

CALIFORNIA LEGISLATURE  
2005-06 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, January 20, 2005**  
**THIRTEENTH SESSION DAY**  
**FORTY-SIXTH 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.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, January 20, 2005

The Assembly met at 6 a.m.

Hon. Tom Harman, Assembly Member, 67th 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—62:

Aghazarian	De La Torre	Leslie	Ruskin
Arambula	DeVore	Levine	Saldaña
Baca	Dymally	Liu	Salinas
Bass	Emmerson	Matthews	Spitzer
Berg	Evans	Montañez	Strickland
Bermúdez	Frommer	Mountjoy	Torrico
Blakeslee	Goldberg	Mullin	Tran
Bogh	Gordon	Nakanishi	Umberg
Calderon	Hancock	Nation	Vargas
Chan	Harman	Nava	Villines
Chavez	Haynes	Negrete McLeod	Wolk
Chu	Jones	Oropeza	Wyland
Cogdill	Karnette	Parra	Yee
Cohn	Keene	Plescia	Mr. Speaker
Coto	Laird	Richman	
Daucher	Leno	Ridley-Thomas	

Quorum present.

**At 10:34 a.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 Canciamilla, Shirley Horton, Klehs, Koretz, La Malfa, Lieber, and Pavley.*

*On personal business, and waiving per diem: Assembly Members Benoit, Garcia, Houston, Huff, La Suer, Maze, McCarthy, Niello, Runner, and Walters.*

*Because of illness: Assembly Member Jerome E. Horton.*

**EXPLANATIONS OF ABSENCE**

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

January 18, 2005

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

Speaker Núñez: I request to be excused from check-in session on Thursday, January 20 due to legislative business in my district.

Sincerely,

JOSEPH CANCIAMILLA, Assembly Member  
Eleventh District

January 19, 2005

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

Dear Speaker Núñez: I would like to request that I be excused from check-in session on Thursday, January 20, 2005. I have district business to attend to.

Thank you for your attention to this matter. If you have any questions or comments please feel free to contact me at (916) 319-2018.

Sincerely,

JOHAN KLEHS, Assembly Member  
Eighteenth District

January 20, 2005

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

Dear Speaker Núñez: I respectfully ask permission to be excused from check-in session on Thursday, January 20, 2005 due to legislative business. If you have any questions or concerns please contact Leticia Klein in my office at 916-319-2042.

Sincerely,

PAUL KORETZ, Assembly Member  
Forty-second District

January 13, 2005

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

Dear Mr. Speaker,

I am respectfully requesting permission to be excused from session on Thursday, January 20, 2005. I will be in my district attending to legislative business.

Thank you for your consideration of this matter. If you have any questions or concerns, please contact me at 319-2002.

Sincerely,

DOUG LA MALFA, Assembly Member  
 Second District

January 20, 2005

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

Dear Speaker Núñez,

I request to be excused from Check-in Session on Thursday, January 20, 2005, due to legislative business in my District Office.

Cory Jasperson, my Chief of Staff, is available to respond to any questions at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member  
 Twenty-second District

January 19, 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 January 20, 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

(NOTE: For letter explaining the absence of Assembly Member Shirley Horton on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 19, 2005.)

#### **SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Appropriations Committee for an informational hearing, on Thursday, January 27, 2005, at 1:30 p.m., in El Monte.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 169—Oropeza.** An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

**ASSEMBLY BILL NO. 170—Lieber.** An act to add and repeal Section 14133.55 of the Welfare and Institutions Code, relating to MediCal.

**ASSEMBLY BILL NO. 171—Yee.** An act to add Chapter 6.4 (commencing with Section 52059.1) to Part 28 of the Education Code, relating to pupils.

**ASSEMBLY BILL NO. 172—Chan (Principal coauthor: Senator Escutia) (Coauthors: Berg, Bermudez, Coto, Evans, Hancock, Jones, Leno, Lieber, Liu, Montanez, Nava, Parra, Pavley, Ruskin, Salinas, and Yee) (Coauthors: Senators Figueroa, Florez, Kuehl, Lowenthal, and Ortiz).** An act relating to preschool.

**ASSEMBLY BILL NO. 173—Houston.** An act to add Section 1714.4 to the Civil Code, relating to liability.

**ASSEMBLY BILL NO. 174—Salinas.** An act to amend Section 507 of the Pajaro Valley Water Management Agency Act (Chapter 257 of the Statutes of 1984), relating to the Pajaro Valley Water Management Agency.

**ASSEMBLY BILL NO. 175—Calderon.** An act to amend Section 1749.45 of the Civil Code, relating to gift certificates.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 12 noon, Monday, January 24, 2005.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk