

CALIFORNIA LEGISLATURE
2001-02 THIRD EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 10, 2002
FIRST SESSION DAY
FIRST 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, January 10, 2002

At 10:38 a.m., the Assembly met pursuant to the provisions of the Proclamation of the Honorable Gray Davis, Governor of the State of California, dated January 8, 2002, convening the Legislature of the State of California on this day in extraordinary session.

In conformity with Government Code Section 9150, the following officers for the 2001–02 Regular Session were present and performing their respective duties: E. Dotson Wilson, Chief Clerk, Pam Cavileer, Minute Clerk, and Ronald E. Pane, Chief Sergeant at Arms.

Fred Keeley, Speaker pro Tempore of the Assembly for the 2001–02 Regular Session, presiding.

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 Speaker Hertzberg, the following prayer was offered by Assembly Member Carl Washington, of the 52nd Assembly District:

Good morning. Let us pray. Eternal God, the Creator and Maker of all mankind, we thank You for this day and we thank You for this hour. We come now to ask Your blessings on this legislative body. Decisions that are made affect millions and millions of people. We pray now that You will bless the decisions that will be made. We lift up our soon to be Speaker to You now, Herb Wesson. We pray God that You will continue to give him the leadership, the ability to move forward, and certainly, God, to move California forward. We pray for our Speaker Hertzberg that You will continue to bless his life as he moves forward in his life, and we pray now all these blessings upon this legislative body.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Hertzberg, Assembly Member Firebaugh then led the Assembly in the pledge of allegiance to the Flag.

PROCLAMATION OF THE GOVERNOR

Speaker pro Tempore Keeley directed the Clerk to read the following Proclamation of the Governor convening the Legislature in extraordinary session:

A PROCLAMATION

By the

Governor of the State of California

WHEREAS, an extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; and

WHEREAS, the California economy, already slowing prior to the terrorist attacks of September 11th, is in a recession along with the rest of the nation that will continue through at least the first half of 2002; and,

WHEREAS, California has suffered significant job losses totaling 64,300, or 11.2 percent of national job losses, since September 11th due to continued weakening of the economy and the effects of the terrorist attacks on the air transportation, lodging, and restaurant industries; and

WHEREAS, as a result, California is facing the steepest revenue decline in more than half a century, which necessitates prompt action to reduce current-year General Fund spending in addition to the hiring freeze and operating expense and equipment expenditure reductions already ordered pursuant to Governor's Executive Orders D-48-01 and D-49-01; and,

WHEREAS, the Legislative Analyst's Office and the Department of Finance are projecting a budget shortfall exceeding \$12 billion over the 2001-02 and 2002-03 fiscal years; and,

WHEREAS, it is necessary to convene the Legislature in extraordinary session to deliberate on critical budget issues;

NOW, THEREFORE, I GRAY DAVIS, Governor of the State of California, by virtue of the power and authority vested in me by Article IV, Section 3(b) of the Constitution of the State of California, do

hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the 10th day of January, 2002, at a time appointed by each house of the Legislature of said day to consider and act upon legislation to do the following:

1. Enact current-year General Fund spending reductions as specified in the November 2001 "Proposed Reduction in 2001-02 Spending".
2. Enact further General Fund spending reductions identified for 2001-02.
3. Make recently enacted unemployment benefit increases retroactive to September 11, 2001, accelerate the delivery of certain capital outlay projects to stimulate the creation of jobs by shifting the financing for these projects to lease revenue bonds, and authorized general obligation bonds for critically needed infrastructure.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of January 2002.

GRAY DAVIS
Governor of California

ATTEST:

BILL JONES
Secretary of State



ELECTION OF SPEAKER

Assembly Member Shelley moved that the vote of any current Members of the Assembly for Robert Myles Hertzberg on December 4, 2000 (Assembly Journal, page 6), and the Oath of Office administered on December 4, 2000 in the Regular Session; and the vote for Herb J. Wesson, Jr. on January 10, 2002 in the Regular Session (to be sworn in on February 6, 2002) be substituted in the Third Extraordinary Session.

Assembly Member Vargas seconded the motion.

Motion carried.

OATH OF OFFICE

The following Oath of Office was administered to Speaker-elect Robert Myles Hertzberg on Monday, December 4, 2000, by the Honorable Ronald M. George, Chief Justice of California:

OATH

for the Office of Speaker of the Assembly

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 1

By Assembly Member Hertzberg.

Relative to the organization of the Assembly for the 2001–2002 Third Extraordinary Session.

Resolved by the Assembly of the State of California,

(a) That the Chief Clerk or the Sergeant at Arms is authorized to receive from the Controller all warrants for the payment of Members, officers, and attachés of the Assembly.

(b) That the Chief Clerk shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.

HOUSE RESOLUTION NO. 1 TAKEN UP

On motion of Assembly Member Shelley, House Resolution No. 1 was taken up.

HOUSE RESOLUTION NO. 1—Relative to the organization of the Assembly for the 2001–2002 Third Extraordinary Session.

Resolution read, and adopted.

LEADERSHIP ANNOUNCED

Speaker pro Tempore Keeley announced that without objection, the following leadership for the 2001–02 Regular Session would be substituted in the Third Extraordinary Session:

Democratic Leadership

Fred Keeley, Speaker pro Tempore
Christine Kehoe, Assistant Speaker pro Tempore
Kevin Shelley, Majority Floor Leader
Juan Vargas, Assistant Majority Floor Leader
Dion Aroner, Caucus Chair
Wilma Chan, Majority Whip

Republican Leadership

Dave Cox, Minority Floor Leader
Tony Strickland, Assistant Republican Leader/Caucus Chair
Keith Richman, Assistant Republican Leader
Mike Briggs, Assistant Republican Leader for the Central Valley
Lynn Daucher, Assistant Caucus Chair/Minority Whip
Bill Leonard, Republican Floor Manager
Dennis Mountjoy, Minority Whip
Phil Wyman, Minority Whip

RESOLUTIONS

The following resolution was offered:

House Resolution No. 2

By Assembly Member Hertzberg.

Relative to election of officers of the Assembly for the 2001–2002 Third Extraordinary Session.

Resolved by the Assembly of the State of California, That the following named persons constitute officers of the Assembly for the 2001–2002 Third Extraordinary Session:

E. Dotson Wilson, Chief Clerk
 Ronald E. Pane, Chief Sergeant at Arms
 Rabbi Mona Alfi, Chaplain
 Father Constantine C. Pappademos, Alternate Chaplain

HOUSE RESOLUTION NO. 2 TAKEN UP

On motion of Assembly Member Shelley, House Resolution No. 2 was taken up.

HOUSE RESOLUTION NO. 2—Relative to election of officers of the Assembly for the 2001–2002 Third Extraordinary Session.

Resolution read.

Motion by Assembly Member Shelley

Assembly Member Shelley was granted unanimous consent that the roll call vote taken in the Regular Session on December 4, 2000 (Assembly Journal, page 53) be substituted; and that the respective Oaths of Office administered on December 4, 2000, be substituted in the Third Extraordinary Session.

Resolution adopted by the following vote:

AYES—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

NOES—None

OATH OF OFFICE

The following oath of office was administered to Chief Clerk-elect E. Dotson Wilson, Chief Sergeant-at-Arms-elect Ronald E. Pane, Chaplain-elect Rabbi Mona Alfi and Alternate Chaplain-elect Rev. Constantine C. Pappademos on Monday, December 4, 2000, administered by the Honorable Ronald M. George, Chief Justice of California:

OATH

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

RECESS

By unanimous consent, at 10:47 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

ADJOURNMENT

At 3 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

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