

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, August 15, 2006**

**TWO HUNDRED TWENTY-FIRST SESSION DAY  
SIX HUNDRED EIGHTEENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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**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 15, 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—76:

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

Quorum present.

**At 12:16 p.m., Hon. Patty Berg, 1st 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, Karnette, and Pavley.*

**EXPLANATIONS OF ABSENCE**

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

August 14, 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 Tuesday, August 15, 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

August 10, 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 on August 15, 2006 due to legislative business in my district.

Thank you for your assistance. Please contact Jennifer Haymore of my office should any questions arise.

Sincerely,

FRAN PAVLEY, Assembly Member  
Forty-first District

(NOTE: For letter explaining the absence of Assembly Member Karnette on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 14, 2006.)

**COMMUNICATIONS**

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

August 15, 2006

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: This is to advise you that, in addition to Assemblymember Barbara Matthews as the chair, I have appointed the following members to the Select Committee on the Development of a 10th University of California, Merced Campus:

Assemblymember Greg Aghazarian  
Assemblymember Juan Arambula  
Assemblymember Dave Cogdill  
Assemblymember Jackie Goldberg  
Assemblymember Ira Ruskin

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

August 15, 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 Gene Mullin to replace Assemblymember Betty Karnette on the Assembly Appropriations Committee for the Wednesday, August 16 hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 167—Pavley.** Relative to nonpetroleum, clean alternative fuels.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 15, 2006

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 2301

And reports the same correctly enrolled, and presented to the Governor on the 15th day of August, 2006, at 10:15 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 15, 2006

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 99

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, August 15, 2006

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 161  
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Business and Professions**

Date of Hearing: August 15, 2006

Mr. Speaker: Your Committee on Business and Professions reports:  
Assembly Bill No. 463  
With the recommendation: That Senate amendments be concurred in.

NEGRETE McLEOD, Chair

Above bill ordered to unfinished business file.

**Committee on Public Safety**

June 28, 2006

Mr. Speaker: Your Committee on Public Safety reports the following bill pursuant to the provisions of Joint Rule 62(a):  
Senate Bill No. 1182

LENO, Chair

Above bill ordered filed with the Chief Clerk.

July 6, 2006

Mr. Speaker: Your Committee on Public Safety reports the following bill pursuant to the provisions of Joint Rule 62(a):  
Senate Bill No. 1830

LENO, Chair

Above bill ordered filed with the Chief Clerk.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 14, 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. 60  
Senate Bill No. 1842

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

Senate Chamber, August 14, 2006

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:  
Assembly Bill No. 1859

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

Above bill ordered enrolled.

Senate Chamber, August 14, 2006

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:  
Assembly Bill No. 1591  
Assembly Bill No. 2470  
And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

August 14, 2006

*The Honorable E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bills Nos. 1510 and 1224 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT  
 Secretary of the Senate

Above bills held at Desk.

**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. 1015**, on request of Assembly Member Frommer.

**CONSIDERATION OF DAILY 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. 638, 988, 1667, 1805, 1578, and 960**, ordered to third reading;

**Senate Bills Nos. 1359 and 1726**, ordered to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 775**—An act to amend Section 4050 of the Water Code, relating to water.

Bill read second time; amendments proposed by the Committee on Appropriations 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. 1277**—An act to amend Section 16953.3 of the Welfare and Institutions Code, relating to health care.

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

**SENATE BILL NO. 1356**—An act to amend Section 4098 of, and to add Section 4098.6 to, the Welfare and Institutions Code, relating to suicide prevention.

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

**SENATE BILL NO. 1116**—An act to amend Sections 2352, 2540, 2543, 2590, and 2591 of, and to add Sections 2352.5 and 2591.5 to, the Probate Code, relating to conservatorships.

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

**SENATE CONCURRENT RESOLUTION NO. 99**—Relative to honoring the Sisters of Mercy.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

**SENATE BILL NO. 438**—An act to add Section 1638.1 to the Business and Professions Code, relating to oral and maxillofacial surgery, and making an appropriation therefor.

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

**ADJOURNMENT**

At 4:38 p.m., the Assembly adjourned until 7 a.m., Wednesday, August 16, 2006.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 15, 2006**

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

**SB RN**

438 0619813

775 0619807

1116 0619953

1277 0619843

1356 0619808

**SCR RN**

99 0619672

**Daily Total: 6****Cumulative Total: 5457**

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