

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 6, 2005

FIFTH SESSION DAY

THIRTY-SECOND 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.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 6, 2005

The Assembly met at 9:30 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy moved a quorum call of the Assembly.
At 9:31 a.m., Speaker pro Tempore Yee placed a quorum call upon
the Assembly.

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

QUORUM PRESENT

At 9:33 a.m., Speaker pro Tempore Yee declared the quorum of the
Assembly present.

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

Aghazarian	Dymally	La Suer	Pavley
Arambula	Emmerson	Laird	Plescia
Baca	Evans	Leno	Richman
Bass	Frommer	Leslie	Ridley-Thomas
Benoit	Garcia	Levine	Runner
Berg	Goldberg	Lieber	Ruskin
Bermúdez	Gordon	Liu	Saldaña
Blakeslee	Hancock	Matthews	Salinas
Bogh	Harman	Maze	Spitzer
Calderon	Haynes	McCarthy	Strickland
Canciamilla	Horton, Jerome	Montañez	Torrico
Chan	Horton, Shirley	Mountjoy	Tran
Chavez	Houston	Mullin	Vargas
Chu	Huff	Nakanishi	Villines
Cogdill	Jones	Nation	Walters
Cohn	Karnette	Nava	Wolk
Coto	Keene	Negrete McLeod	Wyland
Daucher	Klehs	Niello	Yee
De La Torre	Koretz	Oropeza	Mr. Speaker
DeVore	La Malfa	Parra	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

O Gracious God, It is with seeking hearts that we call upon Your name this morning.

We seek Your will and Your way. We seek Your wisdom and pray that You will give us discernment in a world of unprecedented choices and voices. We seek for more compassion in this world rocked by the Tsunami disaster, poverty, ethnic fighting, and war.

And yes, O God, we seek Your guidance on this day of session in these legislative halls. So please guide us as You can.

In Thy powerful, compassionate, and merciful name I pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Vargas then led the Assembly in the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

By unanimous consent, reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Member Umberg.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 5, 2005

*The Honorable Fabian Núñez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Núñez: I respectfully ask you to excuse me from session on Thursday, January 6 due to Legislative business in my district.

If you have any questions or concerns about this request please contact Jordan Brandman of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member
Sixty-ninth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 6, 2005

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Ron Vrilakas
to Capitol Area Committee

Dear Mr. Wilson: Please be advised I have appointed Mr. Ron Vrilakas to the Capitol Area Committee. This is a term appointment starting January 6, 2005 and the expiration date is December 31, 2005.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

The Budget Allocation Workshop Report
(Pursuant to Assembly Bill 1752, Chapter 225, Statutes of 2003)

Above transmitted report, together with letter of transmittal from Susan R. Terek, Legislative Director, Department of Child Support Services, dated December 10, 2004, referred by the Speaker to the Committee on Budget.

The Impact of Licensure by Credential on the
Availability of Dentists in California
(Pursuant to Business and Professions Code Section 1635.5 (c))

Above transmitted report, together with letter of transmittal from Cynthia Gatlin, Executive Officer, Dental Board of California, dated December 21, 2004, referred by the Speaker to the Committee on Business and Professions.

California State Lottery Fund: Financial Statements
September 30, 2004
(Prepared From Books Without Audit)
(Pursuant to Government Code Section 8880.22)

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Director, Finance and Administration Division, California Lottery, dated December 14, 2004, referred by the Speaker to the Committee on Governmental Organization.

Report on the California Department of Corrections
Workers' Compensation Program (Fiscal Year 2002-2003)
(Pursuant to Assembly Bill 749, Chapter 6, Statutes of 2002)

Above transmitted report, together with letter of transmittal from J.S. Woodford, Director, Department of Corrections, dated December 23, 2004, referred by the Speaker to the Committee on Insurance.

**California Recycle Underutilized Sites (Cal Re USE) Program
(Pursuant to Health and Safety Code Section 44525.7)**

Above transmitted report, together with letter of transmittal from Eileen Marxen, Deputy Director, California Pollution Control Financing Authority, dated December 31, 2004, referred by the Speaker to the Committee on Banking and Finance.

**Sustainable Communities Grant and Loan Program
Report of Activities 2004
(Pursuant to Health and Safety Code Section 44525.6)**

Above transmitted report, together with letter of transmittal from Eileen Marxen, Deputy Director, California Pollution Control Financing Authority, dated December 31, 2004, referred by the Speaker to the Committee on Banking and Finance.

**Annual Audited Financial Statements and Reports of
the Golden State ScholarShare College Savings Trust and
the Governor's Scholarship Programs
(Pursuant to Education Code Sections 69989 and 6996(f))**

Above transmitted report, together with letter of transmittal from Carrie Douglas Fong, Executive Director, ScholarShare Investment Board, dated December 14, 2004, referred by the Speaker to the Committee on Higher Education.

**2003–2004 Disabled Veterans Business Enterprise (DVBE)
Contracting Activity Reports
(Pursuant to Public Resources Code Section 10115.5 and
Military and Veterans Code Section 999.7) from:**

Department of Veterans Affairs, Tom Johnson, Secretary, dated December 10, 2004;

Colorado River of California, Lori Jones, Office Technician, dated December 14, 2004;

Department of Community Services and Development, Donna Fairchild, Contract Officer, dated December 16, 2004;

California Integrated Waste Management Board, Mark Leary, Executive Director, dated December 17, 2004;

Department of Corporations, Frederick Topete, Chief, Business Operations and Program Support, dated December 20, 2004;

California Conservation Corps, Rhonda Valdry, Manager, Business Services and Contracts Branch, dated December 21, 2004;

Department of Motor Vehicles, Shamin Khan, Deputy Director, dated December 22, 2004;

Office of the Treasurer, Hugo Lopez, Director, Administration Division, dated December 23, 2004;

Air Resources Board, Catherine Witherspoon, Executive Officer, dated December 24, 2004;

Department of Industrial Relations, Ann Rose, Chief, Division of Administration, dated December 28, 2004;

California Managed Risk Medical Insurance Board, Gina Van Nes, Associate Business Management Analyst, dated December 28, 2004;

Department of Food and Agriculture, Paula Lewis, Acquisitions Manager, Departmental Services Branch, Administrative Services, dated December 29, 2004;

California Student Aid Commission, Elia O'Brien, Business Services Assistant, dated December 29, 2004;

California Horse Racing Board, Wendy Voss, Assistant Chief of Administration, dated December 30, 2004;

California Coastal Commission, Lane Yee, Chief, Administrative Services, dated December 30, 2004.

Referred by the Speaker to the Committee on Veterans Affairs.

CAUCUS ANNOUNCEMENTS

At 9:39 a.m., Assembly Member Frommer was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

At 9:39 a.m., Assembly Member Bogh was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 9:40 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 9:58 a.m., the Assembly reconvened.

Hon. Leland Yee, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR PHOTOGRAPHER

Assembly Members Shirley Horton and Saldaña were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ANNOUNCEMENTS

Assembly Member Jones announced that the body of Congressman Robert Matsui will lie in state in the Rotunda of the State Capitol from 3 p.m. on Thursday, January 6, 2005 until 3 p.m. Friday, January 7, 2005.

RECESS

By unanimous consent, at 10:06 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 10:10 a.m., the Assembly reconvened.

Hon. Leland Yee, Speaker pro Tempore of the Assembly, presiding.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Montañez announced that the Committee on Rules would meet today at 10:12 today, a.m. in the Tom Bane Rules Committee Room.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10:12 a.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly**Bill No.**Committee*

1	-----	Ed.
2	-----	E. & R.
3	-----	Rev. & Tax.
4	-----	Pub. S.
5	-----	E. & R.
6	-----	Rev. & Tax.
7	-----	W.,P. & W.
8	-----	Health
10	-----	Health
11	-----	L. Gov.
12	-----	Jud.
13	-----	Ed.
15	-----	Ed.
16	-----	E. & R.
17	-----	Nat. Res. and G.O.
19	-----	Jud.
22	-----	Pub. S.
23	-----	Higher Ed.
24	-----	W.,P. & W.
26	-----	Trans. and Jud.
27	-----	L. Gov.
29	-----	Rev. & Tax.
33	-----	Pub. S.
34	-----	Rev. & Tax.
35	-----	Pub. S.
36	-----	Ed.
38	-----	B. & P.
39	-----	Ed. and Higher Ed.
40	-----	E. & R.
41	-----	Pub. S.
42	-----	A.,E.,S.,T. & I.M.
43	-----	E. & R.
44	-----	Health
45	-----	E. & R.
46	-----	Pub. S.
47	-----	Health
49	-----	Ed. and Higher Ed.
51	-----	L. & E.
52	-----	G.O.
54	-----	B. & P.
55	-----	P.E.,R. & S.S.
56	-----	Trans.
57	-----	L. & E.
58	-----	Ed. and Higher Ed.
59	-----	Pub. S.
60	-----	Ed.
62	-----	Rev. & Tax.

- 63 ----- H. & C.D. and Aging & L.T.C.
- 65 ----- Health
- 66 ----- Ed.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
2 -----	Rls.
3 -----	Rls.
4 -----	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
1 -----	Rls.
2 -----	V.A.
3 -----	Jud.

House

<i>Resolution No.</i>	<i>Committee</i>
4 -----	Rls.

CONGRATULATIONS EXTENDED TO ASSEMBLY MEMBER FROMMER

Assembly Member McCarthy was joined by the Members of the Assembly in extending congratulations to Assembly Member Frommer and his spouse, Lorraine Paskette, on the occasion of their recent marriage.

CONGRATULATIONS EXTENDED TO ASSEMBLY MEMBER TRAN

Speaker pro Tempore Yee was joined by the Members of the Assembly in extending congratulations to Assembly Member Tran and his spouse, Cindy Tran, on the occasion of their recent marriage.

ADJOURN IN MEMORY

Assembly Members Chu and Lieber were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Iris Chang, of San Jose.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Betty Jean McCollum Padilla, of Merced.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member La Suer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Benjamin Mark Braun, of La Mesa.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENT

Speaker pro Tempore Yee announced the following session schedule: Monday, January 10, 2005, Floor Session, at 12 noon.

**REPORTS OF STANDING COMMITTEES
Committee on Rules**

Date of Hearing: January 6, 2005

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 4

With the recommendation: Be adopted.

MONTAÑEZ, Chair

HOUSE RESOLUTION NO. 4 TAKEN UP BY UNANIMOUS CONSENT

Assembly Member Dymally was granted unanimous consent to take up House Resolution No. 4, without reference to file.

HOUSE RESOLUTION NO. 4—Relative to the Asian tsunami disaster.
Resolution read.

Members Made Coauthors of House Resolution No. 4

Assembly Member Dymally was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 4.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Bermúdez, Blakeslee, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Coto, Daucher, De La Torre, DeVore, Emmerson, Evans, Frommer, Garcia, Goldberg, Gordon, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Huff, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, McCarthy, Montañez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Runner, Ruskin, Saldaña, Salinas, Spitzer, Strickland, Torrico, Tran, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Dymally was granted unanimous consent to take up House Resolution No. 4, as amended, without reference to print or file.

Consideration of House Resolution No. 4, as Amended

HOUSE RESOLUTION NO. 4—Relative to the Asian tsunami disaster.
Resolution read, as amended, and adopted.

ADJOURN IN MEMORY

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Shawn Fagen, of Ceres.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Stamps, of Del Norte.

Assembly Members Evans and Nation were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. William Dickerson, of Novato.

Assembly Members Evans and Berg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Douglas Pitter, of Sebastopol.

Assembly Member Laird was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph Hemingway, of Watsonville and Rodney Glisan Kennedy-Minott, of Monterey.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sandra Rutherford Allen, of Benicia; Lucille E. Barry, Loren B.W. Frankel, Eldon R. Clauson, and Raymond D. Kivley, of Davis; Louise Preston Kelly, of Dixon; Anthony M. Agnello, Alexius Aiu, and Wilfred Byrd, of Fairfield; John James Cheechov and Mary Lynn Duff, of Vacaville; Virginia Catherine Turner, of West Sacramento; Laina C. Boosembark and Keith E. Gould, of Woodland.

MOTION TO ADJOURN

At 10:22 a.m., Assembly Member Gordon moved that the Assembly do now adjourn.

Assembly Member Bogh seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Baca arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Gordon that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:23 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 85—Maze. An act to amend Sections 48000, 48001, and 48002 of, and to repeal Section 48002.5 of, the Food and Agricultural Code, relating to citrus fruit crops, and making an appropriation therefor.

ASSEMBLY BILL NO. 86—Levine. An act to amend Section 11108 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 87—Bermudez. An act to amend Section 4005 of the Fish and Game Code, relating to trapping licenses.

ASSEMBLY BILL NO. 88—Koretz. An act to amend Section 12280 of the Penal Code, relating to assault weapons.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 5—Mountjoy and Goldberg. Relative to the Abiel Barron Memorial Highway.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: January 6, 2005

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 4

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 6, 2005

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have made the following appointments to Assembly Standing Committees and Subcommittees, effective today, January 6, 2005:

Aging and Long-Term Care

The membership of this committee remains the same with 5 members.

- Assemblymember Patty Berg, Chair
- Assemblymember Rudy Bermúdez
- Assemblymember Joe Canciamilla
- Assemblymember Lynn Daucher, Vice Chair
- Assemblymember Mimi Walters

Agriculture

I have reduced the membership of this committee from 10 to 8 members.

Assemblymember Barbara Matthews, Chair
Assemblymember Patty Berg
Assemblymember Nicole Parra
Assemblymember Simón Salinas
Assemblymember Juan Vargas
Assemblymember Bill Maze, Vice Chair
Assemblymember Sam Blakeslee
Assemblymember Dave Cogdill

Appropriations

I have reduced the membership of this committee from 21 to 18 members.

Assemblymember Judy Chu, Chair
Assemblymember Karen Bass
Assemblymember Patty Berg
Assemblymember Ron Calderon
Assemblymember Mike Gordon
Assemblymember Johan Klehs
Assemblymember Betty Karnette
Assemblymember Mark Leno
Assemblymember Joe Nation
Assemblymember Jenny Oropeza
Assemblymember Mark Ridley-Thomas
Assemblymember Lori Saldaña
Assemblymember Leland Yee
Assemblymember Sharon Runner, Vice Chair
Assemblymember Bill Emmerson
Assemblymember Ray Haynes
Assemblymember Alan Nakanishi
Assemblymember Mimi Walters

Arts, Entertainment, Sports, Tourism and Internet Media

I have reduced the membership of this committee from 13 to 11 members.

Assemblymember Ed Chavez, Chair
Assemblymember Rebecca Cohn
Assemblymember Jerome Horton
Assemblymember Betty Karnette
Assemblymember Paul Koretz
Assemblymember Barbara Matthews
Assemblymember Mark Ridley-Thomas
Assemblymember Tom Umberg
Assemblymember Audra Strickland, Vice Chair
Assemblymember Tom Harman
Assemblymember Doug La Malfa

Banking and Finance

I have reduced the membership of this committee from 13 to 8 members.

Assemblymember Ron Calderon, Chair
Assemblymember Ed Chavez
Assemblymember Nicole Parra
Assemblymember Ira Ruskin
Assemblymember Juan Vargas
Assemblymember Roger Niello, Vice Chair
Assemblymember Doug La Malfa
Assemblymember Van Tran

Budget

I have reduced the membership of this committee from 30 to 25 members.

Assemblymember John Laird, Chair
Assemblymember Juan Arambula
Assemblymember Rudy Bermúdez
Assemblymember Wilma Chan
Assemblymember Joe Coto
Assemblymember Hector De La Torre
Assemblymember Mervyn Dymally
Assemblymember Noreen Evans
Assemblymember Jackie Goldberg
Assemblymember Loni Hancock
Assemblymember Cindy Montañez
Assemblymember Gene Mullin
Assemblymember Pedro Nava
Assemblymember Nicole Parra
Assemblymember Fran Pavley
Assemblymember Lois Wolk
Assemblymember Rick Keene, Vice Chair
Assemblymember John Benoit
Assemblymember Sam Blakeslee
Assemblymember Dave Cogdill
Assemblymember Chuck DeVore
Assemblymember Lynn Daucher
Assemblymember Bob Huff
Assemblymember George Plescia
Assemblymember Michael Villines

Budget Subcommittee #1—Health and Human Services

Membership on this committee remains the same with 5 members.

Assemblymember Hector De La Torre, Chair
Assemblymember Loni Hancock
Assemblymember Gene Mullin
Assemblymember Dave Cogdill
Assemblymember Rick Keene

Budget Subcommittee #2—Education Finance

Membership on this committee remains the same with 6 members.

Assemblymember Mervyn Dymally, Chair
Assemblymember Wilma Chan
Assemblymember Joe Coto
Assemblymember Jackie Goldberg
Assemblymember Lynn Daucher
Assemblymember Bob Huff

Budget Subcommittee #3—Resources

I have reduced the membership of this committee from 7 to 5 members.

Assemblymember Fran Pavley, Chair
Assemblymember Noreen Evans
Assemblymember Cindy Montañez
Assemblymember Sam Blakeslee
Assemblymember George Plescia

Budget Subcommittee #4—State Administration

I have reduced the membership of this committee from 6 to 5 members.

Assemblymember Rudy Bermúdez, Chair
Assemblymember Juan Arambula
Assemblymember Nicole Parra
Assemblymember Chuck DeVore
Assemblymember Michael Villines

Budget Subcommittee #5—Information Technology/Transportation

I have reduced the membership of this committee from 5 to 3 members.

Assemblymember Pedro Nava, Chair
Assemblymember Lois Wolk
Assemblymember John Benoit

Business and Professions

I have reduced the membership of this committee from 13 to 10 members.

Assemblymember Gloria Negrete McLeod, Chair
Assemblymember Karen Bass
Assemblymember Dario Frommer
Assemblymember Paul Koretz
Assemblymember Joe Nation
Assemblymember Juan Vargas
Assemblymember Leland Yee
Assemblymember Shirley Horton, Vice Chair
Assemblymember Bill Maze
Assemblymember Van Tran

Education

The membership of this committee remains the same with 11 members.

Assemblymember Jackie Goldberg, Chair
Assemblymember Juan Arambula
Assemblymember Joe Coto
Assemblymember Loni Hancock
Assemblymember Carol Liu
Assemblymember Gene Mullin
Assemblymember Fran Pavley
Assemblymember Tom Umberg
Assemblymember Mark Wyland, Vice Chair
Assemblymember Bob Huff
Assemblymember Keith Richman

Elections and Redistricting

I have reduced the membership of this committee from 7 to 6 members.

Assemblymember Tom Umberg, Chair
Assemblymember Johan Klehs
Assemblymember Mark Leno
Assemblymember Lloyd Levine
Assemblymember Mark Wyland, Vice Chair
Assemblymember Michael Villines

Environmental Safety and Toxic Materials

The membership of this committee remains the same with 7 members.

Assemblymember Ira Ruskin, Chair
Assemblymember Judy Chu
Assemblymember Hector De La Torre
Assemblymember Jackie Goldberg
Assemblymember Jerome Horton
Assemblymember Van Tran, Vice Chair
Assemblymember Audra Strickland

Governmental Organization

I have reduced the membership of the committee from 26 to 15 members.

Assemblymember Jerome Horton, Chair
Assemblymember Rudy Bermúdez
Assemblymember Ron Calderon
Assemblymember Ed Chavez
Assemblymember Joe Coto
Assemblymember Lloyd Levine
Assemblymember Carol Liu
Assemblymember Gloria Negrete McLeod
Assemblymember Alberto Torrico
Assemblymember Leland Yee
Assemblymember George Plescia, Vice Chair
Assemblymember Greg Aghazarian
Assemblymember Bonnie Garcia
Assemblymember Jay La Suer
Assemblymember Dennis Mountjoy

Health

I have reduced the membership of this committee from 18 to 13 members.

Assemblymember Wilma Chan, Chair
Assemblymember Patty Berg
Assemblymember Rebecca Cohn
Assemblymember Mervyn Dymally
Assemblymember Dario Frommer
Assemblymember Mike Gordon
Assemblymember Dave Jones
Assemblymember Cindy Montañez
Assemblymember Gloria Negrete McLeod
Assemblymember Greg Aghazarian, Vice Chair
Assemblymember Alan Nakanishi
Assemblymember Keith Richman
Assemblymember Audra Strickland

Higher Education

The membership of the committee remains the same with 7 members.

Assemblymember Carol Liu, Chair
Assemblymember Karen Bass
Assemblymember Barbara Matthews
Assemblymember Pedro Nava
Assemblymember Ira Ruskin
Assemblymember Tim Leslie, Vice Chair
Assemblymember Shirley Horton

Housing and Community Development

I have reduced the membership of this committee from 9 to 7 members.

- Assemblymember Gene Mullin, Chair
- Assemblymember Joe Baca Jr.
- Assemblymember Loni Hancock
- Assemblymember Simón Salinas
- Assemblymember Alberto Torrico
- Assemblymember Bonnie Garcia, Vice Chair
- Assemblymember Jay La Suer

Human Services

The membership of this committee remains the same with 7 members.

- Assemblymember Noreen Evans, Chair
- Assemblymember Juan Arambula
- Assemblymember Karen Bass
- Assemblymember Joe Coto
- Assemblymember Joe Nation
- Assemblymember Ray Haynes, Vice Chair
- Assemblymember Todd Spitzer

Insurance

I have reduced the membership of this committee from 17 to 10 members.

- Assemblymember Juan Vargas, Chair
- Assemblymember Ron Calderon
- Assemblymember Dario Frommer
- Assemblymember Betty Karnette
- Assemblymember Sally Lieber
- Assemblymember Pedro Nava
- Assemblymember Tom Umberg
- Assemblymember John Benoit, Vice Chair
- Assemblymember Russ Bogh
- Assemblymember Dennis Mountjoy

Jobs, Economic Development and the Economy

I have reduced the membership of this committee from 9 to 6 members.

- Assemblymember Juan Arambula, Chair
- Assemblymember Joe Baca Jr.
- Assemblymember Joe Canciamilla
- Assemblymember Jenny Oropeza
- Assemblymember Guy Houston, Vice Chair
- Assemblymember Bonnie Garcia

Judiciary

I have reduced the membership of this committee from 11 to 9 members.

Assemblymember Dave Jones, Chair
Assemblymember Noreen Evans
Assemblymember John Laird
Assemblymember Lloyd Levine
Assemblymember Sally Lieber
Assemblymember Cindy Montañez
Assemblymember Tom Harman, Vice Chair
Assemblymember Ray Haynes
Assemblymember Tim Leslie

Labor and Employment

The membership of this committee remains the same with 8 members.

Assemblymember Paul Koretz, Chair
Assemblymember Wilma Chan
Assemblymember Judy Chu
Assemblymember Johan Klehs
Assemblymember John Laird
Assemblymember Mark Leno
Assemblymember Alan Nakanishi, Vice Chair
Assemblymember Guy Houston

Local Government

I have reduced the membership of this committee from 9 to 7 members.

Assemblymember Simón Salinas, Chair
Assemblymember Hector De La Torre
Assemblymember Sally Lieber
Assemblymember Joe Nation
Assemblymember Lois Wolk
Assemblymember Bill Emmerson, Vice Chair
Assemblymember Guy Houston

Natural Resources

I have reduced the membership of this committee from 11 to 10 members.

Assemblymember Loni Hancock, Chair
Assemblymember Mike Gordon
Assemblymember Paul Koretz
Assemblymember John Laird
Assemblymember Pedro Nava
Assemblymember Lori Saldaña
Assemblymember Lois Wolk
Assemblymember Doug La Malfa, Vice Chair
Assemblymember Tom Harman
Assemblymember Rick Keene

Public Employees, Retirement and Social Security

I have reduced the membership of this committee from 9 to 6 members.

- Assemblymember Alberto Torrico, Chair
- Assemblymember Dave Jones
- Assemblymember Gene Mullin
- Assemblymember Gloria Negrete McLeod
- Assemblymember Sam Blakeslee, Vice Chair
- Assemblymember Roger Niello

Public Safety

I have increased the membership of this committee from 6 to 7 members.

- Assemblymember Mark Leno, Chair
- Assemblymember Rebecca Cohn
- Assemblymember Mervyn Dymally
- Assemblymember Jackie Goldberg
- Assemblymember Ira Ruskin
- Assemblymember Jay La Suer, Vice Chair
- Assemblymember Todd Spitzer

Revenue and Taxation

The membership of this committee remains the same with 7 members.

- Assemblymember Johan Klehs, Chair
- Assemblymember Joe Canciamilla
- Assemblymember Judy Chu
- Assemblymember Dave Jones
- Assemblymember Sally Lieber
- Assemblymember Mimi Walters, Vice Chair
- Assemblymember Chuck DeVore

Transportation

The membership of this committee remains the same with 13 members.

- Assemblymember Jenny Oropeza, Chair
- Assemblymember Wilma Chan
- Assemblymember Betty Karnette
- Assemblymember Carol Liu
- Assemblymember Fran Pavley
- Assemblymember Mark Ridley-Thomas
- Assemblymember Simón Salinas
- Assemblymember Alberto Torrico
- Assemblymember Bob Huff, Vice Chair
- Assemblymember Russ Bogh
- Assemblymember Shirley Horton
- Assemblymember Dennis Mountjoy
- Assemblymember Roger Niello

Utilities and Commerce

I have reduced the membership of this committee from 12 to 11 members.

Assemblymember Lloyd Levine, Chair
Assemblymember Joe Baca Jr.
Assemblymember Rebecca Cohn
Assemblymember Hector De La Torre
Assemblymember Jerome Horton
Assemblymember Cindy Montañez
Assemblymember Mark Ridley-Thomas
Assemblymember Russ Bogh, Vice Chair
Assemblymember Sam Blakeslee
Assemblymember Rick Keene
Assemblymember Mark Wyland

Veterans' Affairs

I have reduced the membership of this committee from 11 to 9 members.

Assemblymember Mike Gordon, Chair
Assemblymember Joe Canciamilla
Assemblymember Ed Chavez
Assemblymember Noreen Evans
Assemblymember Jenny Oropeza
Assemblymember Lori Saldaña
Assemblymember Chuck DeVore, Vice Chair
Assemblymember George Plescia
Assemblymember Sharon Runner

Water, Parks and Wildlife

I have reduced the membership of this committee from 16 to 13 members.

Assemblymember Lois Wolk, Chair
Assemblymember Joe Baca Jr.
Assemblymember Rudy Bermúdez
Assemblymember Mervyn Dymally
Assemblymember Barbara Matthews
Assemblymember Nicole Parra
Assemblymember Fran Pavley
Assemblymember Lori Saldaña
Assemblymember Michael Villines, Vice Chair
Assemblymember Lynn Daucher
Assemblymember Bill Emmerson
Assemblymember Bill Maze
Assemblymember Sharon Runner

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

January 6, 2005

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Alan Nakanishi to replace Assemblymember Dave Cogdill on the Joint Legislative Audit Committee for the committee's hearings on "The Secretary of State. Help America Vote Act of 2002" only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

January 6, 2004

The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol, Third Floor
Sacramento, California

The Honorable Kevin McCarthy
Assembly Republican Leader
State Capitol, Third Floor
Sacramento, California

Dear Speaker Núñez and Assemblyman McCarthy: After careful consideration, I write to inform you of my decision to recuse myself from Joint Legislative Audit Committee proceedings that involve the review and investigation of the practices of the Office of Secretary of State Kevin Shelley. I greatly appreciate my recent appointment to the committee but I think that it is in everyone's best interest that I not participate in these particular hearings. I would furthermore request that an appropriate replacement be made in my stead.

As you may know, my Capitol Director, Erin Muth Guerrero, is married to Willie Guerrero, who currently serves in the Office of the Secretary of State. I deeply care for and respect Erin and Willie as personal friends and dedicated public servants, and have for a long time now. I know that both Erin and Willie can and would conduct themselves in an exemplary manner, with integrity, probity, and discretion as the JLAC deliberations commence.

I am mindful, however, that even the most minor or remote public perception of a conflict of interest—stemming from Willie and Erin's marriage and my presence on the Joint Legislative Audit Committee during its upcoming hearings—could be misconstrued or even used to undermine confidence in the committee proceedings. It is my sincere desire to make a genuine contribution to a full and fair JLAC investigation. Although I know that I and every person in my office can and will conduct themselves properly at all times, I feel that an even higher standard is required.

Public confidence in the actions of their elected officials is vital every single day that a Member holds office. At a time when the Legislature conducts a formal investigation of a statewide elected official, not to mention a former Member of the Legislature, that standard is raised higher still. With these thoughts in mind, together with the singular goal

of a JLAC investigative process which may be viewed by all Californians as a model of fairness and objectivity, that I believe I must recuse myself from hearings pertaining to the Secretary of State.

I thank you both for the confidence and respect implicit in my appointment to the Joint Legislative Audit Committee, and I sincerely hope you understand that my request to be removed from the hearings involving the Secretary of State stems solely from my earnest desire to best serve the institution of the California State Assembly, the people of the state of California, and the 25th Assembly District that I am so honored and privileged to represent.

Respectfully,

DAVE COGDILL

Vice Chair, Assembly Committee on Rules
Assemblyman, 25th District

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Gordon, the Assembly adjourned until 12 noon, Monday, January 10, 2005, out of respect to the memory of Iris Chang, on motion of Assembly Members Chu and Lieber; out of respect to the memory of Betty Jean McCollum Padilla, on motion of Assembly Member Goldberg; out of respect to the memory of Benjamin Mark Braun, on motion of Assembly Member La Suer; out of respect to the memory of Shawn Fagen, on motion of Assembly Member Aghazarian; out of respect to the memory of Bill Stamps, on motion of Assembly Member Berg; out of respect to the memory of Dr. William Dickerson, on motion of Assembly Members Evans and Nation; out of respect to the memory of Douglas Pitter, on motion of Assembly Members Evans and Berg; out of respect to the memory of Joseph Hemingway and Rodney Glisan Kennedy-Minott, on motion of Assembly Member Laird; and out of respect to the memory of Sandra Rutherford Allen, Lucille E. Barry, Loren B. W. Frankel, Eldon R. Clauson, Raymond D. Kivley, Louise Preston Kelly, Anthony M. Agnello, Alexius Aiu, Wilfred Byrd, John James Cheechov, Mary Lynn Duff, Virginia Catherine Turner, Laina C. Boosembark, and Keith E. Gould, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk