

CALIFORNIA LEGISLATURE
2001–02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, January 12, 2001

SIXTH SESSION DAY

TENTH 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.

(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
Friday, January 12, 2001

The Assembly met at 11:22 a.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—77:

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Member Carl Washington of the 52nd Assembly District:

Let us pray,

Eternal God, Our Father; We thank You for this day and for this hour. We pray now Your blessings upon this legislative body. We pray that You will give us the insight and the directions as You have done through Dr. Martin Luther King and others who have led our great country. We pray that we will make sound decisions and that they will reflect California's constituency. We pray these blessings.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Horton 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 Shelley, seconded by Assembly Member Bill Campbell.

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 Cardenas.

Because of illness: Assembly Member Papan.

(NOTE: For explanation of absence of Assembly Member Cardenas on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

January 11, 2001

E. Dotson Wilson

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

Dear Dotson: This is to advise you that the following leadership is appointed in the 2001–02 First Extraordinary Session, consistent with the 2001–02 Regular Session:

Fred Keeley, Speaker pro Tempore
Christine Kehoe, Assistant Speaker pro Tempore
Kevin Shelley, Majority Floor Leader
Juan Vargas, Assistant Majority Leader
Wilma Chan, Majority Whip
Dion Aroner, Democratic Caucus Chair

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 12, 2001

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

Dear Dotson: This is to advise you that I have appointed the following members to the Assembly Appropriations Committee for the 2001–02 First Extraordinary Session:

Assemblymember Carole Migden, Chair
 Assemblymember Patricia Bates, Vice Chair
 Assemblymember Elaine Alquist
 Assemblymember Dion Aroner
 Assemblymember Roy Ashburn
 Assemblymember Gilbert Cedillo
 Assemblymember Ellen Corbett
 Assemblymember Lou Correa
 Assemblymember Lynn Daucher
 Assemblymember Jackie Goldberg
 Assemblymember Abel Maldonado
 Assemblymember Robert Pacheco
 Assemblymember Lou Papan
 Assemblymember Gloria Romero
 Assemblymember George Runner
 Assemblymember Kevin Shelley
 Assemblymember Joe Simitian
 Assemblymember Helen Thomson
 Assemblymember Herb Wesson
 Assemblymember Patricia Wiggins
 Assemblymember Roderick Wright
 Assemblymember Charlene Zettel

Sincerely,

ROBERT M. HERTZBERG
 Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

Assembly Member Migden was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting at this time, and that Joint Rule 62(a) be waived for the purpose of hearing Assembly Bills Nos. 5 and 6.

**At 11:38 a.m., Assistant Speaker pro Tempore Christine Kehoe,
 76th District, presiding**

REPORTS OF STANDING COMMITTEES **Committee on Appropriations**

Date of Hearing: January 12, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 5

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: January 12, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 6

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

SPECIAL COMMITTEE MEETINGS

Assembly Member Cardoza was granted unanimous consent that the Committee on Rules be permitted to hold a special meeting at this time, and without objection the House was permitted to continue convening in Floor session.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

1 ----- E.C. & A.

2 ----- E.C. & A.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Keeley.

Resolved, That Assembly Bill No. 5 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—59

Aanestad	Daucher	Leslie	Romero
Alquist	Diaz	Liu	Salinas
Aroner	Dickerson	Longville	Shelley
Ashburn	Dutra	Lowenthal	Simitian
Bates	Frommer	Maddox	Steinberg
Calderon	Goldberg	Matthews	Strom-Martin
Campbell, Bill	Harman	Migden	Vargas
Campbell, John	Havice	Nakano	Washington
Canciamilla	Hollingsworth	Nation	Wayne
Chan	Jackson	Negrete McLeod	Wesson
Chavez	Keeley	Oropeza	Wiggins
Cohn	Kehoe	Pavley	Wright
Corbett	Kelley	Pescetti	Wyland
Correa	Koretz	Reyes	Mr. Speaker
Cox	Leonard	Richman	

NOES—3

Cogdill	Mountjoy	Pacheco, Robert
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Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Assembly Bill No. 5

ASSEMBLY BILL NO. 5—An act to amend Sections 335 and 341.2 of, to add Section 352 to, and to repeal and add Sections 337 and 338 of, the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Assembly Bill No. 5 by Unanimous Consent

Upon request of Assembly Member Shelley, Assembly Member Keeley was granted unanimous consent to take up Assembly Bill No. 5 without reference to file, for purpose of consideration.

ASSEMBLY BILL NO. 5 (Keeley)—An act to Sections 335 and 341.2 of, to add Section 352 to, and to repeal and add Sections 337 and 338 of, the Public Utilities Code, relating to public utilities, 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—60

Alquist	Cox	Liu	Salinas
Aroner	Diaz	Longville	Shelley
Ashburn	Dickerson	Lowenthal	Simitian
Bates	Dutra	Maldonado	Steinberg
Calderon	Firebaugh	Matthews	Strom-Martin
Campbell, Bill	Florez	Migden	Thomson
Campbell, John	Frommer	Nakano	Vargas
Canciamilla	Goldberg	Nation	Washington
Cardoza	Havice	Negrete McLeod	Wayne
Cedillo	Horton	Oropeza	Wesson
Chan	Jackson	Pavley	Wiggins
Chavez	Keeley	Pescetti	Wright
Cohn	Kehoe	Reyes	Wyland
Corbett	Koretz	Richman	Zettel
Correa	Leonard	Romero	Mr. Speaker

NOES—9

Aanestad	Hollingsworth	Mountjoy
Cogdill	La Suer	Pacheco, Robert
Daucher	Maddox	Wyman

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—60

Alquist	Cox	Liu	Salinas
Aroner	Diaz	Longville	Shelley
Ashburn	Dickerson	Lowenthal	Simitian
Bates	Dutra	Maldonado	Steinberg
Calderon	Firebaugh	Matthews	Strom-Martin
Campbell, Bill	Florez	Migden	Thomson
Campbell, John	Frommer	Nakano	Vargas
Canciamilla	Goldberg	Nation	Washington
Cardoza	Havice	Negrete McLeod	Wayne
Cedillo	Horton	Oropeza	Wesson
Chan	Jackson	Pavley	Wiggins
Chavez	Keeley	Pescetti	Wright
Cohn	Kehoe	Reyes	Wyland
Corbett	Koretz	Richman	Zettel
Correa	Leonard	Romero	Mr. Speaker

NOES—9

Aanestad	Hollingsworth	Mountjoy
Cogdill	La Suer	Pacheco, Robert
Daucher	Maddox	Wyman

Bill ordered transmitted to the Senate immediately.

At 11:58 a.m., Speaker pro Tempore Fred Keeley, 27th District, presiding

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Dutra.

Resolved, That Assembly Bill No. 6 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

AYES—65

Aanestad	Daucher	Liu	Salinas
Alquist	Diaz	Longville	Shelley
Aroner	Dickerson	Lowenthal	Simitian
Ashburn	Dutra	Maddox	Steinberg
Bates	Firebaugh	Maldonado	Strom-Martin
Calderon	Florez	Matthews	Thomson
Campbell, Bill	Frommer	Migden	Vargas
Campbell, John	Goldberg	Nakano	Washington
Canciamilla	Havice	Nation	Wayne
Cardoza	Hollingsworth	Negrete McLeod	Wesson
Cedillo	Horton	Oropeza	Wiggins
Chan	Jackson	Pavley	Wright
Chavez	Keeley	Pescetti	Zettel
Cohn	Kehoe	Reyes	Mr. Speaker
Corbett	Koretz	Richman	
Correa	Leonard	Romero	
Cox	Leslie	Runner	

NOES—2

Cogdill	Wyman
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Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Assembly Bill No. 6

ASSEMBLY BILL NO. 6—An act to amend Sections 216 and 377 of the Public Utilities Code, relating to public utilities.

Bill read second time.

Consideration of Assembly Bill No. 6 by Unanimous Consent

Upon request of Assembly Member Shelley, Assembly Member Dutra was granted unanimous consent to take up Assembly Bill No. 6 without reference to file, for purpose of consideration.

ASSEMBLY BILL NO. 6 (Dutra)—An act to amend Sections 216 and 377 of the Public Utilities Code, relating to public utilities.

Bill read third time and presented by Assembly Members Dutra and Pescetti.

DEBATE CLOSED

By unanimous consent Assembly Members Dutra and Pescetti were permitted to close debate on Assembly Bill No. 6.

The question being on passage of the bill.

Bill passed by the following vote:

AYES—61

Alquist	Dickerson	Longville	Simitian
Aroner	Dutra	Lowenthal	Steinberg
Ashburn	Firebaugh	Maldonado	Strom-Martin
Bates	Florez	Matthews	Thomson
Calderon	Frommer	Migden	Vargas
Campbell, Bill	Goldberg	Nakano	Washington
Canciamilla	Harman	Nation	Wayne
Cardoza	Havice	Negrete McLeod	Wesson
Cedillo	Horton	Oropeza	Wiggins
Chan	Jackson	Pavley	Wright
Chavez	Keeley	Pescetti	Wyland
Cohn	Kehoe	Reyes	Zettel
Corbett	Koretz	Richman	Mr. Speaker
Correa	Leonard	Romero	
Cox	Leslie	Salinas	
Diaz	Liu	Shelley	

NOES—10

Aanestad	Daucher	Leach	Wyman
Campbell, John	Hollingsworth	Maddox	
Cogdill	La Suer	Strickland	

Bill ordered transmitted to the Senate immediately.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items:

Assembly Bill No. 5, Resolution to Dispense with Constitution: Aanestad, Koretz, Leslie, and Nakano—Aye.

Assembly Bill No. 6: Maldonado—Aye.

RECESS

By unanimous consent, at 12:27 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

AUTHOR'S AMENDMENTS

Committee on Energy Costs and Availability

January 12, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Assembly Bill No. 2

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 2—An act to amend Sections 363, 367, 368, and 374 of, and to add Section 368.5 to, the Public Utilities Code, relating to public utilities, 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.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Tuesday, January 16, 2001.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 12, 2001**

The following measure was amended in the Assembly on this day:

AB RN

2 0101135

Daily Total: 1

Cumulative Total: 1

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