

CALIFORNIA LEGISLATURE
1997-98 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 3, 1997

TWENTY-EIGHTH SESSION DAY

ONE HUNDRED SEVENTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, July 3, 1997

The Assembly met at 11:15 a.m.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called, and the following answered to their
names—79:

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

PRAYER

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

Almighty God, As we prepare to celebrate the independence of this great country, we thank You for Your gift of freedom. All thoughts of freedom, truth and peace proceed from You and we pray that, in the hearts of all people, these things be kindled. Guide those who govern the nations of this earth, so that Your kingdom may go forward, till the earth is filled with the knowledge of Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kuehl, Assembly Member Lempert 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 Thompson.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

Because of illness: Assembly Member House.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

June 27, 1997

E. Dotson Wilson

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

Dear Dotson: Please be advised that I am removing Assemblymember Martha Escutia from the Assembly Labor and Employment Committee at her request. This request is effective immediately.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

June 30, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember George Runner to the Assembly Elections, Reapportionment and Constitutional Amendments Committee to replace Assemblymember Bruce Thompson for today, June 30, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

June 30, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Larry Bowler to the Assembly Governmental Organization Committee to replace Assemblymember Jim Battin for today, June 30, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

June 30, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Dick Ackerman to the Assembly Elections, Reapportionment and Constitutional Amendments Committee to replace Assemblymember Tom Bordonaro for today, June 30, 1997 only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

July 1, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Jim Battin to the Assembly Water, Parks and Wildlife Committee to replace Assemblymember Bruce Thompson for today, July 1, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

July 1, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Rod Wright to the Assembly Insurance Committee for today, July 1, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

July 2, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Judiciary Committee to replace Assemblymember Dick Floyd for today, July 2, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

July 3, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Mike Honda to the Assembly Judiciary Committee to replace Assemblymember Dick Floyd.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

July 3, 1997

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

Dear Dotson: Please be advised that I am appointing Assemblymember Martin Gallegos to the Assembly Utilities and Commerce Committee. This appointment is effective immediately.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE
Speaker of the Assembly

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTION TO WITHDRAW ASSEMBLY BILL NO. 7
FROM COMMITTEE**

In compliance with a notice given on a previous day, Assembly Member Oller moved that Assembly Bill No. 7 be withdrawn from the Committee on Appropriations.

Assembly Member Pringle seconded the motion.

Point of Order

Assembly Member Villaraigosa arose to the following point of order:

Assembly Member Oller is not limiting debate to the merits of the motion to withdraw Assembly Bill No. 7 from committee.

Ruling by Speaker pro Tempore Kuehl

The Speaker pro Tempore ruled the point of order well-taken.

Point of Order

Assembly Member Kaloogian arose to the following point of order:

Assembly Member Migden is not limiting debate to the merits of the motion to withdraw Assembly Bill No. 7 from committee.

Ruling by Speaker pro Tempore Kuehl

The Speaker pro Tempore ruled the point of order well-taken.

The question being on the Oller motion to withdraw Assembly Bill No. 7 from the Committee on Appropriations.

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, 11:20 a.m.

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

PARLIAMENTARY INQUIRY

Assembly Member Pringle arose to the following parliamentary inquiry:

Is the membership of committees established in the First Extraordinary Session the same as the membership of committees in the Regular Session?

Reply by Speaker pro Tempore Kuehl

The Speaker pro Tempore replied that the membership of committees is the same in both the Regular Session and the First Extraordinary Session, and that the Daily File is printed upon Call of the Speaker. Therefore, any changes not contained in today's Daily File would be updated for the next printing of the Daily File.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
OLLER MOTION TO WITHDRAW ASSEMBLY BILL NO. 7
FROM COMMITTEE**

At 11:23 a.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 Oller motion to withdraw Assembly Bill No. 7 from the Committee on Appropriations lost by the following vote:

AYES—35

Ackerman	Campbell	Leonard	Poochigian
Aguiar	Cunneen	Margett	Preter
Ashburn	Firestone	McClintock	Pringle
Baldwin	Frusetta	Miller	Richter
Battin	Goldsmith	Morrissey	Runner
Baugh	Granlund	Morrow	Takasugi
Bordonaro	Kalোগian	Olberg	Thompson
Bowler	Kuykendall	Oller	Woods
Brewer	Leach	Pacheco	

NOES—39

Alquist	Escutia	Lempert	Sweeney
Aroner	Figueroa	Martinez	Thomson
Baca	Floyd	Mazzoni	Torlakson
Bowen	Gallegos	Migden	Villaraigosa
Brown	Havice	Murray	Vincent
Caldera	Hertzberg	Napolitano	Wayne
Cardenas	Honda	Ortiz	Wildman
Cardoza	Keeley	Perata	Wright
Davis	Knox	Scott	Mr. Speaker
Ducheny	Kuehl	Shelley	

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 the Oller motion to withdraw Assembly Bill No. 7 from committee.

MESSAGES FROM THE SENATE

Senate Chamber, July 3, 1997

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

Senate Bill No. 4
Senate Bill No. 11

GREG P. SCHMIDT, 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. 4—An act relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

MOTION TO ADJOURN

At 11:24 a.m., Assembly Member Scott moved that the Assembly do now adjourn.

Assembly Member Brewer seconded the motion.

Motion carried.

ADJOURNMENT

At 11:25 a.m., pursuant to the motion by Assembly Member Scott the Assembly adjourned to reconvene upon Call of the Speaker.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

O