

CALIFORNIA LEGISLATURE
2001-02 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 12, 2001

FIFTY-SIXTH SESSION DAY

ONE HUNDRED TWENTY-SECOND 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
Wednesday, September 12, 2001

The Assembly met at 10:17 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	Cox	Leonard	Richman
Alquist	Daucher	Leslie	Runner
Aroner	Diaz	Liu	Salinas
Ashburn	Dickerson	Longville	Shelley
Bates	Dutra	Lowenthal	Simitian
Bogh	Firebaugh	Maddox	Steinberg
Briggs	Florez	Maldonado	Strickland
Calderon	Frommer	Matthews	Strom-Martin
Campbell, Bill	Goldberg	Migden	Thomson
Campbell, John	Harman	Mountjoy	Vargas
Canciamilla	Havice	Nakano	Washington
Cardenas	Hollingsworth	Nation	Wayne
Cardoza	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
Correa	Leach	Reyes	

PRAYER

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

While prayer is important for us, it is not enough to pray. It is also incumbent upon us to make our prayers a reality. We pray for peace and we pray for healing. Let us take the time today to look into our own hearts to see how we can make peace and healing a reality, and to ask ourselves, "How can I reach out to those in need?"

Our God, the Guide of humanity, let Your spirit rule this nation and its citizens, that their deeds may be prompted by a love of justice and right, and bear fruit in goodness and peace.

You have given us the freedom to choose between good and evil, life and death. May we choose life and good, that our children may inherit from us the blessings of dignity and freedom, prosperity and peace. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Hertzberg, Speaker pro Tempore Keeley 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 Mountjoy.

LEAVES OF ABSENCE FOR THE DAY

The following Assembly Member was excused for the day, and his per diem was waived: Cedillo.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 12, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 49

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

RECESS

By unanimous consent, at 10:17 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 11:20 a.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. 2 (Corbett)—An act to add and repeal Sections 6399, 17052.48, and 23648 of, and to add and repeal Part 12 (commencing with Section 28001) of Division 2 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

Motion to Amend

Assembly Member Corbett moved the adoption of amendments.
Amendments read.

ROLL CALL DEMANDED

Assembly Members Pescetti, Bill Campbell, and Cogdill, demanded a roll call. The roll was called, and the Corbett amendments adopted by the following vote:

AYES—38

Alquist	Florez	Lowenthal	Strom-Martin
Aroner	Frommer	Migden	Thomson
Calderon	Goldberg	Negrete McLeod	Vargas
Cardenas	Havice	Oropeza	Washington
Chan	Horton	Pavley	Wayne
Chavez	Jackson	Reyes	Wesson
Chu	Keeley	Salinas	Wiggins
Corbett	Kehoe	Shelley	Mr. Speaker
Correa	Koretz	Simitian	
Diaz	Longville	Steinberg	

NOES—30

Aanestad	Cox	Leonard	Richman
Ashburn	Daucher	Leslie	Runner
Bates	Dickerson	Maddox	Strickland
Bogh	Harman	Maldonado	Wyland
Briggs	Hollingsworth	Mountjoy	Wyman
Campbell, Bill	Kelley	Pacheco, Robert	Zettel
Campbell, John	La Suer	Pacheco, Rod	
Cogdill	Leach	Pescetti	

Bill ordered reprinted, and to be returned to the third reading file.

RECESS

By unanimous consent, at 11:23 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**123rd CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, September 13, 2001

At 12:06 a.m.

Speaker pro Tempore Keeley, presiding.

RECONVENED

At 12:06 a.m., the Assembly reconvened.

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

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly Bill No.</i>	<i>Committee</i>
87 -----	E.C. & A.

REPORTS OF STANDING COMMITTEES

Committee on Energy Costs and Availability

Date of Hearing: September 6, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:

Senate Bill No. 2

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.

Committee on Appropriations

Date of Hearing: September 12, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 39

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: September 12, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 75

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 bill be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Committee on Energy Costs and Availability

Date of Hearing: September 12, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:

Senate Bill No. 82

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

WRIGHT, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: September 12, 2001

Mr. Speaker: Your Committee on Energy Costs and Availability reports:

Assembly Bill No. 87

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

WRIGHT, Chairman

Above bill re-referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

Senate Chamber, September 12, 2001

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

Assembly Bill No. 28

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, September 12, 2001

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

Assembly Bill No. 57

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, September 12, 2001

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

Senate Bill No. 27

GREGORY 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. 27—An act to add Section 80111 to the Water Code, relating to electric power.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 64 (Costa)—An act to amend Section 1103 of the Food and Agricultural Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Cardoza moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**At 12:09 a.m., Assistant Speaker pro Tempore Kehoe,
76th District, presiding**

CONSIDERATION OF CONSENT CALENDAR

The Assistant Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 47 (Diaz)—An act to amend Section 1005.5 of, to add Section 1012 to, and to add and repeal Section 1110 of, the Public Utilities Code, relating to gas pipelines, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 84 (Strom-Martin)—An act to amend Sections 32932, 32942, 32952, 32955, and 32960 of, and to repeal Section 32909 of, the Financial Code, relating to energy efficiency, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

Consent Calendar—Senate Bill

SENATE BILL NO. 85 (Burton)—An act to add Section 368.5 to the Public Utilities Code, relating to public utilities.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

AYES—78

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

NOES—None

At 12:16 a.m., Speaker pro Tempore Fred Keeley, 27th District, presiding

RECESS

By unanimous consent, at 12:16 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing: September 12, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 49

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Wright announced that the Committee on Energy Costs and Availability would meet today, upon recess of Floor session, in Room 4202.

VOTE ADDS

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

Assembly Bill No. 2, Corbett Amendments: Havice—Aye; Maddox, Mountjoy, and Wyland—No.

ADJOURNMENT

At 1:18 a.m., the Assembly adjourned until noon, Thursday, September 13, 2001.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 12, 2001**

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

AB RN

2 0122390

Daily Total: 1

Cumulative Total: 72

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 13, 2001**

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

SB RN

64 0122612

Daily Total: 1

Cumulative Total: 73

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