

CALIFORNIA LEGISLATURE  
2001–02 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, February 16, 2001**  
**TWENTY-THIRD SESSION DAY**  
**FORTY-FIFTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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, February 16, 2001

The Assembly met at 9:09 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—72:

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

Quorum present.

**PRAYER**

In observance of the Day of Remembrance for Japanese Americans interned during World War II, Speaker pro Tempore Keeley invited Rev. Bob Oshita, of the Buddhist Church of Sacramento, to offer the morning prayer.

Honored members of the California State Assembly . . .

It is a pleasure to join with you this morning . . . in observing this very special Day of Remembrance; for in remembering the mistakes of our past . . . we quietly reaffirm our convictions to “do the right thing” in living today.

In opening our gathering today, please join me in a moment of meditative hope and reflection.

In the Busy-ness of our well scheduled days . . . we often fail to appreciate the day . . . the moment . . . that is now.

If we were to suddenly learn that we had only weeks to live . . . what value would we then give to each day . . . each hour. However long our lives may be . . . each day is a treasure, never to come again. With this in mind, let us receive and live each day as a cherished gift . . . let us receive gratefully and live wisely . . . the gift that is today.

We close our meditation, with a Buddhist expression of gratitude beyond words, we call, Onembutsu.

NamoAmidaButsu.

**PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE TO THE FLAG**

The Presentation of Colors by the Nisei Post 8985 VFW Auxiliary, Sacramento was followed by the Pledge of Allegiance to the Flag, led by Assembly Member Nakano.

**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 Members Briggs, Horton, Leslie, Maddox, Washington, and Wright.*

*Because of illness: Assembly Member Runner.*

(NOTE: For explanations of absences of Assembly Members Briggs, Horton, Leslie, Maddox, Washington, and Wright on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly*

*Bill No.*

*Committee*

- 30** ----- Pub. S. and E.C. & A.
- 31** ----- E.C. & A. and Nat. Res.
- 32** ----- E.C. & A.
- 34** ----- Nat. Res. and E.C. & A.

- 35 ----- E.C. & A.
- 36 ----- Nat. Res. and E.C. & A.
- 42 ----- E.C. & A.
- 45 ----- Rev. & Tax. and E.C. & A.

*Assembly Concurrent*

- | <i>Resolution No.</i> | <i>Committee</i>        |
|-----------------------|-------------------------|
| 2 -----               | Nat. Res. and E.C. & A. |
| 3 -----               | E.C. & A.               |
| 4 -----               | Rls.                    |

**RECESS**

By unanimous consent, at 9:09 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 56—Leslie (Coauthor: Senator Costa).** An act to add and repeal Section 11093.5 of the Government Code, relating to state agencies.

**ASSEMBLY BILL NO. 57—Dutra (Coauthor: Canciamilla) (Coauthor: Senator Costa).** An act to add Section 2773.3 to the Public Utilities Code, relating to public utilities.

**ASSEMBLY BILL NO. 58—Cox.** An act to add Section 6353.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 59—Robert Pacheco.** An act to relating to public utilities, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 60—Hertzberg.** An act to add Section 25525.3 to the Public Resources Code, and to add Section 367.3 to the Public Utilities Code, relating to electrical generation, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 61—Alquist.** An act to amend Section 1240.650 of the Code of Civil Procedure, to amend Sections 56129 and 56133 of the Government Code, and to amend Section 366 of, and to add Sections 851.1 and 1411.1 to, the Public Utilities Code, relating to public utilities.

**ASSEMBLY BILL NO. 62—Cohn.** An act to add Section 100.8 to the Revenue and Taxation Code, relating to local government finance.

**ASSEMBLY BILL NO. 63—Havice and Rod Pacheco.** An act to add Section 6529 to the Government Code, relating to joint powers agreements.

**ASSEMBLY BILL NO. 64—Strom-Martin.** An act to add Article 6 (commencing with Section 14710) to Chapter 2 of Part 5.5 of Division 3 of Title 2 of the Government Code, relating to energy retrofits of state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**AUTHOR’S AMENDMENTS**

**Committee on Revenue and Taxation**

February 16, 2001

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 11

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

CORBETT, Chairwoman

**ASSEMBLY BILL NO. 11**—An act to repeal Article 10 (commencing with Section 890) of Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, and Part 19 (commencing with Section 40001) of Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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.

**AUTHOR'S AMENDMENTS**

**Committee on Business and Professions**

February 16, 2001

Mr. Speaker: The Chair of your Committee on Business and Professions reports:  
Assembly Bill No. 22

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

CORREA, Chairman

**ASSEMBLY BILL NO. 22**—An act to add Section 388.1 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.

**AUTHOR'S AMENDMENTS**

**Committee on Energy Costs and Availability**

February 16, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:  
Assembly Bill No. 31

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

WRIGHT, Chairman

**ASSEMBLY BILL NO. 31**—An act to amend Section 42359.5 of, and to add Section 42317 to, the Health and Safety Code, to amend Section 743.1 of, and to add Sections 367.1, 743.4, 743.5, 743.6, and 743.7 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.

**AUTHOR'S AMENDMENTS**

**Committee on Energy Costs and Availability**

February 16, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:  
Assembly Bill No. 3

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

WRIGHT, Chairman

**ASSEMBLY BILL NO. 3**—An act 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.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Date of Hearing: February 16, 2001

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 4

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

CARDOZA, Chairman

Above resolution re-referred to the Committee on Appropriations.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 11 a.m., Tuesday, February 20, 2001.

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ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 16, 2001**

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The following measures were amended in the Assembly on this day:

**AB RN**

3 0108094

11 0107827

22 0107884

31 0108104

**Daily Total: 4**

**Cumulative Total: 9**

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