

CALIFORNIA LEGISLATURE  
2007–08 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

SECOND LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, January 7, 2008

The Senate met at 1:20 p.m.  
Hon. Gloria Romero, of the 24th District, presiding.  
Secretary Greg Schmidt at the Desk.  
Assistant Secretary Kipchoge Randall reading.

### ROLL CALL

The roll was called and the following Senators answered to their names:

Aanestad, Ackerman, Alquist, Ashburn, Battin, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, Ducheny, Dutton, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Margett, McClintock, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Runner, Scott, Simitian, Steinberg, Torlakson, Wiggins, and Yee—38.

Quorum present.

*(NOTE: Senator Wyland will be excused this day on personal business and Senator Vincent will be excused this day due to illness.)*

### PRAYER

Prayer was offered by the Chaplain, Rev. Canon James Richardson:

*Holy and Gracious God,* We give you thanks for this New Year and its new possibilities. Watch over this Capitol and all who pass through these halls. We ask your blessing especially upon the Governor of California and his administration; the members the California Senate and Assembly and their staff; and the judges of our state and all who serve in the courts. Bless our public servants with the vision to serve all of your people, and the wisdom to know how. Give to them the courage and strength, integrity and patience to meet the challenges ahead.—AMEN.



**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, December 17, 2007

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 1

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measure was read the first time and referred to the Committee on Rules for assignment:

**Assembly Bill 1**—An act to amend Section 2069 of, to add Sections 4040.1, 4071.2, 4071.3, and 4071.4 to, and to add and repeal Section 2838 of, the Business and Professions Code, to add Section 49452.9 to the Education Code, to add Sections 12803.2, 12803.25, 22830.5, and 22830.6 to, and to add Chapter 15 (commencing with Section 8899.50) to Division 1 of Title 2 of, the Government Code, to amend Sections 1357.54, 1365, 124900, 124905, 124910, 124920, 128745, and 128748 of, to amend, repeal, and add Section 1399.56 of, to add Sections 1262.9, 1342.9, 1347, 1356.2, 1367.16, 1367.205, 1367.38, 1368.025, 1378.1, 1395.2, 1399.58, 104376, 124905.1, 124946, and 130545 to, to add Chapter 1.6 (commencing with Section 155) to Part 1 of Division 1 of, to add Article 11.6 (commencing with Section 1399.820) to Chapter 2.2 of Division 2 of, to add Article 1 (commencing with Section 104250) to Chapter 4 of Part 1 of Division 103 of, to add Article 3 (commencing with Section 104705) to Chapter 2 of Part 3 of Division 103 of, and to add Chapter 4 (commencing with Section 128850) to Part 5 of Division 107 of, the Health and Safety Code, to amend Sections 12693.43, 12693.70, 12693.73, and 12693.76 of, to amend, repeal, and add Section 796.02 of, to add Sections 796.05, 10113.10, 10113.11, 10123.56, 10176.15, 10273.6, 12693.56, 12693.57, 12693.58, 12693.59, 12693.766, 12886, and 12887 to, to add Chapter 9.6 (commencing with Section 10919) to Part 2 of Division 2 of, and to add Part 6.45 (commencing with Section 12699.201) and Part 6.7 (commencing with Section 12739.50) to Division 2 of, the Insurance Code, to add Section 96.8 to the Labor Code, to amend Sections 19167 and 19611 of, to add Sections 17052.31, 17052.32, 19528.5, and 19553.5 to, and to add and repeal Section 17052.30 of, the Revenue and Taxation Code, to add Sections 301.1 and 1120 to, and to add Division 1.2 (commencing with Section 4800) to, the Unemployment Insurance Code, and to amend Sections 12306.1, 14005.30, and 14011.16 of, to add Sections 14005.301, 14005.305, 14005.306, 14005.310, 14005.311, 14005.331, 14005.333, 14011.16.1, 14074.5, 14081.6, 14092.5, 14132.105, and 14137.10 to, and to add Article 5.215 (commencing with Section 14167.22) to, and to add and repeal Article 5.21 (commencing with Section 14167.1) of, Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care coverage.



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

Senate Chamber, October 11, 2007

Mr. President: The Committee on Rules, to which were referred:

Req. No. 07-29705 (SB 3)	Req. No. 07-29861 (SB 4)
Req. No. 07-29701 (SB 6)	Req. No. 07-29713 (SB 7)
Req. No. 07-29704 (SB 9)	Req. No. 07-29856 (SB 12)
Req. No. 07-29714 (SB 14)	Req. No. 07-29716 (SB 15)
Req. No. 07-29715 (SB 17)	

Has had the same under consideration and finds the same within the purview of the call and refers them to the Committee on Rules pursuant to the provisions of Rule 24.

PERATA, Chair

Senate Chamber, October 11, 2007

Mr. President: The Committee on Rules, to which were referred:

Req. No. 07-29950 (SB 5)	Req. No. 07-29703 (SB 8)
Req. No. 07-29707 (SB 10)	Req. No. 07-29710 (SB 11)
Req. No. 07-29712 (SB 13)	Req. No. 07-29842 (SB 20)
Req. No. 07-29840 (SB 21)	Req. No. 07-29706 (SB 23)

Has had the same under consideration and finds the same within the purview of the call and refers them to the Committees on Health and Revenue and Taxation pursuant to the provisions of Rule 24.

PERATA, Chair

Senate Chamber, October 11, 2007

Mr. President: The Committee on Rules, to which was referred:

Req. No. 07-29730 (SB 18)

Has had the same under consideration and finds the same within the purview of the call and refers it to the Committee on Public Employment and Retirement pursuant to the provisions of Rule 24.

PERATA, Chair

Senate Chamber, October 11, 2007

Mr. President: The Committee on Rules, to which was referred:

Req. No. 07-29841 (SB 19)	Req. No. 07-29854 (SB 22)
Req. No. 07-29953 (SB 25)	

Has had the same under consideration and finds the same within the purview of the call and refers them to the Committee on Health pursuant to the provisions of Rule 24.

PERATA, Chair

Senate Chamber, October 11, 2007

Mr. President: The Committee on Rules, to which were referred:

Req. No. 07-30042 (SB 26)	Req. No. 07-29727 (SB 16)
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Has had the same under consideration and finds the same within the purview of the call and refers them to the Committees on Health and Banking, Finance and Insurance pursuant to the provisions of Rule 24.

PERATA, Chair

Senate Chamber, October 11, 2007

Mr. President: The Committee on Rules, to which was referred:

Req. No. 07-29726 (SB 24)

Has had the same under consideration and finds the same within the purview of the call and refers it to the Committees on Health and Business and Professions pursuant to the provisions of Rule 24.

PERATA, Chair

Senate Chamber, October 17, 2007

Mr. President: The Committee on Rules, to which was referred:

Req. No. 07-30141 (SJR 1)

Has had the same under consideration and finds the same within the purview of the call and refers it to the Committee on Health pursuant to the provisions of Rule 24.

PERATA, Chair

#### **INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were read the first time and transmitted to committee:

*(The following measures were introduced on October 11, 2007.)*

**Senate Bill 3:** By Senator Hollingsworth—An act relating to health care coverage.

**Senate Bill 4:** By Senator Dutton (Coauthor: Senator Harman)—An act relating to employers.

**Senate Bill 5:** By Senator Cox—An act to amend Section 130105 of the Health and Safety Code, relating to child development.

**Senate Bill 6:** By Senator Runner—An act relating to health care.

**Senate Bill 7:** By Senator Aanestad—An act relating to Medi-Cal.

**Senate Bill 8:** By Senator Aanestad (Coauthor: Senator Harman)—An act to add Section 17053.102 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 9:** By Senator Runner—An act relating to Medi-Cal.

**Senate Bill 10:** By Senator Maldonado (Coauthor: Senator Harman)—An act to amend Sections 17072, 17215, and 19184 of, and to add Sections 17138.5, 17138.6, and 17216 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.



**Senate Bill 11:** By Senator Harman—An act to add and repeal Sections 17053.77 and 23677 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 12:** By Senator Runner (Coauthor: Senator Harman)—An act relating to health care incentives.

**Senate Bill 13:** By Senator Maldonado (Coauthor: Senator Harman)—An act to add Section 15438.9 to the Government Code, and to add and repeal Sections 17053.87 and 23687 of the Revenue and Taxation Code, relating to public health.

**Senate Bill 14:** By Senator Runner—An act relating to Medi-Cal.

**Senate Bill 15:** By Senator Cogdill—An act relating to health facility financing.

**Senate Bill 16:** By Senator McClintock (Coauthor: Senator Harman)—An act to add Section 1349.3 to the Health and Safety Code, and to add Section 699.6 to the Insurance Code, relating to health care coverage..

**Senate Bill 17:** By Senator Cogdill (Coauthor: Senator Harman)—An act relating to health care coverage.

**Senate Bill 18:** By Senator Cogdill—An act to add Sections 22869.5 and 22917 to the Government Code, relating to employee health benefits, and making an appropriation therefor.

**Senate Bill 19:** By Senator Cogdill (Coauthor: Senator Harman)—An act to amend Section 2400 of, and to repeal Sections 2401, 2401.1, and 2402 of, the Business and Professions Code, relating to medicine.

**Senate Bill 20:** By Senator Runner (Coauthor: Senator Harman)—An act to add Section 17053.102 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 21:** By Senator Cogdill—An act to add Section 17053.91 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Senate Bill 22:** By Senator Battin—An act to add a heading to Chapter 1 (commencing with Section 15430) to, and to add Chapter 2 (commencing with Section 15470.10) to, Part 7.2 of Division 2 of Title 2 of the Government Code, relating to clinic facility financing, and making an appropriation therefor.

**Senate Bill 23:** By Senator Ashburn—An act to add and repeal Sections 17052.9 and 23605 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.



**Senate Bill 24:** By Senator Ashburn—An act to amend Sections 2725.1, 2835.5, 2836, 2836.1, 2836.2, 2836.3, 3640, 3640.5, 4024, 4040, 4060, 4061, 4076, 4170, and 4174 of, and to add Section 2835.7 to, the Business and Professions Code, to amend Sections 11150 and 120582 of the Health and Safety Code, and to amend Sections 14111, 14111.5, and 16952 of the Welfare and Institutions Code, relating to nursing.

**Senate Bill 25:** By Senator Cox—An act to amend Section 1373.62 of the Health and Safety Code, and to amend Sections 10127.15, 12712.15, and 12725 of the Insurance Code, relating to health care coverage, and making an appropriation therefor.

**Senate Bill 26:** By Senator McClintock—An act to amend Sections 742.20, 742.215, 742.24, 742.245, 742.25, 742.29, and 742.30 of, and to add Sections 743, 743.01, and 743.02 to, the Insurance Code, relating to insurance.

*(The following measure was introduced on October 17, 2007.)*

**Senate Joint Resolution 1:** By Senators Battin and Harman—Relative to federal health care mandates.

#### **LEAVES OF ABSENCE FOR THE DAY**

The following Senator was granted leave of absence for the day due to personal business: Senator Wyland.

The following Senator was granted leave of absence for the day due to illness: Senator Vincent.

#### **ADJOURNMENT**

At 2:03 p.m., the President declared the Senate adjourned on call of the President pro Tempore.

PAULA K. ROSSETTO, Minute Clerk

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