

CALIFORNIA LEGISLATURE
20011–12 FIRST EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, December 6, 2010

Pursuant of the provisions of the Proclamation of Governor Arnold Schwarzenegger, the 2011–12 First Extraordinary Session was called to order by Senator S. Joseph Simitian at 12:50 p.m.

Pursuant to Section 9150 of the Government Code, Greg Schmidt, 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:

Alquist, Anderson, Berryhill, Blakeslee, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Hancock, Harman, Hernandez, Huff, Kehoe, La Malfa, Leno, Liu, Lowenthal, Negrete McLeod, Padilla, Pavley, Price, Rubio, Simitian, Steinberg, Strickland, Vargas, Walters, Wolk, Wright, Wyland, and Yee—37.

Quorum present.

(NOTE: Senator Runner will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

We turn to our Creator on this day for guidance and for blessing. The people of this Great State have entrusted to these men and women a sacred task, not merely to represent them, but also to lead us and inspire us.

The people ask of their leaders to be just, and to have compassion, to be honest in both word and deed.

As each of you embark on this sacred journey, we ask the Holy One, the Creator of us all, to guide you with wisdom and with insight, and to bless you with open hearts and open minds.

May the Holy One look with favor upon you on this day, and every day, and may all of your worthy endeavors be found pleasing in the eyes of God.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator La Malfa led the Senate in the pledge of allegiance to the Flag.

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

WHEREAS California is slowly emerging from the most severe economic downturn since the Great Depression; and

WHEREAS while the U.S. employment has dropped about 5 percent since 2007, employment in California has declined 9 percent (1.4 million jobs); and

WHEREAS due to the slow employment growth in the state, California's unemployment rate is expected to continue above 10 percent through 2012; and

WHEREAS in response to this dire fiscal situation, the Budget Act of 2010 was enacted in October to address a \$19.3 billion projected deficit; and

WHEREAS at the time the Budget Act of 2010 was enacted, the budget reserves for Fiscal Year 2010–11 totaled \$1.3 billion; and

WHEREAS the Legislative Analyst projects a current year budget shortfall of \$6 billion.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, in accordance with Section 10(f) of Article IV of the Constitution of the State of California, HEREBY DETERMINE that General Fund revenues for Fiscal Year 2010–11 will decline substantially below the estimate of General Fund revenues upon which the Budget was based, and as the result of unachieved budget reductions, General Fund expenditures will increase substantially above the estimate of General Fund revenues.

I, ARNOLD SCHWARZENEGGER, Governor of the State of California, HEREBY DECLARE that a fiscal emergency exists.

I, ARNOLD SCHWARZENEGGER, Governor of the State of California, HEREBY IDENTIFY THE NATURE OF THIS FISCAL



EMERGENCY to be the projected budget imbalance for Fiscal Year 2010–11.

FURTHER on this day, as required by Section 10(f) of Article IV of the Constitution of the State of California, I will cause the Legislature to assemble in special session to address this fiscal emergency, and I will submit to the Legislature proposed legislation to address this fiscal emergency.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 6th day of December 2010.

ARNOLD SCHWARZENEGGER
Governor of California

[SEAL]

ATTEST:
DEBRA BOWEN
Secretary of State

**A PROCLAMATION
by the Governor of the State of California**

WHEREAS on this date, pursuant to Section 10(f) of Article IV of the Constitution of the State of California, I have proclaimed a fiscal emergency; and

WHEREAS on this date, I am submitting to the Legislature proposed legislation to address that fiscal emergency; and

WHEREAS this extraordinary occasion having arisen and now existing, it requires that the Legislature of the State of California be convened in extraordinary session.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power and authority vested in me in accordance with Section 10(f) of Article IV of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California on the 6th day of December 2010, at a time to be determined, to consider and act upon legislation to address the fiscal emergency proclaimed by me this day.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 6th day of December 2010.

ARNOLD SCHWARZENEGGER
Governor of California

[SEAL]

ATTEST:
DEBRA BOWEN
Secretary of State

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REQUEST FOR UNANIMOUS CONSENT

Senator Steinberg asked and was granted unanimous consent that the officers, committee on Rules, and the Temporary Standing Rules of the 2011–12 Regular Session be deemed the same for the 2011–12 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**

State Capitol, December 6, 2010

Mr. President: In the First Extraordinary Session, the Senate Rules Committee re-established the Budget and Fiscal Review Committee composed of 16 members and appointed Senator Leno as Chair, Senator Huff as Vice-Chair, and Senators Alquist, DeSaulnier, Dutton, Emmerson, Evans, Fuller, Harman, Liu, Lowenthal, Negrete McLeod, Padilla, Rubio, Simitian, and Wright as members to fill the vacancies.

STEINBERG, Chair

LEAVES OF ABSENCE FOR THE DAY

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

ADJOURNMENT

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

PAULA K. ROSSETTO, Minute Clerk

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