

CALIFORNIA LEGISLATURE
2001-02 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 17, 2001
FOURTH SESSION DAY
FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



(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, May 17, 2001

The Assembly met at 8:47 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 following were placed upon the morning roll call—76:

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

Quorum present.

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 Member Calderon.

Because of illness: Assembly Members Cardoza and Chan.

(NOTE: For explanation of absence of Assembly Member Calderon 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:

May 17, 2001

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

Re: Assembly Environmental Safety and
Toxic Materials Committee

Dear Dotson: This is to advise you that I have appointed the following members to the Assembly Environmental Safety and Toxic Materials Committee for the 2001–02 Second Extraordinary Session:

Assemblymember Hannah-Beth Jackson, Chair
Assemblymember Mike Briggs, Vice Chair
Assemblymember Rebecca Cohn
Assemblymember John Longville
Assemblymember Alan Lowenthal
Assemblymember Ken Maddox
Assemblymember Anthony Pescetti
Assemblymember Virginia Strom-Martin
Assemblymember Carl Washington

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

May 17, 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 appointed the following members to the Assembly Judiciary Committee for the 2001–02 Second Extraordinary Session:

Assemblymember Darrell Steinberg, Chair
Assemblymember Robert Pacheco, Vice Chair
Assemblymember Patricia Bates
Assemblymember Ellen Corbett
Assemblymember John Dutra
Assemblymember Tom Harman
Assemblymember Hannah-Beth Jackson
Assemblymember John Longville
Assemblymember Kevin Shelley
Assemblymember Howard Wayne

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

May 17, 2001

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

Re: Assembly Revenue and Taxation Committee

Dear Dotson: This is to advise you that I have appointed the following members to the Assembly Revenue and Taxation Committee for the 2001–02 Second Extraordinary Session:

Assemblymember Ellen Corbett, Chair
 Assemblymember Tom Harman, Vice Chair
 Assemblymember Elaine Alquist
 Assemblymember Dion Aroner
 Assemblymember Gilbert Cedillo
 Assemblymember Paul Koretz
 Assemblymember Helen Thomson
 Assemblymember Mark Wyland

Sincerely,

ROBERT M. HERTZBERG
 Speaker of the Assembly

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 17—Rod Pacheco and Bogh (Coauthors: Cogdill, Daucher, La Suer, and Zettel). An act to add Sections 21080.12 and 25137 to the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 18—Goldberg. An act to add Chapter 5.7 (commencing with Section 25475) to Division 15 of the Public Resources Code, relating to energy conservation, and making an appropriation therefor.

ASSEMBLY BILL NO. 19—Florez and Ashburn (Principal coauthor: Senator Costa). An act to amend Section 377 of the Public Utilities Code, relating to electric power.

ASSEMBLY BILL NO. 20—Rod Pacheco, Bogh, and Pescetti (Coauthors: Briggs, Cox, Dickerson, Kelley, Maddox, Mountjoy, Strickland, and Wyman). An act to repeal Article 10 (commencing with Section 890) of Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, and to repeal Part 19 (commencing with Section 40001) of Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy. An act to add Section 332 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 21—Canciamilla. An act to add Section 625.5 to the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 22—Canciamilla. An act to repeal and add Section 39607.6 to of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 23—Pescetti and Bill Campbell (Coauthors: Ashburn, Bates, Cogdill, and Maldonado). An act to add Section 3108.5 to the Public Resources Code, and to add Sections 785.8 and 785.9 to Section 785.8 to, and to add and repeal Section 785.9 of, the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 24—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.

ASSEMBLY BILL NO. 25—Horton. An act to add Section 65863.13 to the Government Code, and to add Sections 17052.88, 17210, and 24371 to the Revenue and Taxation Code, relating to energy conservation.

ASSEMBLY BILL NO. 26—Calderon. An act to add Section 380 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 27—Lowenthal and Oropeza (Coauthor: Senator Karnette). An act relating to energy.

ASSEMBLY BILL NO. 28—Migden, Oropeza, and Diaz (Coauthor: Cohn). An act to amend Section 335 of, and to add Section 342 to, the Public Utilities Code, relating to public utilities, and making an appropriation therefor.

ASSEMBLY BILL NO. 29—Koretz. An act to add Section 12334 to the Government Code, 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.

ASSEMBLY BILL NO. 30—Dutra (Coauthors: Alquist, Canciamilla, and Thomson) (Coauthors: Senators Costa and Torlakson). An act to add Section 2773.3 to the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 31—Cohn. An act to add Part 8.5 (commencing with Section 17750) to Division 4 of Title 2 of the Government Code, relating to local government finance, and making an appropriation therefor.

ASSEMBLY BILL NO. 32—Matthews (Coauthors: Cardoza, Dutra, and Pescetti) (Principal coauthor: Senator Poochigian). An act to add Section 743.7 to the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately. An act to add Section 7284.5 to the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 33—Florez (Principal coauthors: Calderon and Leslie). An act to add Article 4.5 (commencing with Section 41368) to Chapter 3 of Part 24 of the Education Code, relating to education energy costs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately. An act to add Division 1.5 (commencing with Section 3500) to the Public Resources Code, and to add Part 19.5 (commencing with Section 40500) to the Revenue and Taxation Code, relating to public utilities.

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> | <i>Committee</i> |
| 1 ----- | Rls. |
| 2 ----- | Rls. |
| 3 ----- | E.C. & A. |
| 4 ----- | Rls. |
| 5 ----- | E.C. & A. |
| 6 ----- | E.S. & T.M. |
| 7 ----- | E.C. & A. |
| 9 ----- | Rls. |
| 10 ----- | Rls. |
| 11 ----- | Rls. |
| 13 ----- | Jud. and E.C. & A. |
| 14 ----- | Rls. |
| 15 ----- | Rev. & Tax. and E.C. & A. |
| 16 ----- | Rls. |

*Assembly Concurrent
Resolution No.*

Committee

2 ----- E.C. & A.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: May 17, 2001

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 1
Assembly Bill No. 4
Assembly Bill No. 9

Assembly Bill No. 10
Assembly Bill No. 11

With the recommendation: Do pass, pursuant to Assembly Rule 51.3.

HERTZBERG, Chairman

Above bills ordered to second reading.

Date of Hearing: May 17, 2001

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 2
Assembly Bill No. 14
Assembly Bill No. 16

With the recommendation: That the bills be re-referred to the Committee on Appropriations, pursuant to Assembly Rule 51.3.

HERTZBERG, Chairman

Above bills re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Monday, May 21, 2001, or upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk