

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, February 14, 2006**

**ONE HUNDRED FORTY-THIRD SESSION DAY  
FOUR HUNDRED THIRTY-SIXTH 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, February 14, 2006

The Assembly met at 1:41 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 Aghazarian moved a quorum call of the Assembly.

Motion carried.

At 1:42 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 1:55 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—76:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Member Juan Vargas:

*Almighty God, We thank You for another day to work for and with our fellow men and women. We pray that Almighty God may be with us today to defend us, within us that He may sustain us, before us that He may lead us, behind us that He may protect us, above us that He may bless us and everything that we do.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Yee, Assembly Member Pavley 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 Cohn, 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 Haynes and Maze.*

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

*Because of illness: Assembly Member Leslie.*

**EXPLANATIONS OF ABSENCE**

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

February 9, 2006

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

Dear Mr. Speaker: Please excuse my absence from Assembly Session on Tuesday, February 14, 2006, due to legislative business in my district.

Sincerely,

RAY HAYNES, Assembly Member  
Sixty-sixth District

January 31, 2006

*Speaker Fabian Núñez  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Núñez,

I respectfully request your permission to be excused from Regular Session on Tuesday, February 14, 2006 to remain in Tulare County on District business. I will be attending the Tulare County Farm Show and will return to the Capitol that same day.

As you know, the opening ceremony of the Tulare County Farm Show is a significant event at which my attendance is necessary.

Please contact my office with any questions. Thank you in advance for your consideration of my request.

Sincerely,

BILL MAZE, Assembly Member  
Thirty-fourth District

#### **COMMUNICATIONS**

##### **Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Patricia Galvan, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 7, 2006, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

##### **Education Funding. Real Property Parcel Tax.**

##### **Initiative Constitutional Amendment and Statute. SA 2005RF0126**

Referred by the Speaker to the Committees on Education and Revenue and Taxation.

##### **Education Funding. Real Property Parcel Tax.**

##### **Initiative Constitutional Amendment and Statute. SA 2005RF0127**

Referred by the Speaker to the Committees on Education and Revenue and Taxation.

##### **Education Funding. Real Property Parcel Tax.**

##### **Initiative Constitutional Amendment and Statute. SA 2005RF1028**

Referred by the Speaker to the Committees on Education and Revenue and Taxation.

##### **Education Funding. Real Property Parcel Tax.**

##### **Initiative Constitutional Amendment and Statute. SA 2005RF0129**

Referred by the Speaker to the Committees on Education and Revenue and Taxation.

##### **Political Contributions and Expenditures.**

##### **Restrictions on Corporations and Unions.**

##### **Initiative Statute. SA 2005RF0140**

Referred by the Speaker to the Committee on Elections and Redistricting.

**Restrictions on Use of Public Employee Union Dues  
for Political Contributions.  
Employee Consent Requirement.  
Initiative Statute. SA 2005RF0141**

Referred by the Speaker to the Committees on Public Employees,  
Retirement and Social Security and Elections and Redistricting.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred  
to committee:

*Assembly*

<i>Bill No.</i>	<i>Committee</i>
1924	W.,P. & W.
1925	U. & C. and Nat. Res.
1926	Jud.
1927	L. & E.
1928	Aging & L.T.C.
1929	Aging & L.T.C.
1930	Health
1932	Trans.
1933	Rev. & Tax.
1934	Ed.
1935	U. & C.
1936	Trans.
1937	Rev. & Tax.
1938	Trans.
1941	Trans.
1942	Pub. S.
1943	Higher Ed.
1944	Ed.
1946	Ins.
1948	Health
1950	Ed.
1955	Hum. S.
1956	Health
1957	Pub. S.
1962	L. Gov.
1963	B. & P.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
113	Rls.

*Assembly Joint*

<i>Resolution No.</i>	<i>Committee</i>
41	Jud.

*Senate*

<i>Bill No.</i>	<i>Committee</i>
699	Health

**REQUEST FOR PHOTOGRAPHER**

Assembly Member Vargas was granted unanimous consent that a  
photographer be permitted on the Floor of the Assembly.

**ACTION RESCINDED ON SENATE BILL NO. 234**

Assembly Member Cohn was granted unanimous consent to rescind the action whereby the Assembly, on August 25, 2005 (Assembly Journal, page 2894), passed Senate Bill No. 234, and whereby the bill was ordered transmitted to the Senate.

**RE-REFERENCE OF BILLS**

Assembly Member Cohn was granted unanimous consent that Senate Bill No. 234 and pending amendments be referred to the Committee on Rules.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Vargas was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber, whereupon he introduced his wife Adrienne, his daughter Rosa, and Jennifer and Jasmine Anklesaria.

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 679 (Calderon)**—An act to add Sections 39616.5 and 43700.1 to the Health and Safety Code, relating to emissions.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—56**

Aghazarian	DeVore	La Malfa	Richman
Arambula	Dymally	La Suer	Ridley-Thomas
Baca	Emmerson	Laird	Runner
Benoit	Frommer	Leno	Salinas
Berg	Garcia	Lieu	Spitzer
Blakeslee	Hancock	Liu	Strickland
Bogh	Harman	Matthews	Tran
Calderon	Horton, Jerome	McCarthy	Umberg
Canciamilla	Horton, Shirley	Montañez	Vargas
Chavez	Houston	Mountjoy	Villines
Cogdill	Huff	Nakanishi	Walters
Cohn	Karnette	Niello	Wolk
Coto	Keene	Parra	Wyland
Daucher	Klehs	Plescia	Mr. Speaker

**NOES—8**

Evans	Levine	Pavley	Saldaña
Koretz	Lieber	Ruskin	Yee

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 64 (Cohn)**—An act to amend Section 653w of the Penal Code, relating to crime.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**RECESS**

By unanimous consent, at 2:11 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Pavley and Senators Kuehl and Margett introduced members of the French National Assembly delegation: The Honorable Jean-Yves Le Déaut, President, Member of the National Assembly; The Honorable Nathalie Kosciusko-Morizet, Rapporteur, Member of the National Assembly; The Honorable Jacques Bascou, Member of the National Assembly, The Honorable Alain Gest, Member of the National Assembly, The Honorable Francis Hillmeyer, Member of the National Assembly, The Honorable Serge Poignant, Member of the National Assembly, The Honorable Philippe Tourtelier, Member of the National Assembly, M. Thierry Fournier, French National Assembly Staffer, and Mme Pascale Ledeur-Kraus, Interpreter, whereupon the Honorable Nathalie Kosciusko-Morizet addressed the assemblage.

**RECONVENED**

At 2:13 p.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 424 (Calderon)**—An act to amend Sections 530.5, 530.6, and 530.8 of the Penal Code, relating to crime, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—72**

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

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

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

**NOES—None**

Above bill ordered enrolled.

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 912 for hearing in the Committee on Health, today.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Chan announced that the Committee on Health would meet today to hear Senate Bill No. 912, in the Tom Bane Rules Committee Room.



**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:14 p.m., by unanimous consent, the members of the Committee on Health were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS**

**MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bills Nos. 51, 109, and 646; and Assembly Bills Nos. 715 and 791 were continued until the next legislative day.

**THIRD READING OF SENATE BILLS**

**SENATE CONCURRENT RESOLUTION NO. 64 (Scott)**—Relative to Arts Education Month.

Resolution read, and presented by Assembly Member Karnette.

**Members Made Coauthors of Senate Concurrent Resolution No. 64**

Assembly Member Karnette was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 64.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

**Request for Unanimous Consent**

Assembly Member Karnette was granted unanimous consent to take up Senate Concurrent Resolution No. 64, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Senate Concurrent Resolution No. 64, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 64**—Relative to Arts Education Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

### CONSIDERATION OF CONSENT CALENDAR

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

#### Consent Calendar—Assembly Resolution

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

Resolution read, adopted, and ordered transmitted to the Senate.

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

#### Consent Calendar—Senate Resolution

**SENATE CONCURRENT RESOLUTION NO. 65 (Hollingsworth)**—Relative to Fragile X Awareness Day.

Resolution read, adopted, and ordered transmitted to the Senate.

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

#### Consent Calendar Roll Call

The roll was called, and the above resolutions on the Consent Calendar adopted by the following vote:

#### AYES—75

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

#### NOES—None

### REPORTS OF STANDING COMMITTEES

#### Committee on Health

Date of Hearing: February 14, 2006

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 912

With the recommendation: Do pass.

CHAN, Chair

Above bill ordered to second reading.

### SECOND READING OF SENATE BILLS

**SENATE BILL NO. 912**—An act to amend Section 14105.19 of the Welfare and Institutions Code, relating to Medi-Cal, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**CONSIDERATION OF SENATE BILL NO. 912  
BY UNANIMOUS CONSENT**

Assembly Member De La Torre was granted unanimous consent to take up Senate Bill No. 912 without reference to file, for purpose of consideration.

**SENATE BILL NO. 912 (Ducheny)**—An act to amend Section 14105.19 of the Welfare and Institutions Code, relating to Medi-Cal, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member De La Torre.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

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

**NOES—None**

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

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

**HOUSE RESOLUTION NO. 26 (Strickland)**—Relative to Ronald Reagan Day.  
Resolution read.

**Members Made Coauthors of House Resolution No. 26**

Assembly Member Strickland was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 26.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Benoit, Blakeslee, Bogh, Canciamilla, Chavez, Cogdill, Coto, Daucher, DeVore, Emmerson, Frommer, Garcia, Harman, Shirley Horton, Houston, Huff, Keene, La Malfa, La Suer, Laird, Matthews, McCarthy, Mountjoy, Nakanishi, Niello, Núñez, Parra, Plescia, Richman, Runner, Salinas, Spitzer, Strickland, Tran, Villines, Walters, Wyland, and Yee.

**Vote Changes**

By unanimous consent, the following vote change was permitted on the motion to permit coauthors to House Resolution No. 26: Assembly Member Umberg from “Aye” to “Not Voting”.

**Request for Unanimous Consent**

Assembly Member Strickland was granted unanimous consent to take up House Resolution No. 26, as amended, without reference to print or file.

**Consideration of House Resolution No. 26, as Amended**

**HOUSE RESOLUTION NO. 26**—Relative to Ronald Reagan Day.  
Resolution read, as amended, and adopted.

**RECESS IN HONOR OF BLACK HISTORY MONTH**

By unanimous consent, at 2:35 p.m., Speaker pro Tempore Yee declared the Assembly recessed in recognition of Black History Month and to permit the introduction of special guests.

In recognition of Black History Month, Assembly Member Dymally presented the educational accomplishments of African-Americans in the post slavery era. There are 105 Historical Black Universities and Colleges which include: 49 private schools, 15 two-year schools, 4 medical colleges, 2 dental colleges, and 1 veterinary college that serve over 450,000 students in 19 states, the Virgin Islands, and the District of Columbia.

Assembly Member Jerome Horton introduced and presented a resolution to Rick and Ronda Hyman, of Sherman Oaks, in recognition of their artwork and book detailing the migration of African-American families to a better life from 1912–1927.

Assembly Member Bass introduced representatives of the California African American Museum, Charmaine Jefferson, Executive Director, Carolyn Webb Macias, State Board President, Trudy Hatter, State Board member, and Caesar Churchwell, State Board member.

**RECONVENED**

At 2:45 p.m., the Assembly reconvened.

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

**ANNOUNCEMENTS**

Speaker pro Tempore Yee announced the following session schedule:  
Wednesday, February 15, 2006, Check-in Session, 7 a.m.–3 p.m.;  
Thursday, February 16, 2006, Floor Session, 9:30 a.m.;  
Friday, February 17, 2006, Check-in Session, 7 a.m.–3 p.m.

**ADJOURN IN MEMORY**

Assembly Members Cogdill and Aghazarian were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Billington and David Mesenhimer, of Modesto.

(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 Helen Mary Williams, of Pasadena.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Richman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Albert “Jan” Yatsko, of Mission Hills.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

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 Dr. Harry Brandt, of Davis.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Arambula was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard G. Ramacher, of Fresno.

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Armstrong, of Hemet.

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wanda Johnson and Kenneth Lounsbury, of Anaheim; Leonard Lisowski, of La Habra; Bonnie Lee Malloy, of Placentia; and Raymond Wallingsford, of Yorba Linda.

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 Alice Gray, of Santa Rosa.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Ballard, of Dublin; Eunice Hardee, of Vallejo; and Donald Turner and Janet Mary Wikkerink, of Livermore.

Assembly Members Lieber and Coto were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carlos Salcido, of San Jose.

Assembly Members Spitzer and Umberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Steve Spernak, of Santa Ana.

Assembly Member Umberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of LTG William J. McCaffrey, of Arlington, VA.

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 Sheila Y. Miller, of Benicia; Genevieve J. Tyler, of Fairfield; Michael Allen Due, Raymond George Saylor, and Paul Aaron Suchoski, of Vacaville; Carmen Rodarte, of Winters; and Ruth Leonard Schafer and James Everette Vernon, 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. 679, Concurrence:** Calderon, Canciamilla, Frommer, and Leno—Aye.

**Assembly Bill No. 64, Concurrence:** Bermúdez, Blakeslee, Calderon, and Canciamilla—Aye.

**Assembly Bill No. 424, Urgency and Concurrence:** Bermúdez, Calderon, Canciamilla, Chu, Cohn, De La Torre, and Levine—Aye.

**Consent Calendar:** Canciamilla, De La Torre, Evans, and Richman—Aye.

**Senate Bill No. 912:** Bass, Canciamilla, Cohn, Negrete McLeod, and Parra—Aye.

**MOTION TO ADJOURN**

At 2:47 p.m., Assembly Member Bass moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 2:48 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 2019—Cogdill.** An act to add Section 1773.8 to the Labor Code, relating to the prevailing wage.

**ASSEMBLY BILL NO. 2020—Cogdill.** An act to add Article 4.2 (commencing with Section 42289.7) to Chapter 7 of Part 24 of the Education Code, relating to education finance.

**ASSEMBLY BILL NO. 2021—Levine.** An act relating to energy efficiency.

**ASSEMBLY BILL NO. 2022—Ruskin.** An act to add Article 6 (commencing with Section 108670) to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

**ASSEMBLY BILL NO. 2023—Leslie (Coauthor: Frommer).** An act to add Sections 46015 and 48205.1 to the Education Code, relating to pupils.

**ASSEMBLY BILL NO. 2024—Benoit (Coauthors: Aghazarian, Bogh, Cogdill, Daucher, DeVore, Emmerson, Harman, Haynes, Houston, Huff, Keene, La Malfa, La Suer, Leslie, Maze, McCarthy, Mountjoy, Nakanishi, Plescia, Richman, Sharon Runner, Spitzer, Strickland, Tran, Villines, Walters, and Wyland).** An act to repeal Sections 45103.1 and 88003.1 of the Education Code, relating to personal services contracting.

**ASSEMBLY BILL NO. 2025—Niello (Coauthors: Aghazarian, Benoit, Blakeslee, Bogh, Cogdill, Daucher, DeVore, Emmerson, Harman, Haynes, Houston, Huff, Keene, La Malfa, La Suer, Leslie, Maze, McCarthy, Mountjoy, Nakanishi, Plescia, Richman, Sharon Runner, Spitzer, Strickland, Tran, Villines, Walters, and Wyland).** An act to add Article 8 (commencing with Section 228) to Chapter 1 of Division 1 of the Streets and Highways Code, relating to transportation.

**ASSEMBLY BILL NO. 2026—Aghazarian (Coauthors: Benoit, Bogh, Cogdill, Daucher, DeVore, Emmerson, Harman, Haynes, Houston, Huff, Keene, La Malfa, La Suer, Leslie, Maze, McCarthy, Mountjoy, Nakanishi, Niello, Plescia, Sharon Runner, Spitzer, Strickland, Tran, Villines, Walters, and Wyland).** An act to add Section 21080.37 to the Public Resources Code, and to amend Section 8608 of, and to add Section 8613 to, the Water Code, relating to flood control.

**ASSEMBLY BILL NO. 2027—La Malfa (Coauthors: Aghazarian, Benoit, Bogh, Cogdill, Daucher, DeVore, Emmerson, Garcia, Harman, Haynes, Houston, Huff, Keene, La Suer, Leslie, Maze, McCarthy, Mountjoy, Nakanishi, Niello, Plescia, Sharon Runner, Strickland, Tran, Villines, Walters, and Wyland).** An act to amend Sections 12314 and 12987 of the Water Code, relating to water.

**ASSEMBLY BILL NO. 2028—Huff (Coauthors: Aghazarian, Benoit, Blakeslee, Bogh, Cogdill, Daucher, DeVore, Emmerson, Garcia, Harman, Haynes, Houston, Keene, La Malfa, La Suer, Leslie, Maze, McCarthy, Mountjoy, Nakanishi, Niello, Plescia, Sharon Runner, Spitzer, Strickland, Tran, Villines, Walters, and Wyland).** An act relating to transportation funding.

**ASSEMBLY BILL NO. 2029—Villines (Coauthors: Aghazarian, Benoit, Blakeslee, Bogh, Cogdill, Daucher, DeVore, Emmerson, Harman, Haynes, Houston, Huff, Keene, La Malfa, La Suer, Leslie, Maze, McCarthy, Mountjoy, Nakanishi, Niello, Plescia, Richman, Sharon Runner, Spitzer, Strickland, Tran, Walters, and Wyland).** An act to add Section 8558.5 to the Government Code, relating to emergency services.

**ASSEMBLY BILL NO. 2030—Haynes.** An act to amend Section 47607 of the Education Code, relating to charter schools.

**ASSEMBLY BILL NO. 2031—Cohn.** An act to amend Section 16500.1 of the Welfare and Institutions Code, relating to dependent children.

**ASSEMBLY BILL NO. 2032—Lieu.** An act to amend Sections 17052.12 and 23609 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2033—Lieu.** An act to amend Sections 17053.36, 17053.37, 23636, and 23637 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2034—Spitzer.** An act to amend Section 21351 of the Probate Code, relating to donative transfers.

**ASSEMBLY BILL NO. 2035—Cogdill.** An act to add Section 6203.5 to the Penal Code, relating to conservation camps, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2036—Nakanishi.** An act relating to community colleges, and making an appropriation therefor.

**ASSEMBLY BILL NO. 2037—Plescia.** An act to add Section 17053.20 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2038—Tran.** An act to amend Sections 17310, 17314.1, 17331, and 17331.2 of the Financial Code, relating to escrow agents.

**ASSEMBLY BILL NO. 2039—Tran.** An act to amend Sections 12700, 12702, and 12721 of the Health and Safety Code, relating to fireworks.

**ASSEMBLY BILL NO. 2040—Chu.** An act to amend Section 60851 of the Education Code, relating to pupil assessment, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2041—Nava and Jerome Horton (Coauthors: Cohn and Lieu).** An act to amend Section 8592.1 of the Government Code, relating to public safety.

**ASSEMBLY BILL NO. 2042—Spitzer.** An act to amend Section 15642 of the Probate Code, relating to trustees.

## RESOLUTIONS

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 117—Niello.** Relative to music education.

**ASSEMBLY CONCURRENT RESOLUTION NO. 118—Canciamilla (Principal coauthor: Liu).** Relative to community college facilities.

**ASSEMBLY CONCURRENT RESOLUTION NO. 119—Laird.** Relative to the Year of the California Museum.



**AUTHOR'S AMENDMENTS**  
**Committee on Revenue and Taxation**

February 14, 2006

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 1798

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

KLEHS, Chair

**ASSEMBLY BILL NO. 1798**—An act to amend Section 8686 of the Government Code, and to amend Sections 218, 17207, and 24347.5 of, and to add Sections 195.101, 195.102, and 195.103 to, the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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 Governmental Organization**

February 14, 2006

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Senate Bill No. 503

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

JEROME HORTON, Chair

**SENATE BILL NO. 503**—An act to amend Sections 6253.4 and 6253.9 of the Government Code, relating to public records.

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 Public Employees, Retirement and Social Security**

February 14, 2006

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1797

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

TORRICO, Chair

**ASSEMBLY BILL NO. 1797**—An act to amend Section 71601 of the Government Code, relating to trial courts.

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 Budget**

February 14, 2006

Mr. Speaker: The Chair of your Committee on Budget reports:  
Assembly Constitutional Amendment No. 19

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

LAIRD, Chair

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 19**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 9 of Article II thereof, by amending, repealing, and adding Sections 3, 8, 10, and 12 of Article IV thereof, by amending Section 10.5 of, adding Section 14 to, and amending, repealing, and adding Sections 1, 2, 3, and 8 of, Article XIII B thereof, and by amending, repealing, and adding Sections 8 and 8.5 of, and amending Section 20 of, Article XVI thereof, relating to legislative sessions.

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

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Rules**

Date of Hearing: February 14, 2006

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 110

With the recommendation: Be adopted.

MONTAÑEZ, Chair

Above resolution ordered to third reading.

#### **INTRODUCTION OF GUESTS**

Assembly Member Jerome E. Horton, of the 51st Assembly District, introduced Harper Lambert and William Lambert, of Tarzana, and Lois Bradford, of Los Angeles.

Speaker pro Tempore Yee, of the 12th Assembly District, introduced the Honorable Richard Mountjoy, former Assembly Member (1979–1995) and former Senator (1995–2000).

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Bass, the Assembly adjourned until 7 a.m., Wednesday, February 15, 2006, out of respect to the memory of Charles Billington and David Mesenhimer, on motion of Assembly Members Cogdill and Aghazarian; out of respect to the memory of Helen Mary Williams, on motion of Assembly Member Liu; out of respect to the memory of John Albert "Jan" Yatsko, on motion of Assembly Member Richman; out of respect to the memory of Dr. Harry Brandt, on motion of Assembly Member Wolk; out of respect to the memory of Richard G. Ramacher, on motion of Assembly Member Arambula; out of respect to the memory of Robert Armstrong, on motion of Assembly Member Bogh; out of respect to the memory of Wanda Johnson, Kenneth Lounsbury, Leonard Lisowski, Bonnie Lee Malloy, and Raymond Wallingsford, on motion of Assembly Member Daucher; out of respect to the memory of Alice Gray, on motion of Assembly Member Evans; out of respect to the memory of Robert Ballard, Eunice Hardee, Donald Turner, and Janet Mary Wikkerink, on motion of Assembly Member Houston; out of respect to the memory of Carlos Salcido, on motion of Assembly Members Lieber and Coto; out of respect to the memory of Steve Spernak, on motion of Assembly Members Spitzer and Umberg; out of respect to the memory of LTG William J. McCaffrey, on motion of Assembly Member Umberg; and out of respect to the memory of Sheila Y. Miller, Genevieve J. Tyler, Michael Allen Due, Raymond George Sayler, Paul Aaron Suchoski, Carmen Rodarte, Ruth Leonard Schafer, and James Everette Vernon, on motion of Assembly Member Wolk.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON FEBRUARY 14, 2006**

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

**AB RN**

1797 0605671

1798 0605502

**ACA RN**

19 0518390

**SB RN**

503 0605584

**Daily Total: 4****Cumulative Total: 3084**

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