

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, August 8, 2006

**TWO HUNDRED SEVENTEENTH SESSION DAY
SIX HUNDRED ELEVENTH 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, August 8, 2006

The Assembly met at 7 a.m.

Hon. Simón Salinas, Assembly Member, 28th 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—74:

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

Quorum present.

At 2:19 p.m., Hon. Ronald Calderon, 58th 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 Frommer and Torrico.

On personal business, and waiving per diem: Assembly Members Maze and Wyland.

Because of illness: Assembly Member Tran.

EXPLANATIONS OF ABSENCE

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

August 7, 2006

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

Dear Mr. Speaker: I respectfully request an excuse for Assembly Check In Session on August 8, 2006, for legislative business in my District.

Thank you for your attention to this request. If you have any questions, please telephone my Chief of Staff, Dan Reeves, at 319-2043.

Sincerely,

DARIO FROMMER, Assembly Member
Forty-third District

August 8, 2006

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

Dear Mr. Speaker: Although I was in Sacramento today, I failed to check in at the Assembly desk. Please excuse my absence for Assembly legislative business.

Sincerely,

ALBERTO TORRICO, Assembly Member
Twentieth District

SPECIAL COMMITTEE MEETINGS

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

Business and Professions, on Wednesday, August 16, 2006.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 8, 2006

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

Assembly Joint Resolution No. 55

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 162—Bogh. Relative to CDF Firefighter Chris Kanton Memorial Highway.

ASSEMBLY JOINT RESOLUTION NO. 57—Tran. Relative to Taiwan.

HOUSE RESOLUTION NO. 33—Houston. Relative to the establishment of the National Zoonotic and Agricultural Research Center.

AUTHOR'S AMENDMENTS
Committee on Appropriations

August 8, 2006

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

Senate Bill No. 503

Senate Bill No. 1398

Senate Bill No. 1206

Senate Bill No. 1451

Senate Bill No. 1260

Senate Bill No. 1750

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

CHU, Chair

SENATE BILL NO. 503—An act to add Section 14133.231 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.

SENATE BILL NO. 1206—An act to amend Sections 33030, 33320.1, 33352, 33367, 33378, 33445, 33485, 33486, 33500, and 33501 of, and to add Sections 33501.1, 33501.2, 33501.3, and 33501.7 to, the Health and Safety Code, relating to redevelopment.

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. 1260—An act to amend Sections 125118, 125119, 125119.3, 125119.5, and 125300 of, and to add Chapter 2 (commencing with Section 125330) to Part 5.5 of Division 106 of, the Health and Safety Code, relating to reproductive 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.

SENATE BILL NO. 1398—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.

SENATE BILL NO. 1451—An act to add Section 8588.15 to the Government Code, relating to public safety.

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. 1750—An act to amend Sections 8265 and 8448 of, to repeal Section 8269 of, and to repeal and add Sections 8267 and 8268 of, the Education Code, relating to child development centers, 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

August 8, 2006

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

Senate Bill No. 1210

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

CHU, Chair

SENATE BILL NO. 1210—An act to amend Sections 1250.410, 1255.040, 1255.410, 1255.450, and 1255.460 of, to add Section 1263.025 to, and to repeal Sections 1255.420 and 1255.430 of, the Code of Civil Procedure, to add Section 1091.6 to the Government Code, and to amend Section 33333.2 of the Health and Safety Code, relating to eminent domain.

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

August 8, 2006

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

Senate Bill No. 739

Senate Bill No. 1405

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

CHU, Chair

SENATE BILL NO. 739—An act to add Article 3.5 (commencing with Section 1288.5) to Chapter 2 of Division 2 of the Health and Safety Code, relating to health facilities.

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. 1405—An act to add and repeal Section 14122.5 of the Welfare and Institutions Code, relating to health care.

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

August 8, 2006

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

Senate Bill No. 162

Senate Bill No. 1555

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

CHU, Chair

SENATE BILL NO. 162—An act amend Sections 6253.4, 6254.18, 8169.5, and 12803 of, and to add Section 11554.5 to, the Government Code, and to amend Sections 20, 21, 21.2, 100100, 100105, and 100170 of, to amend and renumber Sections 100175, 100180, 100182, 100185, and 100190 of, and to add Division 112 (commencing with Section 131000) to, the Health and Safety Code, relating to 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.

SENATE BILL NO. 1555—An act to amend Sections 124977 and 125001 of, to add Sections 1604.6 and 125002 to, and to add Article 4 (commencing with Section 123370) to Chapter 1 of Part 2 of Division 106 of, the Health and Safety Code, relating to cord blood banking, 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.

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

ASSEMBLY JOINT RESOLUTION NO. 43—Relative to the continued existence and funding of the federal TRIO programs.

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

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 626, 1806, 1010, 1737, and 1666, ordered to third reading;

Senate Bills Nos. 1224 and 1843, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 928—An act to amend Sections 41780, 41820.5, and 41820.6 of the Public Resources Code, relating to solid waste.

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

SENATE BILL NO. 1818—An act to add Section 801 to the Government Code, relating to attorney's fees.

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

SENATE BILL NO. 1056—An act to add Sections 6901.5 and 52251.5 to the Food and Agricultural Code, relating to agriculture.

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

SENATE BILL NO. 1489—An act to repeal and add Section 1021.8 of the Code of Civil Procedure, relating to attorney's fees.

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

SENATE BILL NO. 1311—An act relating to liability waivers.

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

SENATE BILL NO. 746—An act to amend Sections 19533 and 19601 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1560—An act to amend Sections 1363.03 and 1365.2 of the Civil Code, relating to common interest developments, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

SENATE BILL NO. 1430—An act to amend Section 56.10 of the Civil Code, to amend Sections 101080 and 101085 of, and to add Sections 101080.2 and 120176 to, the Health and Safety Code, relating to public health.

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

SENATE BILL NO. 458—An act to amend Sections 14087.51 and 14087.54 of the Welfare and Institutions Code, relating to health care.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1404—An act to amend, repeal, and add Section 22507.6 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1626—An act to amend Section 790 of the Welfare and Institutions Code, relating to juvenile crime.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1745—An act to add Section 53.5 to the Civil Code, relating to discrimination.

Bill read second time, and ordered to third reading.

BILLS RETURNED TO THIRD READING FILE

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

Assembly Bill No. 2243, on request of Assembly Member Cohn;

Senate Bills Nos. 225, 441, 308, 524, 768, 1021, 1122, and 1123, on request of Assembly Member Cohn.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, August 9, 2006.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 8, 2006**

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

AJR	RN
43	0618014

SB	RN
162	0619546
503	0619111
739	0619400
928	0618362
1056	0618369
1206	0619444
1210	0619484
1260	0618913
1311	0618241
1398	0618806
1405	0619397
1430	0618268
1451	0619479
1489	0618238
1555	0619431
1560	0618435
1750	0619380
1818	0618507

Daily Total:	19
Cumulative Total:	5384