

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, June 6, 2005

EIGHTY-THIRD SESSION DAY

ONE HUNDRED EIGHTY-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
Monday, June 6, 2005

The Assembly met at 7 a.m.

Hon. John J. Benoit, Assembly Member, 64th District, presiding.

Assistant Chief Clerk Lawrence A. Murman at the Desk.

Assistant Clerk Neva Parker reading.

ROLL CALL

The following were placed upon the morning roll call—71:

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

Quorum present.

At 2:20 p.m., Hon. Tim Leslie, 4th 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 Daucher, Evans, and Ruskin.

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

Because of illness: Assembly Members Gordon, Oropeza, and Parra.

The following Assembly Members were excused for the day, and their per diem was waived: Cohn and Shirley Horton.

EXPLANATIONS OF ABSENCE

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

June 3, 2005

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

Dear Mr. Speaker: I respectfully request that I be excused from Monday's check-in session. I will be in the district on legislative business.

Thank you for your consideration of my request. If you have any questions, please do not hesitate to contact my office and I will ensure an immediate reply.

Sincerely,

LYNN DAUCHER, Assembly Member
Seventy-second District

June 3, 2005

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

Dear Speaker Núñez: Please excuse me from Check-in Session on Monday, June 6 and Tuesday, June 7, 2005 for legislative business in my district.

Thank you for your consideration.

Very truly yours,

NOREEN EVANS, Assembly Member
Seventh District

June 6, 2005

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

Dear Mr. Speaker: Due to legislative business in my district office in Pasadena I was unable to check in today and I am foregoing my per diem as a result. I will return to Sacramento on Tuesday, June 7.

Please contact my assistant, Robin Robinson at x2470 if you have any questions.

Thank you.

Sincerely,

CAROL LIU, Assembly Member
Forty-fourth District

June 2, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol, Room 3016
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Check in Session on June 6, 2005 due to Legislative Business in my district.

If your staff should have any additional questions please feel free to contact Traci Holt at 916-319-2021.

Respectfully,

IRA RUSKIN, Assembly Member
Twenty-first District

COMMUNICATIONS

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

June 6, 2005

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Rudy Bermúdez to replace Assemblymember Joe Canciamilla on the Assembly Revenue and Taxation Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 6, 2005

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

Dear Dotson: Please be advised that I have appointed Assemblymember Hector De La Torre to replace Assemblymember Mike Gordon on the Assembly Health Committee for the Tuesday, June 7th hearing.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

June 6, 2005

*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 Jackie Goldberg to replace Assemblymember Noreen Evans on the Assembly Judiciary Committee for the Tuesday, June 7th hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 72—Wyland. Relative to Voter Awareness Week.

AUTHOR’S AMENDMENTS

Committee on Governmental Organization

June 6, 2005

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 611

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

JEROME HORTON, Chair

ASSEMBLY BILL NO. 611—An act to amend Sections 19805 and 19984 of the Business and Professions Code, relating to gambling.

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

June 6, 2005

Mr. Speaker: The Chair of your Committee on Education reports: Senate Bill No. 319

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

GOLDBERG, Chair

SENATE BILL NO. 319—An act to add Section 47632.6 to the Education Code, relating to public education funding.

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

June 6, 2005

Mr. Speaker: The Chair of your Committee on Education reports: Senate Bill No. 821

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

GOLDBERG, Chair

SENATE BILL NO. 821—An act to amend Section 41326 of the Education Code, relating to education finance.

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

June 6, 2005

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Senate Bill No. 723

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

LENO, Chair

SENATE BILL NO. 723—An act to amend 6608.5 of the Welfare and Institutions Code, relating to mental health.

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 Water, Parks and Wildlife

June 6, 2005

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Senate Bill No. 347

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

WOLK, Chair

SENATE BILL NO. 347—An act to amend Section 12670.11 of the Water Code, relating to water.

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

June 6, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 287

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

SALINAS, Chair

SENATE BILL NO. 287—An act to amend and repeal Section 20133 of the Public Contract Code, relating to public contracts.

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

June 6, 2005

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

Assembly Bill No. 1769

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

TORRICO, Chair

ASSEMBLY BILL NO. 1769—An act to amend Sections 31468 and 31522.5 of, to add Section 6254.18 to, and to repeal Section 31539 of, the Government Code, relating to county employees' retirement, 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 Higher Education

June 6, 2005

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

Senate Bill No. 845

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

LIU, Chair

SENATE BILL NO. 845—An act to amend Sections 44260, 44260.1, 44260.2, and 44260.3 of the Education Code, relating to vocational education.

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

June 6, 2005

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

Senate Bill No. 440

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

JONES, Chair

SENATE BILL NO. 440—An act to add Title 1.81.23 (commencing with Section 1798.90.5) to Part 4 of Division 3 of the Civil Code, relating to personal information disclosures.

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 6, 2005

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

Senate Bill No. 326

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

MULLIN, Chair

SENATE BILL NO. 326—An act to amend Section 65589.4 of the Government Code, relating to housing.

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 Business and Professions

June 6, 2005

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Concurrent Resolution No. 67

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

NEGRETE McLEOD, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 67—Relative to the Wadie P. Deddeh State Office Building.

Resolution read; 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 Public Safety

June 1, 2005

Mr. Speaker: Your Committee on Public Safety reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 305
Assembly Bill No. 603

Assembly Bill No. 808
Assembly Bill No. 1109

LENO, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Labor and Employment

May 23, 2005

Mr. Speaker: Your Committee on Labor and Employment reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 222

KORETZ, Chair

Above bill ordered filed with the Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber, June 2, 2005

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

Senate Bill No. 11
Senate Bill No. 33
Senate Bill No. 153

Senate Bill No. 469
Senate Bill No. 568
Senate Bill No. 750

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. 11—An act to add Sections 12154 and 85303.5 to the Government Code, relating to elective office.

SENATE BILL NO. 33—An act to amend Sections 285, 288.1, 1000.12, and 1203.066 of, and to repeal Section 1000.13 of, the Penal Code, relating to sexual abuse.

SENATE BILL NO. 153—An act to add Chapter 1.698 (commencing with Section 5096.700) to Division 5 of the Public Resources Code, relating to public resources.

SENATE BILL NO. 469—An act to amend Section 101 of, and to add Sections 336.7, 357.3, and 9011.5 to, the Elections Code, relating to petitions.

SENATE BILL NO. 568—An act to amend Sections 97.2, 97.3, and 97.73 of the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 750—An act to add Section 14066.5 to, and to add Article 2.93 (commencing with Section 14091.25) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to Medi-Cal.

ADJOURNMENT

At 10 p.m., the Assembly adjourned until 7 a.m., Tuesday, June 7, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 6, 2005**

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

AB RN

611 0514465
1769 0514949

ACR RN

67 0514767

SB RN

287 0514865
319 0513879
326 0515021
347 0514973
440 0514953
723 0514126
821 0514652
845 0514189

Daily Total: 11

Cumulative Total: 1909

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