

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 21, 2006

**ONE HUNDRED SIXTY-THIRD SESSION DAY
FOUR HUNDRED SEVENTY-FIRST 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, March 21, 2006

The Assembly met at 7 a.m.

Hon. Barbara Matthews, Assembly Member, 17th 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	Laird	Richman
Arambula	Emmerson	Leno	Runner
Baca	Evans	Leslie	Ruskin
Bass	Frommer	Levine	Saldaña
Benoit	Garcia	Lieber	Salinas
Berg	Goldberg	Lieu	Spitzer
Bermúdez	Hancock	Matthews	Strickland
Blakeslee	Harman	Maze	Torrico
Bogh	Haynes	McCarthy	Tran
Calderon	Horton, Jerome	Montañez	Umberg
Canciamilla	Horton, Shirley	Mountjoy	Vargas
Chan	Houston	Mullin	Villines
Chavez	Huff	Nakanishi	Walters
Chu	Jones	Nation	Wolk
Cogdill	Karnette	Nava	Wyland
Cohn	Keene	Negrete McLeod	Yee
Coto	Klehs	Niello	Mr. Speaker
Daucher	Koretz	Parra	
De La Torre	La Malfa	Pavley	
DeVore	La Suer	Plescia	

Quorum present.

At 1:19 p.m., Hon. Bill Maze, 34th 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 Oropeza and Ridley-Thomas.

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

EXPLANATIONS OF ABSENCE

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

March 13, 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 and Wednesday, March 21 and 22, due to legislative business in the district.

Thank you for consideration of this request. Please contact my Chief of Staff, Sharon Weissman in my district office at 310-518-3324 if you have any questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member
Fifty-fifth District

March 21, 2006

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

Dear Mr. Speaker: I write to request permission to be excused from Check-in Session on Tuesday, March 21, 2006. I have legislative business that I must attend to in my District.

Thank you for your assistance in this matter. If you have questions or need more information, please do not hesitate to contact me or to have your designated staff person contact Lourdes Machado at (916) 319-2048.

With hope,

MARK RIDLEY-THOMAS, Assembly Member
Forty-eighth District

COMMUNICATIONS

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

March 20, 2006

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Ted Lieu to replace Assemblymember Joe Nation on the Assembly Business and Professions Committee for the Tuesday, March 21 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 20, 2006

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

Dear Dotson: Please be advised that I have appointed Assemblymember Gene Mullin to replace Assemblymember Mark Ridley-Thomas on the Assembly Health Committee for the Tuesday, March 21 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Select Committee on Prison Construction and Operations, on Thursday, March 30, 2006, at 9:30 a.m., in Room 437.

ENGROSSMENT AND ENROLLMENT REPORTS

	Assembly Chamber, March 21, 2006
Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:	
Assembly Bill No. 1901	Assembly Bill No. 2021
Assembly Bill No. 1917	Assembly Bill No. 2036
Assembly Bill No. 1936	Assembly Bill No. 2040
Assembly Bill No. 1940	Assembly Bill No. 2078

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

	Assembly Chamber, March 21, 2006
Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:	
Assembly Bill No. 1973	Assembly Bill No. 2057
Assembly Bill No. 2031	Assembly Bill No. 2075

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

	Assembly Chamber, March 21, 2006
Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:	
Assembly Concurrent Resolution No. 125	
Assembly Joint Resolution No. 42	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

AUTHOR'S AMENDMENTS **Committee on Rules**

March 21, 2006

Mr. Speaker: The Chair of your Committee on Rules reports:
 Assembly Concurrent Resolution No. 135
 With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 135—Relative to county agricultural commissioners.

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 Public Safety

March 21, 2006

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 2049
Assembly Bill No. 2058

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

LENO, Chair

ASSEMBLY BILL NO. 2049—An act to amend Section 311.11 of the Penal Code, relating to obscene matter.

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.

ASSEMBLY BILL NO. 2058—An act to amend Section 288 of the Penal Code, relating to sex offenses.

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

March 21, 2006

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 1906

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

JEROME HORTON, Chair

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

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 Revenue and Taxation

March 21, 2006

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 2077

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

KLEHS, Chair

ASSEMBLY BILL NO. 2077—An act to add Section 17053.85 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Health

March 21, 2006

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 1920

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

CHAN, Chair

ASSEMBLY BILL NO. 1920—An act relating to Medi-Cal.

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

March 21, 2006

Mr. Speaker: The Chair of your Committee on Rules reports:
Assembly Concurrent Resolution No. 120

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

MONTAÑEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 120—Relative to Financial Literacy Month.

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 Local Government

March 21, 2006

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 926

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

SALINAS, Chair

SENATE BILL NO. 926—An act to add Section 40065 to the Public Resources Code, and to amend and renumber Section 13274 of the Water Code, relating to sewage sludge.

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 Transportation

March 21, 2006

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1941

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

OROPEZA, Chair

ASSEMBLY BILL NO. 1941—An act to amend Section 2900 of the Vehicle Code, relating to vehicles.

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

March 21, 2006

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
Assembly Bill No. 1848

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

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1848—An act to add Section 8592.10 to the Government Code relating to homeland security.

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 21, 2006

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

Assembly Bill No. 1896

Assembly Bill No. 2046

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 1896—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.

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.

ASSEMBLY BILL NO. 2046—An act to amend Section 37202 of, to amend and repeal Sections 8973, 46111, 46117, 46118, and 46119 of, and to amend, repeal, and add Sections 46112 and 46114 of, the Education Code, relating to kindergarten.

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 Safety

March 21, 2006

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1832

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

LENO, Chair

ASSEMBLY BILL NO. 1832—An act to amend Section 40000.15 of, and to add Section 23584 to, the Vehicle Code, relating to vehicles.

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 Local Government

March 21, 2006

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 2015

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

SALINAS, Chair

ASSEMBLY BILL NO. 2015—An act to amend Section 40420 of the Health and Safety Code, relating to air pollution.

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 Judiciary

March 21, 2006

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 2084

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

JONES, Chair

ASSEMBLY BILL NO. 2084—An act to amend Sections 26840.7 and 26840.8 of the Government Code, and to repeal and add Chapter 5 (commencing with Section 18290) of Part 6 of Division 9 of the Welfare and Institutions Code, relating to domestic violence.

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.

REPORTS OF STANDING COMMITTEES
Committee on Business and Professions

Date of Hearing: March 21, 2006

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 1963

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 21, 2006

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 1793

With the recommendation: Do pass.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Date of Hearing: March 21, 2006

Mr. Speaker: Your Committee on Business and Professions reports:
Senate Bill No. 221

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

NEGRETE McLEOD, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Governmental Organization

Date of Hearing: March 20, 2006

Mr. Speaker: Your Committee on Governmental Organization reports:
Assembly Concurrent Resolution No. 121

With amendments with the recommendation: Amend, and be adopted as amended.
JEROME HORTON, Chair

Above resolution ordered to second reading.

Committee on Higher Education

Date of Hearing: March 14, 2006

Mr. Speaker: Your Committee on Higher Education reports:
Assembly Bill No. 1968

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

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: March 21, 2006

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 2060

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JONES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 21, 2006

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 1787

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

JONES, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: March 20, 2006

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 1781 Assembly Bill No. 1938
Assembly Bill No. 1785 Assembly Bill No. 1997
Assembly Bill No. 1788

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 20, 2006

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 1910

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 20, 2006

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 97
 Assembly Concurrent Resolution No. 104
 Assembly Concurrent Resolution No. 108
 Assembly Concurrent Resolution No. 124

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolutions re-referred to the Committee on Appropriations.

Date of Hearing: March 20, 2006

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 65

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: March 20, 2006

Mr. Speaker: Your Committee on Transportation reports:

Senate Concurrent Resolution No. 7
 Senate Concurrent Resolution No. 52
 Senate Concurrent Resolution No. 57

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

OROPEZA, Chair

Above resolutions re-referred to the Committee on Appropriations.

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

ASSEMBLY CONCURRENT RESOLUTION NO. 112—Relative to hepatitis B.

Resolution read; amendments proposed by the Committee on Health read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

ASSEMBLY JOINT RESOLUTION NO. 37—Relative to the Voting Rights Act of 1965.

Resolution read; amendments proposed by the Committee on Elections and Redistricting read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

ASSEMBLY BILL NO. 1943—An act to amend Sections 70901 and 70902 of the Education Code, relating to community colleges.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 22, 2006.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 21, 2006**

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

AB RN

1832 0606594
1848 0606993
1896 0606839
1906 0606168
1920 0606207
1941 0606855
1943 0606781
2015 0606259
2046 0606840
2049 0606908
2058 0606418
2077 0606265
2084 0606998

ACR RN

112 0606817
120 0607140
135 0606950

AJR RN

37 0606836

SB RN

926 0606145

Daily Total: 18
Cumulative Total: 3216