

CALIFORNIA LEGISLATURE  
2007-08 FIRST EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, November 8, 2007**

**SECOND SESSION DAY**

**FIFTY-NINTH 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.

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

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## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Thursday, November 8, 2007

The Assembly met at 6 a.m.

Hon. John J. Benoit, Assembly Member, 64th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Elizabeth Potter reading.

#### ROLL CALL

The following were placed upon the morning roll call—45:

Aghazarian	Dymally	Jones	Saldaña
Arambula	Fuentes	Karnette	Silva
Beall	Gaines	Keene	Solorio
Benoit	Galgiani	La Malfa	Spitzer
Blakeslee	Garrick	Leno	Swanson
Carter	Hancock	Levine	Torrico
Coto	Hayashi	Ma	Villines
De La Torre	Hernandez	Mullin	Wolk
De León	Horton	Nakanishi	Mr. Speaker
DeSaulnier	Houston	Niello	
DeVore	Huff	Runner	
Duvall	Jeffries	Ruskin	

Quorum present.

**At 3:02 p.m., Hon. Doug La Malfa, 2nd 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 Bass, Brownley, Nava, and Walters.*

*On personal business, and waiving per diem: Assembly Members Adams, Anderson, Berg, Berryhill, Caballero, Calderon, Cook, Davis, Emmerson, Evans, Feuer, Fuller, Garcia, Huffman, Krekorian, Laird, Lieber, Lieu, Maze, Mendoza, Parra, Plescia, Portantino, Price, Salas, Smyth, Strickland, and Tran.*

*To attend a funeral: Assembly Member Eng.*

*Because of illness: Assembly Member Soto.*

**EXPLANATIONS OF ABSENCE**

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

November 7, 2007

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

Dear Speaker Núñez: I, respectfully, request to be excused from Check in Session on Thursday, November 8, 2007. I will be in Washington D.C. on legislative business.

Thank you for your consideration of this matter. Should you have any questions or concerns regarding this request, please contact my Chief of Staff, Nolice Edwards at 319-2047.

Sincerely,

KAREN BASS, Assembly Member  
Forty-seventh District

October 31, 2007

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

Dear Mr. Speaker,

Please excuse me from check in session on Thursday, November 8, 2007 on Legislative business. I will be in my district hosting an education forum.

Thank you.

Sincerely,

JULIA BROWNLEY, Assembly Member  
Forty-first District

November 8, 2007

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

Dear Speaker Núñez: Please excuse me from Check-in Session on Thursday, November 8, 2007 due to legislative business. I will be attending the California Transportation Commission meeting.

Sincerely,

PEDRO NAVA, Assembly Member  
Thirty-fifth District

November 8, 2007

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

Dear Speaker Núñez: I respectfully request to be excused from Check in Session on Thursday, November 8, 2007 due to Legislative business in my district.

Thank you for your consideration of this request. If you need any additional information, please contact me at (916) 319-2073.

Sincerely,

MIMI WALTERS, Assembly Member  
Seventy-third District

#### COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

November 5, 2007

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

Dear Mr. Speaker: I am respectfully requesting that my per diem be waived for November 8, 2007.

Thank you for your prompt attention to this request.

Sincerely,

MARTIN GARRICK, Assembly Member  
Seventy-fourth District

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

November 8, 2007

*E. Dotson Wilson, Chief Clerk  
California State Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: This is to advise you that I've appointed the following members to the Republican Leadership Team for the 2007/2008 First Extraordinary Session:

Assemblyman Michael N. Villines	Assembly Republican Leader
Assemblyman Bob Huff	2 <sup>nd</sup> Ranking Republican Leader/ Caucus Chair
Assemblyman Roger Niello	Assembly Budget Committee Vice Chair and Assistant Republican Leader
Assemblywoman Mimi Walters	Assembly Appropriations Committee Vice Chair and Assistant Republican Leader
Assemblyman Bill Emmerson	Assistant Republican Leader
Assemblyman Rick Keene	Assistant Republican Leader
Assemblyman Van Tran	Assistant Republican Leader

Assemblyman John J. Benoit	Chief Republican Whip
Assemblyman Doug La Malfa	Chief Republican Whip
Assemblyman Todd Spitzer	Chief Republican Whip
Assemblyman Chuck DeVore	Republican Whip
Assemblyman Anthony Adams	Republican Whip
Assemblywoman Jean Fuller	Republican Whip
Assemblyman Ted Gaines	Republican Whip

If you have any questions regarding this letter, please contact Ivan Altamura at 319-2029.

It is an honor working with you in the California State Assembly.

Sincerely,

MICHAEL N. VILLINES  
Assembly Republican Leader

**FIRST READING OF ASSEMBLY BILLS**

The following bills were read the first time:

**ASSEMBLY BILL NO. 3**—An act relating to health care coverage.

**ASSEMBLY BILL NO. 4**—An act to amend Sections 17072, 17215, and 19184 of, to amend and repeal Sections 17131.4, 17131.5, 17215.1, and 17215.4 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.

**ASSEMBLY BILL NO. 5**—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.

**ASSEMBLY BILL NO. 6**—An act to amend Section 3523 of the Business and Professions Code, and to add Article 6 (commencing with Section 128559) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to physician assistants.

**ASSEMBLY BILL NO. 7**—An act to amend Section 12725 of the Insurance Code, relating to health care coverage.

**ASSEMBLY BILL NO. 8**—An act to add Sections 22869.5 and 22917 to the Government Code, to amend Section 1399.72 of, and to add Sections 1349.3 and 1367.08 to, the Health and Safety Code, to add Sections 699.6 and 10119.3 to, and to add Part 6.6 (commencing with Section 12739.10) to Division 2 of, the Insurance Code, to amend Sections 17072, 17215, and 19184 of, to amend and repeal Sections 17131.4, 17131.5, 17215.1, and 17215.4 of, to add Sections 17053.102, 17138.5, 17138.6, 17204, and 17216 to, and to add and repeal Sections 17053.77 and 23677 of, the Revenue and Taxation Code, and to add Section 14078.5 to, and to add Article 2.93 (commencing with Section 14091.50) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care, and making an appropriation therefor.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly Bill No.</i>	<i>Committee</i>
<b>1</b> -----	Health
<b>2</b> -----	Health
<b>3</b> -----	Health
<b>8</b> -----	Health

**AUTHOR'S AMENDMENTS**  
**Committee on Health**

November 8, 2007

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1

Assembly Bill No. 3

Assembly Bill No. 2

Assembly Bill No. 8

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

DYMALLY, Chair

**ASSEMBLY BILL NO. 1**—An act relating to health care.

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.

**ASSEMBLY BILL NO. 2**—An act relating to health care.

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.

**ASSEMBLY BILL NO. 3**—An act relating to health care coverage.

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.

**ASSEMBLY BILL NO. 8**—An act to add Sections 22869.5 and 22917 to the Government Code, to amend Section 1399.72 of, and to add Sections 1349.3 and 1367.08 to, the Health and Safety Code, to add Sections 699.6 and 10119.3 to, and to add Part 6.6 (commencing with Section 12739.10) to Division 2 of, the Insurance Code, to amend Sections 17072, 17215, and 19184 of, to amend and repeal Sections 17131.4, 17131.5, 17215.1, and 17215.4 of, to add Sections 17053.102, 17138.5, 17138.6, 17204, and 17216 to, and to add and repeal Sections 17053.77 and 23677 of, the Revenue and Taxation Code, and to add Section 14078.5 to, and to add Article 2.93 (commencing with Section 14091.50) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care, an appropriation therefor.

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.

**ADJOURNMENT**

At 8:42 p.m., the Assembly adjourned until 1 p.m., Monday, November 26, 2007.

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FABIAN NUÑEZ, Speaker

SUE PARKER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON NOVEMBER 8, 2007**

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

<b>AB</b>	<b>RN</b>	
1	0730654	
2	0730655	
3	0730591	
8	0730638	
<b>Daily Total:</b>		<b>4</b>
<b>Cumulative Total:</b>		<b>4</b>

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