

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

ORGANIZATIONAL RECESS

Assembly Chamber, Sacramento
Thursday, December 9, 2004

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2005–06 Regular Session was printed while the Assembly was in Organizational Recess:

COMMUNICATIONS

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

December 1, 2004

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Richard A. Platel
to be State Bar Court Hearing Judge

Dear Mr. Wilson: Please be advised I have appointed Mr. Richard A. Platel to be a State Bar Court Hearing Judge. This is a term appointment starting December 1, 2004 and the expiration date is November 1, 2008. Mr. Platel will be filling the vacancy created by the Honorable Alban I. Niles.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 1, 2004

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of John O'Rourke
to Contractors' State License Board

Dear Mr. Wilson: Please be advised I have appointed Mr. John O'Rourke to the Contractors' State License Board. This is a term appointment starting December 1, 2004 and the expiration date is June 1, 2008. Mr. O'Rourke will be replacing Mr. Chuck Center.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 1, 2004

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Larry Yee
to Acupuncture Board

Dear Mr. Wilson: Please be advised I have appointed Mr. Larry Yee to the Acupuncture Board. This is a term appointment starting December 1, 2004 and the expiration date is June 1, 2008. Mr. Yee will be replacing Ms. Min Chang.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 1, 2004

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Reappointment of Andrea Zinder
to Board of Pharmacy

Dear Mr. Wilson: Please be advised I have reappointed Ms. Andrea Zinder to the Board of Pharmacy. This is a term appointment starting December 1, 2004 and the expiration date is June 1, 2008.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

December 9, 2004

Mr. E. Dotson Wilson
Chief Clerk, California State Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Hector De La Torre
to California Cultural and Historical Endowment

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Hector De La Torre to the California Cultural and Historical Endowment. This is a pleasure appointment starting December 9, 2004. Hon. De La Torre will be replacing former Assemblymember Marco Firebaugh.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

The following communication was presented by the Chief Clerk and ordered printed in the Journal:

December 7, 2004

The Honorable Liz Figueroa
State Capitol, Room 4061
Sacramento, California

Dear Senator Figueroa: The Senate Rules Committee has appointed you to serve as Chair of the Joint Committee on Boards, Commissions and Consumer Protection for the 2005–06 Session. The Rules Committee appointed Senators Aanestad and Vincent to serve as members of the joint committee.

Sincerely,

GREGORY SCHMIDT
Secretary of the Senate

Proposed Initiatives

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title and summary of the following proposed initiative, dated November 30, 2004, pursuant to Elections Code, Section 9007:

Redistricting. Initiative Constitutional Amendment SA2004RF0031

Referred by the Speaker to the Committee on Elections and Redistricting.

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2004-111
December 9, 2004

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the process and related costs incurred by the departments of Developmental Services (Developmental Services), the Youth Authority (Youth Authority), and Mental Health (Mental Health) to house sex offenders in the community.

This report concludes that Developmental Services cannot identify the total number of individuals it serves who are sex offenders, and is not required to do so. Consequently, it cannot isolate the costs associated with placing them in local communities. Furthermore, when regional centers identify sex offenders, they face barriers in placing them in local communities. We also found that the Youth Authority's out-of-home placement standards do not conform to laws and regulations otherwise governing housing facilities. In addition, its parole offices do not always follow procedures for supervising parolees who are sex offenders. Moreover, the Youth Authority's contracts with homes do not contain some of the elements of a valid contract and it cannot track the cost of housing sex offenders in the community because it lacks adequate controls over its billing system. Although only three sexually violent predators (SVPs) have been released to Mental Health's Forensic Conditional Release Program, procuring housing for SVPs may continue to be difficult, and the program has proven costly given the small number of people who qualify. Mental Health could improve its fiscal oversight of the program by routinely performing audits and detailed reviews of costs. Finally, the State currently has no process to measure how successful the SVP component of its Forensic Conditional Release Program is or to determine how to improve it.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Public Safety.

The following reports were presented by the Chief Clerk:

**Disabled Veterans Bond Services Participation Report
(Pursuant to Military and Veterans Code Section 999.7)**

Above transmitted report, together with letter of transmittal from Theresa A. Parker, Executive Director, California Housing Finance Agency, dated December 1, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Small Business/Disabled Veterans Business Enterprise (DVBE)
Improvement Plan Report
(Pursuant to Public Contract Code Section 10115.5,
Military and Veterans Code Section 999.7,
and Government Code Section 14840)**

Above transmitted report, together with letter of transmittal from Patrick W. Henning, Director, Employment Development Department, dated December 6, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 61—Houston. An act relating to education finance.

ASSEMBLY BILL NO. 62—Strickland. An act to amend Section 218 of the Revenue and Taxation Code relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 63—Strickland. An act to add Part 4.7 (commencing with Section 19940) to Division 13 of the Health and Safety Code, relating to housing for the elderly and disabled.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

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