

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, March 7, 2006**

**ONE HUNDRED FIFTY-FIFTH SESSION DAY  
FOUR HUNDRED FIFTY-SEVENTH 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, March 7, 2006

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th 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—70:

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

Quorum present.

**At 1:39 p.m., Hon. Dennis Mountjoy, 59th 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, Garcia, Harman, Jerome E. Horton, Houston, Montañez, and Oropeza.*

*On personal business, and waiving per diem: Assembly Members McCarthy and Nation.*

*Because of illness in her family: Assembly Member Negrete McLeod.*

**EXPLANATIONS OF ABSENCE**

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

March 2, 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 Tuesday, March 7, 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

February 27, 2006

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

Dear Speaker Núñez,

I am respectfully requesting to be excused from session on Tuesday, March 7, 2006 due to Legislative business that I need to attend to in my district.

Should you have any questions please contact me or Sharon Gonsalves in my office at (916) 319-2080.

Sincerely,

BONNIE GARCIA, Assembly Member  
Eightieth District

February 22, 2006

*Hon. Fabian Núñez, Speaker  
California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from all legislative responsibilities on Tuesday March 7, 2006, due to legislative business in the district.

If you have any questions, please contact Braeden Huusfeldt at 916 319-2067.

Thank you for your consideration of this request.

Sincerely,

TOM HARMAN, Assembly Member  
Sixty-seventh District

March 6, 2006

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Check-In Session/Floor Session Upon Call of the Speaker on Tuesday, March 7, 2006 and Wednesday, March 8, 2006, due to legislative business in my district. I will return to Sacramento on Thursday, March 9, 2006, in time for Assembly Floor Session.

I want to thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member  
Fifty-first District

March 6, 2006

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

Dear Mr. Speaker: I respectfully request to be excused from Check-in Session on Tuesday, March 7, 2006, in order to conduct legislative business in my district.

If you have any questions, please contact Gerrit Buddingh in my office at 319-2015.

Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member  
Fifteenth District

(NOTE: For letters explaining the absences of Assembly Members Montañez and Oropeza on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 6, 2006.)

**COMMUNICATIONS**

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

March 6, 2006

*Mr. E. Dotson Wilson*

*Chief Clerk, California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

RE: Reappointment of Daniel Hancock  
to Milton Marks “Little Hoover” Commission on  
California State Government Organization and Economy

Dear Mr. Wilson: Please be advised I have reappointed Mr. Daniel Hancock to the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy. This is a term appointment starting March 6, 2006 and the expiration date is January 1, 2009.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

March 7, 2006

*Mr. E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

RE: Appointment of John (Jack) Patton  
to Continuing Care Advisory Committee

Dear Mr. Wilson: Please be advised I have appointed Mr. John (Jack) Patton to the Continuing Care Advisory Committee. This is a term appointment starting March 7, 2006 and the expiration date is January 1, 2007. Mr. Patton will be replacing Mr. Walter Rozett.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

March 7, 2006

*Mr. E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

RE: Reappointment of Robert Steinberg  
to Commission on Health and Safety and  
Workers’ Compensation

Dear Mr. Wilson: Please be advised I have reappointed Mr. Robert Steinberg to the Commission on Health and Safety and Workers’ Compensation. This is a term appointment starting March 7, 2006 and the expiration date is December 31, 2009.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 3059—Committee on Elections and Redistricting (Umberg (Chair), Wyland (Vice Chair), Karnette, Leno, Levine, and Villines).** An act to amend Sections 1090, 5018, 5019, 5442, 15344, 17412, and 72024 of the Education Code, to amend Sections 12172.5, 24001, 29965, and 67659 of the Government Code, to amend Section 6939.6 of the Harbors and Navigation Code, to amend Sections 13845, 13846, 13848, and 13962 of the Health and Safety Code, to amend Sections 5532, 5785, 5785.3, and 5786.5 of the Public Resources Code, and to amend Sections 21555, 30731, and 50780.10 of the Water Code, relating to local elections.

**ASSEMBLY BILL NO. 3060—Committee on Elections and Redistricting (Umberg (Chair), Wyland (Vice Chair), Karnette, Leno, Levine, and Villines).** An act to amend Sections 83109, 84605, 87406, and 89513 of the Government Code, relating to the Political Reform Act of 1974.

**ASSEMBLY BILL NO. 3061—Committee on Elections and Redistricting (Umberg (Chair), Wyland (Vice Chair), Karnette, Leno, Levine, and Villines).** An act to amend Section 2185 of the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 3062—Committee on Elections and Redistricting (Umberg (Chair), Wyland (Vice Chair), Karnette, Leno, Levine, and Villines).** An act to amend Sections 2146, 9282, 9285, 10703, 13112, and 13113 of, to add Section 10220.5 to, and to repeal Sections 9219 and 9220 of, the Elections Code, relating to elections.

**ASSEMBLY BILL NO. 3063—Committee on Elections and Redistricting (Umberg (Chair), Wyland (Vice Chair), Karnette, Leno, Levine, and Villines).** An act to amend Sections 15101, 15120, 15266, 15341, and 15343 of the Education Code, and to amend Sections 8605, 9400, and 9402 of, and to add Section 8004 to, the Elections Code, relating to elections.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 131—Harman.** Relative to the Huntington Beach International Surfing Museum.

**ASSEMBLY CONCURRENT RESOLUTION NO. 132—Cogdill.** Relative to the Deputy Dave Grant Memorial Highway.

**AUTHOR'S AMENDMENTS  
Committee on Veterans Affairs**

March 7, 2006

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Joint Resolution No. 32

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

NATION, Chair

**ASSEMBLY JOINT RESOLUTION NO. 32—Relative to Qualified Veterans Mortgage Bonds.**

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

**AUTHOR'S AMENDMENTS**  
**Committee on Health**

March 7, 2006

Mr. Speaker: The Chair of your Committee on Health reports:  
Senate Concurrent Resolution No. 80

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

CHAN, Chair

**SENATE CONCURRENT RESOLUTION NO. 80**—Relative to Arthritis Awareness.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Health**

March 7, 2006

Mr. Speaker: The Chair of your Committee on Health reports:  
Senate Bill No. 401

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

CHAN, Chair

**SENATE BILL NO. 401**—An act to amend Section 56.05 of the Civil Code, relating to medical information.

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 Education**

March 7, 2006

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 1867

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

GOLDBERG, Chair

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

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**  
**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 169**—An act to amend Section 1246 of the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately.

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

**SENATE BILL NO. 699**—An act to amend Sections 120895, 120975, 120980, 121015, 121025, 121035, 121075, 121085, 121105, 121110, and 121125 of, and to add Section 121022 to, the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

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.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 8, 2006.

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FABIAN NUÑEZ, Speaker

TRESHA R. PETIT-PHAR, Assistant Minute Clerk



**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 7, 2006**

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

**AB RN**  
1867 0606141

**AJR RN**  
32 0605727

**SB RN**  
169 0606204  
401 0606035  
699 0606277

**SCR RN**  
80 0606209

**Daily Total: 6**  
**Cumulative Total: 3121**

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