

CALIFORNIA LEGISLATURE  
2003-04 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, March 10, 2003**  
**TWENTY-THIRD SESSION DAY**  
**NINETY-SECOND 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, March 10, 2003

The Assembly met at 1:33 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	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	Matthews	Salinas
Canciamilla	Haynes	Maze	Samuelian
Chan	Horton, Jerome	McCarthy	Simitian
Chavez	Horton, Shirley	Montanez	Spitzer
Chu	Jackson	Mountjoy	Steinberg
Cogdill	Keene	Mullin	Strickland
Cohn	Kehoe	Nakanishi	Vargas
Corbett	Koretz	Nakano	Wiggins
Correa	La Malfa	Nation	Wolk
Cox	La Suer	Negrete McLeod	Wyland
Daucher	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	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 God, You pour out mercy and kindness and always invite us even though we turn away from You. To You we commit all our weakness. Forgive us our transgressions, both of the whole day and of our entire life, for we know how great is Your kindness. O God, our Creator, we know that You alone can save our souls, and we glorify You.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kehoe, Assembly Member Campbell 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 Chan, 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:

*On personal business, and waiving per diem: Assembly Member Houston.*

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 11 (Committee on Budget and Fiscal Review)**—An act to amend Sections 11453, 11462, 11463, 11466.2, 11466.35, 12201, and 12201.03 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Oropeza.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

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

**NOES—3**

La Suer	Maldonado	Nakanishi
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The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—73**

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

**NOES—3**

La Suer	Maldonado	Nakanishi
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Bill ordered transmitted to the Senate.

**SENATE BILL NO. 19 (Chesbro)** 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, 2660-015-0042, 2920-101-3005, 2920-111-0001, 2920-115-0440, 2920-115-0521, 3640-302-6029, 3790-001-0392, 3860-001-6031, 3910-001-0001, 3910-001-0387, 3960-001-0014, 3960-001-0557, 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, 2660-497, 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, 3640-301-6031, 3640-496, 3640-497, 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, 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, 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 11.90 to, the Budget Act of 2002, relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Oropeza.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—68**

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

**NOES—10**

Bogh	Garcia	Maddox	Spitzer
Correa	Horton, Shirley	Maldonado	
Dutton	La Suer	Parra	

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—68**

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

**NOES—10**

Bogh	Garcia	Maddox	Spitzer
Correa	Horton, Shirley	Maldonado	
Dutton	La Suer	Parra	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 18 (Chesbro)**—An act to amend Sections 69995, 69997, and 69998 of, to amend, repeal, and add Section 41335 of, to add Sections 14041.5, 33128.1, 33128.2, and 41339.1 to, to add and repeal Section 60423 of, and to repeal and add Section 41330 of, the Education Code, to add Items 6110-301-0660 and 6110-497 to Section 2.00 of, and to add Section 12.65 to, Chapter 379 of the Statutes of 2002, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Oropeza.

**Urgency Clause**

Urgency clause read.

**Assembly Rule 112 Suspended**

Assembly Member Daucher was granted unanimous consent that Assembly Rule 112 be suspended for the purpose of permitting her to read a paper during debate on the Floor.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

**AYES—64**

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

**NOES—13**

Correa	La Suer	Nakanishi	Wyland
Garcia	Maddox	Parra	
Horton, Shirley	Maldonado	Plescia	
La Malfa	Mountjoy	Spitzer	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—64**

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

**NOES—13**

Correa	La Suer	Nakanishi	Wyland
Garcia	Maddox	Parra	
Horton, Shirley	Maldonado	Plescia	
La Malfa	Mountjoy	Spitzer	

**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause to Senate Bill No. 18, and on passage of the bill: Assembly Member Shirley Horton, from “Aye” to “No”.

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):

**Senate Bill No. 11 and Urgency:** La Suer—No.

**Senate Bill No. 19 and Urgency:** Correa, Dutton, and Shirley Horton—No.

**Senate Bill No. 18 and Urgency:** Bates, Bogh, Frommer, and Jerome Horton—Aye; Maddox, Mountjoy, Spitzer, and Wyland—No.

**RECESS**

By unanimous consent, at 2:11 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

**ADJOURNMENT**

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

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk