

CALIFORNIA LEGISLATURE
2003–04 FOURTH EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 12, 2004
NINTH SESSION DAY
EIGHTY-SEVENTH 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
Thursday, February 12, 2004

The Assembly met at 9:16 a.m.

Hon. Fabian Nunez, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called, and the following answered to their names—73:

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

Quorum present.

PRAYER

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

Lord God, We cannot place ourselves directly in Your presence unless we impose upon ourselves, interior and exterior silence. Help us to accustom ourselves to stillness of the soul, stillness of the eyes and stillness of the tongue. For there is no life of prayer without silence. Everything good that happens in our life begins with prayer to You, and that prayer is born in the silence of our hearts.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Nunez, Assembly Member Chan 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 Frommer, seconded by Assembly Member McCarthy.

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 Daucher, Kehoe, Longville, Maddox, and Richman.

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

Because of illness: Assembly Member Wyland.

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

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 14—Vargas (Principal coauthor: Plescia). An act to amend Sections 139.3, 139.31, and 5307.1 of, and to add Sections 3220 and 4610.5 to, the Labor Code, relating to workers' compensation.

ELECTION OF SPEAKER

Assembly Member Frommer was granted unanimous consent that the unanimous consent vote on January 8, 2004 (Assembly Journal, page 4172), electing Assembly Member Fabian Nunez to the Office of Speaker of the Assembly for the 2003–04 Regular Session, and the Oath of Office administered on February 9, 2004 (Assembly Journal, page 4502) by Hon. Ronald M. George, Chief Justice of California, be substituted in the 2003–04 Fourth Extraordinary Session.

OATH

for the Office of Speaker of the Assembly

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

RECESS

By unanimous consent, at 9:17 a.m., Speaker Nunez declared the Assembly recessed.

COMMUNICATIONS

The following communications were presented by the Chief Clerk and ordered printed in the Journal:

February 12, 2004

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 changes to the Democratic Leadership for the 2003–04 Fourth Extraordinary Session, consistent with the Regular Session:

Speaker pro Tempore	Hon. Leland Yee
Assistant Speaker pro Tempore	Hon. Sally Lieber
Majority Floor Leader/Majority Leader	Hon. Dario Frommer
Assistant Majority Leader	Hon. Ron Calderon
Majority Whip	Hon. Lloyd Levine
Democratic Caucus Chair	Hon. George Nakano
Rules Committee Chair	Hon. Cindy Montanez

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 12, 2004

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I am reappointing the Democratic membership of the Assembly Rules Committee for the 2003–04 Fourth Extraordinary Session as follows:

Assemblymember Cindy Montanez, Chair
Assemblymember Marco Firebaugh
Assemblymember Loni Hancock
Assemblymember Christine Kehoe
Assemblymember Gene Mullin
Assemblymember Ron Calderon, Democratic Alternate

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 12, 2004

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 the following members to the Insurance Committee for the 2003–04 Fourth Extraordinary Session, consistent with the Regular Session:

Assemblymember Juan Vargas, Chair
Assemblymember John Benoit, Vice Chair
Assemblymember Russ Bogh
Assemblymember Ron Calderon
Assemblymember John Campbell
Assemblymember Ed Chavez
Assemblymember Lou Correa
Assemblymember Manny Diaz
Assemblymember John Dutra
Assemblymember Robert Dutton
Assemblymember Dario Frommer
Assemblymember Jerome Horton
Assemblymember Paul Koretz
Assemblymember Sally Lieber
Assemblymember Ken Maddox
Assemblymember Dennis Mountjoy
Assemblymember George Nakano
Assemblymember Keith Richman
Assemblymember Mark Ridley-Thomas

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 12, 2004

*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 the following members to the Assembly Appropriations Committee for the 2003–04 Fourth Extraordinary Session, consistent with the Regular Session:

Assemblymember Judy Chu, Chair
Assemblymember Sharon Runner, Vice Chair
Assemblymember Patricia Bates
Assemblymember Patty Berg
Assemblymember Ron Calderon
Assemblymember Ellen Corbett
Assemblymember Lou Correa
Assemblymember Lynn Daucher
Assemblymember Manny Diaz
Assemblymember Marco Firebaugh
Assemblymember Jackie Goldberg
Assemblymember Ray Haynes
Assemblymember Mark Leno
Assemblymember Abel Maldonado
Assemblymember Gloria Negrete McLeod
Assemblymember Joe Nation
Assemblymember Robert Pacheco
Assemblymember Fran Pavley
Assemblymember Mark Ridley-Thomas
Assemblymember Steven Samuelian
Assemblymember Joe Simitian
Assemblymember Patricia Wiggins
Assemblymember Leland Yee
Two Democratic vacancies

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ADJOURNMENT

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

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk