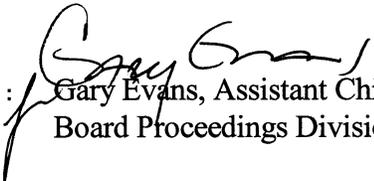


Memorandum

To : Honorable Carole Migden, Chairwoman, MIC:71
Honorable Claude Parrish, MIC:77
Honorable Bill Leonard, MIC:78
Honorable John Chiang, MIC:72
Honorable Steve Westly, 300 Capitol Mall, 18th Floor

Date: May 12, 2003

From :  Gary Evans, Assistant Chief
Board Proceedings Division

Subject : Board Minute Correction
September 12, 2002 and February 5, 2003

The September 12, 2002, Board approved minutes failed to record the correct audit period for Barnes & Noble. com, 89872. Additionally, at the February 5, 2003, Board approved minutes recorded an incorrect decision Franchise Income appeal of Dale Mitchell Heindell, 103375. Attached are the corrected Minute pages on which these corrections appear. The corrected pages are being placed on the May 28, 2003, Administrative Consent Calendar for the Board's approval.

Attachments

cc: Mr. Timothy Boyer, MIC: 73
Ms. Jean Ogrod, MIC:82
Ms. Janice Thurston
Mr. Jeff Vest, MIC: 85
Mr. Ramon Hirsig, MIC: 43
Ms. Deborah Pellegrini, MIC:81
Ms. Rose Smith, MIC:80

ITEM #II
Sub-Item 3
5/28/03

THURSDAY, SEPTEMBER 12, 2002

Contribution Disclosures pursuant to Government Code section 15626: No contributions were disclosed.

Action: Upon motion of Mr. Andal, seconded by Mr. Klehs and unanimously carried, Mr. Klehs, Mr. Andal, Mr. Parrish and Ms. Mandel voting yes, Mr. Chiang absent, the Board ordered that the petition be redetermined as recommended by the Appeals Section.

Barnes & Noble.Com, 89872

11-15-99 to 3-31-00, \$1,128,721.89 Tax

\$00.00 Penalty

Considered by the Board: February 6, 2002

Contribution Disclosures pursuant to Government Code section 15626: No contributions were disclosed.

Action: Mr. Andal moved to adopt the memorandum opinion. The motion was seconded by Mr. Parrish. Ms. Mandel offered a substitute motion to grant the petition. The motion failed for lack of a second.

Upon motion of Mr. Andal, seconded by Mr. Parrish and duly carried, Mr. Klehs, Mr. Andal and Mr. Parrish voting yes, Ms. Mandel voting no, Mr. Chiang absent, the Board adopted the memorandum opinion.

Fashion Marking Services, Inc., 89002434400

7-1-94 to 6-30-97, \$19,309.38 Tax

Considered by the Board: May 9, 2002

Contribution Disclosures pursuant to Government Code section 15626: No contributions were disclosed.

Action: Upon motion of Mr. Andal, seconded by Mr. Klehs and unanimously carried, Mr. Klehs, Mr. Andal, Mr. Parrish and Ms. Mandel voting yes, Mr. Chiang absent, the Board ordered that the petition be redetermined as recommended by the Appeals Section.

Vasant Kale, 89002204350

10-1-94 to 12-31-97, \$25,152.35 Tax

\$00.00 Penalty, Negligence

Considered by the Board: May 9, 2002

Contribution Disclosures pursuant to Government Code section 15626: No contributions were disclosed.

Action: Upon motion of Mr. Andal, seconded by Mr. Klehs and unanimously carried, Mr. Klehs, Mr. Andal, Mr. Parrish and Ms. Mandel voting yes, Mr. Chiang absent, the Board ordered that the petition be redetermined as recommended by the Appeals Section.

**CORPORATE FRANCHISE AND PERSONAL INCOME TAX MATTERS,
ADJUDICATORY****Pacific Corp., 90027**

1984, \$498,412.00 Assessment

1985, \$517,835.00 Assessment

Wednesday, February 5, 2003

**CORPORATE FRANCHISE AND PERSONAL INCOME TAX MATTERS,
ADJUDICATORY**

Roberto Brutocao, 140415

12-31-93, \$82,891.00 Tax, \$39,066.75 Late Filing Penalty

Venture Communications, Inc., 141641

9-30-93, \$475,256.55 Tax

Considered by the Board: October 3, 2002

Contribution Disclosures pursuant to Government Code section 15626: None were disclosed.

Action: Upon motion of Mr. Chiang, seconded by Mr. Leonard and unanimously carried, Ms. Migden, Mr. Parrish, Mr. Leonard, Mr. Chiang and Ms. Mandel voting yes, the Board adopted a decision reversing the action of the Franchise Tax Board.

Atlantic Richfield Company, 134085

1988, \$9,203,702.00 Assessment

Considered by the Board: March 25, 2002

Contribution Disclosures pursuant to Government Code section 15626: A disqualifying contribution to Ms. Migden was disclosed. No other contributions were disclosed.

Action: Upon motion of Mr. Parrish, seconded by Mr. Chiang and unanimously carried, Mr. Parrish, Mr. Leonard, Mr. Chiang and Ms. Mandel voting yes, Ms. Migden not participating in accordance with Government Code section 15626, the Board adopted a decision granting the petition for rehearing.

Dale Mitchell Heindell, 103375

1980, \$2,204.59 Claim for Refund

Considered by the Board: June 20, 2002

Contribution Disclosures pursuant to Government Code section 15626: None were disclosed.

Action: Upon motion of Mr. Parrish, seconded by Mr. Chiang and unanimously carried, Ms. Migden, Mr. Parrish, Mr. Leonard, Mr. Chiang and Ms. Mandel voting yes, the Board adopted a decision granting the petition for rehearing which modified the action of the Franchise Tax Board.

**HOMEOWNER AND RENTER PROPERTY TAX ASSISTANCE MATTERS,
ADJUDICATORY**

Athina B. Salmo, 157240

2001, \$240.00 Claim for Credit

Considered by the Board: January 9, 2003

Contribution Disclosures pursuant to Government Code section 15626: None were disclosed.

Action: Upon motion of Mr. Chiang, seconded by Mr. Parrish and unanimously carried, Ms. Migden, Mr. Parrish, Mr. Leonard, Mr. Chiang and Ms. Mandel voting yes, the Board adopted a decision reversing the action of the Franchise Tax Board.