### CALIFORNIA LEGISLATURE 1997-98 FIRST EXTRAORDINARY SESSION

# ASSEMBLY DAILY JOURNAL

Monday, July 21, 1997

# THIRTY-SIXTH SESSION DAY ONE HUNDRED EIGHTY-NINTH CALENDAR DAY

### AT SACRAMENTO, CALIFORNIA



#### PROCEEDINGS OF THE ASSEMBLY

#### IN ASSEMBLY

Assembly Chamber, Sacramento Monday, July 21, 1997

The Assembly met at 4:23 p.m.

Hon. Sheila James Kuehl, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk. Assistant Clerk Brian Ebbert reading.

#### **ROLL CALL**

The roll was called, and the following answered to their names— 78:

Ackerman	Ducheny	Leonard	Richter
Aguiar	Escutia	Machado	Runner
Alby	Figueroa	Martinez	Scott
Alquist	Firestone	Mazzoni	Shellev
Aroner	Floyd	McClintock	Strom-Martin
Ashburn	Frusetta	Migden	Sweeney
Baca	Gallegos	Miller	Takasugi
Baldwin	Goldsmith	Morrissey	Thompson
Battin	Granlund	Morrow	Thomson
Baugh	Havice	Murray	Torlakson
Bordonaro	Hertzberg	Napolitano	Villaraigosa
Bowler	Honda	Olberg	Vincent
Brewer	House	Oller	Washington
Brown	Kaloogian	Ortiz	Wayne
Caldera	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	•
Davis	Lempert	Pringle	

#### **PRAYER**

Upon invitation of Speaker pro Tempore Kuehl, the following prayer was offered by Assembly Member Lynne C. Leach, of the 15th Assembly District:

Heavenly Father, We ask Your blessing on all assembled here today and on the work with Your help and guidance we will do for the good and welfare of others. Give to all public servants eyes to behold Your truth, a seeing sense to know what is right, the courage to do what is right and the genuine concern for the good of others. In Your goodness and love grant these blessing . . . and may You bless our nation, our state, our counties, our neighborhoods and our homes through the service we render in Your strength and guidance.—AMEN.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Strom-Martin 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 Havice, seconded by Assembly Member Kuykendall.

#### 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 Margett.

Because of illness: Assembly Member Bowen.

(NOTE: For explanation of absence of Assembly Member Margett 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. 11 (Poochigian)—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately. Bill read third time.

#### **Urgency Clause**

Urgency clause read, and adopted by the following vote:

#### AYES-77

71.20 77			
Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolítano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	•
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

#### NOES-None

The question being on the passage of the bill.

### Bill passed by the following vote:

#### AYES--77

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	•
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

#### **NOES--None**

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 10 (Machado)—An act to amend Section 8690.6 of the Government Code, relating to disaster assistance.

Bill read third time, and passed by the following vote:

#### AYES-77

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	•
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

#### **NOES—None**

Bill ordered transmitted to the Senate immediately.

#### THIRD READING OF SENATE BILLS

SENATE BILL NO. 4 (Costa)—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

#### **Urgency Clause**

Urgency clause read, and adopted by the following vote:

#### AYES-77

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Flovd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leách	Prenter	•
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

#### **NOES—None**

The question being on the passage of the bill. Bill passed by the following vote:

Ackerman	Escutia	Machado	Runner
Aguiar	Figueroa	Martinez	Scott
Alby	Firestone	Mazzoni	Shelley
Alquist	Floyd	McClintock	Strom-Martin
Aroner	Frusetta	Migden	Sweeney
Ashburn	Gallegos	Miller	Takasugi
Baca	Goldsmith	Morrissey	Thompson
Baldwin	Granlund	Morrow	Thomson
Battin	Havice	Murray	Torlakson
Baugh	Hertzberg	Napolitano	Villaraigosa
Bordonaro	Honda	Olberg	Vincent
Bowler	House	Oller	Washington
Brewer	Kaloogian	Ortiz	Wayne
Brown	Keeley	Pacheco	Wildman
Campbell	Knox	Papan	Woods
Cardenas	Kuehl	Perata	Wright
Cardoza	Kuykendall	Poochigian	Mr. Speaker
Cunneen	Leach	Prenter	•
Davis	Lempert	Pringle	
Ducheny	Leonard	Richter	

#### **NOES—None**

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 11 (Maddy)—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

#### **Urgency Clause**

Urgency clause read, and adopted by the following vote:

#### AYES-77

Ackerman Aguiar Alby Alquist Aroner Ashburn Baca Baldwin Battin Baugh Bordonaro Bowler Brewer Brown Campbell Cardenas Cardoza	Escutia Figueroa Firestone Floyd Frusetta Gallegos Goldsmith Granlund Havice Hertzberg Honda House Kaloogian Keeley Knox Kuehl Kuykendall	Machado Martinez Mazzoni McClintock Migden Miller Morrissey Morrow Murray Napolitano Olberg Olter Ortiz Pacheco Papan Perata	Runner Scott Shelley Strom-Martin Sweeney Takasugi Thompson Thomson Torlakson Villaraigosa Vincent Washington Wayne Wildman Woods Wright Mr. Speaker
Campbell Cardenas			
Cardoza Cunneen Davis Ducheny	Kuykendall Leach Lempert Leonard	Poochigian Prenter Pringle Richter	Mr. Speaker

#### **NOES—None**

The question being on the passage of the bill. Bill passed by the following vote:

#### AYES-77

Escutia	Machado	Runner
Figueroa	Martinez	Scott
Firestone	Mazzoni	Shelley
Floyd	McClintock	Strom-Martin
Frusetta	Migden	Sweeney
Gallegos	Miller	Takasugi
Goldsmith	Morrissev	Thompson
Granlund	Morrow	Thomson
Havice	Murray	Torlakson
Hertzberg	Napolitano	Villaraigosa
Honda	Olberg	Vincent
House	Oller	Washington
Kaloogian	Ortiz	Wayne
Keelev	Pacheco	Wildman
Knox	Papan	Woods
Kuehl	Perata	Wright
Kuykendall	Poochigian	Mr. Speaker
Leach	Prenter	•
Lempert		
Leonard	Richter	
	Figueroa Firestone Floyd Frusetta Gallegos Goldsmith Granlund Havice Hertzberg Honda House Kaloogian Keeley Knox Kuehl Kuykendall Leach Lempert	Figueroa Martinez Firestone Mazzoni Floyd McClintock Frusetta Migden Gallegos Miller Goldsmith Morrissey Granlund Morrow Havice Murray Hertzberg Napolitano Honda Olberg House Oller Kaloogian Ortiz Keeley Pacheco Knox Papan Kuehl Perata Kuykendall Poochigian Leach Prenter Lempert Pringle

#### **NOES—None**

Bill ordered transmitted to the Senate immediately.

#### **MOTION TO ADJOURN**

At 4:29 p.m., Assembly Member Machado moved that the Assembly do now adjourn.

Assembly Member Poochigian seconded the motion.

Motion carried.

#### **ADJOURNMENT**

At 4:30 p.m., pursuant to the motion by Assembly Member Machado the Assembly adjourned to reconvene upon Call of the Speaker.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk