

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 13, 2005**

**ONE HUNDRED FIFTH SESSION DAY  
TWO HUNDRED TWENTIETH 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, July 13, 2005

The Assembly met at 1:03 p.m.  
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Brian Ebbert reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Villines moved a quorum call of the Assembly.  
Motion carried.

At 1:04 p.m., Speaker pro Tempore Yee placed a quorum call upon  
the Assembly.

The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### CAUCUS ANNOUNCEMENTS

At 1:17 p.m., Assembly Member Bogh was granted unanimous  
consent that the Republican Caucus be permitted to meet in the  
Tom Bane Rules Committee Room.

#### QUORUM PRESENT

At 2:06 p.m., Speaker pro Tempore Yee declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—77:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Father Constantine C. Pappademos:

*Lord, You keep Your promise and You will not allow us to be tested beyond our power to remain steadfast. When we are put to the test, You give us the strength to endure it and provide us with a solution. For You know what we long for and You hear us when we pray to You. Now Lord, we ask that You keep us safe and bless us, so that we may continue our good work and glorify You.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Yee, Assembly Member Leno then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Bass, seconded by Assembly Member Cogdill.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*On personal business, and waiving per diem: Assembly Member Ridley-Thomas.*

*Because of illness: Assembly Member Cohn.*

**COMMUNICATIONS**

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

July 12, 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 John Laird to replace Assemblymember Mark Ridley-Thomas on the Assembly Appropriations Committee for the Wednesday, July 13 hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

July 13, 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 the following members to the Select Committee on California-Latin American Affairs:

Assemblymember Joe Baca Jr.  
Assemblymember Joe Coto  
Assemblymember Bonnie Garcia  
Assemblymember Shirley Horton  
Assemblymember Lori Saldaña  
Assemblymember Simón Salinas

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

July 13, 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 Mark Ridley-Thomas on the Assembly Transportation Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

July 13, 2005

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

Re: Appointment of Stephen Padilla  
to California Coastal Commission

Dear Mr. Wilson: Please be advised I have appointed Mayor Stephen Padilla to the California Coastal Commission. This is a term appointment starting July 13, 2005 and the expiration date is May 20, 2009. Mayor Padilla will be replacing Councilmember Scott Peters.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

July 13, 2005

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

Re: Appointment of Dave Potter  
to California Coastal Commission

Dear Mr. Wilson: Please be advised I have reappointed Supervisor Dave Potter to the California Coastal Commission. This is a term appointment starting July 13, 2005 and the expiration date is May 20, 2009.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

July 13, 2005

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

Re: Appointment of Mustapha Sesay  
to Structural Pest Control Board

Dear Mr. Wilson: Please be advised I have appointed Mr. Mustapha Sesay to the Structural Pest Control Board. This is a term appointment starting July 13, 2005 and the expiration date is June 1, 2008.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**REPORTS**

The following reports were presented by the Chief Clerk:

**Report on Purchase and Lease of Recording Equipment  
by Superior Courts  
(Pursuant to Senate Bill 1102, Chapter 227, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated July 6, 2005, referred by the Speaker to the Committee on Judiciary.

**Special Weapons and Tactics (SWAT)  
Operational Guidelines and Standardized Training Recommendations  
(Pursuant to Penal Code Section 13514.1)**

Above transmitted report, together with letter of transmittal from Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, dated July 1, 2005, referred by the Speaker to the Committee on Public Safety.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 13, 2005

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

Assembly Concurrent Resolution No. 73

Assembly Constitutional Amendment No. 18

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

**BILLS PLACED ON INACTIVE FILE**

The following bills were placed upon the inactive file:

**House Resolution No. 16**, on request of Assembly Member Hancock;

**Senate Bills Nos. 798, 802, and 800**, on request of Assembly Member Bass.

**BILLS REMOVED FROM CONSENT CALENDAR**

The following bills were removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

**Senate Bills Nos. 430 and 402**, on request of Assembly Member Bass.

**BILLS RETURNED TO THIRD READING FILE**

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

**Assembly Concurrent Resolution No. 36**, on request of Assembly Member Berg.

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Yee announced his intention to request that Assembly Bill No. 450 be removed from the inactive file.

**ACTION RESCINDED ON SENATE BILL NO. 527**

Assembly Member Bass was granted unanimous consent to rescind the action whereby the Assembly, on June 23, 2005 (Assembly Journal, page 2384), passed Senate Bill No. 527, and whereby the bill was ordered transmitted to the Senate.

**BILLS WITHDRAWN FROM ENROLLMENT**

By unanimous consent, the following bills were withdrawn from enrollment and returned to the Senate for further action:

Assembly Bill No. 865, upon request of Assembly Member Ruskin;

Assembly Bills Nos. 879 and 1772, upon request of Assembly Member Torrico.

**REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1758**

Assembly Member Umberg was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1758; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on July 6, 2005 (Assembly Journal, page 2541); and that the bill be returned to the Senate for further action.

**BILLS RETURNED TO SENATE**

Assembly Member Harman was granted unanimous consent that Assembly Bill No. 203 be returned to the Senate for further action.

Assembly Member Levine was granted unanimous consent that Assembly Bill No. 1104 be returned to the Senate for further action.

**GOVERNOR’S VETO STRICKEN FROM FILE**

Assembly Member Yee was granted unanimous consent that the Governor’s veto of Assembly Bill No. 467 be stricken from file.

**RE-REFERENCE OF BILLS**

Assembly Member Bass was granted unanimous consent that Senate Bill No. 905 be re-referred from the Committee on Appropriations to the Committee on Health.

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES**

Assembly Member Bass requested unanimous consent to suspend the Rules to permit Assembly Member Leno to have a letter printed in the Journal.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Suspend Rules**

Assembly Member Bass moved to suspend the Rules to permit Assembly Member Leno to have a letter printed in the Journal.

Assembly Member Goldberg seconded the motion.

Motion for suspension of the Rules carried by the following vote:

**AYES—43**

Arambula	De La Torre	Leno	Pavley
Baca	Dymally	Levine	Ruskin
Bass	Evans	Lieber	Saldaña
Berg	Frommer	Liu	Salinas
Bermúdez	Goldberg	Matthews	Torrico
Calderon	Hancock	Montañez	Umberg
Canciamilla	Jones	Nation	Vargas
Chan	Karnette	Nava	Wolk
Chavez	Klehs	Negrete McLeod	Yee
Chu	Koretz	Oropeza	Mr. Speaker
Coto	Laird	Parra	

**NOES—31**

Aghazarian	Garcia	La Suer	Runner
Benoit	Harman	Leslie	Spitzer
Blakeslee	Haynes	Maze	Strickland
Bogh	Horton, Shirley	McCarthy	Tran
Cogdill	Houston	Mountjoy	Villines
Daucher	Huff	Niello	Walters
DeVore	Keene	Plescia	Wyland
Emmerson	La Malfa	Richman	

**Communications**

Pursuant to the motion by Assembly Member Bass and a roll call vote taken earlier today, the following statement of legislative intent by Assembly Member Leno was printed in the Journal:

**Legislative Intent—Assembly Bill No. 578**

June 27, 2005

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

Dear Dotson: Assembly Bill 578, Chapter 621 of the Statutes of 2004, was enacted to implement electronic recording throughout California County Recorders' offices.

This letter restates the intent of the legislation which allows a county recorder, upon adoption of an electronic recording delivery system to impose a fee [Government Code Section 27397(c)(1)]. Funds collected shall be used to reimburse the Attorney General for regulation and oversight of the electronic recording delivery system [Government Code Section 27397(d)].

The attorney General shall adopt regulations and provide oversight of the electronic recording delivery system. The adoption of regulations includes the analysis, study, and development of those regulations [Government Code Section 27393(a) and (b)].

Sincerely,

MARK LENO, Assembly Member  
Thirteenth District

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Bass requested unanimous consent that Assembly Rule 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 834.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Suspend Rules**

Assembly Member Bass moved that Assembly Rule 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 834.

Assembly Member Umberg seconded the motion.



Motion carried by the following vote:

**AYES—44**

Arambula	De La Torre	Leno	Parra
Baca	Dymally	Levine	Pavley
Bass	Evans	Lieber	Ruskin
Berg	Frommer	Liu	Saldaña
Bermúdez	Goldberg	Matthews	Salinas
Calderon	Hancock	Montañez	Torrico
Canciamilla	Jones	Mullin	Umberg
Chan	Karnette	Nation	Vargas
Chavez	Klehs	Nava	Wolk
Chu	Koretz	Negrete McLeod	Yee
Coto	Laird	Oropeza	Mr. Speaker

**NOES—32**

Aghazarian	Garcia	La Suer	Richman
Benoit	Harman	Leslie	Runner
Blakeslee	Haynes	Maze	Spitzer
Bogh	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Tran
Daucher	Huff	Nakanishi	Villines
DeVore	Keene	Niello	Walters
Emmerson	La Malfa	Plescia	Wyland

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Bass requested unanimous consent that Assembly Rule 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1769.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Suspend Rules**

Assembly Member Bass moved that Assembly Rule 77 be suspended to permit consideration of Senate amendments to Assembly Bill No. 1769.

Assembly Member Umberg seconded the motion.

Motion carried by the following vote:

**AYES—44**

Arambula	De La Torre	Leno	Parra
Baca	Dymally	Levine	Pavley
Bass	Evans	Lieber	Ruskin
Berg	Frommer	Liu	Saldaña
Bermúdez	Goldberg	Matthews	Salinas
Calderon	Hancock	Montañez	Torrico
Canciamilla	Jones	Mullin	Umberg
Chan	Karnette	Nation	Vargas
Chavez	Klehs	Nava	Wolk
Chu	Koretz	Negrete McLeod	Yee
Coto	Laird	Oropeza	Mr. Speaker

**NOES—31**

Aghazarian	Garcia	La Suer	Runner
Benoit	Harman	Leslie	Spitzer
Blakeslee	Haynes	Maze	Strickland
Bogh	Horton, Shirley	McCarthy	Tran
Cogdill	Houston	Mountjoy	Villines
Daucher	Huff	Nakanishi	Walters
DeVore	Keene	Niello	Wyland
Emmerson	La Malfa	Plescia	

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Bass requested unanimous consent to take up Senate Bill No. 1018 without reference to print or file, for the purpose of consideration.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Suspend Rules**

Assembly Member Bass moved that the Rules be suspended to permit Senate Bill No. 1018 to be taken up without reference to print or file for the purpose of consideration.

Assembly Member Umberg seconded the motion.

Motion carried by the following vote:

**AYES—45**

Arambula	Dymally	Levine	Ruskin
Baca	Evans	Lieber	Saldaña
Bass	Frommer	Liu	Salinas
Berg	Goldberg	Matthews	Torrico
Bermúdez	Hancock	Montañez	Umberg
Calderon	Horton, Jerome	Mullin	Vargas
Canciamilla	Jones	Nation	Wolk
Chan	Karnette	Nava	Yee
Chavez	Klehls	Negrete McLeod	Mr. Speaker
Chu	Koretz	Oropeza	
Coto	Laird	Parra	
De La Torre	Leno	Pavley	

**NOES—32**

Aghazarian	Garcia	La Suer	Richman
Benoit	Harman	Leslie	Runner
Blakeslee	Haynes	Maze	Spitzer
Bogh	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Tran
Daucher	Huff	Nakanishi	Villines
DeVore	Keene	Niello	Walters
Emmerson	La Malfa	Plescia	Wyland

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Bass requested unanimous consent to withdraw Senate Bill No. 66 from the inactive file, and to suspend Assembly Rule 69(b) to permit the bill to be taken up without reference to file for the purpose of amendment.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Suspend Rules**

Assembly Member Bass moved that Senate Bill No. 66 be withdrawn from the inactive file and that Assembly Rule 69(b) be suspended to permit the bill to be taken up without reference to file, for the purpose of amendment.

Assembly Member Vargas seconded the motion.

Motion carried by the following vote:

**AYES—45**

Arambula	Dymally	Levine	Ruskin
Baca	Evans	Lieber	Saldaña
Bass	Frommer	Liu	Salinas
Berg	Goldberg	Matthews	Torrico
Bermúdez	Hancock	Montañez	Umberg
Calderon	Horton, Jerome	Mullin	Vargas
Canciamilla	Jones	Nation	Wolk
Chan	Karnette	Nava	Yee
Chavez	Klehs	Negrete McLeod	Mr. Speaker
Chu	Koretz	Oropeza	
Coto	Laird	Parra	
De La Torre	Leno	Pavley	

**NOES—31**

Aghazarian	Garcia	La Suer	Runner
Benoit	Harman	Leslie	Spitzer
Blakeslee	Haynes	Maze	Strickland
Bogh	Horton, Shirley	McCarthy	Tran
Cogdill	Houston	Mountjoy	Villines
Daucher	Huff	Niello	Walters
DeVore	Keene	Plescia	Wyland
Emmerson	La Malfa	Richman	

**REQUEST TO SUSPEND RULES**

Assembly Member Bass requested unanimous consent that Joint Rule 62(a) be suspended to permit the Committee on Transportation to meet off the Floor today, for purpose of hearing Senate Bill No. 66.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Suspend Joint Rule 62(a)**

Assembly Member Bass moved that Joint Rule 62(a) be suspended to permit the Committee on Transportation to meet off the Floor today, for the purpose of hearing Senate Bill No. 66.

Assembly Member Vargas seconded the motion.

Motion for suspension of the rules carried by the following vote:

**AYES—45**

Arambula	Dymally	Levine	Ruskin
Baca	Evans	Lieber	Saldaña
Bass	Frommer	Liu	Salinas
Berg	Goldberg	Matthews	Torrico
Bermúdez	Hancock	Montañez	Umberg
Calderon	Horton, Jerome	Mullin	Vargas
Canciamilla	Jones	Nation	Wolk
Chan	Karnette	Nava	Yee
Chavez	Klehs	Negrete McLeod	Mr. Speaker
Chu	Koretz	Oropeza	
Coto	Laird	Parra	
De La Torre	Leno	Pavley	

**NOES—32**

Aghazarian	Garcia	La Suer	Richman
Benoit	Harman	Leslie	Runner
Blakeslee	Haynes	Maze	Spitzer
Bogh	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Tran
Daucher	Huff	Nakanishi	Villines
DeVore	Keene	Niello	Walters
Emmerson	La Malfa	Plescia	Wyland

**REQUEST FOR UNANIMOUS CONSENT**

Assembly Member Bass requested unanimous consent to take up Senate Bill No. 66, without reference to print or file, for the purpose of consideration.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Suspend Rules**

Assembly Member Bass moved that the Rules be suspended to permit Senate Bill No. 66 to be taken up without reference to print or file, for the purpose of consideration.

Assembly Member Vargas seconded the motion.

Motion carried by the following vote:

**AYES—43**

Arambula	Dymally	Levine	Pavley
Baca	Evans	Lieber	Ruskin
Bass	Goldberg	Liu	Saldaña
Berg	Hancock	Matthews	Salinas
Bermúdez	Horton, Jerome	Montañez	Torrico
Canciamilla	Jones	Mullin	Umberg
Chan	Karnette	Nation	Vargas
Chavez	Klehs	Nava	Wolk
Chu	Koretz	Negrete McLeod	Yee
Coto	Laird	Oropeza	Mr. Speaker
De La Torre	Leno	Parra	

**NOES—31**

Aghazarian	Garcia	La Suer	Runner
Benoit	Harman	Leslie	Spitzer
Blakeslee	Haynes	Maze	Strickland
Bogh	Horton, Shirley	McCarthy	Tran
Cogdill	Houston	Nakanishi	Villines
Daucher	Huff	Niello	Walters
DeVore	Keene	Plescia	Wyland
Emmerson	La Malfa	Richman	

**PARLIAMENTARY INQUIRY**

Assembly Member Mountjoy arose to the following parliamentary inquiry:

How can the Assembly take up Senate Bill No. 66 without reference to file when the bill has not been heard by the Committee on Transportation?

**Reply by Speaker pro Tempore Yee**

The Speaker pro Tempore replied that a roll call vote was taken to permit the Assembly to take up Senate Bill No. 66 once it is properly before the House.

**ANNOUNCEMENTS**

Assembly Member Umberg announced the birth of Antonia Rosa Mendoza, the granddaughter of Stephanie Metzler.

**INTRODUCTION OF GUESTS**

Assembly Member Dymally, of the 52nd Assembly District, introduced his sister, Hazel Dymally, Joan Branker, and Patricia Greenidge, of Trinidad.

Assembly Member Umberg, of the 69th Assembly District, introduced his daughter, Erin Umberg.

**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. 12, 57, 1105, 274, and 634**, ordered to third reading;

**Senate Bill No. 894**, ordered to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 20**—An act to amend Sections 11629.7, 11629.71, 11629.72, 11629.73, 11629.731, 11629.74, 11629.75, 11629.76, 11629.77, 11629.78, 11629.79, 11629.8, 11629.81, 11629.84, and 11629.85 of, to amend the heading of Article 5.5 (commencing with Section 11629.7) of and to repeal Article 5.6 (commencing with Section 11629.9) of Chapter 1 of Part 3 of Division 2 of, the Insurance Code, and to amend Sections 4000.37, 4000.38, 16020.1, 16020.2, and 16056.1 of the Vehicle Code, relating to auto insurance.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 506**—An act to amend Section 2194 of, and to add Section 2166.7 to, the Elections Code, and to amend Section 6254.24 of the Government Code, relating to public officials.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 922**—An act to amend Sections 6254, 6254.10, 65352.3, 65560, and 65562.5 of the Government Code, relating to public records, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 1084**—An act to amend Sections 4464, 4475, 4475.1, 4475.5, 4476, and 4480 of, and to add Section 4442.6 to, the Public Resources Code, relating to forest practices.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 739**—An act to add Sections 1279.1, 128752, and 128753 to, the Health and Safety Code, relating to health facilities.

Bill read second time; amendments proposed by the Committee on Health read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 621**—An act to add Sections 3517.63 and 19829.5 to the Government Code, relating to employment relations.

Bill read second time; amendments proposed by the Committee on Public Employees, Retirement and Social Security read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 159**—An act to add and repeal Section 4011.10 of the Penal Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 186**—An act to add Section 1363.01 to the Civil Code, relating to common interest developments.

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

**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.

Bill read second time; amendments proposed by the Committee on Elections and Redistricting read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 319**—An act to amend Section 47660 of the Education Code, relating to public education funding.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 1053**—An act to add Chapter 10 (commencing with Section 58950) to Part 31 of the Education Code, relating to schoolsite funding.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 428**—An act to amend Sections 44252.7, 44274, 44274.2, and 44275.3 of, to repeal Sections 44252, 44252.5, 44252.8, 44252.9, 44274.5, and 44830 of, and to repeal Section 13 of Chapter 902 of the Statutes of 2004, relating to teachers.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 512**—An act to amend Section 1798.3 of the Civil Code, to amend Sections 1628, 1629, Sections 8092, 8212, 8226, 8352, 15146, 38101, 41020, 41327.2, 41344, 41344.1, 41402, 41521, 41530, 41976, 41976.5, 42127, 42132, 42238.23, 42282, 42282.1, 42285, 44225.6, 44252.1, 44664, 45037, 48660.2, 48900.8, 48980, 49423, 49423.1, 51226.1, 52520, 52570, 52571, 52572, 54749, 56195.7, and 56362.7 of, to add Sections 42285.4, 44265.6, and 56836.07 to, to repeal Section 52247 of, and to repeal and add Section 48213 of, the Education Code, to amend Section 7572.5 of the Government Code, to repeal Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code, and to amend Item 6110-183-0890 of Section 2.00 of Chapter 208 of the Statutes of 2004, relating to public schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE CONCURRENT RESOLUTION NO. 42**—Relative to the California Law Revision Commission.

Resolution read; amendments proposed by the Committee on Judiciary read and adopted, resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 191**—An act to add Chapter 4.3 (commencing with Section 66230) to Part 40 of the Education Code, relating to voter registration.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 361**—An act to amend and repeal Sections 84750 and 84760 of, and to add Section 84750.5 to, the Education Code, relating to community colleges.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 724**—An act to amend Section 66010.4 of the Education Code, relating to the California State University.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 780**—An act to add Article 6.6 (commencing with Section 92675) to Chapter 6 of Part 57 of the Education Code, relating to the University of California.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 794**—An act to add Section 88532 to the Education Code, relating to vocational education.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 107**—An act to amend Sections 25740, 25741, 25743, and 25744 of, to add and repeal Section 25305.1 of, and to repeal Sections 25745 and 25749 of, the Public Resources Code, and to amend Sections 387, 399.11, 399.12, 399.13, 399.14, and 399.15 of, to add Section 399.17 to, and to add Article 9 (commencing with Section 635) to Chapter 3 of Part 1 of Division 1 of, the Public Utilities Code, relating to energy.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 426**—An act to add Article 2 (commencing with Section 25571) to Chapter 6.5 of Division 15 of the Public Resources Code, relating to energy.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 1003**—An act to add Chapter 6.5 (commencing with Section 25570) to Division 15 of the Public Resources Code, relating to the State Energy Resources Conservation and Development Commission.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**SENATE BILL NO. 56**—An act to add Sections 69613 and 69614 to the Government Code, relating to trial courts.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**RECESS**

By unanimous consent, at 2:25 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the presentation of a resolution.

Assembly Member Bass then presented a resolution to Hugh Slayden regarding his departure from the Chief Clerk's staff, whereupon Mr. Slayden addressed the assemblage.

**RECONVENED**

At 2:28 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1373 (Umberg)**—An act relating to state employees, and making an appropriation in augmentation of Items 9800-001-0001, 9800-001-0494, and 9800-001-0988 of Section 2.00 of the Budget Act of 2005, to take effect immediately as an appropriation for the usual and current expenses of the state.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Umberg moved a call of the Assembly.

Motion carried. Time, 2:30 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**ASSEMBLY BILL NO. 68 (Montanez)**—An act to amend Sections 2981 and 2982 of, and to add Sections 2982.2 and 2982.10 to, the Civil Code, to add Section 6012.3 to the Revenue and Taxation Code, and to amend Section 11709.2 of, and to add Sections 11713.18, 11713.19, 11713.20, and 11713.21 to, the Vehicle Code, relating to consumers.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Request for Use of Visual Aids**

Assembly Member Montañez was granted unanimous consent to use visual aids on the Floor to assist in debate.

The roll was opened.



The Assembly concurred in Senate amendments by the following vote:

**AYES—65**

Aghazarian	Dymally	Leno	Richman
Arambula	Emmerson	Levine	Ruskin
Baca	Evans	Lieber	Saldaña
Bass	Frommer	Liu	Salinas
Benoit	Garcia	Matthews	Spitzer
Berg	Goldberg	McCarthy	Torrico
Bermúdez	Hancock	Montañez	Umberg
Blakeslee	Horton, Jerome	Mullin	Vargas
Bogh	Horton, Shirley	Nakanishi	Villines
Calderon	Houston	Nation	Walters
Canciamilla	Huff	Nava	Wolk
Chan	Jones	Negrete McLeod	Wyland
Chavez	Karnette	Niello	Yee
Chu	Keene	Oropeza	Mr. Speaker
Coto	Klehs	Parra	
Daucher	Koretz	Pavley	
De La Torre	Laird	Plescia	

**NOES—9**

DeVore	La Malfa	Maze
Harman	La Suer	Mountjoy
Haynes	Leslie	Strickland

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 68: Assembly Member Keene from “No” to “Aye”.

Above bill ordered enrolled.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Assembly Member Montañez was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

**Legislative Intent—Assembly Bill No. 68**

July 11, 2005

*E. Dotson Wilson*

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

Re: AB 68 (Montañez)—Car Buyer’s Bill of Rights

Dear Mr. Wilson: I have introduced AB 68, the “Car Buyer’s Bill of Rights” to provide important new protections to California car buyers, including the right to purchase a cooling off period option for used cars, first-in-the-nation regulation of “certified” used cars, limitations on dealer income from vehicle financing, credit score disclosures, prohibitions against payment packing, and disclosures of proposed consumer monthly payments for cars with and without specified add-on items.

This letter is to clarify that under Section 5 of AB 68 (which adds Section 2982.10 to the Civil Code), payments by a conditional sale contract assignee to the seller are capped at specified levels when the payments are based on the contract’s finance charge. In this manner, the statute controls the “spread” between the contract rate set by the seller and the buy rate at which an assignee will purchase the contract in the secondary market. The limitations established by this section are not

intended to apply to incentives or other compensation to induce assignment of contracts provided by an assignee to the seller that are based on criteria independent of and unrelated to the finance charge or annual percentage rate specified in the contract. Such independent criteria would include, for example, the volume or percentage of the seller's contracts assigned to the assignee, the longevity of the seller's relationship with the assignee, the seller's utilization of other services offered by the assignee, such as vehicle inventory finance lines of credit ("flooring"), and the seller's participation in other programs offered by the assignee, such as service contract and debt cancellation programs. Thus, for example, this section would not prohibit the seller from accepting an additional \$20 flat fee per contract from the assignee once the seller assigns in excess of 100 contracts to the assignee in a given month or agrees to participate in the assignee's flooring or vehicle service contract programs.

In drafting the final version of Section 8, I have agreed to changes in the language of this prohibition, including the deletion of the phrase "the price of" from the originally proposed language of the new Vehicle Code Section 11713.19(a). The deletion was made in order to clarify that vehicle accessories (radios, wheel rims, truck bed liners, etc.) that are to be physically attached to a vehicle and included as part of the negotiated cash selling price of the vehicle are not required to be separately price itemized by the selling dealer. Section 11713.19 will make it unlawful to "negotiate the terms of a vehicle sale or lease contract and then add charges or services without previously disclosing to the consumer the goods and service to be added and obtaining the consumer's consent." In a typical transaction, a dealer and consumer negotiate the terms of a vehicle sale and those negotiations often include the addition of vehicle accessories (CD player etc.) before the final negotiated price of the vehicle (including accessories) is agreed to by both parties. After the final selling price is negotiated between the dealer and the consumer, it would be unlawful under Section 11713.19 to add charges for additional goods and services without disclosing the addition of the new items and obtaining the consumer's consent. None of these amendments were intended to permit the inclusion of undisclosed charges in auto purchase or lease transactions. These amendments were made for the purposes of consistency of draftsmanship and with the understanding that Section 11713.19 would remain an effective prohibition on the inclusion of any charge or charges in a consumer contract which the auto purchaser or lessee has not approved. The purpose of this section is to establish a general prohibition against the practice of an auto dealer negotiating the terms of a purchase or lease contract, and then adding to that contract a charge or charges which the consumer has not approved. This general prohibition supplements the more specific prohibitions which identify particular aftermarket products or services, and is necessary to address any other types of products or services which might be subject to "packing" practices.

Very truly yours,

CINDY MONTAÑEZ, Assembly Member  
Thirty-ninth District

**CONSIDERATION OF SENATE AMENDMENTS—  
ASSEMBLY RULE 77 SUSPENDED**

Pursuant to a motion by Assembly Member Bass and a roll call vote taken earlier this day, Assembly Rule 77 was suspended to permit Assembly Member Jones to take up for consideration Senate amendments to Assembly Bill No. 834.

**ASSEMBLY BILL NO. 834 (Jones)**—An act to amend Sections 19412, 19549.6, and 19610.8 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—75**

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

**NOES—None**

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS—  
ASSEMBLY RULE 77 SUSPENDED**

Pursuant to a motion by Assembly Member Bass and a roll call vote taken earlier this day, Assembly Rule 77 was suspended to permit Assembly Member Negrete McLeod to take up for consideration Senate amendments to Assembly Bill No. 1769.

**ASSEMBLY BILL NO. 1769 (Negrete McLeod)**—An act to add and repeal Section 31663.2 of the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

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

**NOES—None**

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1769: Assembly Member Liu from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 29 (Leslie)**—Relative to Access Awareness Month.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 29**

Assembly Member Leslie was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 29.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Arambula, Baca, Bass, Berg, Blakeslee, Bogh, Calderon, Canciamilla, Chan Chu, Coto, De La Torre, Dymally, Emmerson, Evans, Frommer, Garcia, Goldberg, Hancock, Harman, Haynes, Jerome Horton, Houston, Jones, Karnette, Keene, Klehs, Koretz, La Malfa, Laird, Leno, Levine, Liu, Matthews, McCarthy, Montañez, Mountjoy, Mullin, Nation, Nava, Negrete McLeod, Niello, Núñez, Oropeza, Parra, Plescia, Richman, Runner, Saldaña, Salinas, Spitzer, Strickland, Tran, Umberg, Vargas, Villines, Walters, Wolk, Wyland, and Yee.

**Request for Unanimous Consent**

Assembly Member Leslie was granted unanimous consent to take up Assembly Concurrent Resolution No. 29, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 29, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 29**—Relative to Access Awareness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 919 (Cox)**—An act to amend Section 11126 of the Government Code, relating to open meetings.

Bill read third time, and presented by Assembly Member Niello.

**Motion to Amend**

Assembly Member Niello moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Montañez announced that the Committee on Rules would meet immediately, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:41 p.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 1018 (Simitian)**—An act to amend, repeal, and add Section 7480 of the Government Code, and to amend, repeal, and add Sections 15634, 15640, and 15655.5 of, and to add and repeal Section 15630.1 of, the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Bill read third time, and presented by Assembly Member Wolk.

**Motion to Amend**

Assembly Member Wolk moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Further Consideration of Senate Bill No. 1018**

Pursuant to a motion by Assembly Member Bass and a roll call vote taken earlier today, the Rules were suspended to permit Assembly Member Wolk to take up Senate Bill No. 1018 without reference to print or file, for purpose of consideration.

**SENATE BILL NO. 1018 (Simitian)**—An act to amend, repeal, and add Section 7480 of the Government Code, and to amend, repeal, and add Sections 15634, 15640, and 15655.5 of, and to add and repeal Section 15630.1 of, the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Bill read third time, and presented by Assembly Member Wolk.

**Assembly Rule 112 Suspended**

Assembly Member Wolk was granted unanimous consent that Assembly Rule 112 be suspended to permit her to read a paper on the Floor of the Assembly.

The roll was opened.

Bill passed by the following vote:

**AYES—59**

Arambula	Emmerson	Laird	Pavley
Baca	Evans	Leno	Richman
Bass	Frommer	Leslie	Ruskin
Berg	Garcia	Levine	Saldaña
Bermúdez	Goldberg	Lieber	Salinas
Bogh	Hancock	Liu	Spitzer
Calderon	Harman	Matthews	Torrico
Canciamilla	Horton, Jerome	Montañez	Tran
Chan	Horton, Shirley	Mountjoy	Umberg
Chavez	Houston	Mullin	Vargas
Chu	Jones	Nation	Wolk
Coto	Karnette	Nava	Wyland
Daucher	Klehns	Negrete McLeod	Yee
De La Torre	Koretz	Oropeza	Mr. Speaker
Dymally	La Suer	Parra	

**NOES—12**

Aghazarian	Huff	Maze	Runner
DeVore	Keene	Nakanishi	Strickland
Haynes	La Malfa	Plescia	Walters

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1373**

At 2:55 p.m., on motion of Assembly Member Umberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1373 by the following vote:

**AYES—57**

Aghazarian	Daucher	Laird	Plescia
Arambula	De La Torre	Leno	Runner
Baca	Dymally	Levine	Ruskin
Bass	Emmerson	Lieber	Saldaña
Berg	Evans	Liu	Salinas
Bermúdez	Frommer	Matthews	Torrico
Blakeslee	Garcia	McCarthy	Tran
Bogh	Goldberg	Montañez	Umberg
Calderon	Hancock	Mullin	Vargas
Canciamilla	Horton, Jerome	Nation	Wolk
Chan	Horton, Shirley	Nava	Yee
Chavez	Jones	Negrete McLeod	Mr. Speaker
Chu	Karnette	Oropeza	
Cogdill	Klehs	Parra	
Coto	Koretz	Pavley	

**NOES—17**

Benoit	Huff	Mountjoy	Walters
DeVore	Keene	Nakanishi	Wyland
Harman	La Malfa	Niello	
Haynes	Leslie	Richman	
Houston	Maze	Spitzer	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 1373: Assembly Members Blakeslee and Tran from “No” to “Aye”.

Above bill ordered enrolled.

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: July 13, 2005

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 144

With the recommendation: That Senate amendments be concurred in.

CHU, Chair

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT  
AND ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Hancock was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 144, without reference to file.

**ASSEMBLY BILL NO. 144 (Hancock)**—An act to amend Sections 188.4, 188.5, 30912, 30950.2, 30953, 30961, and 31010 of, to add Sections 182.2, 188.6, 30886, 30952.05, 30952.1, 30952.2, 30952.3, 30954, 30961.1, 31011, and 31021 to, and to repeal and add Section 31020 of, the Streets and Highways Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*



**Assembly Rule 112 Suspended**

Assembly Member Chan was granted unanimous consent that Assembly Rule 112 be suspended to permit her to read a paper on the Floor of the Assembly.

**At 3:01 p.m., Assistant Speaker pro Tempore Sally Lieber, 22nd District, presiding**

The roll was opened.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—65**

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

**NOES—8**

Canciamilla	Maze	Nakanishi	Torrico
La Malfa	Mountjoy	Spitzer	Wyland

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—65**

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

**NOES—8**

Canciamilla	Maze	Nakanishi	Torrico
La Malfa	Mountjoy	Spitzer	Wyland

Above bill ordered enrolled immediately.

**At 3:18 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

**CONSIDERATION OF SENATE BILL NO. 66**

Pursuant to a motion by Assembly Member Bass and a roll call vote taken earlier today, the Rules were suspended to permit Assembly Member Oropeza to take up Senate Bill No. 66 without reference to file, for purpose of amendment.

**SENATE BILL NO. 66 (Committee on Budget and Fiscal Review)**—An act relating to the Budget Act of 2005.

Bill read third time, and presented by Assembly Member Oropeza.

**Motion to Amend**

Assembly Member Oropeza moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 66 to the Committee on Transportation.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Oropeza announced that the Committee on Transportation would meet immediately, in the Tom Bane Rules Committee Room.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 3:20 p.m. by unanimous consent, the members of the Committee on Transportation were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>76</b> -----	Rls.
<b>77</b> -----	Rls.

*Senate*

<i>Bill No.</i>	<i>Committee</i>
<b>353</b> -----	Appr.
<b>1075</b> -----	G.O. and Jud.

*Senate Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>47</b> -----	Rls.
<b>49</b> -----	Health
<b>50</b> -----	Rls.
<b>51</b> -----	Rls.
<b>56</b> -----	Rls.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Rules**

Date of Hearing: July 13, 2005

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 50

With the recommendation: Be adopted.

MONTAÑEZ, Chair

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 50**  
**BY UNANIMOUS CONSENT**

Assembly Member Umberg was granted unanimous consent to take up Senate Concurrent Resolution No. 50 without reference to file, for purpose of consideration.

**SENATE CONCURRENT RESOLUTION NO. 50 (Dunn)**—Relative to Disneyland.

Resolution read, presented by Assembly Member Umberg, and adopted by the following vote:

**AYES—77**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 776 (Runner)**—An act to amend Section 32127.3 of, and to, add Section 32130.6 to the Health and Safety Code, relating to health care districts.

Bill read third time, and presented by Assembly Member Runner.

**Motion to Amend**

Assembly Member Runner moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO**  
**ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 776 to the Committee on Judiciary.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 641 (Montanez)**—An act to amend Section 11226 of the Business and Professions Code, relating to real estate, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

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

**NOES—None**

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 981 (Negrete McLeod)**—An act to add Section 6536 to the Government Code, relating to joint powers authority.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 998 (Chu)**—An act to add Section 11160.1 to the Penal Code, relating to reporting.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 428 (Gordon)**—An act to amend Section 25761 of the Business and Professions Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the Senate amendments to the above bill, presented by Assembly Member Torrico?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—74**

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

**NOES—2**

Haynes                      La Malfa

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 831 (Committee on Education)**—An act to amend Sections 1240, 17592.70, 35186, 41500, 41501, 41572, 44258.9, 48642, 49436, 52055.640, 52295.35, 56836.165, and 60119 of, to add Section 88 to, and to repeal Section 32228.6 of, the Education Code, to amend Item 6110-197-0890 of Section 2.00 of Chapter 208 of the Statutes of 2004 (the Budget Act of 2004), and to amend Sections 22 and 23 of Chapter 900 of the Statutes of 2004, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 112 (Cohn)**—An act to amend Section 136.2 of the Penal Code, relating to protective orders.

The question being: Shall the Assembly concur in the Senate amendments to the above bill, presented by Assembly Member Pavley?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 254 (Nakanishi)**—An act to amend Section 1797.196 of the Health and Safety Code, relating to emergency medical services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

*(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)*

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—77**

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

**NOES—None**

Above bill ordered enrolled.



**ASSEMBLY BILL NO. 449 (Plescia)**—An act to amend and repeal Sections 19613 and 19613.3 of the Business and Professions Code, relating to horse racing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—73**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 42 (Chu)**—Relative to the Province of Jeju, Republic of Korea.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—76**

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

**NOES—None**

Above resolution ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Transportation**

Date of Hearing: July 13, 2005

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 66

With the recommendation: Do pass.

OROPEZA, Chair

Above bill ordered to second reading.

**SECOND READING OF SENATE BILLS**

**SENATE BILL NO. 66**—An act to amend Section 14556.33 of the Government Code, and to add Sections 188.6, 30952.1, 30952.2, 30952.3, and 30961.1 to the Streets and Highways Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Senate Bill No. 66—Rules Suspended**

Pursuant to a motion by Assembly Member Bass and a roll call vote taken earlier today, the Rules were suspended to permit Assembly Member Oropeza to take up Senate Bill No. 66 without reference to file, for purpose of consideration.

**SENATE BILL NO. 66 (Torlakson)**—An act to amend Section 14556.33 of the Government Code, and to add Sections 188.6, 30952.1, 30952.2, 30952.3, and 30961.1 to the Streets and Highways Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Oropeza.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—69**

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

**NOES—5**

Canciamilla	Keene	Nakanishi
Cogdill	La Malfa	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—69**

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

**NOES—5**

Canciamilla	Keene	Nakanishi
Cogdill	La Malfa	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 6 and 1029 were continued until the next legislative day.

**CONSIDERATION OF CONSENT CALENDAR**

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

**Consent Calendar—Senate Bills**

**SENATE JOINT RESOLUTION NO. 9 (Morrow)**—Relative to Medicare funding for military treatment facilities.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's Consent Calendar roll call.)*

**SENATE BILL NO. 878 (Dunn)**—An act to amend Section 17510.3 of the Business and Professions Code, relating to charitable solicitations.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's Consent Calendar roll call.)*

**SENATE CONCURRENT RESOLUTION NO. 54 (Ashburn)**—Relative to Valley Fever Awareness Month.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's Consent Calendar roll call.)*

**SENATE BILL NO. 268 (Campbell)**—An act to amend Section 53601.7 of the Government Code, relating to local agencies.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's  
Consent Calendar roll call.)*

**SENATE BILL NO. 124 (Denham)**—An act to amend Section 19605.73, relating to horse racing.

Bill read third time, and passed by the following vote:

**AYES—74**

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

**NOES—None**

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 124: Assembly Member Goldberg from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

**AYES—75**

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

**NOES—None**

**ADJOURN IN MEMORY**

Assembly Member Koretz was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Greta Lenetska, of Beverly Hills.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Bass and Richman were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Esther May Tarn, of Culver City.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Lieber was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Navy Seal Commando, Petty Officer 2nd Class Matthew Axelson, of Cupertino.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Walters was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Denny Harris, of Laguna Niguel.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Brandon Hampson, of Brea.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Stephan Elaine Brophy, of Carmichael.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gloria Rita Pfeiffer, of Hesperia.

Assembly Member Spitzer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Grindrod, of Corona.

Assembly Member Evans was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Teresa M. D'Entremont, of Napa; Richard Delsi, Jean Virginia Miller, and Faye N. Diamond, of Santa Rosa; Betty Ann Gilreath, of St. Helena; and John L. Borho, John Andrew Chavez, Dwana J. Curtis, H. Lucille Daniels, Luzviminda Santos Gitana, Nathan Higgins, Douglas Wayne Slater, and Mitsu "Bonnie" Smith, of Vallejo.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Jean Adler, Edward Chester Maxie, Jr., and Kimiko Nakada, of Davis; Wilma Hazel Dainard, Kenneth Eugene Borchers, Helen DeCoster, Ruth Gastelum-Jimenez, Jean M. Hurley, and Robert W. Read, Jr., of Vacaville; and Timmy Alfred Cano, Jr., Kevin M. Lane, and James Charles Piazza, of Woodland.

At 3:44 p.m., Speaker Fabian Núñez, 46th District, presiding

#### ANNOUNCEMENTS

Speaker Núñez announced that the Assembly will adjourn for Summer Recess upon adjournment of today's Session.

The Assembly reconvenes Monday, August 15, 2005, at 1 p.m.

#### VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Bass Motion to Suspend the Rules:** Calderon and Frommer—Aye; Bogh, Houston, Mountjoy, and Tran—No.

**Assembly Bill No. 834, Bass Motion to Suspend the Rules:** Calderon and Frommer—Aye; Haynes, Mountjoy, Tran, Walters, and Wyland—No.

**Assembly Bill No. 1769, Bass Motion to Suspend the Rules:** Calderon and Frommer—Aye; Haynes, Tran, and Walters—No.

**Senate Bill No. 1018, Bass Motion to Suspend the Rules:** Calderon and Frommer—Aye.

**Bass Motion to Suspend the Rules:** Calderon and Frommer—Aye; Huff—No.

**Senate Bill No. 66, Bass Motion to Suspend Joint Rule 62(a):** Calderon and Frommer—Aye; Benoit and Mountjoy—No.

**Senate Bill No. 66, Bass Motion to Suspend the Rules:** Calderon and Frommer—Aye; Mountjoy—No.

**Assembly Bill No. 68, Concurrence:** Bass, Benoit, Bogh, Calderon, Frommer, Garcia, Houston, Huff, and Walters—Aye; Mountjoy—No.

**Assembly Bill No. 834, Concurrence:** Bogh, Calderon, Chu, Frommer, Garcia, and Spitzer—Aye.

**Assembly Bill No. 1769, Concurrence:** Bogh, Calderon, Garcia, Mountjoy, and Villines—Aye.

**Senate Bill No. 1018:** Bogh, Calderon, Jerome Horton, Matthews, and Wyland—Aye; Aghazarian and Plescia—No.

**Assembly Bill No. 1373, Concurrence:** Calderon—Aye; Mountjoy and Spitzer—No.

**Assembly Bill No. 144, Urgency and Concurrence:** Aghazarian, Bermúdez, Calderon, Frommer, Montañez, Pavley, and Saldaña—Aye; La Malfa, Spitzer, and Wyland—No.

**Senate Concurrent Resolution No. 50:** Bermúdez, Bogh, Garcia, Huff, Mountjoy, Mullin, and Salinas—Aye.

**Assembly Bill No. 641, Urgency and Concurrence:** Bermúdez, Huff, Mountjoy, Mullin, Salinas, Spitzer, and Wyland—Aye.

**Assembly Bill No. 981, Concurrence:** Bass, Bermúdez, Frommer, Mullin, Salinas, Spitzer, Villines, and Wyland—Aye.

**Assembly Bill No. 998, Concurrence:** Bass, Bermúdez, Frommer, Garcia, Mullin, Negrete McLeod, Pavley, and Spitzer—Aye.

**Assembly Bill No. 428, Concurrence:** Bass, Bermúdez, Frommer, Garcia, Mountjoy, and Mullin—Aye.

**Assembly Bill No. 831, Concurrence:** Bass, Frommer, Mountjoy, and Mullin—Aye.

**Assembly Bill No. 112, Concurrence:** Bass, Frommer, Mountjoy, Mullin, and Nation—Aye.

**Assembly Bill No. 254, Concurrence:** Mountjoy and Mullin—Aye.

**Assembly Bill No. 449, Concurrence:** Frommer, Garcia, Mountjoy, and Mullin—Aye.

**Assembly Concurrent Resolution No. 42, Concurrence:** Frommer, Garcia, and Mountjoy—Aye.

**Senate Bill No. 66:** Bermúdez, Garcia, and Walters—Aye.

**Consent Calendar:** Garcia—Aye.

#### MOTION TO ADJOURN

At 3:45 p.m., Assembly Member Laird moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:46 p.m., Speaker Núñez declared the quorum call of the Assembly dispensed with.

#### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 22—La Malfa** (Principal coauthor: Senator McClintock) (Coauthors: DeVore, Garcia, La Suer, Maze, McCarthy, Aghazarian, Benoit, Blakeslee, Bogh, Cogdill, Emmerson, Haynes, Shirley Horton, Houston, Huff, Leslie, Mountjoy, Nakanishi, Negrete McLeod, Parra, Plescia, Sharon Runner, Spitzer, Strickland, Tran, Umberg, Villines, Walters, and Wyland) (Coauthors: Senators Ackerman, Ashburn, Battin, Campbell, Cox, Denham, Dutton, Florez, Hollingsworth, Maldonado, Margett, Morrow, and Poochigian). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article I thereof, relating to eminent domain.

#### RESOLUTIONS

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 79—Aghazarian.** Relative to governmental fees.

**ASSEMBLY CONCURRENT RESOLUTION NO. 80—DeVore** (Coauthors: Aghazarian, Arambula, Baca, Benoit, Blakeslee, Bogh, Canciamilla, Cogdill, Daucher, Emmerson, Garcia, Harman, Haynes, Shirley Horton, Houston, Huff, Keene, La Malfa, La Suer, Leslie, Maze, McCarthy, Mountjoy, Nakanishi, Negrete McLeod, Niello, Parra, Plescia, Richman, Sharon Runner, Spitzer, Strickland, Tran, Umberg, Villines, Walters, and Wyland) (Coauthor: Senator Morrow). Relative to elections in Iraq.

**ASSEMBLY JOINT RESOLUTION NO. 28—Wyland.** Relative to Mexican extradition.

**HOUSE RESOLUTION NO. 19—Vargas** (Coauthors: Benoit, Bermudez, Chan, Chavez, Jerome Horton, Shirley Horton, Karnette, Laird, and Nava). Relative to Life Insurance Awareness Month.

**AUTHOR'S AMENDMENTS**  
**Committee on Transportation**

July 13, 2005

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

Senate Concurrent Resolution No. 19

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

OROPEZA, Chair

**SENATE CONCURRENT RESOLUTION NO. 19**—Relative to the Robert Mondavi Highway.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Local Government**

July 13, 2005

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Bill No. 351

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

SALINAS, Chair

**SENATE BILL NO. 351**—An act to amend Section 36621 of the Streets and Highways Code, relating to improvement districts.

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**

July 13, 2005

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

Senate Bill No. 2

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

CHU, Chair

**SENATE BILL NO. 2**—An act to amend Sections 2051.5, 10089.70, 10089.79, 10089.80, and 10089.82 of, and to add Sections 124.5, 1749.85, 2059, and 2060 to, and to repeal Section 10089.84 of, the Insurance Code, relating to homeowners' insurance.

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 Rules**

July 13, 2005

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

Assembly Concurrent Resolution No. 2

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

MONTAÑEZ, Chair



**ASSEMBLY CONCURRENT RESOLUTION NO. 2**—Relative to Domestic Violence Awareness Month.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**

**Committee on Housing and Community Development**

July 13, 2005

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

Assembly Bill No. 590

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

MULLIN, Chair

**ASSEMBLY BILL NO. 590**—An act to amend Section 65008 of the Government Code, relating to housing discrimination.

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**

July 13, 2005

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

Senate Bill No. 616

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

CHU, Chair

**SENATE BILL NO. 616**—An act to amend Section 6254.14 of the Government Code, and to amend Section 6126 of, and to add Sections 5024.3 and 5024.4 to the Penal Code, relating to health care services.

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 Rules**

July 13, 2005

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

Assembly Concurrent Resolution No. 72

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

MONTAÑEZ, Chair

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

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**ADJOURNMENT**

At 3:46 p.m., pursuant to the motion by Assembly Member Laird, the Assembly adjourned for Summer Recess until 1 p.m., Monday, August 15, 2005, out of respect to the memory of Greta Lenetska, on motion of Assembly Member Koretz; out of respect to the memory of Esther May Tarn, on motion of Assembly Members Bass and Richman; out of respect to the memory of Navy Seal Commando, Petty Officer 2nd Class Matthew Axelson, on motion of Assembly Member Lieber; out of respect to the memory of Denny Harris, on motion of Assembly Member Walters; out of respect to the memory of Brandon Hampson, on motion of Assembly Member Daucher; out of respect to the memory of Stephan Elaine Brophy, on motion of Assembly Member Leslie; out of respect to the memory of Gloria Rita Pfeiffer, on motion of Assembly Member Mountjoy; out of respect to the memory of John Grindrod, on motion of Assembly Member Spitzer; out of respect to the memory of Teresa M. D'Entremont, Richard Delsi, Jean Virginia Miller, Faye N. Diamond, Betty Ann Gilreath, John L. Borho, John Andrew Chavez, Dwana J. Curtis, H. Lucille Daniels, Luzviminda Santos Gitana, Nathan Higgins, Douglas Wayne Slater, and Mitsu "Bonnie" Smith, on motion of Assembly Member Evans; and out of respect to the memory of Mary Jean Adler, Edward Chester Maxie, Jr., Kimiko Nakada, Wilma Hazel Dainard, Kenneth Eugene Borchers, Helen DeCoster, Ruth Gastelum-Jimenez, Jean M. Hurley, Robert W. Read, Jr., Timmy Alfred Cano, Jr., Kevin M. Lane, and James Charles Piazza, on motion of Assembly Member Wolk.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

### AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 13, 2005

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

<b>AB</b>	<b>RN</b>	<b>SB</b>	<b>RN</b>
590	0517616	469	0517310
		506	0517472
<b>ACR</b>	<b>RN</b>	512	0517248
2	0517366	616	0517440
72	0517607	621	0517460
		724	0517522
<b>SB</b>	<b>RN</b>	739	0517562
2	0517452	776	0517565
20	0517466	780	0517337
56	0517590	794	0517338
66	0517630	919	0517374
107	0517413	922	0517378
159	0517189	1003	0517423
186	0517367	1018	0517588
191	0517335	1053	0517400
319	0517579	1084	0517483
351	0517488		
361	0517334	<b>SCR</b>	<b>RN</b>
426	0517560	19	0517288
428	0517382	42	0517486
	<b>Daily Total:</b>	<b>34</b>	
	<b>Cumulative Total:</b>	<b>2411</b>	