

CALIFORNIA LEGISLATURE  
2001-02 FIRST EXTRAORDINARY SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Thursday, March 8, 2001**  
**THIRTY-FOURTH SESSION DAY**  
**SIXTY-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  
Thursday, March 8, 2001

The Assembly met at 8:36 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 following were placed upon the morning roll call—77:

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

Quorum present.

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*Because of illness in the family: Assembly Members Hertzberg and Horton.*

**INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 115—Harman.** An act to add Chapter 5.4 (commencing with Section 25438) to Division 15 of the Public Resources Code, to add Section 399.45 to the Public Utilities Code, and to amend Sections 17052.12, 17053.49, 23609, and 23649 of, to add Sections 17053.60, 17053.61, 17053.62, 17053.63, 23660, 23662, and 23663 to, and to add and repeal Sections 17053.84 and 23684 of, the Revenue and Taxation Code, relating to energy, and making an appropriation therefor.

**ASSEMBLY BILL NO. 116—Pescetti (Principal coauthor: Bates).** An act to add Section 785.9 to the Public Utilities Code, relating to public utilities.

**ASSEMBLY BILL NO. 117—Pescetti.** An act to add Section 857 to the Public Utilities Code, relating to public utilities.

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

March 8, 2001

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

Assembly Bill No. 83

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

MIGDEN, Chairwoman

**ASSEMBLY BILL NO. 83—**An act to amend Section 2827 of 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.

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

March 8, 2001

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

Assembly Bill No. 25

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

WRIGHT, Chairman

**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; 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 8, 2001

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

Assembly Bill No. 33

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

WRIGHT, Chairman

**ASSEMBLY BILL NO. 33**—An act to add Chapter 9.5 (commencing with Section 25850) to Division 15 of the Public Resources Code, relating to energy, and making an appropriation therefor.

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 Judiciary**

March 8, 2001

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 47

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

STEINBERG, Chairman

**ASSEMBLY BILL NO. 47**—An act to amend Sections 1240.650 and 1245.250 of the Code of Civil Procedure, to amend Sections 56129 and 56133 of the Government Code, and to amend Sections 366 and 11652 of, and to add Sections 851.1 and 1411.1 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Revenue and Taxation**

March 8, 2001

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 62

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

CORBETT, Chair

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

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 Appropriations**

Date of Hearing: March 7, 2001

Mr. Speaker: Your Committee on Appropriations reports:  
Assembly Bill No. 8  
Assembly Bill No. 9  
Assembly Bill No. 31

With amendments with the recommendation: Amend, and do pass, as amended.

MIGDEN, Chairwoman

Above bills ordered to second reading.

**Committee on Energy Costs and Availability**

Date of Hearing: March 8, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:  
Assembly Bill No. 41  
Assembly Bill No. 53

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WRIGHT, Chairman

Above bills re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 40**—An act to add Chapter 5.3 (commencing with Section 25430) to Division 15 of the Public Resources Code, relating to energy resources, and making an appropriation therefor.

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, and ordered to third reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 8, 2001

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

Senate Bill No. 43

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

**FIRST READING OF SENATE BILLS**

The following bill was read the first time:

**SENATE BILL NO. 43**—An act to amend Section 332.1 of the Public Utilities Code, and to amend Section 80134 of the Water Code, relating to electric power, and declaring the urgency thereof, to take effect immediately.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 11 a.m., Monday, March 12, 2001.

---

FRED KEELEY, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 8, 2001

---

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

<b>AB</b>	<b>RN</b>	
25	0108920	
33	0108737	
40	0108325	
47	0108763	
62	0108735	
<b>Daily Total:</b>		<b>5</b>
<b>Cumulative Total:</b>		<b>45</b>

O