

CALIFORNIA LEGISLATURE
2001-02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 22, 2001
FORTY-SECOND SESSION DAY
SEVENTY-NINTH 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 22, 2001

The Assembly met at 9:03 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—78:

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	Washington
Cardenas	Hollingsworth	Nation	Wayne
Cardoza	Horton	Negrete McLeod	Wesson
Cedillo	Jackson	Oropeza	Wiggins
Chan	Keeley	Pacheco, Robert	Wright
Chavez	Kehoe	Pacheco, Rod	Wyland
Cogdill	Kelley	Papan	Wyman
Cohn	Koretz	Pavley	Zettel
Corbett	La Suer	Pescetti	Mr. Speaker
Correa	Leach	Reyes	
Cox	Leonard	Richman	

PRAYER

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

The 20th century theologian, Abraham Joshua Heshel said: “When I was a young man I used to value clever people. But now that I am old, I value kind people.”

So often the skills that get us where we desire to be are not the same things that make us of value as human beings. When we are younger we measure success by grades, by social status, by the size of an office or staff. But as we get older, if we are truly wise, we learn that success is measured by the type of life we live and the quality of interactions with those around us.

May it be the will of the Creator that our words always be kind, our hearts compassionate and our actions wise.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 22, 2001

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

Assembly Bill No. 32

Assembly Bill No. 44

Assembly Bill No. 64

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 126—Nation (Coauthor: Senator Perata). An act to add Section 25556 to the Public Resources Code, relating to energy resources, and making an appropriation therefor.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 1—Cardoza. Relative to natural gas.

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

March 22, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports: Assembly Bill No. 16

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 16—An act to add Section 363.5 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 Energy Costs and Availability

March 22, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports: Assembly Bill No. 18

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 18—An act to amend Section 11005.1 of the Government Code, to add Sections 368.2, 368.3, and 368.4 to the Public Utilities Code, and to add and repeal Division 27 (commencing with Section 80000) to the Water Code, relating to public utilities, 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 22, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports: Assembly Bill No. 71

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 71—An act to add Section 63025.3 to the Government Code, relating to the infrastructure development, 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.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: March 21, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 75

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 28—An act to add and repeal Section 41514.11 of the Health and Safety Code, relating to energy.

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

ASSEMBLY BILL NO. 30—An act to amend Section 463 of the Penal Code, and to add Section 2774.5 to the Public Utilities Code, relating to crime, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

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, and ordered to third reading.

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; 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. 53—An act to add Article 4 (commencing with Section 15350) to Chapter 1 of Part 6.7 of Division 3 of Title 2 of the Government 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 Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

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 Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 38—An act to amend Sections 26003 and 26011.5 of, to add Section 26011.6 to, and to add Chapter 4 (commencing with Section 26100) to Division 16 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 Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

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, making an appropriation therefor, 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. 43—An act to add Chapter 6.5 (commencing with Section 17630.10) to Part 10.5 of, and to add and repeal Section 17636.20 of, the Education Code, relating to energy, making an appropriation therefor, 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, 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 Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

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 Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 42—An act to add and repeal Chapter 4 (commencing with Section 14420) of Division 12 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; 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. 66—An act to add Article 2 (commencing with Section 81610) to Chapter 3 of Part 49 of the Education Code, and to add and repeal Chapter 13 (commencing with Section 4590) of Division 5 of Title 1 of the Government Code, relating to energy, and making an appropriation therefor.

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.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Assembly Member Shelley was granted unanimous consent that the following items on this day's second reading file be ordered to the third reading file for purpose of consideration on this day:

Assembly Bills Nos. 30 (removed from the Consent Calendar), 60, 41, 53, 26, 38, 40, 43, 29, 37, 42, and 66.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Shelley was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the Committee on Appropriations to notice hearing of Senate Bills Nos. 31 and 43 in the Assembly Daily File, pending re-referral to the committee.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 41 (Lowenthal)—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 third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Lowenthal moved a call of the Assembly.

Motion carried. Time, 9:18 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 26 (La Suer)—An act relating to energy.

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

AYES—77

Aanestad	Daucher	Leslie	Salinas
Alquist	Diaz	Liu	Shelley
Aroner	Dickerson	Longville	Simitian
Ashburn	Dutra	Lowenthal	Steinberg
Bates	Firebaugh	Maddox	Strickland
Briggs	Florez	Maldonado	Strom-Martin
Calderon	Frommer	Matthews	Thomson
Campbell, Bill	Goldberg	Migden	Vargas
Campbell, John	Harman	Mountjoy	Washington
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	Pavley	Zettel
Cohn	Koretz	Pescetti	Mr. Speaker
Corbett	La Suer	Reyes	
Correa	Leach	Richman	
Cox	Leonard	Runner	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 38 (Jackson)—An act to amend Sections 26003 and 26011.5 of, to add Section 26011.6 to, and to add Chapter 4 (commencing with Section 26100) to Division 16 of, the Public Resources Code, relating to energy resources, making an appropriation therefor, 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—70

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

NOES—2

Aanestad Leonard

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—70

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

NOES—2

Aanestad Leonard

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 43 (Correa)—An act relating to energy assistance, and making an appropriation therefor.

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

AYES—66

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

NOES—8

Aanestad	Bates	Campbell, John	Runner
Ashburn	Campbell, Bill	Leonard	Wyman

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 43: Assembly Member Runner, from "Aye" to "No".

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 29 (Kehoe)—An act to add Chapter 5.3 (commencing with Section 25425) to Division 15 of the Public Resources Code, relating to energy conservation, making an appropriation therefor, 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—69

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

NOES—8

Aanestad	Campbell, Bill	Hollingsworth	Runner
Ashburn	Campbell, John	Leonard	Wyman

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—69

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

NOES—8

Aanestad	Campbell, Bill	Hollingsworth	Runner
Ashburn	Campbell, John	Leonard	Wyman

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 37 (Frommer)—An act relating to energy resources, making an appropriation therefor, 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—77

Aanestad	Daucher	Leslie	Salinas
Alquist	Diaz	Liu	Shelley
Aroner	Dickerson	Longville	Simitian
Ashburn	Dutra	Lowenthal	Steinberg
Bates	Firebaugh	Maddox	Strickland
Briggs	Florez	Maldonado	Strom-Martin
Calderon	Frommer	Matthews	Thomson
Campbell, Bill	Goldberg	Migden	Vargas
Campbell, John	Harman	Mountjoy	Washington
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	Pavley	Zettel
Cohn	Koretz	Pescetti	Mr. Speaker
Corbett	La Suer	Reyes	
Correa	Leach	Richman	
Cox	Leonard	Runner	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—77

Aanestad	Daucher	Leslie	Salinas
Alquist	Diaz	Liu	Shelley
Aroner	Dickerson	Longville	Simitian
Ashburn	Dutra	Lowenthal	Steinberg
Bates	Firebaugh	Maddox	Strickland
Briggs	Florez	Maldonado	Strom-Martin
Calderon	Frommer	Matthews	Thomson
Campbell, Bill	Goldberg	Migden	Vargas
Campbell, John	Harman	Mountjoy	Washington
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	Pavley	Zettel
Cohn	Koretz	Pescetti	Mr. Speaker
Corbett	La Suer	Reyes	
Correa	Leach	Richman	
Cox	Leonard	Runner	

NOES—None

Bill ordered transmitted to the Senate.

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.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—75

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

At 9:40 a.m., Assistant Speaker pro Tempore Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 66 (Keeley)—An act to add Article 2 (commencing with Section 81610) to Chapter 3 of Part 49 of the Education Code, and to add and repeal Chapter 13 (commencing with Section 4590) of Division 5 of Title 1 of the Government Code, relating to energy, making an appropriation therefor, 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—76

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 83 (Keeley)—An act to amend Section 2827 of 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—75

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

NOES—1

Wright

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—75

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

NOES—1

Wright

Bill ordered transmitted to the Senate.

At 9:52 a.m., Speaker pro Tempore Keeley, 27th District, presiding

ASSEMBLY BILL NO. 40 (Steinberg)—An act to add Chapter 5.3 (commencing with Section 25430) 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.

At 9:53 a.m., Speaker pro Tempore Kehoe, 76th District, presiding

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

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

NOES—3

Aanestad Campbell, John Leonard

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—73

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

NOES—3

Aanestad Campbell, John Leonard

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 30 (Cardoza)—An act to amend Section 463 of the Penal Code, and to add Section 2774.5 to the Public Utilities Code, relating to crime, 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—75

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—75

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

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 60 (Hertzberg)—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 third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—64

Alquist	Dickerson	Longville	Salinas
Aroner	Dutra	Lowenthal	Shelley
Bates	Firebaugh	Maddox	Simitian
Briggs	Florez	Maldonado	Steinberg
Calderon	Frommer	Matthews	Strickland
Canciamilla	Goldberg	Migden	Strom-Martin
Cardenas	Harman	Nakano	Thomson
Cardoza	Havice	Nation	Vargas
Cedillo	Horton	Negrete McLeod	Washington
Chan	Jackson	Oropeza	Wayne
Chavez	Keeley	Pacheco, Robert	Wesson
Cohn	Kehoe	Papan	Wiggins
Corbett	Kelley	Pavley	Wright
Correa	Koretz	Pescetti	Wyland
Daucher	Leach	Reyes	Zettel
Diaz	Liu	Richman	Mr. Speaker

NOES—12

Aanestad	Campbell, John	Hollingsworth	Mountjoy
Ashburn	Cogdill	Leonard	Pacheco, Rod
Campbell, Bill	Cox	Leslie	Wyman

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—64

Alquist	Dickerson	Longville	Salinas
Aroner	Dutra	Lowenthal	Shelley
Bates	Firebaugh	Maddox	Simitian
Briggs	Florez	Maldonado	Steinberg
Calderon	Frommer	Matthews	Strickland
Canciamilla	Goldberg	Migden	Strom-Martin
Cardenas	Harman	Nakano	Thomson
Cardoza	Havice	Nation	Vargas
Cedillo	Horton	Negrete McLeod	Washington
Chan	Jackson	Oropeza	Wayne
Chavez	Keeley	Pacheco, Robert	Wesson
Cohn	Kehoe	Papan	Wiggins
Corbett	Kelley	Pavley	Wright
Correa	Koretz	Pescetti	Wyland
Daucher	Leach	Reyes	Zettel
Diaz	Liu	Richman	Mr. Speaker

NOES—12

Aanestad	Campbell, John	Hollingsworth	Mountjoy
Ashburn	Cogdill	Leonard	Pacheco, Rod
Campbell, Bill	Cox	Leslie	Wyman

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10:34 a.m., by unanimous consent, the members of the Committee on Education were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

ASSEMBLY BILL NO. 42 (Cedillo)—An act to add and repeal Chapter 4 (commencing with Section 14420) of Division 12 of the Public Resources Code, relating to energy, making an appropriation therefor, 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—59

Alquist	Dutra	Longville	Richman
Aroner	Firebaugh	Lowenthal	Salinas
Calderon	Florez	Maddox	Shelley
Canciamilla	Frommer	Maldonado	Simitian
Cardenas	Goldberg	Matthews	Steinberg
Cardoza	Harman	Migden	Strom-Martin
Cedillo	Havice	Nakano	Thomson
Chan	Horton	Nation	Vargas
Chavez	Jackson	Negrete McLeod	Washington
Cohn	Keeley	Oropeza	Wayne
Corbett	Kehoe	Pacheco, Rod	Wesson
Correa	Kelley	Papan	Wiggins
Cox	Koretz	Pavley	Wright
Diaz	Leach	Pescetti	Mr. Speaker
Dickerson	Liu	Reyes	

NOES—13

Aanestad	Campbell, John	Leonard	Wyman
Ashburn	Cogdill	Leslie	
Bates	Daucher	Pacheco, Robert	
Campbell, Bill	Hollingsworth	Runner	

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—59

Alquist	Dutra	Longville	Richman
Aroner	Firebaugh	Lowenthal	Salinas
Calderon	Florez	Maddox	Shelley
Canciamilla	Frommer	Maldonado	Simitian
Cardenas	Goldberg	Matthews	Steinberg
Cardoza	Harman	Migden	Strom-Martin
Cedillo	Havice	Nakano	Thomson
Chan	Horton	Nation	Vargas
Chavez	Jackson	Negrete McLeod	Washington
Cohn	Keeley	Oropeza	Wayne
Corbett	Kehoe	Pacheco, Rod	Wesson
Correa	Kelley	Papan	Wiggins
Cox	Koretz	Pavley	Wright
Diaz	Leach	Pescetti	Mr. Speaker
Dickerson	Liu	Reyes	

NOES—13

Aanestad	Campbell, John	Leonard	Wyman
Ashburn	Cogdill	Leslie	
Bates	Daucher	Pacheco, Robert	
Campbell, Bill	Hollingsworth	Runner	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 53 (Reyes)—An act to add Article 4 (commencing with Section 15350) to Chapter 1 of Part 6.7 of Division 3 of Title 2 of the Government Code, relating to energy resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—70

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

NOES—2

Aanestad Leonard

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—70

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

NOES—2

Aanestad Leonard

RECESS

By unanimous consent, at 10:40 a.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 10:41 a.m., the Assembly reconvened.

Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO ASSEMBLY BILL NO. 41**

At 10:41 a.m., on motion of Assembly Member Lowenthal, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 41 adopted by the following vote:

AYES—57

Alquist	Dutra	Maldonado	Simitian
Aroner	Firebaugh	Matthews	Steinberg
Briggs	Florez	Migden	Strom-Martin
Calderon	Frommer	Nakano	Thomson
Canciamilla	Goldberg	Nation	Vargas
Cardenas	Havice	Negrete McLeod	Washington
Cardoza	Horton	Oropeza	Wayne
Cedillo	Jackson	Pacheco, Rod	Wesson
Chan	Keeley	Papan	Wiggins
Chavez	Kehoe	Pavley	Wright
Cohn	Kelley	Pescetti	Wyland
Corbett	Koretz	Reyes	Mr. Speaker
Correa	Liu	Richman	
Diaz	Longville	Salinas	
Dickerson	Lowenthal	Shelley	

NOES—18

Aanestad	Cogdill	Leach	Strickland
Ashburn	Daucher	Leonard	Wyman
Bates	Harman	Leslie	Zettel
Campbell, Bill	Hollingsworth	Mountjoy	
Campbell, John	La Suer	Pacheco, Robert	

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—57

Alquist	Dutra	Maldonado	Simitian
Aroner	Firebaugh	Matthews	Steinberg
Briggs	Florez	Migden	Strom-Martin
Calderon	Frommer	Nakano	Thomson
Canciamilla	Goldberg	Nation	Vargas
Cardenas	Havice	Negrete McLeod	Washington
Cardoza	Horton	Oropeza	Wayne
Cedillo	Jackson	Pacheco, Rod	Wesson
Chan	Keeley	Papan	Wiggins
Chavez	Kehoe	Pavley	Wright
Cohn	Kelley	Pescetti	Wyland
Corbett	Koretz	Reyes	Mr. Speaker
Correa	Liu	Richman	
Diaz	Longville	Salinas	
Dickerson	Lowenthal	Shelley	

NOES—18

Aanestad	Cogdill	Leach	Strickland
Ashburn	Daucher	Leonard	Wyman
Bates	Harman	Leslie	Zettel
Campbell, Bill	Hollingsworth	Mountjoy	
Campbell, John	La Suer	Pacheco, Robert	

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Wright announced that the Committee on Energy Costs and Availability would meet today, upon completion of the Republican Caucus at the afternoon recess, in Room 4202.

RECESS

By unanimous consent, at 10:43 a.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

REPORTS OF STANDING COMMITTEES

Committee on Energy Costs and Availability

Date of Hearing: March 22, 2001

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

Assembly Bill No. 21

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

WRIGHT, Chairman

Above bill re-referred to the Committee on Appropriations.

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Keeley announced that the Committee on Appropriations would meet at this time in the Tom Bane Rules Committee Room, for the purpose of hearing Assembly Bill No. 21.

REPORTS OF STANDING COMMITTEES

Committee on Energy Costs and Availability

Date of Hearing: March 22, 2001

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

Assembly Bill No. 27

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

WRIGHT, Chairman

Above bill re-referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

Senate Chamber, March 22, 2001

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

Senate Bill No. 5
Senate Bill No. 28

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

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 5—An act to amend Section 15814.20 of, and to add and repeal Chapter 3.5 (commencing with Section 4240) of Division 5 of Title 1 of, the Government Code, and to amend Section 25402.5 of the Public Resources Code, relating to public utilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 28—An act to add Section 42301.15 to, to add Chapter 7 (commencing with Section 39910) to Part 2 of Division 26 of, and to add and repeal Section 42314.3 of, the Health and Safety Code, and to amend Sections 25514, 25523, 25531, and 25552 of, to add Section 25526.1 to, and to add and repeal Sections 25519.5 and 25550.5 of, the Public Resources Code, and to add Article 3.5 (commencing with Section 353.1) to Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, relating to energy resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

MESSAGES FROM THE SENATE

Senate Chamber, March 22, 2001

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

Assembly Bill No. 8

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

CAUCUS ANNOUNCEMENTS

At 2:53 p.m., Assembly Member Aroner announced that the Democratic Caucus would convene at 3:15 p.m., in the Assembly Lounge.

At 3:33 p.m., Assembly Member Pescetti announced that the Republican Caucus would convene at this time, in the Tom Bane Rules Committee Room.

RECONVENED

At 4:55 p.m., the Assembly reconvened.

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

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing: March 22, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 21

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Kelley.

Resolved, That Assembly Bill No. 21 presents a case of urgency, as that term is used in Article IV, Section 8(b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Shelley moved a call of the Assembly.

Motion carried. Time, 4:58 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

RECESS

By unanimous consent, at 4:58 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 4:58 p.m., the Assembly reconvened.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
RESOLUTION TO
DISPENSE WITH ARTICLE IV, SEC. 8(b) OF THE CONSTITUTION
AS IT RELATES TO ASSEMBLY BILL NO. 21**

At 4:59 p.m., on motion of Assembly Member Shelley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The resolution to dispense with Article IV, Sec. 8(b) of the Constitution, as it relates to Assembly Bill No. 21 adopted by the following vote:

AYES—71

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

NOES—None

Article IV, Section 8(b) of the Constitution was declared dispensed with.

Second Reading of Assembly Bill No. 21

ASSEMBLY BILL NO. 21—An act to add Section 743.2 to the Public Utilities Code, relating to electricity.

Bill read second time.

THIRD READING OF ASSEMBLY BILL NO. 21

ASSEMBLY BILL NO. 21 (Kelley)—An act to add Section 743.2 to the Public Utilities Code, relating to electricity.

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

AYES—71

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

**NOES—None
Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 21: Assembly Member Migden, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

At 5:02 p.m., Assistant Speaker pro Tempore Kehoe, 76th District, presiding

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT
AND ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Keeley was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 8, without reference to file.

ASSEMBLY BILL NO. 8 (Keeley)—An act to amend Sections 332.1 and 360.5 of, to add Section 332.2 to, and to repeal and add Section 390 of, the Public Utilities Code, and to amend Sections 80106, 80130, 80132, and 80200 of, and to repeal Section 80114 of, the Water Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read and refused adoption by the following vote:

AYES—48

Alquist	Diaz	Longville	Shelley
Aroner	Dutra	Lowenthal	Simitian
Calderon	Firebaugh	Matthews	Steinberg
Canciamilla	Frommer	Migden	Strom-Martin
Cardenas	Goldberg	Nakano	Thomson
Cardoza	Havice	Nation	Vargas
Cedillo	Horton	Negrete McLeod	Washington
Chan	Jackson	Oropeza	Wayne
Chavez	Keeley	Papan	Wesson
Cohn	Kehoe	Pavley	Wiggins
Corbett	Koretz	Reyes	Wright
Correa	Liu	Salinas	Mr. Speaker

NOES—25

Aanestad	Cox	Leonard	Richman
Ashburn	Daucher	Leslie	Runner
Bates	Dickerson	Maldonado	Strickland
Briggs	Florez	Mountjoy	Wyman
Campbell, Bill	Harman	Pacheco, Robert	
Campbell, John	Hollingsworth	Pacheco, Rod	
Cogdill	Leach	Pescetti	

**Motion to Reconsider Urgency Clause to Assembly Bill No. 8
on Next Legislative Day**

Assembly Member Keeley moved to reconsider on the next legislative day the vote whereby Senate amendments which add an urgency clause to Assembly Bill No. 8 were this day refused concurrence.

Assembly Bill No. 8 ordered to the unfinished business file.

At 5:32 p.m., Speaker Hertzberg, 40th District, presiding

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Kelley was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 21

March 22, 2001

*The Honorable Robert Hertzberg
Speaker of the Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I believe it is important to affirm my intent in relation to AB 21x. Therefore, I respectfully request that this letter be entered into the Assembly Daily Journal on this date.

It is particularly important that residential customers, small business customers, and multiple customers aggregated pursuant to Section 366 of the Public Utilities Code, have direct access to alternative electrical energy providers in the appropriate circumstances and subject to reasonable conditions.

In regard to the above, it is imperative that priority consideration be given to subsection (b) of Water Code Section 80111, subject to the reasonable exercise of the discretionary authority vested in the Public Utilities Commission under subsection (e) of Section 80111. The exercise of the discretionary authority should not take precedence over the mandatory directives of subsection (b) of Section 80111.

Thank you for considering this request and this letter to the Assembly Journal.

Sincerely,

DAVID G. KELLEY, Assembly Member
Eightieth District

VOTE ADDS

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

Assembly Bill No. 26: Aanestad, Cardenas, Firebaugh, Florez, Maddox, and Reyes—Aye.

Assembly Bill No. 38 and Urgency: Firebaugh, Florez, Maddox, and Reyes—Aye; Aanestad—No.

Assembly Bill No. 43: Firebaugh, Florez, Maddox, and Reyes—Aye; Aanestad—No.

Assembly Bill No. 29 and Urgency: Florez and Reyes—Aye; Runner—No.

Assembly Bill No. 37 and Urgency: Firebaugh, Florez, and Reyes—Aye.

Assembly Bill No. 9: Firebaugh, Florez, and Reyes—Aye.

Assembly Bill No. 66 and Urgency: Firebaugh, Florez, Rod Pacheco, and Reyes—Aye.

Assembly Bill No. 33 and Urgency: Florez, Rod Pacheco, and Reyes—Aye.

Assembly Bill No. 40 and Urgency: Briggs, Firebaugh, Florez, Kelley, Rod Pacheco, and Reyes—Aye.

Assembly Bill No. 30 and Urgency: Florez, Kehoe, Rod Pacheco, and Reyes—Aye.

Assembly Bill No. 60 and Urgency: Florez and Reyes—Aye.

Assembly Bill No. 42 and Urgency: Florez, Leach, Maddox, Rod Pacheco, and Reyes—Aye; Bates, Daucher, and Wyman—No.

Assembly Bill No. 53 and Urgency: Firebaugh, Florez, Leach, Maddox, Rod Pacheco, Reyes, Wyland, Wyman, and Zettel—Aye.

Assembly Bill No. 41 and Urgency: Florez and Reyes—Aye.

Resolution to Invoke the Constitution, Assembly Bill No. 21: Daucher, Leslie, and Reyes—Aye.

Assembly Bill No. 21: Firebaugh and Shelley—Aye.

Assembly Bill No. 8, Urgency and Concurrence: Florez—No.

MOTION TO ADJOURN

At 5:33 p.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Bill Campbell seconded the motion.

Motion carried.

ADJOURNMENT

At 5:33 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned to reconvene upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 22, 2001

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

AB	RN
16	0109554
18	0109506
21	0109681
26	0109495
28	0109488
29	0109585
37	0109512
38	0109478
40	0109502
41	0109509
42	0109530
43	0109484
53	0109485
66	0109513
71	0109222

Daily Total:	15
Cumulative Total:	93

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