

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 5, 2006

**TWO HUNDRED SECOND SESSION DAY
FIVE HUNDRED FORTY-SEVENTH 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
Monday, June 5, 2006

The Assembly met at 6 a.m.

Hon. Mimi Walters, Assembly Member, 73rd 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—49:

Aghazarian	Dymally	Leslie	Plescia
Arambula	Emmerson	Levine	Runner
Bass	Garcia	Lieber	Ruskin
Bermúdez	Hancock	Liu	Saldaña
Blakeslee	Horton, Shirley	Matthews	Salinas
Canciamilla	Houston	Maze	Torrico
Chan	Jones	Mountjoy	Tran
Chavez	Keene	Mullin	Villines
Chu	Koretz	Nakanishi	Walters
Cogdill	La Malfa	Nation	Wolk
Coto	La Suer	Niello	
De La Torre	Laird	Parra	
DeVore	Leno	Pavley	

Quorum present.

At 2:04 p.m., Hon. Sam Blakeslee, 33rd 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 Benoit, Berg, Bogh, Cohn, Daucher, Goldberg, Haynes, Jerome E. Horton, Huff, Karnette, Klehs, McCarthy, Nava, Núñez, Richman, Spitzer, Strickland, Vargas, and Yee.

On personal business, and waiving per diem: Assembly Members Baca, Calderon, Harman, Lieu, Montañez, Negrete McLeod, Oropeza, Ridley-Thomas, Umberg, and Wyland.

Because of illness: Assembly Members Evans and Frommer.

EXPLANATIONS OF ABSENCE

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

May 31, 2006

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

Dear Speaker Núñez,

Please excuse me from Check-in Session on Monday, June 5, 2006 as I will be in my district attending to legislative business.

Should you have any questions please contact me or my Chief of Staff, Barry Nestande, at (951) 369-6644.

Sincerely,

JOHN J. BENOIT, Assembly Member
Sixty-fourth District

May 22, 2006

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

Dear Mr. Speaker: I respectfully request to be excused on legislative business on June 5, 2006.

Thank you in advance for your time and consideration of this matter.

Sincerely,

PATTY BERG, Assembly Member
First District

June 1, 2006

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

Dear Assembly Speaker Núñez,

This letter is a request to be excused from Check-In Session on Monday June 5, 2006 for legislative business.

Thank your for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
Sixty-fifth District

1 June, 2006

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

Dear Speaker Núñez: I request to be excused from session on Monday, June 5, 2006, due to legislative business.

Cordially yours,

REBECCA COHN, Assembly Member
Twenty-fourth District

June 1, 2006

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

Dear Speaker Núñez: I hereby request that I be excused from check-in session on Monday, June 5, 2006 to return to my District for legislative business.

Please contact me at 319-2072 with any questions. Thank you.

Sincerely,

LYNN DAUCHER, Assembly Member
Seventy-second District

June 1, 2006

*Speaker Fabian Núñez
State Capitol
Sacramento, California*

Dear Mr. Speaker: This letter is to request permission to be excused from Check-In Session on Monday, June 5, 2006 due to legislative business.

Should you have any questions, please contact my Executive Assistant, Bertha Mardueño at ext. 2045.

Sincerely,

JACKIE GOLDBERG, Assembly Member
Forty-fifth District

June 5, 2006

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

Dear Mr. Speaker: Please excuse my absence from Assembly Check-in on Monday, June 5, 2006, due to legislative business in my district.

Sincerely,

RAY HAYNES, Assembly Member
Sixty-sixth District

June 2, 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 Check-In Session on Monday, June 5, 2006, due to legislative business in my district.

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

May 8, 2006

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

Dear Mr. Speaker: I am writing to request approval to be excused from Check-In session on June 5, 2006, for legislative purposes in my district. If you have any questions, please contact Faith Conley in my office at (916) 319-2060.

Sincerely,

BOB HUFF, Assembly Member
Sixtieth District

June 2, 2006

*Hon. Fabian Núñez
Speaker of the Assembly
State Capitol
Sacramento, California*

Dear Speaker Núñez: Please excuse me from check-in session for Monday, June 5, 2006. I will be in my district conducting legislative business.

Thank you.

Sincerely,

BETTY KARNETTE, Assembly Member
Fifty-fourth District

May 31, 2006

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

Dear Speaker Núñez: I would like to request permission to be excused from Check-in Session on June 5, 2006. I have District business to attend to.

If you have any questions please feel free to contact me at 319-2018.

Sincerely,

JOHAN KLEHS, Assembly Member
Eighteenth District

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 Monday, June 5, 2006, for legislative business.

Should you have any questions, please do not hesitate to contact Julie Sauls in my office at 319-2032.

Sincerely,

KEVIN MCCARTHY, Assembly Member
Thirty-second District

June 1, 2006

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

Dear Speaker Núñez: I am requesting approval to be excused from Check-in Session on Monday, June 5, 2006, on legislative business. Your attention to this matter is very much appreciated.

Sincerely,

PEDRO NAVA, Assembly Member
Thirty-fifth District

June 5, 2006

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

Dear Dotson: This is to advise you that I will be absent from Session today on legislative business.

Sincerely,

FABIAN NÚÑEZ
Speaker of the Assembly

June 1, 2006

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

Dear Speaker Núñez: I respectfully request that I be excused from check-in, June 5, 2006, so that I can take care of legislative business in my district.

Thank you for your consideration in this matter. If you should have any questions, please call Connie in my Capitol office any time at 916-319-2038.

Sincerely,

KEITH S. RICHMAN, M.D., Assembly Member
Thirty-eighth District

June 1, 2006

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

Dear Mr. Speaker: I would like to be excused from Check-In session on Monday, June 5, 2006, for legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

May 31, 2006

Speaker Núñez
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez: I am writing to respectfully request permission to be excused from Check In Session on Monday, June 5, 2006. I will be attending to legislative business in my district.

If you have any questions, please do not hesitate to contact Jennifer Vitela in my Capitol Office at (916) 319-2037. Your consideration of this request is greatly appreciated.

Sincerely,

AUDRA STRICKLAND, Assembly Member
Thirty-seventh District

May 24, 2006

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

Dear Mr. Speaker,

I respectfully request permission to be excused from Check-In session and all legislative duties scheduled for Monday, June 5, 2006. I will be conducting legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

JUAN VARGAS, Assembly Member
Seventy-ninth District

June 1, 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 Monday June 5, 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 5, 2006

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

Assembly Joint Resolution No. 46

Assembly Joint Resolution No. 48

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of June, 2006, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 5, 2006

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

Assembly Concurrent Resolution No. 144

Assembly Concurrent Resolution No. 146

Assembly Concurrent Resolution No. 153

Assembly Concurrent Resolution No. 154

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of June, 2006, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS

Committee on Health

June 5, 2006

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

Senate Bill No. 676

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

CHAN, Chair

SENATE BILL NO. 676—An act to add Section 14105.16 to the Welfare and Institutions Code, 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 Transportation

June 5, 2006

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

Assembly Concurrent Resolution No. 151

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

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 151—Relative to grade separation projects.

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 Higher Education

June 5, 2006

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

Senate Bill No. 160

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

LIU, Chair

SENATE BILL NO. 160—An act to amend Section 76300 of, and to add Section 66021.6 to, the Education Code, relating to student financial aid.

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 Housing and Community Development

June 5, 2006

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Senate Bill No. 1560

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

MULLIN, Chair

SENATE BILL NO. 1560—An act to amend Section 1363.03 of the Civil Code, relating to common interest developments, 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 Appropriations**

June 5, 2006

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

Senate Bill No. 412

Senate Bill No. 559

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

CHU, Chair

SENATE BILL NO. 412—An act to add and repeal Chapter 10.5 (commencing with Section 4600) to Division 2 of the Business and Professions Code, relating to massage therapy.

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.

SENATE BILL NO. 559—An act to amend Sections 51222 and 51241 of, and to add Article 9.5 (commencing with Section 44620) to Chapter 3 of Part 25 to, the Education Code, relating to physical education, and making an appropriation therefor.

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.

ADJOURNMENT

At 3:30 p.m., the Assembly adjourned until 9:30 a.m., Thursday, June 8, 2006.

SALLY J. LIEBER, Assistant Speaker pro Tempore

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 5, 2006**

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

ACR RN

151 0615335

SB RN

160 0615513

412 0615592

559 0615407

676 0614241

1560 0615673

Daily Total:**6****Cumulative Total:****4814**

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