

CALIFORNIA LEGISLATURE
2001-02 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 7, 2002
FIFTY-NINTH SESSION DAY
TWO HUNDRED THIRTY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, January 7, 2002

The Assembly met at 12:27 p.m.

Hon. Fred Keeley, 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:

Aanestad	Correa	Leach	Reyes
Alquist	Cox	Leonard	Richman
Aroner	Daucher	Leslie	Runner
Ashburn	Diaz	Liu	Salinas
Bates	Dickerson	Longville	Simitian
Bogh	Dutra	Lowenthal	Steinberg
Briggs	Firebaugh	Maddox	Strickland
Calderon	Florez	Maldonado	Strom-Martin
Campbell, Bill	Frommer	Matthews	Thomson
Campbell, John	Goldberg	Migden	Vargas
Canciamilla	Harman	Mountjoy	Washington
Cardenas	Havice	Nakano	Wayne
Cardoza	Hollingsworth	Nation	Wesson
Cedillo	Horton	Negrete McLeod	Wiggins
Chan	Jackson	Oropeza	Wright
Chavez	Keeley	Pacheco, Robert	Wyland
Chu	Kehoe	Pacheco, Rod	Wyman
Cogdill	Kelley	Papan	Zettel
Cohn	Koretz	Pavley	Mr. Speaker
Corbett	La Suer	Pescetti	

PRAYER

Upon invitation of Speaker Hertzberg, the following prayer was offered by Assembly Alternate Chaplain Rev. Constantine C. Pappademos:

Loving Lord, We gather this day to reconvene the session of this Assembly and we pray to You. Help us to follow and find You here in the place where we work, where we meet people and make plans. Guide us to see through Your eyes, to hear the questions You are asking; to welcome all people with Your truth and to change the things that contradict Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Hertzberg, Assembly Member Cox 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 Vargas, seconded by Assembly Member Cox.

LEAVES OF ABSENCE FOR THE DAY

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

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

COMMUNICATIONS

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

November 30, 2001

E. Dotson Wilson

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

Re: Assembly Rules Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Dave Cox to the Assembly Rules Committee for today's hearing. Mr. Cox is replacing Assemblymember Bill Leonard.

This is to advise you that I have appointed Assemblymember Anthony Pescetti to the Assembly Rules Committee for today's hearing. Mr. Pescetti is replacing Assemblymember Tim Leslie.

Sincerely,

DAVE COX
Assembly Republican Leader

November 30, 2001

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

Re: Assembly Rules Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Thomas Calderon to the Assembly Rules Committee for today's hearing. Mr. Calderon is replacing Assemblymember George Nakano.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 4, 2002

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

Re: Assembly Banking and Finance Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Lou Correa to the Assembly Banking and Finance Committee, replacing Assemblymember Carole Migden.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 4, 2002

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

Re: Assembly Agriculture Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Mike Briggs to replace Assemblymember Tim Leslie on the Assembly Agriculture Committee.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 4, 2002

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

Re: Assembly Elections, Reapportionment and
Constitutional Amendments Committee

Dear Dotson: This is to advise you that I have removed Assemblymember George Nakano from Assembly Elections, Reapportionment and Constitutional Amendments Committee, decreasing the committee from 15 to 14 members.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 4, 2002

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

Re: Assembly Health Committee

Dear Dotson: This is to advise you that I have appointed Assemblymembers Richard Dickerson and Carl Washington to the Assembly Health Committee, expanding the committee from 17 to 19 members.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 4, 2002

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

Re: Assembly Environmental Safety and
Toxic Materials Committee

Dear Dotson: This is to advise you that I have removed Assemblymember Carl Washington from the Assembly Environmental Safety and Toxic Materials Committee, creating a vacancy on the committee.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 4, 2002

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

Re: Assembly Insurance Committee

Dear Dotson: This is to advise you that I have appointed Assemblymembers Richard Dickerson and George Nakano to the Assembly Insurance Committee, expanding the committee from 17 to 19 members.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

COMMUNICATIONS

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

January 4, 2002

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

Re: Assembly Rules Committee

Dear Dotson: Please be advised that at the request of Assembly Republican Leader Dave Cox, we are making the following changes to the Assembly Rules Committee:

Assemblymember Cogdill will replace Assemblymember Leonard as Vice Chair

Assemblymember Leonard will replace Assemblymember Zettel as a Republican member

Assemblymember Daucher will replace Assemblymember Aanestad as the Republican Alternate

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Migden was granted unanimous consent that the Governor's veto of Assembly Bill No. 9 be stricken from file.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Senate Bill No. 1 and Assembly Bills Nos. 2 and 82 were continued until the next legislative day.

Parliamentary Inquiry

Assembly Member Pescetti arose to the following parliamentary inquiry:

Has the 2001–02 Second Extraordinary Session of the Legislature not been adjourned by the Senate?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that although a resolution has been adopted by the Senate, such a resolution must be adopted by both Houses of the Legislature in order to adjourn the 2001–02 Second Extraordinary Session of the Legislature.

RECESS

By unanimous consent, at 12:29 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk