

CALIFORNIA LEGISLATURE
1995-96 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, July 14, 1995

TWENTY-FOURTH SESSION DAY

ONE HUNDRED FORTY-EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, July 14, 1995

Without objection, the Assembly met at 7:40 p.m.
Hon. Brian Setencich, Assembly Member, 30th District, 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—74:

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

Quorum present.

PRAYER

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

Lord our God, Quick to help and slow to anger, You show mercy with cheerfulness. Fill our mouths with praise of You; open our lips that we may glorify Your name; apply our hands to carrying out Your commandments; direct our feet in the way of Your Gospel, strengthening our minds and our whole body with Your grace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Acting Speaker Setencich, 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.

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 Hauser.

On legislative business, and waiving per diem: Assembly Member Kaloogian.

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

Because of illness in his family: Assembly Member Margett.

The following Assembly Member was excused for the day, and his per diem was waived: House.

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

MOTION BY ASSEMBLY MEMBER GOLDSMITH

Assembly Member Goldsmith moved that the election of Speaker Doris Allen in the Regular Session be deemed to have occurred in the Second Extraordinary Session.

Assembly Member Caldera seconded the motion.

Motion to Vacate Office of Speaker

Assembly Member Bowler moved to vacate the Office of Speaker of the Assembly in the Second Extraordinary Session.

Communications

The Clerk was instructed to read the following communication:
July 14, 1995

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

Dear Dotson: In the second extraordinary session, I am requesting that you elect someone other than myself as Speaker.

Please do so as soon as possible.

Sincerely,

WILLIE L. BROWN, JR.

Bowler Motion Ruled Out of Order

Acting Speaker Setencich ruled the Bowler motion out of order.

Substitute Motion by Assembly Member Pringle

Assembly Member Pringle moved to offer a substitute motion to elect Assembly Member James Rogan to the Office of Speaker of the Assembly in the Second Extraordinary Session.

Assembly Member Morrissey seconded the motion.

Motion to offer a substitute motion lost by the following vote:

AYES—32

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

NOES—39

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

Further Consideration of Goldsmith Motion

The question being on the Goldsmith motion that the election of Speaker Doris Allen in the Regular Session be deemed to have occurred in the Second Extraordinary Session.

Motion carried by the following vote:

AYES—43

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

NOES—None**Unanimous Consent Withheld**

Assembly Member Katz withheld unanimous consent on any requests to add to the roll call vote taken on the Goldsmith motion.

Assembly Member Pringle withheld unanimous consent on any requests to change votes on the roll call vote taken on the Goldsmith motion.

OATH OF OFFICE

By unanimous consent the following Oath for the Office of Speaker of the Assembly in the Regular Session was deemed to have occurred in the Second Extraordinary Session, and ordered printed in the Journal:

OATH*for the Office of Speaker of the Assembly*

I, Doris Allen, 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.

DORIS ALLEN

VOTE ADDED TO GOLDSMITH MOTION

Acting Speaker Setencich ordered the Clerk to record Assembly Member Ducheny's vote on the roll call vote taken on the Goldsmith motion as she experienced a malfunction of her electronic vote switch.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 35—Goldsmith. An act to amend Section 1773 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 36—Goldsmith. An act to amend Section 1771, of, and to add Section 1771.1 to, the Labor Code, relating to public works.

ASSEMBLY BILL NO. 37—Goldsmith. An act to add Chapter 8.5 (commencing with Section 10975) to Part 2 of Division 9 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 38—Goldsmith. An act to amend and repeal Section 603.5 of the Welfare and Institutions Code, relating to minors.

ASSEMBLY BILL NO. 39—Goldsmith. An act to amend Section 95.3 of the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 40—Goldsmith. An act to amend Section 4420 of the Government Code, relating to public works.

ASSEMBLY BILL NO. 41—Goldsmith. An act relating to forest resources, and making an appropriation therefor.

ASSEMBLY BILL NO. 42—Goldsmith. An act to amend Section 53607 of, and to add Section 53635.7 to, the Government Code, relating to financial services.

ASSEMBLY BILL NO. 43—Goldsmith. An act to add Chapter 2.3 (commencing with Section 4320) to Title 4 of Part 3 of the Penal Code, relating to county correctional facilities.

ASSEMBLY BILL NO. 44—Goldsmith. An act to add Section 11268.5 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 45—Goldsmith. An act to add Section 11268.5 to the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 46—Goldsmith. An act to amend Sections 2000 and 2051 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 47—Goldsmith. An act to amend Section 11180 of the Government Code, and to amend Sections 11004, 11271.5, 11273, 11275, 11350.5, 11450, 11457, 11478, and 11487.5 of, and to add Sections 11008.16, 11023, 11271.6, 15200.35, and 18905.2 to, the Welfare and Institutions Code, relating to public social services.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 26, 1, 4, 7, 6, 15, 25, and 8; and Senate Bill No. 2 were continued until the next legislative day.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Substitute Motion by Pringle: Morrow—Aye.

ADJOURNMENT

At 7:55 p.m., the Assembly adjourned until Wednesday, July 19, 1995, or upon Call of the Speaker.

DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk