

CALIFORNIA LEGISLATURE
2001-02 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Friday, July 20, 2001
FORTY-FIRST SESSION DAY
SIXTY-EIGHTH 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
Friday, July 20, 2001

The Assembly met at 11:35 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—79:

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

Quorum present.

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Member Jay La Suer, of the 77th Assembly District:

Heavenly Father,

In our daily living give us
 A sense of the world's beauty,
 A sense of truth and justice,
 A sense of dignity and destiny,
 A sense of honor and service,

And with all, a sense of humor.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Ashburn 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 Maldonado.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 20, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Bill No. 82

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, July 20, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
 Assembly Bill No. 12
 Assembly Bill No. 76

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES
Committee on Energy Costs and Availability

Date of Hearing: July 17, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:
 Assembly Bill No. 59

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

WRIGHT, Chairman

Above bill ordered to second reading.

Date of Hearing: July 17, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:
 Assembly Bill No. 78

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

WRIGHT, Chairman

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

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

Assembly Bill No. 82, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 65—An act to add Sections 2120, 2121, and 2122 to the Public Utilities Code, relating to fuel.

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.

RECESS

By unanimous consent, at 11:36 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 12:57 p.m., the Assembly reconvened.

Hon. Fred Keeley, Speaker pro Tempore of the Assembly, presiding.

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

ASSEMBLY BILL NO. 5 (Kelley)—An act to add Section 739.9 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—78

Aanestad	Correa	Leach	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	Harman	Nation	Wayne
Cardenas	Havice	Negrete McLeod	Wesson
Cardoza	Hollingsworth	Oropeza	Wiggins
Cedillo	Horton	Pacheco, Robert	Wright
Chan	Jackson	Pacheco, Rod	Wyland
Chavez	Keeley	Papan	Wyman
Chu	Kehoe	Pavley	Zettel
Cogdill	Kelley	Pescetti	Mr. Speaker
Cohn	Koretz	Reyes	
Corbett	La Suer	Richman	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—78

Aanestad	Correa	Leach	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	Harman	Nation	Wayne
Cardenas	Havice	Negrete McLeod	Wesson
Cardoza	Hollingsworth	Oropeza	Wiggins
Cedillo	Horton	Pacheco, Robert	Wright
Chan	Jackson	Pacheco, Rod	Wyland
Chavez	Keeley	Papan	Wyman
Chu	Kehoe	Pavley	Zettel
Cogdill	Kelley	Pescetti	Mr. Speaker
Cohn	Koretz	Reyes	
Corbett	La Suer	Richman	

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 68 (Battin)—An act to amend Section 2772 of the Public Utilities Code, relating to electricity, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Rod Pacheco.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—76

Aanestad	Correa	Leach	Reyes
Alquist	Cox	Leslie	Richman
Ashburn	Daucher	Liu	Runner
Bates	Dickerson	Longville	Salinas
Bogh	Dutra	Lowenthal	Shelley
Briggs	Firebaugh	Maddox	Simitian
Calderon	Florez	Maldonado	Steinberg
Campbell, Bill	Frommer	Matthews	Strickland
Campbell, John	Goldberg	Migden	Strom-Martin
Canciamilla	Harman	Mountjoy	Thomson
Cardenas	Havice	Nakano	Vargas
Cardoza	Hollingsworth	Nation	Washington
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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—76

Aanestad	Correa	Leach	Reyes
Alquist	Cox	Leslie	Richman
Ashburn	Daucher	Liu	Runner
Bates	Dickerson	Longville	Salinas
Bogh	Dutra	Lowenthal	Shelley
Briggs	Firebaugh	Maddox	Simitian
Calderon	Florez	Maldonado	Steinberg
Campbell, Bill	Frommer	Matthews	Strickland
Campbell, John	Goldberg	Migden	Strom-Martín
Canciamilla	Harman	Mountjoy	Thomson
Cardenas	Havice	Nakano	Vargas
Cardoza	Hollingsworth	Nation	Washington
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

NOES—None

Bill ordered transmitted to the Senate immediately.

RECESS

By unanimous consent, at 1:09 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 1:46 p.m., the Assembly reconvened.

Hon. Fred Keeley, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, July 20, 2001

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

Senate Bill No. 78

GREG P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 78—An act to amend Sections 341.5, 359, and 379 of, to amend and repeal Section 367 of, to add Sections 365.1, 454.10, and 454.11 to, and to add Article 16 (commencing with Section 399.20) and Article 17 (commencing with Section 399.30) to Chapter 2.3 of Part 1 of Division 1 of, to repeal Section 361 of, to repeal Article 4 (commencing with Section 355) of Chapter 2.3 of Part 1 of Division 1 of, and to repeal and add Section 330 of, the Public Utilities Code, relating to public utilities.

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT AND ASSEMBLY RULE 77 SUSPENDED

Upon request of Assembly Member Shelley, Assembly Member Lowenthal was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 27, without reference to file.

ASSEMBLY BILL NO. 27 (Lowenthal)—An act relating to energy, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—75

Aanestad	Correa	La Suer	Reyes
Alquist	Cox	Leach	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	Papan	Zettel
Cohn	Kelley	Pavley	Mr. Speaker
Corbett	Koretz	Pescetti	

NOES—2

Cogdill	Wyman
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Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 27: Assembly Member Runner, from “No” to “Aye”.

Above bill ordered enrolled.

VOTE ADDS

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

Assembly Bill No. 5 and Urgency: Briggs, Firebaugh, Mountjoy, Simitian, and Wyland—Aye.

Senate Bill No. 68 and Urgency: Alquist, Briggs, Firebaugh, Nation, Simitian, and Wyland—Aye.

Assembly Bill No. 27, Concurrence: Briggs, Firebaugh, and Nation—Aye.

RECESS

By unanimous consent, at 1:47 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

ADJOURNMENT

At 9:16 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 20, 2001**

The following measure was amended in the Assembly on this day:

AB RN

65 0118039

Daily Total: 1

Cumulative Total: 39

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