

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, June 1, 2006

**TWO HUNDRED FIRST SESSION DAY
FIVE HUNDRED FORTY-THIRD 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
Thursday, June 1, 2006

The Assembly met at 6 a.m.

Hon. Sam Blakeslee, Assembly Member, 33rd 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	DeVore	La Malfa	Niello
Arambula	Dymally	La Suer	Parra
Baca	Emmerson	Laird	Pavley
Bass	Evans	Leno	Plescia
Benoit	Frommer	Leslie	Richman
Berg	Garcia	Levine	Ridley-Thomas
Bermúdez	Goldberg	Lieber	Ruskin
Blakeslee	Hancock	Lieu	Saldaña
Bogh	Harman	Liu	Salinas
Calderon	Haynes	Matthews	Spitzer
Canciamilla	Horton, Jerome	Maze	Strickland
Chan	Horton, Shirley	McCarthy	Torrico
Chavez	Houston	Montañez	Tran
Chu	Huff	Mountjoy	Umberg
Cohn	Jones	Mullin	Vargas
Coto	Karnette	Nakanishi	Walters
Daucher	Keene	Nava	Wyland
De La Torre	Klehns	Negrete McLeod	Mr. Speaker

Quorum present.

At 10:28 a.m., Hon. Ira Ruskin, 21st 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 Cogdill, Koretz, Nation, Runner, Villines, and Yee.

On legislative business, per diem waived for the 2005–2006 Session (See Assembly Journal, page 63): Assembly Member Wolk.

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

EXPLANATIONS OF ABSENCE

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

May 31, 2006

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

Dear Mr. Speaker: I respectfully request to be excused from check in session on Thursday, June 1, 2006. I will be in my district on legislative business.

Thank you for your consideration of this request. If you have any questions, please contact me at 319-2025.

Sincerely,

DAVE COGDILL, Assembly Member
Twenty-fifth District

June 1, 2006

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

Dear Speaker Núñez: I respectfully ask permission to be excused from check-in session on, Thursday, June 1, 2006 due to legislative business as I neglected to check-in. If you have any questions or concerns please contact Jeanette Garcia in my office at 319-2042.

Sincerely,

PAUL KORETZ, Assembly Member
Forty-second District

June 1, 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 Thursday, June 1, 2006 due to legislative business in my district office.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

June 1, 2006

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

Dear Speaker Núñez: I am writing to request an excused absence on legislative business, for Thursday, June 1, 2006. I want to apologize for not checking-in as I was hosting an Assembly Fellows luncheon in Committee Room 125. Thank you for the consideration.

Should you have any questions regarding this request, please contact David Lynch in my office at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member
Thirty-sixth District

May 31, 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 Thursday, June 1, 2006 for legislative meetings in my district.

If you have any questions, please contact Matthew Roman in my office at 319-2029.

Thank you for your consideration of this request.

Sincerely,

MICHAEL N. VILLINES, Assembly Member
Twenty-ninth District

June 1, 2006

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

Dear Speaker Núñez: I respectfully request to be excused from Check-in Session today, Thursday, June 1, 2006, due to legislative business in my district.

If you have any questions or concerns, please contact Jenn Short, my scheduler, at 319-2008.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

May 31, 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 Thursday, June 1, 2006. I will be in my district during this time attending to legislative business.

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 1, 2006

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

- Assembly Concurrent Resolution No. 122
- Assembly Concurrent Resolution No. 147
- Assembly Joint Resolution No. 37
- Assembly Joint Resolution No. 40

And reports the same correctly enrolled, and presented to the Secretary of State on the 1st day of June, 2006, at 1:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 1, 2006

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

- Assembly Bill No. 3050

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading file.

Assembly Chamber, June 1, 2006

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

- Assembly Bill No. 2840

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 1, 2006

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

- Assembly Concurrent Resolution No. 155

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**AUTHOR'S AMENDMENTS
Committee on Higher Education**

June 1, 2006

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

- Senate Bill No. 1304

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

LIU, Chair

SENATE BILL NO. 1304—An act to add Section 81005 to the Education Code, relating to community colleges.

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 Natural Resources

June 1, 2006

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Senate Bill No. 1843

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

HANCOCK, Chair

SENATE BILL NO. 1843—An act to amend Sections 30233, 30265, 30333.1, 30333.2, and 30340.5 of, to add Section 30601.3 to and to repeal Sections 30342, 30343, 30608.5, and 30713 of, the Public Resources Code, relating to coastal resources.

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.

MESSAGES FROM THE SENATE

Senate Chamber, June 1, 2006

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 230

Senate Concurrent Resolution No. 111

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, June 1, 2006

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 144

Assembly Concurrent Resolution No. 146

Assembly Concurrent Resolution No. 153

Assembly Concurrent Resolution No. 154

Assembly Joint Resolution No. 46

Assembly Joint Resolution No. 48

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, June 1, 2006

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Concurrent Resolution No. 56

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Above resolution ordered to unfinished business file.

Senate Chamber, June 1, 2006

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1128	Senate Bill No. 1446
Senate Bill No. 1160	Senate Bill No. 1481
Senate Bill No. 1162	Senate Bill No. 1483
Senate Bill No. 1168	Senate Bill No. 1511
Senate Bill No. 1178	Senate Bill No. 1528
Senate Bill No. 1179	Senate Bill No. 1578
Senate Bill No. 1204	Senate Bill No. 1628
Senate Bill No. 1226	Senate Bill No. 1635
Senate Bill No. 1250	Senate Bill No. 1640
Senate Bill No. 1286	Senate Bill No. 1673
Senate Bill No. 1330	Senate Bill No. 1675
Senate Bill No. 1367	Senate Bill No. 1680
Senate Bill No. 1368	Senate Bill No. 1702
Senate Bill No. 1379	Senate Bill No. 1772
Senate Bill No. 1414	Senate Bill No. 1794
Senate Bill No. 1423	Senate Bill No. 1798

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

Senate Chamber, June 1, 2006

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 31
Senate Joint Resolution No. 32

GREGORY P. SCHMIDT, Secretary of the Senate
By David Valverde, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 1128—An act to amend Section 68152 of the Government Code, to amend Sections 209, 220, 269, 288.5, 290, 290.3, 290.46, 626.8, 647.6, 667.1, 667.5, 667.51, 667.6, 667.61, 667.71, 800, 1170.125, 1192.7, 1202.8, 1203, 1203c, 1203.06, 1203.065, 1203.075, 3000, 3001, 3005, 12022.75, 13887, and 13887.1 of, to add Sections 288.3, 288.7, 290.03, 290.04, 290.05, 290.06, 290.07, 290.08, 311.12, 311.13, 626.83, 1203e, 1203f, 5040, and 13887.5 to, to add a heading to Chapter 5.5 (commencing with Section 290) to Title 9 of Part 2 of and to add Chapter 7.55 (commencing with Section 312) and Chapter 7.65 (commencing with Section 313.5) to Title 9 of Part 1 of, and to repeal Section 311.9 of, and to repeal and add Chapter 7.5 (commencing with Section 311) and Chapter 7.6 (commencing with Section 313) to Title 9 of Part 1 of, the Penal Code, and to amend Sections 6600, 6601, 6604, 6604.1, and 6605 of the Welfare and Institutions Code, relating to sex offenders, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1160—An act to amend Section 40000.11 of, to amend, repeal, and add Sections 12801.5 and 14610.7 of, to add Sections 1653.6 and 12801.1 to, and to add and repeal Section 12801.9 of, the Vehicle Code, relating to vehicles.

SENATE BILL NO. 1162—An act to add Section 1182.12 to the Labor Code, relating to the minimum wage.

SENATE BILL NO. 1168—An act to amend Section 22877 of the Government Code, relating to the Rural Health Care Equity Program.

SENATE BILL NO. 1178—An act to amend Sections 1202.8 and 3004 of, and to add Section 290.04 to, the Penal Code relating to sex offenders.

SENATE BILL NO. 1179—An act to amend Section 115800 of the Health and Safety Code, relating to recreational activities.

SENATE BILL NO. 1204—An act to add Section 6403.5 to the Labor Code, relating to health facilities.

SENATE BILL NO. 1226—An act to add Section 11011.26 to the Government Code, relating to state property.

SENATE BILL NO. 1250—An act to amend Sections 25620, 25620.1, 25620.8, 25740, 25741, 25742, 25743, 25744, 25746, 25748, and 25751 of, to add Sections 25620.15 and 25740.5 to, and to repeal Sections 25620.9, 25745, 25749, and 25750 of, the Public Resources Code, and to amend Sections 381, 399.8, and 895 of, to amend and repeal Sections 399 and 399.4 of, and to repeal Sections 383, 383.6, 384.1, 399.1, 399.2, 399.3, 399.6, 399.7, and 399.9 of, the Public Utilities Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1286—An act to add Chapter 9 (commencing with Section 39950) to Part 2 of Division 26 of the Health and Safety Code, relating to air pollution.

SENATE BILL NO. 1330—An act to amend Sections 65589.5, 65863, and 65915 of the Government Code, relating to housing.

SENATE BILL NO. 1367—An act to amend Sections 42285 and 42286 of, and to repeal Section 42285.2 of, the Education Code, relating to schools.

SENATE BILL NO. 1368—An act to add Chapter 3 (commencing with Section 8340) to Division 4.1 of the Public Utilities Code, relating to electricity.

SENATE BILL NO. 1379—An act to add Chapter 8 (commencing with Section 105440) to Part 5 of Division 103 of the Health and Safety Code, relating to public health.

SENATE BILL NO. 1414—An act to add Part 8.6 (commencing with Section 2100) to Division 2 of the Labor Code, and to add Chapter 8.9 (commencing with Section 14800) to Part 3 of Division 9 of the Welfare and Institutions Code, relating to health care.

SENATE BILL NO. 1423—An act to add Section 2265 to the Business and Professions Code, relating to the healing arts.

SENATE BILL NO. 1446—An act to amend Section 42238.51 of the Education Code, relating to public schools.

SENATE BILL NO. 1481—An act to amend Sections 1646.5, 1812.622, 3061.5, 3343.5, and 3440.3 of the Civil Code, to amend Sections 1101, 1103, 1201, 2103, 2104, 2202, 2310, 2323, 2401, 2503, 2505, 2506, 2509, 2605, 2705, 3103, 4104, 4210, 5103, 8102, 8103, 9102, 9203, 9207, 9208, 9301, 9310, 9312, 9313, 9314, 9317, 9338, 9601, 10103, 10501, 10514, 10518, 10519, 10526, 10527, 10528, 11105, 11106, and 11204 of, to amend and renumber Sections 1107, 1205, 1207, 1208, and 1209 of, to amend, renumber, and add Sections 1106, 1108, 1202, 1203, and 1204 of, to add Chapter 3 (commencing with Section 1301) to Division 1 of, to repeal Sections 1105, 1210, 2208, 10207, and 13104 of, to repeal and add Sections 1102 and 1206 of, and to repeal and add Division 7 (commencing with Section 7101) of, the Commercial Code, to amend Section 55702 of the Food and Agricultural Code, to amend Section 7152 of the Government Code, and to amend Section 574 of the Penal Code, relating to commercial transactions.

SENATE BILL NO. 1483—An act to add and repeal Section 17441 of the Family Code, relating to child support.

SENATE BILL NO. 1511—An act to add Section 43013.4 to the Health and Safety Code, relating to vehicular air pollution.

SENATE BILL NO. 1528—An act to add and repeal Section 14132.38 of the Welfare and Institutions Code, relating to Medi-Cal.

SENATE BILL NO. 1578—An act to add Chapter 8 (commencing with Section 122335) to Part 6 of Division 105 of the Health and Safety Code, relating to dogs.

SENATE BILL NO. 1628—An act to add Section 66540.9 to the Government Code, relating to the San Francisco Bay Area Water Transit Authority.

SENATE BILL NO. 1635—An act to add Sections 2933.8 and 2933.9 to the Penal Code, relating to inmates.

SENATE BILL NO. 1640—An act to amend Sections 5101, 5107, 10004.5, 10004.6, 10620, 10631, 10642, 10644, 10645, 10656, 10753.7, 10814, 10816, 10840, 10841, 10844, and 12924 of, to add Sections 142, 10826.1, and 10826.2 to, to add Part 2.11 (commencing with Section 10920) to Division 6 of, to repeal Sections 10822, 10823, 10824, and 10855 of, and to repeal and add Sections 10657, 10811, 10820, 10821, 10825, 10826, 10845, 10853, and 10854 of, the Water Code, relating to water.

SENATE BILL NO. 1673—An act to add Sections 5009.4 and 5009.5 to the Public Resources Code, relating to state parks.

SENATE BILL NO. 1675—An act to add Section 43836 to the Health and Safety Code, relating to vehicular air pollution.

SENATE BILL NO. 1680—An act to amend, repeal, and add Section 42238.5 of, and to add Sections 42238.85 and 46305.2 to, the Education Code, relating to school finance.

SENATE BILL NO. 1702—An act to add Division 112 (commencing with Section 130500) to the Health and Safety Code, relating to pharmacy assistance.

SENATE BILL NO. 1772—An act to amend Sections 111070, 111115, 111130, and 111170 of the Health and Safety Code, relating to drinking water.

SENATE BILL NO. 1794—An act to amend Section 216 of, and to add Sections 230.1, 230.2, and 731 to, the Public Utilities Code, relating to public utilities.

SENATE BILL NO. 1798—An act to amend Section 21061.3 of, and to add Section 21073 to, the Public Resources Code, relating to the environment.

The following resolutions were read:

SENATE JOINT RESOLUTION NO. 31—Relative to clean ports.

SENATE JOINT RESOLUTION NO. 32—Relative to Amyotrophic Lateral Sclerosis Awareness Month.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 475, on request of Assembly Member Frommer.

ADJOURNMENT

At 4:35 p.m., the Assembly adjourned until 6 a.m., Monday, June 5, 2006.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 1, 2006**

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

SB	RN	
1304	0612319	
1843	0615108	
Daily Total:		2
Cumulative Total:		4808

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