

CALIFORNIA LEGISLATURE
2001-02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 31, 2001
FIFTEENTH SESSION DAY
TWENTY-NINTH 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
Wednesday, January 31, 2001

The Assembly met at 4:30 p.m.

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

Quorum present.

PRAYER

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

Let us pray,

Eternal God, We thank You for this day. We thank You for this hour. We thank You for the opportunity to come together once again. We pray now Your blessings upon this Legislature, upon this Assembly body as we begin to do the people's business. Bless all of us for the purpose for which we are gathered.

In Christ's name—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Kehoe, Assembly Member Chan 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 Leonard.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 23—Canciamilla. An act to add Section 743.2 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 24—Daucher (Coauthor: Hollingsworth). An act to add Section 378.3 to the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 25—Runner. An act to add Article 4.5 (commencing with Section 41368) to Chapter 3 of Part 24 of the Education Code, relating to education energy costs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 26—Leach (Coauthors: Robert Pacheco, Pescetti, and Runner) (Coauthor: Senator Johannessen). An act to add Article 4.5 (commencing with Section 41368) to Chapter 3 of Part 24 of the Education Code, relating to school finance, and making an appropriation therefor.

ASSEMBLY BILL NO. 27—Koretz and Horton (Coauthors: Calderon, Cardoza, Chavez, Frommer, Nakano, Oropeza, Robert Pacheco, Pavley, Reyes, Romero, Strom-Martin, Vargas, and Wesson). An act to add Section 367.1 to the Public Utility Code, and to add and repeal Sections 6902.3, 17053.84, 17053.85, 17201.1, 23684, 23685, and 24343.1 of the Revenue and Taxation Code, relating to electricity.

ASSEMBLY BILL NO. 28—Daucher. An act to add Section 41514.9 to the Health and Safety Code, relating to energy.

MESSAGES FROM THE SENATE

Senate Chamber, January 31, 2001

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

Assembly Bill No. 1

And respectfully requests the Assembly to concur in said amendments.

GREG P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Assistant Speaker pro Tempore re-referred Assembly Bill No. 1 to the Committee on Energy Costs and Availability.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Wright announced that the Committee on Energy Costs and Availability would meet at 4:45 p.m. today, in Room 4202.

RECESS

By unanimous consent, at 4:32 p.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

CAUCUS ANNOUNCEMENTS

At 6:23 p.m., Assembly Member Pescetti announced that the Republican Caucus would meet in the Tom Bane Rules Committee Room.

RECONVENED

At 10:18 p.m., the Assembly reconvened.
Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

**REPORTS OF STANDING COMMITTEES
Committee on Energy Costs and Availability**

Date of Hearing: January 31, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:
Assembly Bill No. 1

With the recommendation: That the Senate amendments be concurred in.

WRIGHT, Chairman

Above bill ordered to unfinished business.

**CONSIDERATION OF SENATE AMENDMENTS
BY UNANIMOUS CONSENT
AND ASSEMBLY RULE 77 SUSPENDED**

Upon request of Assembly Member Chan; Assembly Member Keeley was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 1, without reference to file.

ASSEMBLY BILL NO. 1 (Keeley)—An act to amend Section 366.5 of, and to add Section 360.5 to, and to repeal Section 355.1 of, the Public Utilities Code, and to add Division 27 (commencing with Section 80000) to the Water Code, relating to electric power, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Aroner moved a call of the Assembly.

Motion carried. Time, 11:48 p.m.

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

**THIRTIETH CALENDER DAY
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, Sacramento
Thursday, February 1, 2001

In Assembly, 12 M.

Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

CAUCUS ANNOUNCEMENTS

At 12:38 a.m., Assembly Member Pescetti was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 12:38 a.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 2:44 a.m., the Assembly reconvened.

Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1**

At 2:47 a.m., on motion of Assembly Member Aroner, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 1 by the following vote:

AYES—51

Alquist	Diaz	Liu	Shelley
Aroner	Dutra	Longville	Simitian
Calderon	Firebaugh	Lowenthal	Steinberg
Campbell, Bill	Florez	Migden	Strom-Martin
Canciamilla	Frommer	Nakano	Thomson
Cardenas	Goldberg	Nation	Vargas
Cardoza	Havice	Negrete McLeod	Washington
Cedillo	Horton	Oropeza	Wayne
Chan	Jackson	Papan	Wesson
Chavez	Keeley	Pavley	Wiggins
Cohn	Kehoe	Reyes	Wright
Corbett	Kelley	Romero	Mr. Speaker
Correa	Koretz	Salinas	

NOES—28

Aanestad	Daucher	Leslie	Pescetti
Ashburn	Dickerson	Maddox	Richman
Bates	Harman	Maldonado	Runner
Briggs	Hollingsworth	Matthews	Strickland
Campbell, John	La Suer	Mountjoy	Wyland
Cogdill	Leach	Pacheco, Robert	Wyman
Cox	Leonard	Pacheco, Rod	Zettel

**Motion to Reconsider Assembly Bill No. 1
on Next Legislative Day**

Assembly Member Shelley moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 1 were this day refused concurrence.

MOTION TO ADJOURN

At 2:47 a.m., Assembly Member Aroner moved that the Assembly do now adjourn.

Assembly Member Shelley seconded the motion.

Motion carried.

ADJOURNMENT

At 2:47 a.m., pursuant to the motion by Assembly Member Aroner, the Assembly adjourned until 11 a.m., Thursday, February 1, 2001.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk