

CALIFORNIA LEGISLATURE
2001-02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 26, 2001
TWENTY-SEVENTH SESSION DAY
FIFTY-FIFTH 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
Monday, February 26, 2001

The Assembly met at 11:18 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—75:

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

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Chaplain Rabbi Mona Alfi:

Creating laws is an awesome responsibility. Speaking on their importance, Lyndon B. Johnson said: “Law is the great civilizing machinery. It liberates the desire to build and subdues the desire to destroy. And if war can tear us apart, law can unite us—out of fear, or love, or reason, or all three. Law is the greatest human invention. All the rest give man mastery over his world. Law gives him mastery over himself.”

Laws are not distant things, they are personal, and they affect our lives. The daily business of legislating can, at times, seem somewhat prosaic. However, the result can, at its best, create laws that ennoble us and celebrate our common humanity.

May the Holy One of Blessing inspire our pursuit of justice and bring joy to our daily responsibilities. May this be God’s will.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Salinas 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 Chan, seconded by Assembly Member Kelley.

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 Cardenas and Romero.

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

Because of illness: Assembly Member Wiggins.

(NOTE: For explanations of absences of Assembly Members Cardenas and Romero on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

COMMUNICATIONS

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

February 23, 2001

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

Re: Appointment to Judiciary Committee

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

Assemblymember Darrell Steinberg, Chair
 Assemblymember Robert Pacheco, Vice Chair
 Assemblymember Patricia Bates
 Assemblymember Ellen Corbett
 Assemblymember John Dutra
 Assemblymember Tom Harman
 Assemblymember Hannah-Beth Jackson
 Assemblymember Christine Kehoe
 Assemblymember John Longville
 Assemblymember Kevin Shelley
 Assemblymember Howard Wayne

Sincerely,

ROBERT M. HERTZBERG
 Speaker of the Assembly

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

February 23, 2001

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

Dear Mr. Wilson: This letter is to confirm the appointment of the Assemblyman Tony Strickland to the Caucus position of Caucus Vice Chair and Assistant Republican Leader and will serve as such in the First Extraordinary Session.

Thank you for your consideration in this matter. Please contact Richard Costigan III or Bob Becker in my capitol office at 319-2071 if you have any further questions.

Very truly yours,

BILL CAMPBELL
 Assembly Republican Leader

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 26, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 30

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Natural Resources, on March 1, 2001, upon adjournment of session.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
33	E.C. & A. and Nat. Res.
37	E.C. & A.
39	Nat. Res. and E.C. & A.
40	E.C. & A.
44	E.C. & A.
47	Jud. and E.C. & A.
48	E.C. & A.
49	Rev. & Tax. and E.C. & A.
50	Ed. and E.C. & A.
51	Rev. & Tax. and E.C. & A.
53	Nat. Res. and E.C. & A.
55	Nat. Res. and E.C. & A.
56	E.C. & A.
57	E.C. & A.
58	Rev. & Tax. and E.C. & A.
60	E.C. & A.
61	Jud. and E.C. & A.
62	Rev. & Tax. and E.C. & A.
64	B. & P. and E.C. & A.

REPORTS OF STANDING COMMITTEES

Committee on Energy Costs and Availability

Date of Hearing: February 20, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:
Assembly Bill No. 3

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

WRIGHT, Chairman

Above bill ordered to second reading.

Date of Hearing: February 20, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:
Assembly Bill No. 14

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

WRIGHT, Chairman

Above bill ordered to second reading.

Date of Hearing: February 20, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:

Assembly Bill No. 24

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

WRIGHT, Chairman

Above bill ordered to second reading.

AUTHOR'S AMENDMENTS
Committee on Appropriations

February 26, 2001

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 4

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

MIGDEN, Chairwoman

ASSEMBLY CONCURRENT RESOLUTION NO. 4—Relative to the Metcalf Energy Center.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Energy Costs and Availability

February 26, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:

Assembly Bill No. 44

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 44—An act to add Section 354 to the Public Utilities Code, relating to public utilities.

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.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 25—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.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Energy Costs and Availability.

ASSEMBLY BILL NO. 26—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.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Energy Costs and Availability.

ASSEMBLY BILL NO. 46—An act relating to public utilities, making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred 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 3 p.m. today.

Speaker pro Tempore Keeley announced that the Committee on Natural Resources would meet today at 1:45 p.m.

RECESS

By unanimous consent, at 11:19 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. 77—**Robert Pacheco (Principal coauthor: Senator Soto)**. An act to amend Section 743 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 78—**Canciamilla (Coauthor: Pescetti)**. An act to amend Sections 785, 785.1, and 785.5, of the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 79—**Nakano**. An act to add and repeal Sections 17052.5 and 23601.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 80—**Reyes**. An act to amend Section 80110 of the Water Code, relating to electrical power, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 81—**Zettel**. An act relating to energy generation.

ASSEMBLY BILL NO. 82—**Simitian**. An act to amend Section 31007.5 of the Water Code, relating to water.

ASSEMBLY BILL NO. 83—**Keeley and Pescetti (Coauthor: Jackson) (Coauthors: Senators Brulte and Chesbro)**. An act to amend Section 2827 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 84—**Bill Campbell**. An act to add Sections 17053.79 and 23669 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 85—**Bill Campbell**. An act to amend Sections 17053.49 and 23649 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 86—**Bill Campbell**. An act to add and repeal Section 17052.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 87—**Bill Campbell**. An act relating to energy resources.

ASSEMBLY BILL NO. 88—**Bill Campbell**. An act to add Section 25544 to the Public Resources Code, relating to energy resources.

ASSEMBLY BILL NO. 89—**Bill Campbell**. An act to add Section 3108.5 to the Public Resources Code, relating to energy resources.

ASSEMBLY BILL NO. 90—**Bill Campbell**. An act relating to public utilities.

ASSEMBLY BILL NO. 91—**Bill Campbell**. An act relating to energy resources.

ASSEMBLY BILL NO. 92—**Bill Campbell**. An act relating to air resources.

ASSEMBLY BILL NO. 93—Bill Campbell. An act to amend Section 25402.1 of the Public Resources Code, relating to energy conservation.

ASSEMBLY BILL NO. 94—Bill Campbell. An act relating to energy resources.

ASSEMBLY BILL NO. 95—Bill Campbell. An act relating to energy resources.

ASSEMBLY BILL NO. 96—Bill Campbell. An act to amend Sections 17053.49 and 23649 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 1, 2001, or upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 26, 2001**

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

AB RN

25 0108382

26 0108381

44 0107962

46 0108374

ACR RN

4 0108191

Daily Total: 5**Cumulative Total: 16**

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