

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 24, 2006

**ONE HUNDRED THIRTY-THIRD SESSION DAY
FOUR HUNDRED FIFTEENTH 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
Tuesday, January 24, 2006

The Assembly met at 7 a.m.

Hon. Cindy Montañez, Assembly Member, 39th 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—77:

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

Quorum present.

At 1:50 p.m., Hon. Greg Aghazarian, 26th 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 Nation and Yee.

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

EXPLANATIONS OF ABSENCE

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

January 24, 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 Check in Session on Tuesday, January 24, 2006 due to legislative business in my district office.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

January 24, 2006

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

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Tuesday January 24. I will be in my district during this time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
Speaker pro Tempore

COMMUNICATIONS

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

January 23, 2006

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

RE: Appointment of Joe Coto to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Joe Coto to the State Allocation Board for January 25, 2006 only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 24, 2006

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

Assembly Bill No. 50
 Assembly Bill No. 158
 Assembly Bill No. 307
 Assembly Bill No. 470
 Assembly Bill No. 525
 Assembly Bill No. 606
 Assembly Bill No. 674
 Assembly Bill No. 759

Assembly Bill No. 770
 Assembly Bill No. 839
 Assembly Bill No. 840
 Assembly Bill No. 874
 Assembly Bill No. 912
 Assembly Bill No. 926
 Assembly Bill No. 1020
 Assembly Bill No. 1056

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 24, 2006

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

Assembly Bill No. 1147
 Assembly Bill No. 1226
 Assembly Bill No. 1231
 Assembly Bill No. 1282
 Assembly Bill No. 1315

Assembly Bill No. 1402
 Assembly Bill No. 1418
 Assembly Bill No. 1476
 Assembly Bill No. 1561
 Assembly Bill No. 1708

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 24, 2006

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

Assembly Bill No. 768
 Assembly Bill No. 802
 Assembly Bill No. 1430

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading file.

Assembly Chamber, January 24, 2006

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

Assembly Bill No. 450

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1891—Houston. An act to add Section 530.1 to the Penal Code, relating to telephone records.

ASSEMBLY BILL NO. 1892—Leslie. An act to amend Section 23003 of the Government Code, relating to counties.

ASSEMBLY BILL NO. 1893—Salinas. An act to amend Section 33445 of the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 1894—Blakeslee. An act to add Section 5004.6 to the Penal Code, relating to illegal immigration.

ASSEMBLY BILL NO. 1895—Coto. An act to add and repeal Section 17463.8 of the Education Code, relating to surplus schools property.

RESOLUTIONS

The following resolutions were offered:

HOUSE RESOLUTION NO. 26—Strickland. Relative to Ronald Reagan Day.

HOUSE RESOLUTION NO. 27—Jerome Horton. Relative to youth civic participation.

**AUTHOR’S AMENDMENTS
Committee on Local Government**

January 24, 2006

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 511

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

SALINAS, Chair

SENATE BILL NO. 511—An act to amend Section 15 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to water.

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.

**AUTHOR’S AMENDMENTS
Committee on Rules**

January 24, 2006

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

Assembly Concurrent Resolution No. 102

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

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 102—Relative to California Girls and Women in Sports Day.

Resolution read; author’s amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 674, 1418, 1708, 1147, 1226, 1561, 759, 50, 158, 470, 525, 606, 770, 839, 840, 874, 912, 926, 1020, 1056, 1231, 1282, 1315, 1402, and 1476, ordered to third reading;

Assembly Bill No. 307, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1381—An act to amend Sections 51795, 51796, 51797, and 51798 of, and to add Section 51796.5 to, the Education Code, and to amend Section 40507 of the Public Resources Code, relating to school gardens.

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

ASSEMBLY BILL NO. 1363—An act to add Chapter 6 (commencing with Section 6500) to Division 3 of the Business and Professions Code, to amend Sections 1822, 1826, 1829, 1850, 1851, 2250, 2253, 2321, 2340, 2342, 2343, 2620, 2620.2, 2623, 2640, 2641, 2850, 2851, 2852, 2853, 2854, 2855, and 2920 of, to add Sections 1456, 1457, 1458, 2250.1, 2250.2 and 2410 to, and to repeal Sections 2342.5, 2344, and 2640.1 of, the Probate Code, and to add Division 8.7 (commencing with Section 9800) to the Welfare and Institutions Code, relating to conservatorship and guardianship.

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

ASSEMBLY BILL NO. 326—An act to amend Sections 270 and 275 of the Public Utilities Code, relating to telecommunications.

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

ASSEMBLY BILL NO. 814—An act to amend Sections 12027, 12027.1, and 12031 of, and to add Section 12027.2 to, the Penal Code, relating to firearms.

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

ASSEMBLY BILL NO. 583—An act to amend, repeal, and add 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; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

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

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

Senate Bill No. 144, ordered to third reading.

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. 977, 289, 1237, and 1029, on request of Assembly Member Cohn.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 25, 2006.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 24, 2006**

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

AB RN

326 0601359
583 0601937
814 0601317
1363 0601520
1381 0601505

ACR RN

102 0601844

SB RN

511 0600849

Daily Total: 7
Cumulative Total: 3055

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