

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 17, 2005

**ONE HUNDRED EIGHTH SESSION DAY
TWO HUNDRED FIFTY-FIFTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

(Please Direct Any Inquiries and Report Any Omissions or Errors to
Sue Parker, Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, August 17, 2005

The Assembly met at 7 a.m.

Hon. Barbara Matthews, Assembly Member, 17th District,
presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—71:

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

Quorum present.

At 2:10 p.m., Hon. Dennis Mountjoy, 59th 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 Cogdill, Frommer, Karnette, Liu, Montañez, Nava, and Spitzer.

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

EXPLANATIONS OF ABSENCE

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

August 15, 2005

The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from check in session on Wednesday, August 17, 2005. I will be in my district on legislative business. In the event that session is called, I can be in Sacramento well within the designated period of time.

Thank you for your consideration of this request. If you have any questions, please contact me at 319-2025.

Sincerely,

DAVE COGDILL, Assembly Member
Twenty-fifth District

August 12, 2005

The Honorable Fabian Núñez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Núñez: I am requesting to be excused from Check-in Session on Wednesday, August 17, 2005, for legislative business in my district. Your attention to this matter is very much appreciated.

Sincerely,

PEDRO NAVA, Assembly Member
Thirty-fifth District

August 16, 2005

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 check-in session on Wednesday, August 17, 2005 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 letters explaining the absences of Assembly Members Frommer, Liu, and Montañez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 16, 2005; 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 15, 2005.)

COMMUNICATIONS
Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated August 2, 2005, August 5, 2005, and August 8, 2005, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

Political Contributions and Expenditures by Corporations.
Shareholder Consent Requirements. Limits and Penalties.
Initiative Statute. SA 2005RF0085

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

Wealth Tax. Tax Rates and Credits.
Initiative Statute. SA 2005RF0086, Amdt. #1-S

Referred by the Speaker to the Committee on Revenue and Taxation.

Alcohol Beverage Surtax. Sex Crime Penalties. Victim Assistance.
Initiative Statute. SA 2005RF0087

Referred by the Speaker to the Committees on Public Safety and Revenue and Taxation.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 17, 2005

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

Assembly Concurrent Resolution No. 70

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, August 17, 2005

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

Assembly Concurrent Resolution No. 23

And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of August, 2005, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 88—Parra (Coauthors: Bogh, Cohn, Jones, and Lieber) (Coauthor: Senator Maldonado). Relative to California Firefighters Memorial Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 89—Mountjoy. Relative to Constitution Week and Constitution Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 90—Arambula (Coauthor: Negrete McLeod). Relative to Red Ribbon Week.

ASSEMBLY JOINT RESOLUTION NO. 33—Sharon Runner. Relative to Qualified veterans mortgage bonds.

HOUSE RESOLUTION NO. 21—Chan. Relative to Children's Vision and Learning Month.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

August 17, 2005

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1582

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

KLEHS, Chair

ASSEMBLY BILL NO. 1582—An act to amend Section 7071 of the Government Code, relating to enterprise zones.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

CONSIDERATION OF DAILY FILE
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. 118, 232, 269, 619, 670, 914, 499, 524, 228, and 837, ordered to third reading;

Senate Bill No. 975, ordered to the Consent Calendar.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 954—An act to add Sections 12103.5, 12104, 12104.5, and 12114 to the Public Contract Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Jobs, Economic Development, and the Economy read and adopted, bill ordered reprinted and to be re-referred to the Committee on Business and Professions.

ADJOURNMENT

At 3:40 p.m., the Assembly adjourned until 9:30 a.m., Thursday, August 18, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 17, 2005**

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

AB RN
1582 0511040

SB RN
954 0518606

Daily Total: 2
Cumulative Total: 2491

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