

CALIFORNIA LEGISLATURE
2003–04 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 28, 2003
NINTH SESSION DAY
FIFTY-FIRST 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
Tuesday, January 28, 2003

The Assembly met at 2:01 p.m.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Francesca Vega reading.

ROLL CALL

The roll was called, and the following answered to their names—79:

Aghazarian	Dymally	Levine	Parra
Bates	Firebaugh	Lieber	Pavley
Benoit	Frommer	Liu	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Canciamilla	Haynes	Matthews	Salinas
Chan	Horton, Jerome	Maze	Samuelian
Chavez	Horton, Shirley	McCarthy	Simitian
Chu	Houston	Montanez	Spitzer
Cogdill	Jackson	Mountjoy	Steinberg
Cohn	Keene	Mullin	Strickland
Corbett	Kehoe	Nakanishi	Vargas
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Nunez	Yee
Dutra	Leno	Oropeza	Mr. Speaker
Dutton	Leslie	Pacheco	

Quorum present.

PRAYER

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

O Lord Our God, Grant that Your eyes may watch over us this day. Spread the wings of Your grace to protect us and extend Your holy hand to bless us. May Your Holy Spirit abide with us as we pray, to inspire us with hope, to strengthen us in humility and to nurture us in love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Nakano 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 Firebaugh, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

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

Because of a death in his family: Assembly Member Campbell.

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. 4, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 7—An act relating to natural resources.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 10—An act relating to fiscal affairs.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 11—An act relating to health programs.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 12—An act relating to public education.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 6—An act relating to state and local government.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 8—An act relating to transportation.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 28, 2003

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

Assembly Bill No. 4

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

**REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY
SUSPEND THE RULES**

Assembly Member Firebaugh requests unanimous consent that the Rules be temporarily suspended for the purpose of permitting consideration of Assembly Bill No. 4, without reference to file.

Assembly Member Cogdill withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Assembly Member Firebaugh moved that the Rules be temporarily suspended for the purpose of permitting consideration of Assembly Bill No. 4, without reference to file.

Assembly Member Chan seconded the motion.

Rules temporarily suspended by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Firebaugh	Liu	Pavley
Calderon	Frommer	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Matthews	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—31

Aghazarian	Garcia	Leslie	Plescia
Bates	Harman	Maddox	Richman
Benoit	Haynes	Maldonado	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland
Dutton	La Suer	Pacheco	

**CONSIDERATION OF ASSEMBLY BILL NO. 7
BY UNANIMOUS CONSENT**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 7, without reference to file, for purpose of consideration at this time.

ASSEMBLY BILL NO. 7 (Oropeza)—An act to repeal Article 1 (commencing with Section 127875) of Chapter 2 of Part 3 of Division 107 of the Health and Safety Code, and to amend Sections 11453, 11462, 11463, 11466.2, 11466.35, 12201, and 12201.03 of the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Haynes

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

Motion to Table Haynes Amendments to Assembly Bill No. 7

Assembly Member Firebaugh moved that the amendments offered by Assembly Member Haynes to Assembly Bill No. 7 be laid upon the table.

Assembly Member Chan seconded the motion.

Motion carried by the following vote:

AYES—47

Berg	Dymally	Lieber	Parra
Bermudez	Firebaugh	Liu	Pavley
Calderon	Frommer	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Matthews	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	Laird	Negrete McLeod	Yee
Diaz	Leno	Nunez	Mr. Speaker
Dutra	Levine	Oropeza	

NOES—30

Aghazarian	Garcia	Leslie	Plescia
Bates	Harman	Maddox	Runner
Benoit	Haynes	Maldonado	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Cogdill	Houston	McCarthy	Strickland
Cox	Keene	Mountjoy	Wyland
Daucher	La Malfa	Nakanishi	
Dutton	La Suer	Pacheco	

Motion to Amend by Assembly Member Pacheco

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

Motion to Table Pacheco Amendments to Assembly Bill No. 7

Assembly Member Firebaugh moved that the amendments offered by Assembly Member Pacheco to Assembly Bill No. 7 be laid upon the table.

Assembly Member Chan seconded the motion.

Motion carried by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Firebaugh	Liu	Pavley
Calderon	Frommer	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Matthews	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—29

Aghazarian	Garcia	Leslie	Runner
Bates	Harman	Maddox	Samuelian
Benoit	Haynes	Maldonado	Spitzer
Bogh	Horton, Shirley	Maze	Strickland
Cogdill	Houston	McCarthy	Wyland
Cox	Keene	Mountjoy	
Daucher	La Malfa	Pacheco	
Dutton	La Suer	Plescia	

Further Consideration of Assembly Bill No. 7

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

Aghazarian	Dutra	Leslie	Pavley
Bates	Dutton	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Goldberg	Longville	Ridley-Thomas
Bogh	Hancock	Lowenthal	Runner
Calderon	Harman	Matthews	Salinas
Canciamilla	Haynes	Maze	Samuelian
Chan	Horton, Jerome	McCarthy	Simitian
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mullin	Strickland
Cogdill	Jackson	Nakano	Vargas
Cohn	Keene	Nation	Wiggins
Corbett	Kehoe	Negrete McLeod	Wolk
Correa	Koretz	Nunez	Wyland
Cox	La Malfa	Oropeza	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	

NOES—6

Garcia	Maddox	Mountjoy
La Suer	Maldonado	Nakanishi

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—71

Aghazarian	Dutra	Leslie	Pavley
Bates	Dutton	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Goldberg	Longville	Ridley-Thomas
Bogh	Hancock	Lowenthal	Runner
Calderon	Harman	Matthews	Salinas
Canciamilla	Haynes	Maze	Samuelian
Chan	Horton, Jerome	McCarthy	Simitian
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mullin	Strickland
Cogdill	Jackson	Nakano	Vargas
Cohn	Keene	Nation	Wiggins
Corbett	Kehoe	Negrete McLeod	Wolk
Correa	Koretz	Nunez	Wyland
Cox	La Malfa	Oropeza	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	

NOES—6

Garcia	Maddox	Mountjoy
La Suer	Maldonado	Nakanishi

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause to Assembly Bill No. 7, and on passage of the bill: Assembly Member Leslie, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 10
BY UNANIMOUS CONSENT**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 10, without reference to file, for purpose of consideration at this time.

ASSEMBLY BILL NO. 10 (Oropeza)—An act to amend Section 39612 of, and to add Section 39613 to, the Health and Safety Code, and to amend Section 13260 of, and to add Section 13260.2 to, the Water Code, relating to resources.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Firebaugh moved a call of the Assembly.

Motion carried. Time, 2:39 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF ASSEMBLY BILL NO. 11
BY UNANIMOUS CONSENT**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 11, without reference to file, for purpose of consideration at this time.

ASSEMBLY BILL NO. 11 (Oropeza)—An act to amend Section 16320 of the Government Code, to amend Sections 21682 and 21683.1 of the Public Utilities Code, to repeal Section 10903 of the Revenue and Taxation Code, and to amend Section 6 of Chapter 213 of the Statutes of 2000, relating to state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Strickland

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

**Motion to Table Strickland Amendments
to Assembly Bill No. 11**

Assembly Member Firebaugh moved that the amendments offered by Assembly Member Strickland to Assembly Bill No. 11 be laid upon the table.

Assembly Member Chan seconded the motion.

Motion carried by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Firebaugh	Liu	Pavley
Calderon	Frommer	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Matthews	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—30

Aghazarian	Garcia	Maddox	Richman
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	
Dutton	Leslie	Plescia	

Further Consideration of Assembly Bill No. 11

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—76

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Runner
Canciamilla	Harman	Maze	Salinas
Chan	Haynes	McCarthy	Samuelian
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Horton, Shirley	Mountjoy	Spitzer
Cogdill	Houston	Mullin	Steinberg
Cohn	Jackson	Nakanishi	Strickland
Corbett	Keene	Nakano	Vargas
Correa	Kehoe	Nation	Wiggins
Cox	Koretz	Negrete McLeod	Wolk
Daucher	La Malfa	Nunez	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

NOES—1

Maldonado

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Runner
Canciamilla	Harman	Maze	Salinas
Chan	Haynes	McCarthy	Samuelian
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Horton, Shirley	Mountjoy	Spitzer
Cogdill	Houston	Mullin	Steinberg
Cohn	Jackson	Nakanishi	Strickland
Corbett	Keene	Nakano	Vargas
Correa	Kehoe	Nation	Wiggins
Cox	Koretz	Negrete McLeod	Wolk
Daucher	La Malfa	Nunez	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

NOES—1

Maldonado

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 10**

At 2:44 p.m., on motion of Assembly Member Oropeza, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Firebaugh moved a call of the Assembly.

Motion carried. Time, 2:45 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 10**

At 2:45 p.m., on motion of Assembly Member Firebaugh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Strickland moved a call of the Assembly.

Motion carried. Time, 2:46 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF ASSEMBLY BILL NO. 12
BY UNANIMOUS CONSENT**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 12, without reference to file, for purpose of consideration at this time.

ASSEMBLY BILL NO. 12 (Oropeza)—An act to amend Sections 2933 and 13603 of the Penal Code, relating to corrections.

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

AYES—43

Berg	Firebaugh	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Jackson	Montanez	Simitian
Chan	Kehoe	Mullin	Steinberg
Chavez	Koretz	Nakano	Vargas
Chu	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Diaz	Levine	Nunez	Yee
Dutra	Lieber	Oropeza	Mr. Speaker
Dymally	Liu	Pavley	

NOES—33

Aghazarian	Garcia	Maddox	Richman
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Correa	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Parra	
Dutton	Leslie	Plescia	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 6
BY UNANIMOUS CONSENT**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 6, without reference to file, for purpose of consideration at this time.

ASSEMBLY BILL NO. 6 (Oropeza)—An act to amend Items 0250-001-0001, 0450-101-0932, 1760-001-0001, 1760-001-0666, 1760-011-0001, 2240-001-0001, 2240-011-0530, 2240-116-0929, 2660-011-3007, 2660-012-0041, 2660-015-0042, 2920-101-3005, 2920-111-0001, 2920-115-0440, 2920-115-0521, 3480-001-0035, 3480-001-0336, 3640-302-6029, 3790-001-0392, 3860-001-6031, 3910-001-0001, 3910-001-0387, 3960-001-0014, 3960-001-0557, 4260-001-0589, 4260-101-0001, 4440-102-0001, 5460-011-0001, 8100-001-0597, 8100-012-0001, 8350-011-0222, 8450-001-0001, and 8450-001-0016 of, and to add Items 0450-495, 0530-496, 0540-495, 0550-495, 0552-495, 0553-495, 0555-495, 0559-495, 0650-495, 0690-495, 0840-496, 0860-496, 0950-496, 0954-496, 1100-495, 1111-495, 1140-495, 1700-495, 1705-495, 1730-496, 1760-495, 1880-495, 2240-115-0972, 2240-115-0980, 2240-116-0813, 2240-116-0927, 2240-116-0938, 2240-116-0985, 2240-117-0813, 2240-495, 2310-015-0400, 2400-015-0933, 2660-012-3007, 2660-497, 2920-115-0393, 2920-116-0918, 2920-497, 3340-495, 3360-002-0382, 3360-495, 3460-495, 3480-495, 3540-496, 3540-497, 3560-001-0943, 3560-495, 3600-495, 3640-301-0660, 3640-496, 3740-497, 3720-495, 3790-495, 3790-496, 3820-001-0914, 3820-495, 3860-101-6031, 3860-495, 3860-496, 3900-496, 3930-495, 3940-495, 3960-496, 3980-495, 4120-495, 4130-495, 4140-495, 4170-495, 4200-011-0816, 4200-495, 4220-495, 4260-011-3020, 4260-497, 4280-495, 4300-496, 4440-495, 4700-495, 5160-496, 5175-496, 5180-496, 5240-496, 5430-497, 5440-495, 5450-495, 5460-495, 5480-495, 8100-496, 8140-495, 8260-495, 8300-495, 8320-495, 8350-495, 8380-495, 8460-495, 8570-495, 8620-495, 8700-495, 8885-495, 8910-495, 8955-495, 8960-495, 8965-495, 8966-495, 9860-495, and 9909-495 to, Section 2.00 of the Budget Act of 2002 (Chapter 379 of the Statutes of 2002), and to add Sections 4.90, 4.95, and 4.97 to, the Budget Act of 2002, relating to the support of state government, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Keene moved the adoption of amendments.

Amendments read.

**Motion to Table Keene Amendments
to Assembly Bill No. 6**

Assembly Member Firebaugh moved that the amendments offered by Assembly Member Keene to Assembly Bill No. 6 be laid upon the table.

Assembly Member Chan seconded the motion.

Motion carried by the following vote:

AYES—47

Berg	Firebaugh	Liu	Pavley
Bermudez	Frommer	Longville	Reyes
Calderon	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Matthews	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker
Dymally	Lieber	Parra	

NOES—30

Aghazarian	Garcia	Leslie	Richman
Bates	Harman	Maddox	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	
Dutton	La Suer	Plescia	

Further Consideration of Assembly Bill No. 6

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—46

Berg	Dymally	Lieber	Reyes
Bermudez	Firebaugh	Liu	Ridley-Thomas
Calderon	Frommer	Longville	Salinas
Canciamilla	Goldberg	Lowenthal	Simitian
Chan	Hancock	Montanez	Steinberg
Chavez	Horton, Jerome	Mullin	Vargas
Chu	Jackson	Nakano	Wiggins
Cohn	Kehoe	Nation	Wolk
Corbett	Koretz	Negrete McLeod	Yee
Correa	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Levine	Pavley	

NOES—30

Aghazarian	Garcia	Maddox	Plescia
Bates	Harman	Maldonado	Runner
Benoit	Horton, Shirley	Maze	Samuelian
Bogh	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	
Dutton	Leslie	Parra	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 8
BY UNANIMOUS CONSENT**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 8, without reference to file, for purpose of consideration at this time.

ASSEMBLY BILL NO. 8 (Oropeza)—An act to amend, repeal, and add Section 41335 of, to add Sections 14041.5, 33128.1, 33128.2, and 41339.1 to, and to repeal and add Section 41330 of, the Education Code, and to add Section 12.65 to the Budget Act of 2002, relating to education finance, and making an appropriation therefor.

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

AYES—43

Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chu	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker
Dymally	Lieber	Pavley	

NOES—33

Aghazarian	Garcia	Maddox	Richman
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Correa	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Parra	
Dutton	Leslie	Plescia	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 10**

At 3:50 p.m., on motion of Assembly Member Strickland, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 10 passed by the following vote:

AYES—41

Berg	Frommer	Longville	Salinas
Bermudez	Goldberg	Lowenthal	Simitian
Calderon	Hancock	Montanez	Steinberg
Chan	Jackson	Mullin	Vargas
Chavez	Kehoe	Nakano	Wiggins
Chu	Koretz	Nation	Wolk
Corbett	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Levine	Pavley	
Dymally	Lieber	Reyes	
Firebaugh	Liu	Ridley-Thomas	

NOES—35

Aghazarian	Dutton	Leslie	Parra
Bates	Garcia	Maddox	Plescia
Benoit	Harman	Maldonado	Richman
Bogh	Haynes	Matthews	Runner
Canciamilla	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

Bill ordered transmitted to the Senate immediately.

CAUCUS ANNOUNCEMENTS

At 3:51 p.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 3:51 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 4:21 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF ASSEMBLY BILL NO. 4

Pursuant to a suspension of the rules earlier this day, Assembly Member Wesson took up Assembly Bill No. 4, without reference to file, for purpose of consideration at this time.

ASSEMBLY BILL NO. 4 (Wesson)—An act to amend Sections 10754 and 11000 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend by Assembly Member Steinberg

Assembly Member Steinberg moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—47

Berg	Dymally	Lieber	Pavley
Bermudez	Firebaugh	Liu	Reyes
Calderon	Frommer	Longville	Ridley-Thomas
Canciamilla	Goldberg	Lowenthal	Salinas
Chan	Hancock	Montanez	Simitian
Chavez	Horton, Jerome	Mullin	Steinberg
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Levine	Parra	

NOES—31

Aghazarian	Garcia	Leslie	Plescia
Bates	Harman	Maddox	Richman
Benoit	Haynes	Maldonado	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland
Dutton	La Suer	Pacheco	

Bill ordered reprinted.

Request for Unanimous Consent to Temporarily Suspend the Rules

Assembly Member Firebaugh requested unanimous consent that the Rules be temporarily suspended for the purpose of permitting consideration of Assembly Bill No. 4, as amended, without reference to file.

Assembly Member Cogdill withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Assembly Member Firebaugh moved that the Rules be temporarily suspended for the purpose of permitting consideration of Assembly Bill No. 4, as amended, without reference to file.

Assembly Member Chan seconded the motion.

Rules temporarily suspended by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Firebaugh	Liu	Pavley
Calderon	Frommer	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Matthews	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—31

Aghazarian	Garcia	Leslie	Plescia
Bates	Harman	Maddox	Richman
Benoit	Haynes	Maldonado	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland
Dutton	La Suer	Pacheco	

Further Consideration of Assembly Bill No. 4

ASSEMBLY BILL NO. 4 (Wesson)—An act to amend Sections 10754 and 11000 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

AYES—45

Berg	Firebaugh	Liu	Ridley-Thomas
Bermudez	Frommer	Longville	Salinas
Calderon	Goldberg	Lowenthal	Simitian
Canciamilla	Hancock	Montanez	Steinberg
Chan	Horton, Jerome	Mullin	Vargas
Chavez	Jackson	Nakano	Wiggins
Chu	Kehoe	Nation	Wolk
Cohn	Koretz	Negrete McLeod	Yee
Corbett	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Levine	Pavley	
Dymally	Lieber	Reyes	

NOES—34

Aghazarian	Garcia	Maddox	Plescia
Bates	Harman	Maldonado	Richman
Benoit	Haynes	Matthews	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	
Dutton	Leslie	Parra	

Bill ordered transmitted to the Senate.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Firebaugh Motion to Suspend Rules: Bates, Daucher, Shirley Horton, La Suer, Maddox, Maldonado, Mountjoy, and Samuelian—No.

Assembly Bill No. 7, Motion to Table Haynes Amendments: Nation—Aye; Bates, Maddox, and Mountjoy—No.

Assembly Bill No. 7, Motion to Table Pacheco Amendments: Bates and Maddox—No.

Assembly Bill No. 7 and Urgency: Aghazarian, Bates, Shirley Horton, Houston, and La Malfa—Aye; Maddox—No.

Assembly Bill No. 11, Motion to Table Strickland Amendments: Maddox—No.

Assembly Bill No. 11 and Urgency: Maldonado—No.

Assembly Bill No. 12: Salinas—Aye.

Assembly Bill No. 8: Frommer—Aye; Correa—No.

Assembly Bill No. 4: La Malfa—No.

ADJOURNMENT

At 5:52 p.m., the Assembly adjourned to reconvene upon Call of the Speaker.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JANUARY 28, 2003

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

AB	RN
4	0306831
6	0306806
7	0306615
8	0306631
10	0303827
11	0306757
12	0306758

Daily Total: 7

Cumulative Total: 15

Amendments were considered by the Assembly, but not adopted, to the following measures:

AB

- 6 (Keene amendments, RN0306692, laid upon the table)
- 7 (Haynes amendments—Set 1, RN0306809, laid upon the table)
 (Pacheco amendments—Set 2, RN0306805, laid upon the table)
- 11 (Strickland amendments, RN0306827, laid upon the table)

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