

CALIFORNIA LEGISLATURE
2001-02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 5, 2001
THIRTY-FIRST SESSION DAY
SIXTY-SECOND 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)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 5, 2001

The Assembly met at 11:21 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—73:

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

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Member John Dutra, of the 20th Assembly District:

Eternal God, Let us enter this new day assured of Your steadfast love and dedicated to loyal service to the people of this state.

May we strive to have our words related to our deeds. Let our thinking be sharp, our lives seeking the goal of integrity and our actions decisive and courageous.

May we think deeply upon minute problems, but ever have our horizons expand.

In our Lord's name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Hollingsworth 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 Members Calderon and Romero.

Because of unscheduled travel delays: Assembly Members Longville and Negrete McLeod.

Because of illness: Assembly Member John Campbell.

Because of a death in her family: Assembly Member Goldberg.

(NOTE: For explanations of absences of Assembly Members Calderon 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 communications were presented by the Speaker, and ordered printed in the Journal:

February 8, 2001

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

Re: Committee on Energy Costs and Availability for the 2001–02

Dear Dotson: This is to advise you that I have appointed Assemblymember Dean Florez to the Committee on Energy Costs and Availability for the 2001–02 First Extraordinary Session.

Sincerely,

ROBERT M. HERTZBERG
 Speaker of the Assembly

March 5, 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 created the Subcommittee on Natural Gas Costs and Availability of the Committee on Energy Costs and Availability for the First Extraordinary Session of 2001-02. I have appointed the following members to the subcommittee:

Assemblymember Joe Canciamilla, Chair
 Assemblymember Manny Diaz
 Assemblymember Dick Dickerson
 Assemblymember Dean Florez
 Assemblymember Herb Wesson
 Assemblymember Charlene Zettel

Sincerely,

ROBERT M. HERTZBERG
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 5, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 23

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

AUTHOR'S AMENDMENTS

Committee on Energy Costs and Availability

March 5, 2001

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

Assembly Bill No. 42

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 42—An act to add Chapter 4.7 (commencing with Section 25370) to Division 15 of the Public Resources Code, relating to energy, making an appropriation therefor, 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

March 5, 2001

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

Assembly Bill No. 75

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 75—An act to add Article 1.7 (commencing with Section 41756) to Chapter 3 of Part 4 of Division 26 of the Health and Safety Code, and to add Section 464 to the Public Utilities Code, relating to electrical energy.

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 Revenue and Taxation

Date of Hearing: February 28, 2001

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 45

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

CORBETT, Chairwoman

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: February 27, 2001

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 30

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

WASHINGTON, Chairman

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 8—An act to add Section 363.1 to the Public Utilities Code, relating to public utilities.

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

ASSEMBLY BILL NO. 3—An act to add Section 739.4 to the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 24—An act to add and repeal Section 378.3 of the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 29—An act to add Chapter 5.3 (commencing with Section 25425) to Division 15 of the Public Resources Code, and to add Sections 17053.95 and 23650 to the Revenue and Taxation Code, relating to energy conservation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 9—An act to add Chapter 6.6 (commencing with Section 25560) to Division 15 of the Public Resources Code, relating to energy resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

ASSEMBLY BILL NO. 36—An act to amend Section 25550 of, and to add Sections 25137 and 25551 to, the Public Resources Code, relating to electrical energy, and declaring the urgency thereof, to take effect immediately.

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

RE-REFERENCE OF BILLS

Assembly Member Shelley was granted unanimous consent that Assembly Bills Nos. 41 and 43 be re-referred from the Committee on Jobs, Economic Development, and the Economy to the Committee on Energy Costs and Availability.

RECESS

By unanimous consent, at 11:22 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 11:31 a.m., the Assembly reconvened.

Hon. Fred Keeley, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 54 (Wright)—An act to add Section 9601.5 to the Public Utilities Code, relating to electricity, 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—71

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

NOES—1

Aanestad

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—71

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

NOES—1

Aanestad

Bill ordered transmitted to the Senate.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Assembly Bill No. 54 and Urgency: Cedillo—Aye.

MOTION TO ADJOURN

At 11:37 a.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Bill Campbell seconded the motion.

Motion carried.

RECESS

By unanimous consent, at 11:37 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. 104—Cardoza. An act to amend Section 739.1 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 105—Cogdill (Coauthor: Pescetti). An act to add Section 785.6 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 106—Frommer. An act to add Section 42301.15 to the Health and Safety Code, relating to air resources.

ASSEMBLY BILL NO. 107—Florez and Dickerson (Coauthors: Frommer and Wyman). An act to amend Sections 80004, 80134, and 80200 of the Water Code, relating to electric power, and making an appropriation therefor.

ASSEMBLY BILL NO. 108—Simitian. An act to add Section 454.5 to the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 109—Simitian. An act to add and repeal Section 2774.7 of the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

AUTHOR'S AMENDMENTS**Committee on Energy Costs and Availability**

March 5, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Assembly Bill No. 43

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 43—An act to add Chapter 6.5 (commencing with Section 17630.10) to Part 10.5 of the Education Code, and to amend Section 2827 of the Public Utilities Code, relating to energy, making an appropriation therefor, 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**

March 5, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Assembly Bill No. 41

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 41—An act to add Chapter 4.7 (commencing with Section 25370) to Division 15 of the Public Resources Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof.

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., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned until 8:30 a.m., Thursday, March 8, 2001 or upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 5, 2001**

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

AB	RN	
	3	0108626
	8	0108600
	9	0108646
	24	0108675
	29	0108583
	36	0108686
	41	0108639
	42	0108621
	43	0108660
	75	0108634
	Daily Total:	10
	Cumulative Total:	34

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