

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, January 17, 2006**

**ONE HUNDRED TWENTY-NINTH SESSION DAY  
FOUR HUNDRED EIGHTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Sue Parker, Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, January 17, 2006

The Assembly met at 12:08 p.m.  
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Negrete McLeod moved a quorum call of the Assembly.

Motion carried.

At 12:09 p.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 12:13 p.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

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

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

**PRAYER**

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

*Our Father in Heaven, We are grateful for Your wonderful grace and marvelous mercy that comes new to us every day. We thank You for being the God of fairness, justice, and equality. And we thank You for impressing righteousness upon our hearts and minds in these halls of legislature. Please grant to each assembly person a heightened sense of awareness, meaning, and purpose about their tasks and in their service to the people of California. Show us how to be better persons, responsible citizen leaders, making a difference in this world. Bless these deliberations today, and may we follow Your will and purpose in these government halls for the people, and by the people, in Your Holy and Righteous name we pray.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Yee, 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 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 Cohn, Leslie, and Oropeza.*

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

*To attend a funeral in the district: Assembly Member Maze.*

**EXPLANATIONS OF ABSENCE**

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

17 January, 2006

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

Dear Speaker Núñez: I respectfully request to be excused from Floor Session today.

Cordially yours,

REBECCA COHN, Assembly Member  
Twenty-fourth District

January 13, 2006

*The Honorable Fabian Núñez*  
*Speaker of the Assembly*  
*State Capitol, Room 219*

Dear Mr. Speaker: Please excuse me from Floor Session on Tuesday, January 17, 2006 due to legislative business.

Thank you for your consideration and if you have any questions, please contact my office at (916) 319-2004.

Sincerely,

TIM LESLIE, Assembly Member  
 Fourth District

January 6, 2006

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

Dear Mr. Speaker: I respectfully request to be excused from Session, Tuesday, January 17, due to legislative business in the district.

Thank you for consideration of this request. Please contact Helen Solis of my office, if you have any questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member  
 Fifty-fifth District

#### **COMMUNICATIONS**

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

January 17, 2006

*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 Guy Houston to replace Assemblymember Tim Leslie on the Assembly Judiciary Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ  
 Speaker of the Assembly

January 17, 2006

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

RE: Appointment of Charles Calderon  
to Health Care Quality Improvement and  
Cost Containment Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. Charles Calderon to the Health Care Quality Improvement and Cost Containment Commission. This is a pleasure appointment starting January 17, 2006.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**SPECIAL COMMITTEE MEETINGS**

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

Health, on Tuesday, January 24, 2006, at 1:30 p.m., in Room 4202;  
Higher Education, on Friday, February 3, 2006, at 10:30 a.m., in Santa Barbara.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 17, 2006

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 546

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, January 17, 2006

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 44  | Assembly Bill No. 925  |
| Assembly Bill No. 49  | Assembly Bill No. 1020 |
| Assembly Bill No. 103 | Assembly Bill No. 1171 |
| Assembly Bill No. 476 | Assembly Bill No. 1214 |
| Assembly Bill No. 622 | Assembly Bill No. 1286 |
| Assembly Bill No. 814 | Assembly Bill No. 1350 |
| Assembly Bill No. 840 | Assembly Bill No. 1387 |
| Assembly Bill No. 851 | Assembly Bill No. 1483 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 17, 2006

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1532
- Assembly Bill No. 1691

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Frommer announced his intention to request that Assembly Bills Nos. 1334, 1430, and 679 and Senate Bill No. 1008 be removed from the inactive file.

**BILLS RETURNED TO UNFINISHED BUSINESS FILE**

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the unfinished business file:

**Assembly Bill No. 670**, on request of Assembly Member Frommer.

**SENATE BILL NO. 44 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Frommer was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 44 was refused passage; and that the bill be placed upon the inactive file.

**BILLS PLACED ON INACTIVE FILE**

The following resolution was placed upon the inactive file:

**Assembly Concurrent Resolution No. 96**, on request of Assembly Member Frommer.

**RECESS**

By unanimous consent, at 12:25 p.m., Speaker pro Tempore Leland Y. Yee declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Karnette introduced and presented a resolution to James Orihuela, a Milken Education Award recipient for exemplary service at the Cecil B. DeMille Middle School in Long Beach. Mr. Orihuela was joined by Timothy Spivey, the school principal.

**RECONVENED**

At 12:28 p.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE**

**ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

**Assembly Bill No. 546**, ordered to third reading.

**UNFINISHED BUSINESS (RESUMED)**

**MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 6, 715, and 791, Senate Bills Nos. 51, 109, 646, and 655 and Senate Joint Resolution No. 10 were continued until the next legislative day.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1423 (Bogh)**—An act relating to repeal and add Section 701.5 of the Public Resources Code, relating to the Department of Forestry and Fire Protection.

Bill read third time, and passed by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 385 (Lieber)**—An act to amend Section 50079 of the Government Code, relating to taxation.

Bill read third time, and passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 618 (Cogdill)**—An act to amend Section 7480 of the Government Code, relating to crime.

Bill read third time, and passed by the following vote:

**AYES—73**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 782 (Mullin)**—An act to amend Sections 33030 and 33320.1 of the Health and Safety Code, relating to redevelopment.

Bill read third time, and passed by the following vote:

**AYES—72**

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

**NOES—None**

Bill ordered transmitted to the Senate.



**ASSEMBLY BILL NO. 53 (Negrete McLeod)**—An act to amend Section 473.4 of the Business and Professions Code, relating to regulatory programs.

Bill read third time, and passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 607 (Goldberg)**—An act to amend Section 33532 of, and to add Section 33542 to, the Education Code, relating to curriculum development.

Bill read third time, and passed by the following vote:

**AYES—44**

Arambula	De La Torre	Laird	Parra
Baca	Dymally	Leno	Pavley
Bass	Evans	Levine	Ridley-Thomas
Berg	Frommer	Lieber	Saldaña
Bermúdez	Goldberg	Lieu	Salinas
Calderon	Hancock	Liu	Torrco
Canciamilla	Horton, Jerome	Matthews	Umberg
Chan	Jones	Montañez	Vargas
Chavez	Karnette	Nation	Wolk
Chu	Klehs	Nava	Yee
Coto	Koretz	Negrete McLeod	Mr. Speaker

**NOES—28**

Aghazarian	Emmerson	La Malfa	Runner
Benoit	Garcia	La Suer	Spitzer
Blakeslee	Harman	McCarthy	Strickland
Bogh	Haynes	Mountjoy	Tran
Cogdill	Houston	Nakanishi	Villines
Daucher	Huff	Niello	Walters
DeVore	Keene	Richman	Wyland

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1076 (Jerome Horton)**—An act to amend Section 51221.4 of the Education Code, relating to curriculum.

Bill read third time, and passed by the following vote:

**AYES—68**

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

**NOES—2**

Haynes                      La Malfa

Bill ordered transmitted to the Senate.

**At 12:37 p.m., Assistant Speaker pro Tempore Sally Lieber, 22nd District, presiding**

**ASSEMBLY BILL NO. 1360 (Hancock)**—An act to add Section 25355.1 to the Health and Safety Code, relating to hazardous substances.

Bill read third time.

**Motion to Amend**

Assembly Member Hancock moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—43**

Arambula	Dymally	Levine	Ridley-Thomas
Baca	Evans	Lieber	Ruskin
Bass	Frommer	Lieu	Saldaña
Berg	Goldberg	Liu	Salinas
Bermúdez	Hancock	Montañez	Torrico
Calderon	Jones	Mullin	Umberg
Chan	Karnette	Nation	Vargas
Chavez	Klehs	Nava	Wolk
Chu	Koretz	Negrete McLeod	Yee
Coto	Laird	Parra	Mr. Speaker
De La Torre	Leno	Pavley	

**NOES—28**

Aghazarian	Emmerson	Keene	Runner
Benoit	Garcia	La Malfa	Spitzer
Blakeslee	Harman	La Suer	Strickland
Bogh	Haynes	McCarthy	Tran
Cogdill	Horton, Shirley	Mountjoy	Villines
Daucher	Houston	Nakanishi	Walters
DeVore	Huff	Niello	Wyland

Bill ordered reprinted, and ordered returned to the third reading file.

**ASSEMBLY BILL NO. 1178 (Yee)**—An act to amend Sections 21625, 21626, 21626.5 21627, 21628, 21630, 21631, 21633, 21636, 21640, 21641, 21642, 21645, and 21647 of, to add Sections 21627.2, 21628.3, 21628.6, 21632, 21635, 21636.4, 21636.7, and 21636.8 to, to repeal Section 21634 of, and to repeal and add Section 21628.1 of, the Business and Professions Code, and to amend Sections 21208, 21300, 21301, and 21307 of, to add Section 21308 to, and to repeal Section 21300.1 of the Financial Code, relating to personal property, and making an appropriation therefor.

Bill read third time.

**Motion to Amend**

Assembly Member Yee moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—35**

Arambula	Frommer	Levine	Ruskin
Baca	Goldberg	Lieber	Saldaña
Bass	Hancock	Lieu	Salinas
Bermúdez	Jones	Liu	Umberg
Calderon	Karnette	Mullin	Vargas
Chavez	Klehs	Nation	Wolk
Coto	Koretz	Nava	Yee
De La Torre	Laird	Pavley	Mr. Speaker
Evans	Leno	Ridley-Thomas	

**NOES—29**

Aghazarian	Emmerson	La Malfa	Strickland
Benoit	Garcia	La Suer	Tran
Blakeslee	Harman	McCarthy	Villines
Bogh	Haynes	Mountjoy	Walters
Cogdill	Horton, Shirley	Niello	Wyland
Daucher	Houston	Parra	
DeVore	Huff	Runner	
Dymally	Keene	Spitzer	

Bill ordered reprinted, and ordered returned to the third reading file

**At 12:39 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 299 (Chesbro)**—An act to amend Section 1635.5 of the Business and Professions Code, relating to dentistry, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Emmerson.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ADJOURN IN MEMORY**

Assembly Speaker Núñez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Sebastian Jimenez, of Atchison, KS.

(Assembly Rule 45.5 suspended.)

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 169 (Migden)**—An act to amend Sections 25373 and 37361 of the Government Code, relating to historic preservation.

Bill read third time.

**Motion to Amend**

Assembly Member Frommer moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE**

Assembly Member Frommer was granted unanimous consent that Senate Bill No. 169, as amended, be referred from the third reading file to the Committee on Rules.

**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Assembly Bills**

**ASSEMBLY BILL NO. 1550 (Arambula)**—An act to amend Section 14504 of the Government Code, relating to transportation.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 687 (Jerome Horton)**—An act to amend Section 11623 of the Insurance Code, relating to auto insurance.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 308 (Jerome Horton)**—An act to amend Section 422.6 of the Penal Code, relating to crimes.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1688 (Niello)**—An act to amend Section 830.7 of the Penal Code, relating to illegal dumping enforcement officers.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY BILL NO. 1598 (Committee on Agriculture)**—An act to amend Section 14992 of the Food and Agricultural Code, relating to agriculture omnibus.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

**AYES—75**

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

**NOES—None****REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Frommer was granted unanimous consent to suspend the rules to permit Assembly Bill No. 167 to be taken up without reference to file for the purpose of second reading and adoption of committee amendments and that Joint Rule 62(a) be waived to permit Assembly Bill No. 167 to be heard in Appropriations Committee on Wednesday, January 18.

**ANNOUNCEMENTS**

Speaker pro Tempore Yee announced the following session schedule:  
 Wednesday, January 18, 2006, Check-in Session, 7 a.m.–3 p.m.;  
 Thursday, January 19, 2006, Floor Session, 9:30 a.m.

**ADJOURN IN MEMORY**

Assembly Member Evans was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Fred Zanutto, of Santa Rosa.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Liu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lance Cpl. Raul Mercado, of Monrovia.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Martin Luther King, Jr., of Atlanta, GA.

(Assembly Rule 45.5 suspended.)

**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 Dominick Campora, of Camino.

Assembly Member Baca was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jay Howell, of Fontana.

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Douglas La Bouff, of La Puente.

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 William Chen, of Monterey Park.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gene M. Benedetti, of Cotati.

Assembly Member Niello was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eugenia Mauzy, of Sacramento.

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 William Holland, of Dixon; Jose B. Bayquen, Kianda Kalonji Nuby Bell, Bernard L. Benshoof, and Delbert D. Harris, of Fairfield; Joan Boulay, Ronald I. Brown, John Charles Centas, Orville Cester, and Victor Edward Herring, of Vacaville; John Raymond Downey, of Winters; and Terry Lane Ditler, of Woodland.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Assembly Bill No. 1423:** Benoit, Berg, Bermúdez, Klehs, Koretz, Levine, Mountjoy, and Nation—Aye.

**Assembly Bill No. 385:** Berg, Bermúdez, Koretz, Levine, Mountjoy, and Nation—Aye.

**Assembly Bill No. 618:** Berg, Bermúdez, Levine, Mountjoy, and Nation—Aye.

**Assembly Bill No. 782:** Berg, Bermúdez, Karnette, Keene, Klehs, Levine, Mountjoy, and Nation—Aye.

**Assembly Bill No. 53:** Bermúdez, Levine, Mountjoy, and Nation—Aye.

**Assembly Bill No. 607:** Bermúdez and Levine—Aye.

**Assembly Bill No. 1076:** Houston and Walters—Aye.

**Assembly Bill No. 1360, Hancock Amendments:** Bogh—No.

**Assembly Bill No. 1178, Yee Amendments:** Levine—Aye.

**Senate Bill No. 299 and Urgency:** Strickland—Aye.

#### MOTION TO ADJOURN

At 12:56 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:57 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Public Safety

Date of Hearing: January 10, 2006

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 167

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

#### SECOND READING OF ASSEMBLY BILLS BY UNANIMOUS CONSENT

**ASSEMBLY BILL NO. 167**—An act to amend Section 653m of the Penal Code, relating to crime.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1861**—**Shirley Horton**. An act to amend Sections 9542 and 9545 of the Welfare and Institutions Code, relating to aging.

**ASSEMBLY BILL NO. 1862**—**Vargas**. An act to amend Section 5401 of the Labor Code, relating to workers' compensation.

**ASSEMBLY BILL NO. 1863**—**Harman**. An act to add Section 3294.3 to the Civil Code, relating to exemplary damages.

**ASSEMBLY BILL NO. 1864**—**Matthews**. An act relating to park lands.

**ASSEMBLY BILL NO. 1865**—**Bogh (Coauthors: Benoit, Cogdill, Emerson, Harman, and Sharon Runner)**. An act to add Section 1110 to the Evidence Code, relating to evidence.

**ASSEMBLY BILL NO. 1866**—**Karnette**. An act to add Chapter 6.5 (commencing with Section 42380) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.



**ASSEMBLY BILL NO. 1867—Karnette.** An act to add Section 44277.5 to the Education Code, relating to teacher credentialing.

**ASSEMBLY BILL NO. 1868—Bermudez.** An act to amend, repeal, and add Section 5050 of the Business and Professions Code, relating to accountancy.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26—Harman.** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 4 and 8 of Article III thereof, and by amending Section 4 of Article IV thereof, relating to the budget bill.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

January 17, 2006

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 583

Assembly Bill No. 1056

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

**ASSEMBLY BILL NO. 583**—An act to amend Section 8040 of the Elections Code, and to add Chapter 12 (commencing with Section 91015) to Title 9 of, and to repeal Section 85300 of, the Government Code, relating to the Political Reform Act of 1974, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 1056**—An act to add Section 60605.4 to the Education Code, relating to public school curriculum.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**REPORTS OF STANDING COMMITTEES**

**Committee on Higher Education**

Date of Hearing: January 17, 2006

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 1482

With the recommendation: Do pass.

LIU, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: January 17, 2006

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1612

With the recommendation: Do pass.

JONES, Chair

Above bill ordered to second reading.

**Committee on Public Safety**

Date of Hearing: January 10, 2006

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 1160

With amendments with the recommendation: Amend, and do pass, as amended.

LENO, Chair

Above bill ordered to second reading.

**INTRODUCTION OF GUESTS**

Assembly Member Mullin, of the 19th Assembly District, introduced Hans Blitz, a USF extern.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Wednesday, January 18, 2006, out of respect to the memory of John Sebastian Jimenez, on motion of Assembly Speaker Núñez; out of respect to the memory of Fred Zannotto, on motion of Assembly Member Evans; out of respect to the memory of Lance Cpl. Raul Mercado, on motion of Assembly Member Liu; out of respect to the memory of Dr. Martin Luther King, Jr., on motion of Assembly Member Dymally; out of respect to the memory of Dominick Campora, on motion of Assembly Member Aghazarian; out of respect to the memory of Jay Howell, on motion of Assembly Member Baca; out of respect to the memory of Douglas La Bouff, on motion of Assembly Member Chavez; out of respect to the memory of William Chen, on motion of Assembly Member Chu; out of respect to the memory of Gene M. Benedetti, on motion of Assembly Member Nation; out of respect to the memory of Eugenia Mauzy, on motion of Assembly Member Niello; out of respect to the memory of William Holland, Jose B. Bayquen, Kianda Kalonji Nuby Bell, Bernard L. Benshoof, Delbert D. Harris, Joan Boulay, Ronald I. Brown, John Charles Centas, Orville Cester, Victor Edward Herring, John Raymond Downey, and Terry Lane Ditler, on motion of Assembly Member Wolk.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JANUARY 17, 2006**

The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
176	0600734
583	0600843
1056	0601023
1178	0600623
1360	0521944

<b>SB</b>	<b>RN</b>
169	0600028

<b>Daily Total:</b>	<b>6</b>
<b>Cumulative Total:</b>	<b>3011</b>

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