

CALIFORNIA LEGISLATURE  
2013–14 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Monday, January 28, 2013

Pursuant of the provisions of the Proclamation of Governor Edmund G. Brown Jr., the 2013–14 First Extraordinary Session was called to order by Senator Kevin de León at 2:21 p.m.

Pursuant to Section 9150 of the Government Code, Bernadette McNulty, Chief Assistant Secretary of the Senate; Tony Beard, Jr., Sergeant at Arms; and Paula K. Rossetto, Minute Clerk, were in their respective places.

Assistant Secretary Zachary L. Twilla reading.

### ROLL CALL

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

Anderson, Beall, Berryhill, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Rubio, Steinberg, Walters, Wolk, Wright, and Yee—36.

Quorum present.

*(NOTE: Senator Wyland will be excused this day due to illness (waives per diem) and Senator Cannella will be excused this day due to illness.)*



**PRAYER**

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

Mary McLeod Bethune, a civil rights leader and educator, taught that “faith is the first factor in a life devoted to service. Without it,” she said, “nothing is possible. With it, nothing is impossible.”

*O God of all humanity,*

We turn to you with faith and ask that you guide us in our daily work. May you bless all who serve our State with wisdom, insight, and success in all of our worthy endeavors.

May this be God’s will.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Senator Jackson led the Senate in the pledge of allegiance to the Flag.

**MESSAGES FROM THE GOVERNOR****A PROCLAMATION****by the Governor of the State of California**

WHEREAS, an extraordinary circumstance has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session;

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with Section 3(b) of Article IV of the Constitution of the State of California, hereby convene the Legislature of the State of California to meet in extraordinary session in Sacramento, California, on the 28th day of January, 2013, at a time to be determined, for the following purpose:

To consider and act upon legislation necessary to implement the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), in the following areas:

a. California’s private health coverage market, and rules and regulations governing the individual and small group markets related to guaranteed issue of coverage, pre-existing condition exclusions, rating restrictions, and any other requirements necessary to conform state law to federal rules.

b. California’s Medi-Cal program and changes that are necessary to implement federal law, including requirements for eligibility, enrollment, and retention.

c. Options that allow low-cost health coverage to be provided to individuals who have income up to 200 percent of the federal poverty level within the California Health Benefit Exchange, to the extent allowed by federal law or regulations.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 24th day of January 2013.

EDMUND G. BROWN JR.  
Governor of California

[SEAL]

ATTEST:  
DEBRA BOWEN  
Secretary of State

#### **REQUEST FOR UNANIMOUS CONSENT**

Senator Steinberg, asked for and was granted, unanimous consent that the Officers, Committee on Rules, and the Standing Rules of the Senate for the 2013–14 Regular Session be deemed the same for the 2013–14 First Extraordinary Session.

#### **OATH OF OFFICE ADMINISTERED**

The oath of office was administered to Senator Darrell Steinberg, President pro Tempore; Greg Schmidt, Secretary of the Senate; and Tony Beard, Jr., Sergeant at Arms.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Rules**

Senate Chamber, January 28, 2013

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

Req. No. 13 1877 (SB 1)

Req. No. 1303889 (SB 2)

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.

STEINBERG, Chair

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

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

**Senate Bill 1:** By Senators Hernandez and Steinberg—An act to amend Section 12698.30 of the Insurance Code, and to amend Sections 14005.31, 14005.32, 14132, and 15926 of, to amend and repeal Sections 14008.85, 14011.16, and 14011.17 of, to amend, repeal, and add Sections 14005.18, 14005.28, 14005.30, 14005.37, 14007.1, 14007.6, and 14012 of, and to add Sections 14005.60, 14005.62, 14005.63, 14005.64, 14005.65, and 14132.02 to, the Welfare and Institutions Code, relating to health.

**Senate Bill 2:** By Senator Hernandez (Principal coauthor: Senator Monning)—An act to amend Sections 1357.51, 1357.503, 1357.504, 1357.509, 1357.512, 1363, and 1399.829 of, to amend the heading of Article 11.7 (commencing with Section 1399.825) of Chapter 2.2 of Division 2 of, to amend and add Sections 1389.4 and 1389.7 of, to amend



and repeal Section 1389.5 of, to amend, repeal, and add Sections 1399.805 and 1399.811 of, to add Sections 1348.96 and 1399.836 to, to add Article 11.8 (commencing with Section 1399.845) to Chapter 2.2 of Division 2 of, and to repeal Sections 1357.510 and 1399.816 of, the Health and Safety Code, and to amend Sections 10198.7, 10753.05, 10753.06.5, 10753.11, 10753.12, 10753.14, and 10954 of, to amend the heading of Chapter 9.7 (commencing with Section 10950) of Part 2 of Division 2 of, to amend and add Sections 10113.95 and 10119.2 of, to amend and repeal Section 10119.1 of, to amend, repeal, and add Sections 10901.3 and 10901.9 of, to add Sections 10127.21 and 10960.5 to, to add Chapter 9.9 (commencing with Section 10965) to Part 2 of Division 2 of, to add Part 6.25 (commencing with Section 12694.50) to Division 2 of, and to repeal Section 10902.4 of, the Insurance Code, relating to health care coverage.

**Senate Concurrent Resolution 1:** By Senator Steinberg—Relative to the Joint Rules for the 2013–14 First Extraordinary Session.

#### **REQUEST FOR UNANIMOUS CONSENT (SCR 1)**

Senator Steinberg asked for, and was granted, unanimous consent to take up SCR 1 at this time, without reference to file.

#### **Consideration of Senate Concurrent Resolution 1**

**Senate Concurrent Resolution 1**—Relative to the Joint Rules for the 2013–14 First Extraordinary Session.

#### **Roll Call**

The roll was called and the resolution was adopted by the following vote:

AYES (36)—Senators Anderson, Beall, Berryhill, Block, Calderon, Corbett, Correa, De León, DeSaulnier, Emmerson, Evans, Fuller, Gaines, Galgiani, Hancock, Hernandez, Hill, Huff, Jackson, Knight, Lara, Leno, Lieu, Liu, Monning, Nielsen, Padilla, Pavley, Price, Roth, Rubio, Steinberg, Walters, Wolk, Wright, and Yee.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

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

The following Senator was granted leave of absence for the day due to illness (waives per diem): Senator Wyland.

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

#### **ADJOURNMENT**

At 3:30 p.m., the President declared the Senate adjourned upon call of the President pro Tempore.

PAULA K. ROSSETTO, Minute Clerk

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