

CALIFORNIA LEGISLATURE
2001-02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 15, 2001
THIRTY-EIGHTH SESSION DAY
SEVENTY-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)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 15, 2001

The Assembly met at 8:48 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	Diaz	Leonard	Richman
Alquist	Dickerson	Liu	Runner
Aroner	Dutra	Longville	Salinas
Briggs	Firebaugh	Lowenthal	Shelley
Calderon	Florez	Maddox	Simitian
Campbell, Bill	Frommer	Matthews	Steinberg
Campbell, John	Goldberg	Migden	Strickland
Canciamilla	Harman	Mountjoy	Strom-Martin
Cardenas	Havice	Nakano	Thomson
Cardoza	Hollingsworth	Nation	Vargas
Chan	Horton	Negrete McLeod	Washington
Chavez	Jackson	Oropeza	Wayne
Cogdill	Keeley	Pacheco, Robert	Wesson
Cohn	Kehoe	Pacheco, Rod	Wiggins
Corbett	Kelley	Papan	Wyland
Correa	Koretz	Pavley	Wyman
Cox	La Suer	Pescetti	Zettel
Daucher	Leach	Reyes	Mr. Speaker

PRAYER

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

Frank Outlaw, a noted 20th century businessman, commented on the nature of human character. He said:

Watch your thoughts; they become words. Watch your words; they become actions. Watch your actions; they become habits. Watch your habits; they become your character. Watch your character; it becomes your destiny.

Like a pebble dropped in a pond, we can never tell how far the concentric circles that mark its ripples will go. But there is great hope in this. For it means that merely by paying attention to our own thoughts, we can take responsibility for our destiny.

May the Holy One of Blessing help us recognize the power in even the smallest of our acts, and the freedom we hold in determining our future. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Shelley 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.

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 Bates and Cedillo.

On personal business, and waiving per diem: Assembly Members Ashburn and Maldonado.

Because of illness: Assembly Members Leslie and Wright.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 15, 2001

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

Assembly Bill No. 26

Assembly Bill No. 43

Assembly Bill No. 41

Assembly Bill No. 63

Assembly Bill No. 42

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES
Committee on Energy Costs and Availability

Date of Hearing: March 12, 2001

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

Assembly Bill No. 60

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.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 62—An act to add Part 8.5 (commencing with Section 17750) to Division 4 of Title 2 of the Government Code, relating to local government finance, and making an appropriation therefor.

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. 38—An act 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. 83—An act to amend Section 2827 of the Public Utilities Code, relating to public utilities.

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.

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

ASSEMBLY BILL NO. 24 (Daucher)—An act to add Sections 743.7 and 743.8 to the Public Utilities Code, relating to public utilities, 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

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

NOES—None

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—71

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 8 (Migden)—An act to amend Section 335 of, and to add Section 342 to, the Public Utilities Code, relating to public utilities, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—61

Alquist	Firebaugh	Lowenthal	Simitian
Aroner	Florez	Maddox	Steinberg
Briggs	Frommer	Migden	Strickland
Calderon	Goldberg	Mountjoy	Strom-Martin
Campbell, Bill	Harman	Nakano	Thomson
Canciamilla	Havice	Nation	Vargas
Cardenas	Horton	Negrete McLeod	Washington
Cardoza	Jackson	Oropeza	Wayne
Chan	Keeley	Pacheco, Robert	Wesson
Chavez	Kehoe	Papan	Wiggins
Cohn	Kelley	Pavley	Wyland
Corbett	Koretz	Pescetti	Wyman
Correa	La Suer	Reyes	Mr. Speaker
Daucher	Leonard	Runner	
Diaz	Liu	Salinas	
Dutra	Longville	Shelley	

NOES—5

Aanestad	Dickerson	Pacheco, Rod
Cogdill	Hollingsworth	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 31 (Wright)—An act to add and repeal Sections 42317 and 42359.6 of the Health and Safety Code, and to amend Section 743.1 of, and to add Sections 743.4, 743.5, and 743.6 to, the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Canciamilla.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—69

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

NOES—None

Bill ordered transmitted to the Senate.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items:

Assembly Bill No. 24 and Urgency: Cardenas, Florez, Longville, and Maddox—Aye.

Assembly Bill No. 8: Cardoza, Correa, Longville, and Wyland—Aye.

Assembly Bill No. 31 and Urgency: Firebaugh and Longville—Aye.

MOTION TO ADJOURN

At 9:12 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 9:12 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

AUTHOR'S AMENDMENTS
Committee on Natural Resources

March 15, 2001

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 28

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

WAYNE, Chairman

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

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

March 15, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Assembly Bill No. 46

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 46—An act relating to public utilities, 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 Energy Costs and Availability**

March 15, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Assembly Bill No. 45

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 45—An act to amend Sections 17053.49 and 23649 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.

REPORTS OF STANDING COMMITTEES
Committee on Energy Costs and Availability

Date of Hearing: March 12, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:
Assembly Bill No. 37

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: March 12, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:
Assembly Bill No. 75

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

WRIGHT, Chairman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 15, 2001

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

Senate Bill No. 31

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. 31—An act to amend Sections 335, 337, and 341.2 of the Public Utilities Code, relating to public utilities.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned until 11 a.m., Monday, March 19, 2001.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 15, 2001

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

AB	RN	
28	0109126	
38	0109093	
45	0109077	
46	0108773	
62	0109078	
83	0109146	
Daily Total:		6
Cumulative Total:		67

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