

CALIFORNIA LEGISLATURE
2001-02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 19, 2001
THIRTY-NINTH SESSION DAY
SEVENTY-SIXTH 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, March 19, 2001

The Assembly met at 11:38 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—77:

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Alternate Chaplain Rev. Constantine C. Pappademos:

O Lord Our God, Who fashioned all things for the service of man, to nourish and sustain him, bless our great state and those men and women who work diligently in this Assembly. May we all be filled with material and heavenly blessings in abundance, that with joy and out of grateful hearts may we give thanks to You, blessing and glorifying Your majestic name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Diaz 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 Member was granted leave of absence for the day:

On legislative business: Assembly Member Washington.

(NOTE: For explanation of absence of Assembly Member Washington 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:

March 19, 2001

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

Re: Assembly Public Safety Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Ellen Corbett to fill the vacancy on the Assembly Public Safety Committee for the 2001–02 First Extraordinary Session.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

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

Explanation of Absence—March 15, 2001

March 19, 2001

*Honorable Robert Hertzberg
California State Assembly Speaker
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request that the Daily Journal for March 15, 2001 be corrected to reflect that I was excused for a family illness.

Thank you for favorably considering this request. Your understanding is most appreciated. If you have any questions, please feel free to contact me at: 319-2032.

Best regards,

ROY ASHBURN, Assembly Member
Thirty-second District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 19, 2001

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

Assembly Bill No. 28

Assembly Bill No. 46

Assembly Bill No. 38

Assembly Bill No. 53

Assembly Bill No. 45

Assembly Bill No. 62

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 19, 2001

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

Assembly Bill No. 83

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, March 19, 2001

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

Assembly Bill No. 66

Assembly Bill No. 75

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 6—Goldberg (Coauthors: Oropeza, Steinberg, and Vargas). Relative to electrical energy.

AUTHOR'S AMENDMENTS

Committee on Energy Costs and Availability

March 19, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Assembly Bill No. 66

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 66—An act relating to energy assistance, 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 Revenue and Taxation

March 19, 2001

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 49

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

CORBETT, Chairwoman

ASSEMBLY BILL NO. 49—An act to amend Section 25514 of the Public Resources Code, to add Section 633 to the Public Utilities Code, and to add Section 100.8 to the Revenue and Taxation 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.

REPORTS OF STANDING COMMITTEES
Committee on Revenue and Taxation

Date of Hearing: March 12, 2001

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

Assembly Bill No. 58

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.

Date of Hearing: March 12, 2001

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

Assembly Bill No. 27

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.

CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 83, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 60—An act to add Section 25525.3 to the Public Resources Code, relating to electrical generation, 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. 37—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. 75—An act to add Section 380 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 Natural Resources.

RE-REFERENCE OF BILLS

Assembly Member Shelley was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 30 from the Committee on Energy Costs and Availability to the Committee on Appropriations;

Assembly Bill No. 75 from the Committee on Natural Resources, to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time.

Motion to Amend

Assembly Member Richman moved the adoption of amendments.
Amendments read.

Assembly Bill No. 9 Passed Temporarily

By unanimous consent Assembly Bill No. 9 was passed temporarily on file.

RECESS

By unanimous consent, at 11:41 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 11:58 a.m., the Assembly reconvened.

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

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 9

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

The question being on the amendments offered by Assembly Member Richman earlier this day.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

MOTION TO ADJOURN

At 11:59 a.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Bill Campbell seconded the motion.

Motion carried.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

| <i>Senate</i> | <i>Committee</i> |
|-----------------|------------------|
| <i>Bill No.</i> | |
| 43 ----- | E.C. & A. |

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned until 8:30 a.m., Thursday, March 22, 2001, or upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 19, 2001

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

| AB | RN | |
|--------------------------|-----------|-----------|
| 9 | 0109155 | |
| 37 | 0109095 | |
| 49 | 0109335 | |
| 60 | 0109106 | |
| 66 | 0109293 | |
| 75 | 0109237 | |
| Daily Total: | | 6 |
| Cumulative Total: | | 73 |

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