

CALIFORNIA LEGISLATURE
2001-02 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, May 31, 2001
TWELFTH SESSION DAY
EIGHTEENTH 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 31, 2001

The Assembly met at 11:21 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—80:

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

Quorum present.

PRAYER

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

In his book *The Virtues of Aging*, President Jimmy Carter wrote that the key to great rewards is a willingness to go out on a limb, because, he says, that is where the fruit is.

One must be willing to risk one's pride, one's comfort level, and even the immediate approval of one's peers, in order to grab hold of the uncommon reward.

Ultimately, the reward is not merely in what one attains, but in the grasp itself. The reward is not just in obtaining the fruit of one's labors, but in the willingness of trying something new, constantly reaching toward new horizons.

When we continue to strive to do more, be more, to take a chance on the untried idea, we keep our hearts, our minds, and our spirits young.

May the Holy One of Blessing grant us the daring of youth in our visions and the wisdom of age in our actions. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Kehoe, Assembly Member Jackson 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.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 64—Zettel. An act to amend Sections 25120 and 25123 of the Public Resources Code, relating to energy resources.

ASSEMBLY BILL NO. 65—Cardoza and Matthews (Coauthors: Alquist, Canciamilla, Chavez, Cohn, Goldberg, Havice, Keeley, Kehoe, Koretz, Longville, and Negrete McLeod) (Coauthors: Senators Chesbro, Ortiz, Scott, and Soto). An act to add Sections 2120, 2121, and 2122 to the Public Utilities Code, relating to fuel.

ASSEMBLY BILL NO. 66—Leslie. An act to add Sections 348.5 and 2772.5 to the Public Utilities Code, relating to public utilities.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

<i>Bill No.</i>	<i>Committee</i>
47 -----	E.C. & A.
55 -----	E.C. & A.
56 -----	Nat. Res. and E.C. & A.
59 -----	E.C. & A.
60 -----	Nat. Res. and E.C. & A.

Senate Joint

<i>Resolution No.</i>	<i>Committee</i>
1 -----	E.C. & A.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: May 30, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 14

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: May 30, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 21

Assembly Bill No. 38

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above bills ordered to second reading.

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 be substituted on the following bills in the Second Extraordinary Session which are identical to bills introduced in the First Extraordinary Session which passed the Assembly on the third reading file:

Second Extraordinary Session bill was

First Extraordinary Session bill

Assembly Bill No. 48

Assembly Bill No. 36

Assembly Bill No. 53

Assembly Bill No. 24

Assembly Bill No. 54

Assembly Bill No. 28

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 (RESUMED)**

ASSEMBLY BILL NO. 48 (Wright)—An act to amend Section 25550 of, and to add Sections 25137 and 25551 to, the Public Resources Code, relating to electrical energy, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—78

Aanestad	Correa	Leonard	Runner
Alquist	Cox	Liu	Salinas
Aroner	Daucher	Longville	Shelley
Ashburn	Diaz	Lowenthal	Simitian
Bates	Dickerson	Maddox	Steinberg
Bogh	Dutra	Maldonado	Strickland
Briggs	Firebaugh	Matthews	Strom-Martin
Calderon	Florez	Migden	Thomson
Campbell, Bill	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	Zettel
Cogdill	Koretz	Pescetti	Mr. Speaker
Cohn	La Suer	Reyes	
Corbett	Leach	Richman	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—78

Aanestad	Correa	Leonard	Runner
Alquist	Cox	Liu	Salinas
Aroner	Daucher	Longville	Shelley
Ashburn	Diaz	Lowenthal	Simitian
Bates	Dickerson	Maddox	Steinberg
Bogh	Dutra	Maldonado	Strickland
Briggs	Firebaugh	Matthews	Strom-Martin
Calderon	Florez	Migden	Thomson
Campbell, Bill	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	Zettel
Cogdill	Koretz	Pescetti	Mr. Speaker
Cohn	La Suer	Reyes	
Corbett	Leach	Richman	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 53 (Daucher)—An act to add Sections 743.7 and 743.8 to the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—73

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

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 54 (Daucher)—An act to add and repeal Section 41514.11 of the Health and Safety Code, relating to energy.

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

AYES—78

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

NOES—None

Bill ordered transmitted to the Senate.

ADJOURNMENT

At 11:24 a.m., the Assembly adjourned until 11 a.m., Monday, June 4, 2001, or upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk