

CALIFORNIA LEGISLATURE
2001-02 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, May 25, 2001
NINTH SESSION DAY
TWELFTH 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
Friday, May 25, 2001

The Assembly met at 9:03 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—77:

Aanestad	Cox	Liu	Salinas
Alquist	Daucher	Longville	Shelley
Aroner	Diaz	Lowenthal	Simitian
Ashburn	Dickerson	Maddox	Steinberg
Bates	Dutra	Maldonado	Strickland
Bogh	Firebaugh	Matthews	Strom-Martin
Briggs	Florez	Migden	Thomson
Calderon	Frommer	Mountjoy	Vargas
Campbell, John	Goldberg	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
Chu	Kelley	Pavley	Zettl
Cogdill	La Suer	Pescetti	Mr. Speaker
Cohn	Leach	Reyes	
Corbett	Leonard	Richman	
Correa	Leslie	Runner	

Quorum present.

PRAYER

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

The political commentator, George Will, once observed that “The business of America is not business. Neither is it war. The business of America is justice and securing the blessings of liberty.”

As we enter into the Memorial Day weekend we are reminded of the personal sacrifices made by so many. We remember the courage and bravery that has ensured for us the twin blessings of justice and liberty.

When we participate in the democratic process, we honor the memories of those who have died so that we can be free.

May it be the will of the Creator that we never fail to recognize the bravery of those who came before us and may we always honor their memory by celebrating the noble legacy of freedom and democracy that they have bequeathed to us. May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Pescetti 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 Chan, seconded by Assembly Member Strickland.

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 Harman.

On personal business, and waiving per diem: Assembly Member Koretz.

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

COMMUNICATIONS

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

May 25, 2001

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

Re: Special Committee on Power

Dear Dotson: This is to advise you that I have created the Special Committee on Power Outage Preparedness for the 2001–02 Second Extraordinary Session of 2001–02. I have appointed the following members to this committee:

Speaker Robert M. Hertzberg, Chair
 Assemblymember Mike Briggs
 Assemblymember Dean Florez
 Assemblymember Jackie Goldberg
 Assemblymember Fred Keeley
 Assemblymember Bill Leonard
 Assemblymember Anthony Pescetti
 Assemblymember Sarah Reyes
 Assemblymember Patricia Wiggins

Sincerely,

ROBERT M. HERTZBERG
 Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 25, 2001

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

Assembly Bill No. 9
 Assembly Bill No. 27

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 25, 2001

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

Assembly Concurrent Resolution No. 4

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 42—An act to amend Section 80110 of, and to add Section 80111 to, the Water Code, relating to electricity.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 45—An act to amend Section 25555 of the Public Resources Code, relating to energy resources, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 25, 2001

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

Assembly Bill No. 42

Assembly Bill No. 45

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 59—Alquist. An act to add Sections 380.5, 739.4, and 743.9 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 60—Hollingsworth and Daucher. An act to add Article 1.7 (commencing with Section 41775) to Chapter 3 of Part 4 of Division 26 of the Health and Safety Code, relating to air pollution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SHELLEY REQUEST TO SUBSTITUTE ROLL CALL VOTES

Assembly Member Shelley was granted unanimous consent that pursuant to the provisions of House Resolution No. 2 (Assembly Rule 51.3), the roll call vote taken on third reading in the First Extraordinary Session on Assembly Concurrent Resolution No. 4 be submitted on Assembly Concurrent Resolution No. 4, which is the identical resolution in the Second Extraordinary Session.

SHELLEY REQUEST RELATIVE TO VOTE ADDS

Assembly Member Shelley was granted unanimous consent that newly-elected Assembly Members Bogh and Chu be permitted to add their votes to those votes substituted in the Second Extraordinary Session which were taken in the First Extraordinary Session prior to their election.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY CONCURRENT RESOLUTION NO. 4 (Cohn)—Relative to Metcalf Energy Center.

Resolution read, and adopted by the following vote:

AYES—73

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

NOES—None

Resolution ordered transmitted to the Senate.

RECESS

By unanimous consent, at 9:06 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Tuesday, May 29, 2001, or upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk