

CALIFORNIA LEGISLATURE  
2001-02 SECOND EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, August 27, 2001**

**FORTY-SEVENTH SESSION DAY  
ONE HUNDRED SIXTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Monday, August 27, 2001

The Assembly met at 12:08 p.m.

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

Quorum present.

**PRAYER**

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Alternate Chaplain Rev. Constantine C. Pappademos:

*Eternal God, In Your perfect kingdom no sword is drawn but the sword of righteousness, and no strength known but the strength of love; we pray You, spread out Your Spirit, that all people and ranks may be gathered under one banner, of the Prince of Peace, as children of one God the Father of all, to Whom be dominion and glory now and for ever.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Keeley, Assembly Member Aanestad 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 Cox, seconded by Assembly Member Vargas.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

*Because of illness: Assembly Member Shelley.*

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 24, 2001

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

Assembly Bill No. 4

And reports the same correctly enrolled, and presented to the Governor on the 24th day of August, 2001, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 27, 2001

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

Assembly Bill No. 60

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly*

*Bill No.*

*Committee*

**84** ----- E.C. & A.

**AUTHOR'S AMENDMENTS**

**Committee on Energy Costs and Availability**

August 27, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports: Assembly Bill No. 49

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

WRIGHT, Chairman

**ASSEMBLY BILL NO. 49**—An act to add Section 2771.1 to the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

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**

August 27, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:  
Senate Bill No. 78

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

WRIGHT, Chairman

**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.

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 Revenue and Taxation**

August 27, 2001

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Senate Bill No. 1

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

CORBETT, Chairwoman

**SENATE BILL NO. 1**—An act to amend Section 314 of the Public Utilities Code, and 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.

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**

August 27, 2001

Mr. Speaker: The Chair of your Committee on Energy Costs and Availability reports:  
Senate Bill No. 23

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

WRIGHT, Chairman

**SENATE BILL NO. 23**—An act to add Section 1245.231 to, to add and repeal Sections 1240.651 and 1245.251 of, and to amend, repeal, and add Sections 1240.650 and 1245.250 of, the Code of Civil Procedure, to add Section 56131.1 to, to add and repeal Section 56131.2 of, to amend, repeal, and add Section 56875 of, and to add Chapter 7 (commencing with Section 55725) to Part 2 of Division 2 of Title 5 of, the Government Code, to add Section 25441.3 to the Public Resources Code, and to amend Section 11561 of, and to amend, repeal, and add Section 11652 of, the Public Utilities Code, relating to public power districts.

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.

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: August 22, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 59

With the recommendation: Do pass, as amended.

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

MIGDEN, Chairwoman

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE**

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 69**—An act to add and repeal Sections 8571.5 and 8571.6 to the Government Code, relating to public health emergency conditions.

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

**COMMITTEE MEETING ANNOUNCEMENTS**

Speaker pro Tempore Keeley announced that the Committee on Energy Costs and Availability would meet today, upon adjournment of the Transportation Committee hearing, in Room 437.

(Later this day, it was announced that the Committee on Energy Costs and Availability would reconvene at 6:30 p.m.)

**RECESS**

By unanimous consent, at 12:11 p.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

**REPORTS OF STANDING COMMITTEES**

**Committee on Revenue and Taxation**

Date of Hearing: August 27, 2001

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 17

With the recommendation: Do pass, and be re-referred to the Committee on Energy Costs and Availability.

CORBETT, Chairwoman

Above bill re-referred to the Committee on Energy Costs and Availability.

Date of Hearing: August 27, 2001

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 81

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CORBETT, Chairwoman

Above bill re-referred to the Committee on Appropriations.

**Committee on Transportation**

Date of Hearing: August 27, 2001

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 86

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

DUTRA, Chairman

Above bill re-referred to the Committee on Appropriations.

**ADJOURNMENT**

At 5:41 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

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ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 27, 2001**

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

<b>AB</b>	<b>RN</b>
49	0118417
69	0118614

<b>SB</b>	<b>RN</b>
1	0120459
23	0120488
78	*

<b>Daily Total:</b>	<b>5</b>
<b>Cumulative Total:</b>	<b>55</b>

(NOTE: \*Refers to amendments received in non-Legislative Counsel form.)

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