

CALIFORNIA LEGISLATURE
2001–02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 2, 2001
FORTY-EIGHTH SESSION DAY
NINETIETH 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, April 2, 2001

The Assembly met at 11:24 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—76:

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

Quorum present.

PRAYER

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

George Bernard Shaw wryly noted that “All great truths begin as blasphemies.”

There is something about this time of year that allows us to rethink the world in a radically different way. Spring is season of both birth and rebirth.

This time of year we are reminded that two great religions were born in the Spring, Passover which begins this weekend reminds us that an enslaved people had the audacity and courage to say, we have the right to live in both physical and spiritual freedom. And Easter gave us the concept that people can find redemption through the life of another.

Both were radical ideas in their time, met with resistance and cries of heresy. Both turned out to be great Truths that ennobled and enriched the lives of many.

May it be the will of the Creator that we all rejoice in the blessings of the season and find renewed meaning in our communal festivals.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Chan 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 Cox.

LEAVES OF ABSENCE FOR THE DAY

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

Because of illness: Assembly Member Runner.

Because of illness in her family: Assembly Member Reyes.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

April 2, 2001

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Re: Assembly Energy Costs and Availability Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Jackie Goldberg to replace Assemblymember Sarah Reyes on the Assembly Energy Costs and Availability Committee for today's hearing only.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

April 2, 2001

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

Re: Assembly Judiciary Committee

Dear Dotson: This is to advise you that I have removed Assemblymember Christine Kehoe from the Assembly Judiciary Committee and am reducing the committee membership from 11 to 10 members.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 2, 2001

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

Assembly Bill No. 32

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 2, 2001

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

Assembly Bill No. 23

Assembly Bill No. 62

Assembly Bill No. 52

Assembly Bill No. 63

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RE-REFERENCE OF BILLS

Assembly Member Migden was granted unanimous consent that Assembly Bill No. 63 be re-referred from the Committee on Appropriations to the Committee on Energy Costs and Availability.

RECESS

By unanimous consent, at 11:24 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 11:28 a.m., the Assembly reconvened.

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

REPORTS OF STANDING COMMITTEES

Committee on Energy Costs and Availability

Date of Hearing: March 28, 2001

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

Senate Bill No. 5

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.

**SENATE BILL NO. 5 TAKEN UP BY UNANIMOUS CONSENT
FOR SECOND READING**

Assembly Member Shelley was granted unanimous consent to take up Senate Bill No. 5 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this 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.

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.

**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. 32, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 50—An act to add Section 46010.4 to the Education Code, and to add Section 2774.5 to the Public Utilities Code, relating to electrical and gas service.

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

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 46 (Canciamilla)—An act to repeal and add Section 39607.6 of the Health and Safety Code, relating to air pollution.

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

AYES—70

Aanestad	Cox	Leonard	Salinas
Alquist	Daucher	Leslie	Shelley
Aroner	Diaz	Longville	Simitian
Ashburn	Dickerson	Lowenthal	Steinberg
Bates	Dutra	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
Cardoza	Hollingsworth	Nation	Wiggins
Cedillo	Horton	Negrete McLeod	Wright
Chan	Keeley	Oropeza	Wyland
Chavez	Kehoe	Pacheco, Robert	Wyman
Cogdill	Kelley	Pacheco, Rod	Zettel
Cohn	Koretz	Papan	Mr. Speaker
Corbett	La Suer	Pescetti	
Correa	Leach	Richman	

NOES—None

Bill ordered transmitted to the Senate.

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 Wednesday, April 4, 2001.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Wright announced that the Committee on Energy Costs and Availability would meet today at 1 p.m. in Room 4202.

VOTE ADDS

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

Assembly Bill No. 46: Briggs, Cedillo, Hollingsworth, Longville, Pescetti, and Wyland—Aye.

MOTION TO ADJOURN

At 11:32 a.m., Assembly Member Shelley moved that the Assembly do now adjourn.

Assembly Member Cox seconded the motion.

Motion carried.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Shelley, the Assembly adjourned until 7 a.m., Tuesday, April 3, 2001.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 2, 2001

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

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5	0110382
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50	0109652
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Daily Total:	2
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Cumulative Total:	110
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