

CALIFORNIA LEGISLATURE  
2001–02 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, March 26, 2001**  
**FORTY-FOURTH SESSION DAY**  
**EIGHTY-THIRD CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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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 26, 2001

The Assembly met at 11:34 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—75:

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

Quorum present.

**PRAYER**

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

*O Lord God,* As we travel through life's journey, give us the wisdom to proceed with prudence and consideration for others, so that those roads we take, may be avenues leading always to You. We pray You, heavenly Father, grant us an Angel of light, to go before us and safeguard us from all harm, by night and day, so that led by the Spirit of God, we may travel safely and not labor in vain. For You are the way and the truth and the life and we give glory to You.—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.

**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 Frommer and Leslie.*

*Because of illness: Assembly Member Wright.*

(NOTE: For explanations of absences of Assembly Members Frommer and Leslie 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:

March 26, 2001

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

Re: Assembly Appropriations Committee

Dear Dotson: This is to advise you that I have reduced the membership of the Assembly Appropriations Committee from 22 to 21, eliminating the vacancy.

Sincerely,

ROBERT M. HERTZBERG  
Speaker of the Assembly

March 26, 2001

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

Re: Assembly Education Committee

Dear Dotson: Please be advised that I have expanded the Assembly Education Committee from 15 to 17 and have appointed Assemblymember Sarah Reyes to fill one of the vacancies.

Sincerely,

ROBERT M. HERTZBERG  
Speaker of the Assembly

#### COMMUNICATIONS

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

March 26, 2001

*The Honorable E. Dotson Wilson*  
*Chief Clerk, California State Assembly*  
*State Capitol*  
*Sacramento, California*

Dear Mr. Wilson: The Members of the Assembly Republican Caucus, in a meeting today, have selected me to serve as the Assembly Republican Leader. This change is effective immediately.

Assemblymember Tony Strickland will be serving as the Assembly Republican Caucus Chair. This change is also effective immediately.

Both of these changes are also effective for the current Extraordinary Session of the California State Assembly.

Please advise me of any additional information that the Assembly and your staff may require. Your assistance in this time of transition is greatly appreciated.

It is my honor to serve in the State Assembly and I look forward to serving in this new capacity.

Please do not hesitate to call if I can be of assistance. I can be reached at the office at (916) 319-2005 or at home at (916) 965-5140.

Sincerely,

DAVE COX, Assembly Member  
Fifth District

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 26, 2001

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

Assembly Bill No. 75

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

#### RESOLUTIONS

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 7—Runner.** Relative to hospitals as essential services.

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

March 26, 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 Sections 96.08, 97.08, and 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Natural Resources**

March 26, 2001

Mr. Speaker: The Chair of your Committee on Natural Resources reports:  
Assembly Bill No. 39

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

WAYNE, Chairman

**ASSEMBLY BILL NO. 39**—An act to amend Section 25120 of the Public Resources Code, relating to energy resources, 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 Appropriations**

March 26, 2001

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 27

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

MIGDEN, Chairwoman

**ASSEMBLY BILL NO. 27**—An act to add Section 25216.6 to the Public Resources Code, to add Section 367.1 to the Public Utilities Code, to amend Sections 17250 and 24349 of, to add Section 6902.3 to, and to add and repeal Sections 6367.5, 17053.84, and 23684 of, the Revenue and Taxation Code, and to amend Section 80110 of the Water Code, relating to electricity.

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.

**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. 75**, ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 63**—An act to amend Section 80004 of the Water Code, relating to electric power, 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. 44**—An act to amend Section 25555 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.

**UNFINISHED BUSINESS****MOTION TO RECONSIDER ASSEMBLY BILL NO. 8 CONTINUED**

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 8 was continued until the next legislative day.

**MOTION TO ADJOURN**

At 11:35 a.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Bill Campbell seconded the motion.

Motion carried.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned to reconvene upon Call of the Speaker.

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ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 26, 2001**

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

<b>AB</b>	<b>RN</b>	
27	0109879	
39	0109635	
44	0109649	
49	0109683	
63	0109738	
<b>Daily Total:</b>		<b>5</b>
<b>Cumulative Total:</b>		<b>99</b>