

CALIFORNIA LEGISLATURE
2003-04 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 19, 2003

**TWENTY-SEVENTH SESSION DAY
ONE HUNDRED 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
Wednesday, March 19, 2003

The Assembly met at 7 a.m.
Hon. Barbara Matthews, Assembly Member, 17th District,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Francesca Vega reading.

ROLL CALL

The following were placed upon the morning roll call—74:

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

Quorum present.

At 1:15 p.m., Hon. Darrell Steinberg, 9th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Chan and Corbett.

On personal business, and waiving per diem: Assembly Members Liu, Strickland, and Wyland.

Because of illness: Assembly Member Oropeza.

(NOTE: For explanations of absences of Assembly Members Chan and Corbett on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Daily Journal for the Regular Session for this day.)

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Message—Assembly Bill No. 10

Governor's Office, Sacramento
March 18, 2003

To the Members of the California State Assembly:

I am signing AB 10X as one of the reforms necessary to address the state's current budget deficit. My fiscal year 2003–04 budget would reduce General Fund expenditures for the Air Resources Board (ARB) and the State Water Resources Control Board (SWRCB) and partially replace these environmental program reductions with fee revenues.

This bill authorizes the ARB to increase their existing emission based fee on stationary sources of air pollution, including consumer products and paints. AB 10X also authorizes the SWRCB to increase their existing annual fees for waste discharges that could pollute water resources.

I have reduced ARB General Fund support by \$12 million in anticipation that the Board will equitably recover an additional \$10 million from the sources of air pollution. So too I have reduced \$28.5 million in General Fund appropriations to the SWRCB and asked the regulated community to contribute an additional \$14.9 million to protect California's water quality and the public health. It is only fair that those who contribute to California's air and water pollution bear a greater share of the cost of regulatory activities to achieve clean, healthful air and water quality.

I am directing the SWRCB and ARB to conduct a public process that invites participation of all affected stakeholders in the development of their regulatory fee schedules. As prescribed by AB 10X, expenditure of the fees must be related to the activities of those paying the fees and should not exceed the reasonable and necessary costs of these agencies to implement their respective programs as appropriated in the Budget Act.

I further urge the SWRCB and ARB to carefully balance the threat to water and air quality with any additional economic burdens placed on California small businesses, public agencies, and agriculture when developing their fee schedules. For the ARB, that means the fees from stationary sources, consumer products, and architectural coatings should not exceed a combined total of \$13 million in the budget year.

In signing this legislation, I am keenly aware of the potential burden increased fees could have on fee payers. At the same time, it is essential that both the SWRCB and ARB receive the funds necessary to continue our vital air and water quality protection programs.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 11

Governor's Office, Sacramento

March 18, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 11X. This is a trailer bill related to the implementation of the Mid-Year Spending Reductions Bill (SB 19X). The bill makes various changes necessary for implementation of the proposed solutions in the Budget. Specifically, it provides general authority for interfund loans, provides an appropriation to make long-term contractual obligation payments for eliminated or reduced programs, and other technical clean-up.

While I am signing this bill, I would note that subsequent legislation is needed to correctly apply the reporting requirements and the limitation on the use of the appropriation to make payments when programs are eliminated or reduced due to budgetary shortfalls. There is a drafting error that references an incorrect section of the bill for this purpose. I am asking the Department of Finance to work with the Legislature to clean-up this error in subsequent legislation.

Sincerely,

GRAY DAVIS

ADJOURNMENT

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

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

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