

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 9, 2003

SIXTH SESSION DAY

THIRTY-NINTH 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 9, 2003

The Assembly met at 8:30 a.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.

Quorum Call of the Assembly

Assembly Member Vargas moved a quorum call of the Assembly.
Motion carried. Time, 8:31 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 8:43 a.m., Speaker pro Tempore Kehoe declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—75:

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

PRAYER

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

O Lord, Our Savior, You have told us that You will require much of those to whom much is given. Grant that we who have been blessed with good health and loving families may strive together to extend to others what we so richly enjoy. And as we enter into the labors of other people, may others in turn enter into ours, to the fulfillment of Your holy will and our own everlasting salvation.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Leno 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 Members were granted leaves of absence for the day:

On legislative business: Assembly Members Corbett and Daucher.

Because of death in the family: Assembly Member Richman.

Because of illness: Assembly Member Jerome E. Horton.

Because of illness in his family: Assembly Member Steinberg.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 3, 2003

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I would like to request permission to be excused from Session Thursday, January 9, 2003. I have been asked to attend to CFEE Conference in Half Moon Bay.

Thank you for your consideration of this matter. If you have any questions or concerns please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

January 2, 2003

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I am writing to request permission to be excused from Floor Session on Thursday, January 9, 2003, as I have been asked to be keynote speaker to 900 7th–12th graders at a school conference in my district.

I appreciate your consideration of this request. Please contact Stacey Neese in my Capitol office at 319-2072 with any questions. Thank you.

Sincerely,

LYNN DAUCHER, Assembly Member
Seventy-second District

COMMUNICATIONS

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

December 26, 2002

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

RE: Reappointment of Allen Davenport
to Commission on Health and Safety
and Workers' Compensation

Dear Mr. Wilson: Please be advised I have reappointed Mr. Allen Davenport to the Commission on Health and Safety and Workers' Compensation. This is a term appointment starting December 26, 2002 and the expiration date is December 31, 2005.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 8, 2003

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

RE: Reappointment of Jerold Neuman
to Economic Strategy Panel

Dear Mr. Wilson: Please be advised I have reappointed Mr. Jerold Neuman to the Economic Strategy Panel. This is a term appointment starting January 8, 2003 and the expiration date is December 31, 2006.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Water, Parks and Wildlife, on Tuesday, January 14, 2003, at 9 a.m.;
Health, on Tuesday, January 21, 2003;
Revenue and Taxation, on February 3, 2003, at 1:30 p.m., in Room 126;
Banking and Finance, on February 4 or February 5, 2003;
Business and Professions, on Tuesday, February 4, 2003.

REQUEST FOR PHOTOGRAPHER

Assembly Member Cohn was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ADJOURN IN MEMORY**Moment of Silence**

Assembly Member Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Olivia Herrera, of Long Beach, and that the Assembly observe a moment of silence in her honor.

(Assembly Rule 45.5 suspended.)

DESK HELD OPEN

Speaker pro Tempore Kehoe was granted unanimous consent that the Desk be held open on Friday, January 10th, for purpose of bill introduction.

RECESS

By unanimous consent, at 8:49 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Cohn introduced Hon. Andrés Bianchi, Ambassador of Chile to the United States; Hon. Fernando Varela, Consul General of Chile in San Francisco; Ms. Gloria Letelier de Florez and her daughter Maria Florez. Assembly Member Cohn then presented a resolution to Hon. Andrés Bianchi congratulating his distinguished career and noteworthy accomplishments that have contributed to the well-being of the people of Chile and Latin America, whereupon he then addressed the assemblage.

RECONVENED

At 8:51 a.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

ADJOURN IN MEMORY

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 Marge Alakszay, of Upper Lake.

Assembly Member Chu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sandi Hurwitz, of Monterey Park.

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 Rick Best, of Sacramento.

Assembly Member Longville was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bob Holstein, of Riverside and Brooke Perry, of San Bernardino.

Assembly Member Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edwin Joshua Wilson, of Long Beach; Cathy Fergus, of San Pedro; and Melinda Lansing, of San Pedro.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carl C. Barnes, of Palmdale.

MOTION TO ADJOURN

At 8:56 a.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Strickland seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 8:57 a.m., Speaker pro Tempore Kehoe 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. 98—Koretz. An act to add Section 512.5 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 99—La Suer. An act to add Chapter 5.8 (commencing with Section 13849) to Title 6 of Part 4 of the Penal Code, relating to high technology crimes, and making an appropriation therefor.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 2—Jackson and Chan (Principal Coauthor: Senator Karnette) (Coauthors: Berg, Bermudez, Calderon, Canciamilla, Chavez, Chu, Cohn, Corbett, Diaz, Dutra, Dymally, Firebaugh, Frommer, Goldberg, Hancock, Kehoe, Kortez, Laird, Leno, Levine, Lieber, Liu, Longville, Lowenthal, Matthews, Montanez, Mullin, Nakano, Nation, Negrete McLeod, Nunez, Oropeza, Parra, Pavley, Reyes, Richman, Ridley-Thomas, Salinas, Simitian, Steinberg, Vargas, Wesson, Wiggins, Wolk, and Yee) (Coauthors: Senators Bowen, Figueroa, Kuehl, Machado, Sher, and Torlakson). Relative to the 30th anniversary of Roe v. Wade.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 12 Noon, Monday, January 13, 2003, out of respect to the memory of Olivia Herrera, on motion of Assembly Member Lowenthal; out of respect to the memory of Marge Alakszay, on motion of Assembly Member Berg; out of respect to the memory of Sandi Hurwitz, on motion of Assembly Member Chu; out of respect to the memory of Edwin Joshua Wilson, Cathy Fergus, and Melinda Lansing, on motion of Assembly Member Lowenthal; out of respect to the memory of Carl C. Barnes, on motion of Assembly Member Runner; out of respect to the memory of Rick Best, on motion of Assembly Member Laird; out of respect to the memory of Bob Holstein and Brooke Perry, on motion of Assembly Member Longville.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

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