

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, January 25, 2006**

**ONE HUNDRED THIRTY-FOURTH SESSION DAY  
FOUR HUNDRED SIXTEENTH 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  
Wednesday, January 25, 2006

The Assembly met at 7 a.m.

Hon. Johan Klehs, Assembly Member, 18th 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—72:

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

Quorum present.

**At 1:54 p.m., Hon. Betty Karnette, 54th 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 Bass, Bermúdez, Calderon, Chan, Montañez, Umberg, 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 11, 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 on legislative business from session January 25–27.

If you have any question regarding this request, please contact my scheduler, Sara Sonoyama at 319-2047.

Sincerely,

KAREN BASS, Assembly Member  
Forty-seventh District

January 23, 2006

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

Dear Mr. Speaker: This letter is to respectfully request your approval to be excused from Check-In Session on Wednesday, January 25, 2006, for legislative business in my district.

Your favorable consideration in this matter would be greatly appreciated. If you have any questions, please do not hesitate to contact me or my assistant, Beth Dacumos, at 319-2056.

Respectfully yours,

RUDY BERMÚDEZ, Assembly Member  
Fifty-sixth District

January 23, 2006

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

Dear Mr. Speaker: I am writing today to request to be excused from Check-in Session on Wednesday, January 25, 2006, due to legislative business. If you have any questions please contact Cynthia Gonzalez at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member  
Fifty-eighth District

January 23, 2006

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

Dear Speaker Núñez: I am requesting to be excused for Check-In Session on Wednesday, January 25, 2006 due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member  
Sixteenth District

January 23, 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 Wednesday, January 25, 2006. I will be in my district on Legislative business.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2039.

Sincerely,

CINDY MONTAÑEZ, Assembly Member  
Thirty-ninth District

January 23, 2006

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

Dear Speaker Núñez,

I respectfully request permission to be excused on legislative business from check in session on Wednesday, January 25, 2006.

If you have any questions or concerns about this request, please contact Diane Pugh of my staff at (916) 319-2069. Thank you in advance for your consideration of this request.

Sincerely,

TOM UMBERG, Assembly Member  
Sixty-ninth 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 Wednesday January 25. 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 Chief Clerk, and ordered printed in the Journal:

January 18, 2006

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

Dear Mr. Wilson: This letter is to state for the record that I choose to waive my in session per diem for the 2005–06 legislative session.

Thank you for your assistance.

Sincerely,

DAVE JONES, Assembly Member  
Ninth District

#### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 25, 2006

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

Assembly Concurrent Resolution No. 102

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, January 25, 2006

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

Assembly Bill No. 326

Assembly Bill No. 1363

Assembly Bill No. 583

Assembly Bill No. 1381

Assembly Bill No. 814

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 1896—Coto.** An act to amend Section 51228 of, to amend, repeal, and add Section 51225.3 of, and to add Sections 51225.6 and 51225.7 to, the Education Code, relating to high school curriculum.

**ASSEMBLY BILL NO. 1897—Dymally.** An act to amend Section 19702 of the Government Code, relating to state civil service.

**ASSEMBLY BILL NO. 1898—Jones (Coauthor: Wolk).** An act to add Chapter 12 (commencing with Section 10109) to Part 1 of Division 2 of the Insurance Code, relating to insurance.

**ASSEMBLY BILL NO. 1899—Wolk (Coauthor: Jones).** An act to add Section 66473.8 to the Government Code, and to add Part 6 (commencing with Section 9590) to Division 5 of the Water Code, relating to land use.

**ASSEMBLY BILL NO. 1900—Lieu.** An act to amend Section 290 and 290.95 of the Penal Code, relating to sex offenders.

**ASSEMBLY BILL NO. 1901—Shirley Horton.** An act to add and repeal Chapter 8.7 (commencing with Section 44267) of Part 7 of Division 26 of the Health and Safety Code, relating to air pollution.

**ASSEMBLY BILL NO. 1902—Villines.** An act to amend Section 3154 of the Civil Code, relating to mechanics' liens.

**ASSEMBLY BILL NO. 1903—Benoit (Principal coauthor: Emmerson).** An act to amend Section 20012 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 1904—Tran.** An act to amend Sections 1431 and 1444.5 of the Code of Civil Procedure, relating to housing, and making an appropriation therefor.

**ASSEMBLY BILL NO. 1905—Villines.** An act to amend Section 10115.9 of the Public Contract Code, relating to public contracts.

**ASSEMBLY BILL NO. 1906—Blakeslee.** An act to amend 20030 of the Government Code, relating to public employees' retirement.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 27—McCarthy (Coauthors: Aghazarian, Benoit, Blakeslee, Bogh, Cogdill, Daucher, DeVore, Emmerson, Garcia, Harman, Haynes, Shirley Horton, Houston, Huff, Keene, La Malfa, La Suer, Leslie, Maze, Mountjoy, Nakanishi, Niello, Plescia, Richman, Sharon Runner, Spitzer, Strickland, Tran, Villines, Walters, and Wyland).** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 12.5 to Article IV thereof, relating to the state budget.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 28—Canciamilla and Richman.** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding and repealing Article VIII thereof, relating to election reform.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 109—Montanez.** Relative to teen dating violence.

**AUTHOR'S AMENDMENTS**  
**Committee on Elections and Redistricting**

January 25, 2006

Mr. Speaker: The Chair of your Committee on Elections and Redistricting reports:  
Senate Bill No. 472

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

UMBERG, Chair

**SENATE BILL NO. 472**—An act to amend Section 87207 of the Government Code, relating to the Political Reform Act of 1974.

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.

**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. 1381, 1363, 326, 814, and 583**, ordered to third reading.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 9:30 a.m., Thursday, January 26, 2006.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JANUARY 25, 2006**

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

**SB RN**

472 0522508

**Daily Total: 1**

**Cumulative Total: 3058**

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