

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 18, 2006

**ONE HUNDRED THIRTIETH SESSION DAY
FOUR HUNDRED 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.

(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
Wednesday, January 18, 2006

The Assembly met at 7 a.m.

Hon. Rudy Bermúdez, Assembly Member, 56th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

ROLL CALL

The following were placed upon the morning roll call—78:

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

Quorum present.

At 1:20 p.m., Hon. Jay La Suer, 77th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

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 Baca and Frommer.

EXPLANATIONS OF ABSENCE

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

January 3, 2006

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

Dear Speaker Núñez: I am writing to respectfully request permission to be excused from Check In Session on Wednesday, January 18, 2006. I will be attending to legislative business in my district.

If you have any questions, please do not hesitate to contact Maria Lerma in my Capitol Office at (916) 319-2062. Your consideration of this request is greatly appreciated.

Sincerely,

JOE BACA, JR., Assembly Member
Sixty-second District

January 13, 2006

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

Dear Mr. Speaker: I respectfully request an excuse for Assembly Check In Session on January 18, 2006, for legislative business.

Thank you for your attention to this request. If you have any questions, please telephone my Chief of Staff, Dan Reeves, at 319-2043.

Sincerely,

DARIO FROMMER, Assembly Member
Forty-third District

COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Richard P. West, Executive Vice Chancellor, Chief Financial Officer, California State University, dated December 19, 2005, relative to a delay in submitting a report on the Reading, Writing, and Mathematics Proficiency of All First-time Freshmen (pursuant to the Supplemental Report to the 2001 Budget Act). Referred by the Speaker to the Committee on Higher Education.

William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated January 3, 2006, relative to a delay in submitting a review and report on Child Support Guidelines (pursuant to Family Code Section 4054). Referred by the Speaker to the Committee on Judiciary.

REPORTS**Disabled Veterans Business Enterprise (DVBE)
Contracting Activity Reports****(Pursuant to Military and Veterans Code Section 999.7) from:**

Office of Environmental Health Hazard Assessment, Margie J. Leary, Deputy Director, Administration and Program Support, dated December 27, 2005;

Colorado River Board of California, Lori Jones, Office Technician, dated December 28, 2005;

Department of Community Services and Development, Donna Fairchild, Contract Officer; dated December 29, 2005.

Referred by the Speaker to the Committee on Veterans Affairs.

**Small Business/Disabled Veteran Business Enterprise (DVBE)
Contracting Activity Reports****(Pursuant to Public Contract Code Section 10115.5 and
Military Code Section 999.7) from:**

Department of Veterans Affairs, Tom Johnson, FACHE, Secretary, dated December 16, 2005;

California Housing Finance Agency, Theresa A. Parker, Executive Director, dated December 20, 2005;

Office of the State Treasurer, Dennis Trujillo, Deputy State Treasurer, dated December 22, 2005;

California State Library, Jack Nolan, Business Services Officer, dated December 29, 2005;

Department Alcohol and Drug Programs, Kathryn P. Jett, Director, dated December 29, 2005;

California Integrated Waste Management Board, Mark Leary, Executive Director, dated December 29, 2005;

Office of Statewide Health Planning and Development, Virginia L. Donovan, SSM1, Business and Contracts Services, dated January 3, 2006;

California Public Employees Retirement System, Fred Buenrostro, Chief Executive Officer.

Referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

MESSAGES FROM THE SENATE

May 18, 2005

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

Dear Speaker Núñez: The Senate Rules Committee has appointed Senator Ducheny as a member of the Joint Legislative Audit Committee to replace Senator Romero.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

SPECIAL COMMITTEE MEETINGS

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

Health Committee to convene jointly with Assembly Budget Subcommittee No. 1 on Health and Human Services, Senate Committee on Health, and Senate Budget Subcommittee No. 3 on Health and Human Services, on Tuesday, February 21, 2006, at 1:30 p.m., in Room 4202.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 18, 2006

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

Assembly Bill No. 1178

Assembly Bill No. 1360

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading file.

Assembly Chamber, January 18, 2006

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

Assembly Bill No. 167

Assembly Bill No. 583

Assembly Bill No. 1056

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REPORTS OF STANDING COMMITTEES**Committee on Judiciary**

Date of Hearing: January 17, 2006

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 928

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

JONES, Chair

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1482—An act to amend Section 15146 to the Education Code, relating to education finance.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1612—An act to add Section 6068.1 to the Business and Professions Code, relating to attorneys.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1160—An act relating to crime.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bills Nos. 1334 and 1430, on request of Assembly Member Frommer;

Senate Bill No. 1008, on request of Assembly Member Frommer.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1869—Walters. An act to amend Section 16102 of the Business and Professions Code, relating to local government.

ASSEMBLY BILL NO. 1870—Lieber (Principal coauthor: Montanez) (Coauthors: Hancock, Shirley Horton, and Jones). An act to add Section 44012.1 to the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1871—Benoit. An act relating to public safety.

ASSEMBLY BILL NO. 1872—Cohn. An act to amend Section 12022.9 of the Penal Code, relating to domestic violence.

ASSEMBLY BILL NO. 1873—Torrico. An act to amend Section 1255.7 of the Health and Safety Code, and to amend Section 271.5 of the Penal Code, relating to child protection, and making an appropriation therefor.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9:30 a.m., Thursday, January 19, 2006.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 18, 2006**

The following measure was amended in the Assembly on this day:

AB RN
1160 0600730

Daily Total: 1
Cumulative Total: 3012

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