

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 16, 2006**

**TWO HUNDRED TWENTY-SECOND SESSION DAY  
SIX HUNDRED NINETEENTH 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  
Wednesday, August 16, 2006

The Assembly met at 7 a.m.

Hon. Dennis Mountjoy, Assembly Member, 59th 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	DeVore	Laird	Pavley
Arambula	Dymally	Leno	Plescia
Baca	Emmerson	Leslie	Richman
Bass	Evans	Levine	Ridley-Thomas
Benoit	Frommer	Lieber	Runner
Berg	Garcia	Lieu	Ruskin
Bermúdez	Goldberg	Liu	Saldaña
Blakeslee	Hancock	Matthews	Salinas
Bogh	Haynes	Maze	Strickland
Calderon	Horton, Jerome	Montañez	Torrico
Canciamilla	Horton, Shirley	Mountjoy	Tran
Chan	Houston	Mullin	Umberg
Chavez	Huff	Nakanishi	Vargas
Chu	Jones	Nation	Villines
Cogdill	Keene	Nava	Walters
Cohn	Klehs	Negrete McLeod	Wolk
Coto	Koretz	Niello	Wyland
Daucher	La Malfa	Oropeza	Yee
De La Torre	La Suer	Parra	Mr. Speaker

Quorum present.

**At 1:30 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 Karnette, McCarthy, and Spitzer.*

**EXPLANATIONS OF ABSENCE**

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

August 16, 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 Wednesday, August 16, 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

August 7, 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 session on Wednesday, August 16, 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

(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.)

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 16, 2006

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1793 | Assembly Bill No. 2652 |
| Assembly Bill No. 1995 | Assembly Bill No. 2736 |
| Assembly Bill No. 2154 | Assembly Bill No. 2853 |
| Assembly Bill No. 2293 | Assembly Bill No. 2882 |
| Assembly Bill No. 2358 | Assembly Bill No. 2897 |
| Assembly Bill No. 2372 | Assembly Bill No. 2950 |
| Assembly Bill No. 2517 | Assembly Bill No. 3073 |
| Assembly Bill No. 2581 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of August, 2006, at 12:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 16, 2006

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

Assembly Concurrent Resolution No. 47  
 Assembly Concurrent Resolution No. 77  
 Assembly Concurrent Resolution No. 104  
 Assembly Concurrent Resolution No. 112  
 Assembly Concurrent Resolution No. 123  
 Assembly Concurrent Resolution No. 132  
 Assembly Concurrent Resolution No. 136  
 Assembly Concurrent Resolution No. 140  
 Assembly Concurrent Resolution No. 145  
 Assembly Joint Resolution No. 32  
 Assembly Joint Resolution No. 52

And reports the same correctly enrolled, and presented to the Secretary of State on the 16th day of August, 2006, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

### RESOLUTIONS

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 168—Negrete McLeod.**  
 Relative to firefighters.

### REPORTS OF STANDING COMMITTEES

#### Committee on Public Employees, Retirement and Social Security

Date of Hearing: August 16, 2006

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 357

With the recommendation: Do pass.

TORRICO, Chair

Above bill ordered to second reading.

### MESSAGES FROM THE SENATE

Senate Chamber, August 16, 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. 579  
 Senate Bill No. 933  
 Senate Bill No. 1304  
 Senate Bill No. 1400  
 Senate Bill No. 1586

Senate Bill No. 1607  
 Senate Bill No. 1843  
 Senate Bill No. 1850  
 Senate Bill No. 372  
 Senate Bill No. 1261

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

Senate Chamber, August 16, 2006

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

Assembly Bill No. 96	Assembly Bill No. 2520
Assembly Bill No. 158	Assembly Bill No. 2543
Assembly Bill No. 225	Assembly Bill No. 2550
Assembly Bill No. 307	Assembly Bill No. 2619
Assembly Bill No. 1122	Assembly Bill No. 2650
Assembly Bill No. 1602	Assembly Bill No. 2711
Assembly Bill No. 1943	Assembly Bill No. 2740
Assembly Bill No. 1959	Assembly Bill No. 2777
Assembly Bill No. 2034	Assembly Bill No. 2867
Assembly Bill No. 2049	Assembly Bill No. 2870
Assembly Bill No. 2085	Assembly Bill No. 2884
Assembly Bill No. 2095	Assembly Bill No. 2890
Assembly Bill No. 2156	Assembly Bill No. 2893
Assembly Bill No. 2165	Assembly Bill No. 2939
Assembly Bill No. 2179	Assembly Bill No. 3011
Assembly Bill No. 2198	Assembly Bill No. 3058
Assembly Bill No. 2226	Assembly Bill No. 3062
Assembly Bill No. 2285	Assembly Bill No. 3063
Assembly Bill No. 2369	Assembly Bill No. 3070
Assembly Bill No. 2373	Assembly Bill No. 3076
Assembly Bill No. 2400	

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.

Senate Chamber, August 16, 2006

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

Assembly Bill No. 159	Assembly Bill No. 1980
Assembly Bill No. 343	Assembly Bill No. 1986
Assembly Bill No. 525	Assembly Bill No. 2059
Assembly Bill No. 633	Assembly Bill No. 2102
Assembly Bill No. 675	Assembly Bill No. 2137
Assembly Bill No. 956	Assembly Bill No. 2147
Assembly Bill No. 970	Assembly Bill No. 2177
Assembly Bill No. 1076	Assembly Bill No. 2184
Assembly Bill No. 1147	Assembly Bill No. 2209
Assembly Bill No. 1430	Assembly Bill No. 2214
Assembly Bill No. 1683	Assembly Bill No. 2430
Assembly Bill No. 1795	Assembly Bill No. 2435
Assembly Bill No. 1832	Assembly Bill No. 2645
Assembly Bill No. 1850	Assembly Bill No. 2676
Assembly Bill No. 1873	

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.

Senate Chamber, August 16, 2006

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

Assembly Joint Resolution No. 31  
Assembly Joint Resolution No. 51

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, August 16, 2006

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

Assembly Bill No. 1319  
Assembly Bill No. 1851  
Assembly Bill No. 2002  
Assembly Bill No. 2195  
Assembly Bill No. 2479

Assembly Bill No. 2533  
Assembly Bill No. 2579  
Assembly Bill No. 2588  
Assembly Bill No. 2720  
Assembly Bill No. 2858

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

Above bills ordered enrolled.

Senate Chamber, August 16, 2006

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

Assembly Bill No. 1553  
Assembly Bill No. 1184  
Assembly Bill No. 1996  
Assembly Bill No. 2060  
Assembly Bill No. 2109  
Assembly Bill No. 2139

Assembly Bill No. 2196  
Assembly Bill No. 2241  
Assembly Bill No. 2359  
Assembly Bill No. 2776  
Assembly Bill No. 2972  
Assembly Bill No. 2975

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

Above bills ordered enrolled.

Senate Chamber, August 16, 2006

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

Assembly Concurrent Resolution No. 129

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

Above resolution ordered enrolled.

**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. 1277, 1356, 1116, and 438**, ordered to third reading;

**Senate Bill No. 775**, ordered to the Consent Calendar.

**ADJOURNMENT**

At 5 p.m., the Assembly adjourned until 8:30 a.m., Thursday, August 17, 2006.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk