

CALIFORNIA LEGISLATURE
2001-02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Monday, April 23, 2001
FIFTY-SIXTH SESSION DAY
ONE HUNDRED ELEVENTH 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 23, 2001

The Assembly met at 1:20 p.m.

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

PRAYER

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

One of the greatest orators of the 20th century, the Reverend Martin Luther King, Jr. ironically said that “Occasionally in life there are moments . . . which can not be completely explained by words. Their meaning can only be articulated by the inaudible language of the heart.”

We depend on language, on words, it is our craft, and it is our greatest tool. It is with words that bridges are built and policy is created. Through language we can begin to understand other people’s perceptions of the world.

But some of life’s most important moments are best experienced when we learn to communicate with our hearts rather than our minds; when we look into our children’s eyes; when our hand slips into the hand of a loved one; when we are given a hug from a friend, or a smile from a stranger.

In these moments where there are no erudite dialogues, no witty repartee, when we speak what Dr. King called the “inaudible language of the heart” we can begin to know each other with greater understanding, and we can begin to experience the presence of God in our daily life.

May the Holy One of Blessing reveal to us the greatness of life in the many small acts of kindness that are offered to us each day.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Cogdill 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:

To attend a funeral: Assembly Members Cardenas, Goldberg, and Oropeza.

Because of a death in his family: Assembly Member Cedillo.

COMMUNICATIONS

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

April 23, 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 appointed Assemblymember Fran Pavley to the Assembly Appropriations Committee, replacing Assemblymember Kevin Shelley.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

April 23, 2001

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

Re: Assembly Business and Professions Committee

Dear Dotson: This is to advise you that I have removed Assemblymember Kevin Shelley from the Assembly Business and Professions Committee, creating a vacancy on the committee.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, April 23, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 28

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly</i>	<i>Committee</i>
<i>Bill No.</i>	
77 -----	E.C. & A.
104 -----	E.C. & A.
117 -----	E.C. & A.
128 -----	Rev. & Tax

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

SENATE BILL NO. 28 (Sher)—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, 25521, 25523, 25531, and 25552 of, 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, and to amend Section 1032 of, and add Section 1279.6 to, the Unemployment Insurance Code, relating to energy resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Wright

Assembly Member Wright moved the adoption of amendments.
Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 28, As Amended,
By Unanimous Consent**

Upon request of Assembly Member Shelley, Assembly Member Keeley was granted unanimous consent to take up Senate Bill No. 28, as amended, without reference to file, for purpose of consideration.

SENATE BILL NO. 28 (Sher)—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, 25521, 25523, 25531, and 25552 of, 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, and to amend and repeal Sections 1032 and 1253 of, and to add and repeal Sections 1253.9 and 1279.6 of, the Unemployment Insurance Code, relating to the energy emergency, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

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

NOES—5

Aanestad	Pacheco, Robert	Wyman
Leach	Runner	

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—69

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

NOES—5

Aanestad	Pacheco, Robert	Wyman
Leach	Runner	

Bill ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 2—An act to add Section 3108.5 to the Public Resources Code, and to add Sections 785.8 and 785.9 to the Public Utilities Code, relating to energy.

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. 57—An act to add Section 2773.3 to 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.

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

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

Senate Bill No. 6, ordered to third reading.

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 Thursday, April 26, 2001.

VOTE ADDS

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

Senate Bill No. 28 and Urgency: Briggs and Mountjoy—Aye; Leach—No.

RECESS

By unanimous consent, at 1:33 p.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, April 26, 2001, or upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON APRIL 23, 2001**

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

AB RN

2 0111730

57 0111901

SB RN

28 0112080

Daily Total: 3

Cumulative Total: 135

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