.

Objection was raised.

Point of Information

Speaker Allen arose to the following point of information:

That the debate was not on point to remarks she made earlier in debate.

Motion to Table Rogan Motion No. 2 to Amend Rules

Assembly Member Hannigan moved that Motion No. 2 by Assembly Member Rogan be laid upon the table.

Assembly Member Napolitano seconded the motion.

Point of Order

Assembly Member Rogan arose to the following point of order:

That he had not been permitted time to open debate on his Motion No. 2 to amend the rules.

Ruling by Acting Speaker Goldsmith

The Acting Speaker ruled that the motion to table the motion before the Body is not debatable but with unanimous consent, Assembly Member Rogan would be permitted to speak on his Motion No. 2 to amend the rules.

Unanimous Consent Withheld

Assembly Member Willard Murray withheld unanimous consent.

Point of Order

Assembly Member Boland arose to the following point of order:

That pursuant to the rules an author is permitted time to open and close debate on his/her motion.

Ruling by Acting Speaker Goldsmith

The Acting Speaker ruled the point of order well-taken.

Assembly Member Rogan Permitted to Speak

Objection was withdrawn and Assembly Member Rogan was permitted to speak on his Motion No. 2 to amend rules.

Further Consideration of Motion to Table Rogan Motion No. 2

The question being on the motion by Assembly Member Hannigan to table Motion No. 2 by Assembly Member Rogan.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:03 p.m.

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

PRINGLE MOTION TO AMEND RULES

Assembly Member Pringle moved that the rules adopted by the Assembly by motion on June 5, 1995, be amended to read:

17. Any Member elected to an incompatible office shall be deemed to have resigned his or her office in the Assembly on the tenth day after the Secretary of State issues the certificate of election unless the Member has resigned earlier.

For the purposes of these rules, an incompatible office is one in which the term of that office begins prior to the current legislative term concluding.

Assembly Member Rogan seconded the motion.

Parliamentary Inquiry

Assembly Member Isenberg arose to the following parliamentary inquiry:

Is there not language in the rules which requires members elected to an incompatible office to resign their Assembly seat on the 10th day after their certification?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied that such language is in House Resolution No. 10 and based upon that would be usage and precedent of the House.

Point of Order

Assembly Member Pringle arose to the following point of order:

That the motion before the Body on June 5, 1995 was a motion to substitute for the rules adopted in House Resolution No. 10; and further, if the Chair rules that the rules under House Resolution No. 10 are in effect and are custom and precedent of the House except for those elements addressed in rules adopted on June 5, 1995, he would withdraw his motion.

Ruling by Acting Speaker Goldsmith

The Acting Speaker ruled the point of order well-taken; that the language contained in the last paragraph of Assembly Member Pringle's proposed amendment is not contained in House Resolution No. 10 and the motion by Assembly Member Pringle is therefore in order.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

Are all elements of the rules contained in House Resolution No. 10 in force except for those elements which were adopted on June 5, 1995 as a substitute set of rules?

Reply by Acting Speaker Goldsmith

The Acting Speaker declined to reply to the parliamentary inquiry, and suggested Assembly Member Pringle proceed with his motion to amend the rules.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Is it not clear that the rules adopted on June 5, 1995 were amendments to House Resolution No. 10 and not a substitute for the rules contained in House Resolution No. 10; and that unless a rule in House Resolution No. 10 was specifically replaced by rules adopted on June 5, 1995, House Resolution No. 10 is an operating rule of this House?

Reply by Acting Speaker Goldsmith

The Acting Speaker cited the motion by Assembly Member Isenberg contained in the June 5, 1995 Journal (page 2000) and stated it as the basis for his previous ruling.

Motion to Refer Pringle Motion to Committee

Speaker Allen moved that the Pringle motion to amend the rules be referred to the Committee on Rules.

Assembly Member Tucker seconded the motion.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

What is the vote requirement to refer the motion to amend rules to committee?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied that a motion to refer a motion to committee requires a majority of the Members present and voting.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

What is the vote required to re-refer a bill from the file to committee?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied that the re-reference of a bill from file to committee requires 41 votes.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

Who are the current members of the Committee on Rules?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied by reading the roster of membership of the Committee on Rules as printed in this day's Assembly File.

At 12:23 p.m., Speaker pro Tempore Baca, 62nd District, presiding

Further Consideration of Motion to Refer Pringle Motion to Committee

The question being on the motion by Speaker Allen to refer the Pringle motion to amend rules to the Committee on Rules.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:24 p.m.

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

At 12:25 p.m., Hon. Jan Goldsmith, Assembly Member, 75th District, presiding

MOTION BY ASSEMBLY MEMBER BRULTE

Assembly Member Brulte moved that the action of the Rules Committee on June 9, 1995 to terminate Republican staff be revoked.

Assembly Member Kuykendall seconded the motion.

Point of Personal Privilege

Assembly Member Boland arose to a point of personal privilege.

Parliamentary Inquiry

Assembly Member Burton arose to the following parliamentary inquiry:

Is it not a fact that under agreement reached between former Speaker Brown and Assembly Member Brulte, the Republican Caucus has control of the process of hiring Republican staff and the Democratic Caucus has control of the process of hiring Democratic staff?

Reply

The Acting Speaker deferred to Assembly Member Brulte whereupon he replied that earlier this year the Committee on Rules, by unanimous vote, agreed to the budget allocations of the House with regard to the Office of the Speaker, the Republican Caucus, and the Democratic Caucus.

Point of Information

Assembly Member Bustamante arose to the following point of information:

Should not this issue be resolved within the Republican Caucus?

Ruling by Acting Speaker Goldsmith

The Acting Speaker ruled the point of information not well-taken; that Assembly Member Brulte has a motion before the Body.

Motion to Table Brulte Motion

Assembly Member Hannigan moved that the motion by Assembly Member Brulte be laid upon the table.

Assembly Member Ducheny seconded the motion.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:43 p.m.

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

PARLIAMENTARY INQUIRY

Assembly Member Boland arose to a parliamentary inquiry.

Point of Order

Assembly Member Katz arose to the following point of order:

That Assembly Member Boland did not arise to a point of parliamentary inquiry, relating to procedure of the House.

Ruling by Acting Speaker Goldsmith

The Acting Speaker ruled the point of order well-taken.

Point of Information

Assembly Member Knight arose to a point of information.

Ruling by Acting Speaker Goldsmith

The Acting Speaker ruled the point of information out of order.

Point of Order

Assembly Member Hannigan arose to the following point of order:
That remarks by Assembly Member Boland are appropriate under condition of the file.

Ruling by Acting Speaker Goldsmith

The Acting Speaker ruled the point of order well-taken.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

Under which rules is the House presently operating?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied that the House is operating under rules adopted on June 5, 1995; and to the extent issues were not covered in the June 5, 1995 rules, custom and precedence; as well as Mason's Manual.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

In the areas where the rules adopted on June 5, 1995 do not apply, is the House operating under the standing rules adopted in 1994?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied in the affirmative.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

How has Assembly Rule 5 of the standing rules applied with reference to Members' desk assignments on the Assembly Floor?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied that the assignment of Desks in the Assembly Chamber is governed by Assembly Rule 5 together with Assembly Rule 26(c), and usage and custom of the House.

Parliamentary Inquiry

Assembly Member Pringle arose to the following parliamentary inquiry:

Was the reassignment of desks of Assembly Members Goldsmith, Granlund, Takasugi, Brewer, Aguiar, Brulte, and Allen consistent with Assembly Rule 5 and with the approval of the Committee on Rules?

Reply by Acting Speaker Goldsmith

The Acting Speaker replied that the precedent of House permits the Speaker to assign seats.

Point of Information

Assembly Member Burton arose to the following point of information:

That no seat assignments this session have been approved by the Committee on Rules and that earlier this year seat assignments were made upon Assembly Member Brulte's request of then Speaker Brown.

REQUEST TO DISPENSE WITH CALLS OF THE ASSEMBLY

Assembly Member Hannigan requested that the Calls of the Assembly be dispensed with.

Assembly Member Pringle withheld unanimous consent.

Motion to Dispense with Calls of the Assembly

Assembly Member Hannigan moved that the Calls of the Assembly be dispensed with.

Assembly Member Bustamante seconded the motion.

Motion carried by the following vote:

AYES—39

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

NOES—37

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
MOTION TO TABLE ROGAN MOTION NO. 1**

At 12:56 p.m., on motion of Assembly Member Pringle, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion to table Motion No. 1 by Assembly Member Rogan carried by the following vote:

AYES—40

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

NOES—37

| | | | |
|-----------|-----------|------------|-----------|
| Aguiar | Cunneen | Knight | Pringle |
| Alby | Firestone | Knowles | Rainey |
| Baldwin | Frusetta | Kuykendall | Rogan |
| Battin | Goldsmith | Margett | Takasugi |
| Boland | Granolund | McPherson | Thompson |
| Bordonaro | Harvey | Miller | Weggeland |
| Bowler | Hawkins | Morrissey | Woods |
| Brewer | Hoge | Morrow | |
| Brulte | House | Olberg | |
| Conroy | Kaloogian | Poochigian | |

**CALL OF THE ASSEMBLY DISPENSED WITH ON
MOTION TO TABLE ROGAN MOTION NO. 2**

At 12:57 p.m., on motion of Assembly Member Rogan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion to table Motion No. 2 by Assembly Member Rogan carried by the following vote:

AYES—40

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

NOES—37

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ALLEN MOTION TO REFER PRINGLE MOTION TO COMMITTEE**

At 12:57 p.m., on motion of Assembly Member Rogan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion by Speaker Allen to refer the Pringle motion to amend rules to the Committee on Rules carried by the following vote:

AYES—41

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

NOES—36

| | | | |
|-----------|-----------|------------|------------|
| Aguiar | Conroy | Kaloogian | Olberg |
| Alby | Cunneen | Knight | Poochigian |
| Baldwin | Firestone | Knowles | Pringle |
| Battin | Frusetta | Kuykendall | Rainey |
| Boland | Granlund | Margett | Rogan |
| Bordonaro | Harvey | McPherson | Takasugi |
| Bowler | Hawkins | Miller | Thompson |
| Brewer | Hoge | Morrissey | Weggeland |
| Brulte | House | Morrow | Woods |

**CALL OF THE ASSEMBLY DISPENSED WITH ON
MOTION TO TABLE BRULTE MOTION**

At 12:58 p.m., on motion of Assembly Member Rogan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The motion to table the motion by Assembly Member Brulte carried by the following vote:

AYES—39

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

NOES—37

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

MOTION TO ADJOURN

At 12:58 p.m., Assembly Member Hannigan moved that the Assembly do now adjourn.

Assembly Member Bustamante seconded the motion.

The roll was opened and the motion carried by the following vote:

AYES—41

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

NOES—36

| | | | |
|-----------|-----------|------------|------------|
| Aguiar | Conroy | Kaloogian | Olberg |
| Alby | Cunneen | Knight | Poochigian |
| Baldwin | Firestone | Knowles | Pringle |
| Battin | Frusetta | Kuykendall | Rainey |
| Boland | Granlund | Margett | Rogan |
| Bordonaro | Harvey | McPherson | Takasugi |
| Bowler | Hawkins | Miller | Thompson |
| Brewer | Hoge | Morrissey | Weggeland |
| Brulte | House | Morrow | Woods |

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Conroy announced that the Committee on Utilities and Commerce would meet today at 2 p.m.

Assembly Member McDonald announced that the Committee on Revenue and Taxation would meet today at 2 p.m., instead of 1:30 p.m. in Room 447.

Assembly Member Sher announced that the Committee on Natural Resources would meet today at 2 p.m.

CAUCUS ANNOUNCEMENTS

Acting Speaker Goldsmith announced that the Republican Caucus would meet today upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1 p.m., Acting Speaker Goldsmith declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Assembly Member McDonald, of the 55th Assembly District, introduced the following special guests from the Republic of Korea:

Nyung Yoon Kim, Senior Vice Chairman, Korean Unification; Young Sam Kim, Special Advisor to the President; and Young Kang, Special Assistant to Vice Chairman Nyung Yoon Kim. The guests were accompanied by Gene Kim, Founder and Charles Kim, Vice Chairman of The Koreatown Association of Los Angeles; and Mayor Michael I. Mitoma, Chairman, City of Carson.

Assembly Member Setencich, of the 30th Assembly District, introduced his parents, Daniel and Theresa Setencich, of Fresno.

Assembly Member Burton, of the 12th Assembly District, introduced former Member of the Assembly, Gerald Felando.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Tuesday, June 13, 1995, out of respect to the memory of Joe Machado, on motion of Assembly Member Machado; and out of respect to the memory of Ruth Rosner Kornhauser, on motion of Assembly Member Bates.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 12, 1995**

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

Assembly Bills

5
780
784
818
940

Senate Bills

60
156
386
725
984
1105