

CALIFORNIA LEGISLATURE

2005-06 REGULAR SESSION

SENATE DAILY JOURNAL

TWO HUNDRED THIRTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Thursday, August 31, 2006

The Senate met at 12 p.m.
Hon. Gloria Romero, of the 24th District, presiding.
Secretary Greg Schmidt at the Desk.
Assistant Secretary Kipchoge Randall reading.

QUORUM CALL OF THE SENATE

Without objection, a quorum call was placed upon the Senate.
The President directed the Sergeant at Arms to close the doors and to bring in the absent Members.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE

ROLL CALL

The roll was called and the following Senators answered to their names:
Aanestad, Ackerman, Alarcón, Alquist, Ashburn, Battin, Bowen,
Cedillo, Chesbro, Cox, Denham, Ducheny, Dunn, Dutton, Escutia,
Figueroa, Florez, Harman, Hollingsworth, Kehoe, Kuehl, Lowenthal,
Machado, Maldonado, Margett, McClintock, Migden, Morrow, Murray,
Ortiz, Perata, Poochigian, Romero, Runner, Scott, Simitian, Soto, Speier,
Torlakson, and Vincent—40.

Quorum present.

UNANIMOUS CONSENT TO PRINT IN JOURNAL

Without objection, the following letter was printed in the Journal.

August 30, 2006

Mr. Greg Schmidt
Secretary of the Senate

Dear Mr. Schmidt:

This letter is being submitted to the Senate Daily Journal regarding SB 1312.

To assure that hospitals will not be doubly-penalized, it is understood by all involved parties that the intent of SB 1312 is that the \$25,000 fine referenced in Section 1280.1 (a) of the Health and Safety Code will no longer be in effect once the regulations are promulgated for Section 1280.3 (a) that includes the penalty of up to \$50,000.

Sincerely,

ELAINE K. ALQUIST
State Senator
13th Senate District

WILMA CHAN
State Assembly Member
16th Assembly District

Without objection, the following letter was printed in the Journal.

August 30, 2006

Greg Schmidt
Secretary of the Senate

Dear Mr. Schmidt:

I am submitting this letter to the Senate Daily Journal regarding SB 678, an act relating to Indian Children.

SB 678 is a comprehensive attempt to codify state and local practices with respect to the Indian Child Welfare Act (ICWA). The bill extends the Indian Child Welfare Act to adoption and guardianship proceedings, and more clearly delineates expectations regarding the child welfare services system's approach to working with Indian children, their parents and their tribes. Provisions of the federal ICWA statute and guidelines, as well as the existing Judicial Council Rules of Court for California are being codified in California statute for the first time.

California courts are well-equipped to implement the requirements of SB 678 as they have been required to implement the ICWA since 1978. Codification of the ICWA in California insures consistency in its application and uniformity in California county courthouses. The California Department of Social Services and the Administrative Office of the Courts will need to review procedures regarding child welfare, adoption and guardianship systems and identify necessary updates to instructions, forms and other procedures in order to appropriately insure the laws are followed correctly. The intent of SB 678 is to ensure compliance with ICWA, and therefore necessitates that implementation