

CALIFORNIA LEGISLATURE
2005-06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 24, 2005

**ONE HUNDRED TWELFTH SESSION DAY
TWO HUNDRED SIXTY-SECOND 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 24, 2005

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th 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	De La Torre	La Suer	Plescia
Arambula	DeVore	Laird	Richman
Baca	Dymally	Leno	Runner
Bass	Emmerson	Leslie	Ruskin
Benoit	Garcia	Levine	Saldaña
Berg	Goldberg	Lieber	Salinas
Bermúdez	Hancock	Liu	Spitzer
Blakeslee	Haynes	Matthews	Strickland
Bogh	Horton, Jerome	Maze	Torrico
Calderon	Horton, Shirley	McCarthy	Tran
Canciamilla	Houston	Montañez	Umberg
Chan	Huff	Mountjoy	Vargas
Chavez	Jones	Mullin	Villines
Chu	Karnette	Nakanishi	Walters
Cogdill	Keene	Nava	Wolk
Cohn	Klehs	Niello	Wyland
Coto	Koretz	Oropeza	Mr. Speaker
Daucher	La Malfa	Parra	

Quorum present.

At 2:01 p.m., Hon. Thomas Umberg, 69th 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 Evans, Frommer, Harman, Nation, Pavley, and Yee.

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

Because of illness in her family: Assembly Member Negrete McLeod.

EXPLANATIONS OF ABSENCE

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

August 22, 2005

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

Dear Speaker Núñez: Please excuse me from legislative duties in Sacramento on Wednesday, August 24, so I can attend to legislative duties in my district.

As always, thank you for your consideration.

Very truly yours,

NOREEN EVANS, Assembly Member
Seventh District

August 23, 2005

*The Honorable Fabian Núñez
Speaker of the Assembly
State Capitol Building, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request an excuse for Check-In Session on August 24, 2005, for legislative business in my District.

Thank you for your attention to this request. If you have any questions, please telephone my Chief of Staff, Dan Reeves, at 319-2043.

Sincerely,

DARIO FROMMER, Assembly Member
Forty-third District

August 22, 2005

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

Dear Mr. Speaker: I respectfully request to be excused from Check in Session on Wednesday, August 24, 2005 due to legislative business in my district office.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

August 24, 2005

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-In Session on August 24, 2005 due to legislative business in my district.

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

Sincerely,

FRAN PAVLEY, Assembly Member
Forty-first District

August 23, 2005

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

Dear Speaker Núñez: I respectfully request that I be excused from the Assembly Check-In Session on Wednesday August 24. I will be in my district during this time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
Speaker pro Tempore

(NOTE: For letter explaining the absence of Assembly Member Harman on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for August 22, 2005.)

COMMUNICATIONS

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

August 24, 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 Joe Nation as Chair of the Assembly Veterans Affairs Committee for the 2005–06 Regular Session.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

August 24, 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 created the Veterans Affairs Subcommittee on Base Closure and Redevelopment and have appointed Assemblymember Lori Saldaña as Chair for the 2005–06 Regular Session.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

August 24, 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 Rick Keene to replace Assemblymember Tim Leslie on the Joint Legislative Audit Committee for today’s hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 24, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Concurrent Resolution No. 86
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, August 24, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 1672
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, August 24, 2005

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Constitutional Amendment No. 15
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, August 24, 2005

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

Assembly Bill No. 85

And reports the same correctly enrolled, and presented to the Governor on the 24th day of August, 2005, at 10:15 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 24, 2005

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

Assembly Bill No. 720

And reports the same correctly enrolled, and presented to the Governor on the 24th day of August, 2005, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 24, 2005

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

Assembly Bill No. 15

Assembly Bill No. 52

Assembly Bill No. 57

Assembly Bill No. 176

Assembly Bill No. 205

Assembly Bill No. 215

Assembly Bill No. 220

Assembly Bill No. 297

Assembly Bill No. 346

Assembly Bill No. 493

Assembly Bill No. 499

Assembly Bill No. 512

Assembly Bill No. 520

Assembly Bill No. 551

Assembly Bill No. 588

Assembly Bill No. 621

And reports the same correctly enrolled, and presented to the Governor on the 24th day of August, 2005, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 24, 2005

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

Assembly Bill No. 738

Assembly Bill No. 755

Assembly Bill No. 780

Assembly Bill No. 856

Assembly Bill No. 866

Assembly Bill No. 893

Assembly Bill No. 900

Assembly Bill No. 947

Assembly Bill No. 983

Assembly Bill No. 1048

Assembly Bill No. 1071

Assembly Bill No. 1131

Assembly Bill No. 1155

Assembly Bill No. 1201

Assembly Bill No. 1329

Assembly Bill No. 1419

And reports the same correctly enrolled, and presented to the Governor on the 24th day of August, 2005, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 24, 2005

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

Assembly Bill No. 1424

Assembly Bill No. 1437

Assembly Bill No. 1461

Assembly Bill No. 1763

And reports the same correctly enrolled, and presented to the Governor on the 24th day of August, 2005, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 24, 2005

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

Assembly Joint Resolution No. 12

And reports the same correctly enrolled, and presented to the Secretary of State on the 24th day of August, 2005, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 34—Bogh and La Suer (Principal coauthor: Mountjoy) (Coauthor: Spitzer). Relative to extradition of felons.

REPORTS OF STANDING COMMITTEES

Committee on Public Safety

Date of Hearing: August 23, 2005

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 522

With the recommendation: That the Senate amendments be concurred in.

LENO, Chair

Above bill ordered to unfinished business.

Committee on Judiciary

Date of Hearing: August 23, 2005

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 31

With amendments with the recommendation: Amend, and be adopted as amended.

JONES, Chair

Above resolution ordered to second reading.

Committee on Insurance

Date of Hearing: August 24, 2005

Mr. Speaker: Your Committee on Insurance reports:

House Resolution No. 19

With the recommendation: Be adopted.

VARGAS, Chair

Above resolution ordered to third reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: August 24, 2005

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

Assembly Bill No. 587

With the recommendation: That the Senate amendments be concurred in.

TORRICO, Chair

Above bill ordered to unfinished business.

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 Bill No. 1102, ordered to third reading;

Senate Bill No. 851, ordered to the Consent Calendar.

ADJOURNMENT

At 4:08 p.m., the Assembly adjourned until 9:30 a.m., Thursday, August 25, 2005.

FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk