

CALIFORNIA LEGISLATURE
2001-02 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, May 8, 2001

SIXTY-FIFTH SESSION DAY

ONE HUNDRED TWENTY-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
Tuesday, May 8, 2001

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—77:

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

Quorum present.

At 11:45 a.m., Hon. Tom Harman, 67th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

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 Bill Campbell and Matthews.

(NOTE: For explanations of absences of Assembly Members Bill Campbell and Matthews on this day, on legislative business, pursuant to the Rules, see the Assembly Journal for the Regular Session for this day.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 8, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 67

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

AUTHOR'S AMENDMENTS

Committee on Energy Costs and Availability

May 8, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Assembly Bill No. 47

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

WRIGHT, Chairman

ASSEMBLY BILL NO. 47—An act to amend Sections 1240.650 and 1245.250 of the Code of Civil Procedure, to amend Sections 56129 and 56133 of the Government Code, and to amend Sections 366 and 11652 of, and to add Section 851.1 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

May 8, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Senate Bill No. 33

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

WRIGHT, Chairman

SENATE BILL NO. 33—An act 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

May 8, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:
Senate Joint Resolution No. 1

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

WRIGHT, Chairman

SENATE JOINT RESOLUTION NO. 1—Relative to daylight saving time.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

MESSAGES FROM THE SENATE

Senate Chamber, May 7, 2001

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

Senate Bill No. 1
Senate Bill No. 17

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. 1—An act to amend Section 19221 of, to add Section 17052.75 to, and to add Part 14.5 (commencing with Section 33001) to Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

SENATE BILL NO. 17—An act to add and repeal Sections 17053.84 and 23684 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

May 8, 2001

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill 28 to the Assembly for further action.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

EXECUTIVE ORDER D-35-01

by the

Governor of the State of California

WHEREAS, on January 17, 2001, I proclaimed a State of Emergency to exist due to the energy shortage in the State of California; and

WHEREAS, there is a high probability that the electricity supply shortage will continue throughout California affecting millions of Californians; and

WHEREAS, all reasonable conservation, allocation, and service restriction measures will not alleviate the energy supply emergency; and

WHEREAS, a portion of California's 16.5 million member workforce may suffer total or partial unemployment due to power outages resulting from a lack of electrical supply during critical summer peak consumption periods; and

WHEREAS, these unemployed workers and their families will face significant financial hardship resulting from loss of employment and will need immediate financial assistance to mitigate the effects of this emergency;

NOW, THEREFORE, I, Gray Davis, Governor of the State of California, by virtue of the power and authority vested in me by the

Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

IT IS ORDERED that the Employment Development Department shall waive the one-week waiting period for all unemployment insurance applicants who are unemployed due to power outages resulting from a lack of electrical supply after May 8, 2001, through December 31, 2001, and who are otherwise eligible for unemployment insurance benefits.

The activities herein are authorized to be carried out pursuant to the Emergency Services Act, Government Code section 8550 et seq., and Unemployment Insurance Code section 1253, as necessary to mitigate the effects of the emergency.

IN WITNESS WHEREOF, I have hereunto set my hand
and caused the Great Seal of California
to be affixed this 8th day
of May 2001.

GRAY DAVIS
Governor of California



ATTEST:

BILL JONES
Secretary of State

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

ASSEMBLY BILL NO. 128—An act to add Chapter 2.3 (commencing with Section 17065) to Part 10 of, and to add Chapter 2.7 (commencing with Section 23471) to Part 11 of, Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, May 10, 2001, or upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 8, 2001**

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

AB RN

47 0113030

128 0113400

SB RN

33 0113442

SJR RN

1 0113269

Daily Total:	4
Cumulative Total:	149

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