

CALIFORNIA LEGISLATURE
2009–10 EIGHTH EXTRAORDINARY SESSION

SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Monday, January 11, 2010

Pursuant of the provisions of the Proclamation of Governor Arnold Schwarzenegger, the 2009–2010 Eighth Extraordinary Session was called to order by Senator Dean Florez, at 2:15 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 Zach Twilla reading.

ROLL CALL

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

Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Corbett, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Maldonado, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, and Yee—38.

Quorum present.

(NOTE: Senator Alquist will be excused this day due to illness.)



PRAYER

Prayer was offered by the Chaplain, Rabbi Mona Alfi:

The great philosopher, Plato, gave advice that was as fitting for his time as it is for ours. He counseled others to “Be kind, for everyone you meet is fighting a hard battle.”

So often it is easy for us to judge others by what we see or experience on a superficial level. But each of us has our own battles that we fight, issues that we wrestle with, loved ones whom we worry about. These are battles we so rarely share with those whom we work with on a daily basis, and yet they affect the way we walk through the world, and affect the way others experience us.

We pray to the Holy One, the Creator of us all, to grant us the ability to treat others with patience and understanding, and pray that others might be kind in their dealings with us as well.

May this be God’s will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Romero 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 last year, the nation and California confronted the most severe economic downturn since the Great Depression; and

WHEREAS in response to this dire fiscal situation, the Budget Act of 2009 was enacted in February, four months ahead of the constitutional deadline, to address a \$42 billion projected deficit; and

WHEREAS as the recession deepened throughout the spring, the revenues eroded and there was additional pressure on spending, especially in state programs providing health and human services, which are most sensitive to economic downturns. The Amended Budget Act of 2009 addressed the additional budget gap of \$24 billion that resulted from the deepening recession; and

WHEREAS at the time the Amended Budget Act of 2009 was enacted, the budget reserves for Fiscal Year 2009–10 totaled \$500 million; and

WHEREAS California is slowly emerging from the recession, however, the economic growth is very modest and high unemployment persists. Baseline revenues fell by more than 20 percent from their peak and they are expected to remain about 30 percent lower than 2007–08 projections for several years; and

WHEREAS California’s economy remains weak and revenues are depressed and additional pressures on spending exist. These and other cost drivers are projected to create a current year budget shortfall of \$6.6 billion and a budget shortfall of \$12.3 billion for fiscal year 2010–11 and no reserve; and



WHEREAS it is critical that more jobs be created to address California's economy and budget and fiscal crisis; and

WHEREAS interconnected with the difficult budget crisis, last year California faced a serious cash-flow problem such that the State lacked sufficient cash to make all General Fund payments in a timely manner; and

WHEREAS to address this serious cash-flow situation the State suspended loans from the Pooled Money Investment Account for thousands of capital projects and delayed issuance of taxpayer refunds, and for only the second time since the Great Depression, California issued registered warrants (IOUs) to preserve cash for essential payments; and

WHEREAS absent corrective action, the State will again face a serious cash-flow problem that may result in the State being unable to timely meet all the General Fund cash needs in 2010.

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 2009–10 will decline substantially below the estimate of General Fund revenues upon which the Amended 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 2009–10 and the projected insufficient cash reserves and budgetary and cash deficits in 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 8th day of January 2010.

ARNOLD SCHWARZENEGGER
Governor of California

[SEAL]

ATTEST:

DEBRA BOWEN
Secretary of State

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A FISCAL EMERGENCY 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 8th day of January 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 8th day of January 2010.

ARNOLD SCHWARZENEGGER
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, the Standing Committees and the Standing Rules of the 2009–10 Regular Session be deemed the same for the 2009–10 Eighth Extraordinary Session.

OATH OF OFFICE ADMINISTERED

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

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was introduced, read the first time:

Senate Concurrent Resolution 1: By Senator Steinberg—Relative to the Joint Rules for the 2009–10 Eighth 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 2009–10 Eighth Extraordinary Session.

Roll Call

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

AYES (36)—Senators Aanestad, Ashburn, Calderon, Cedillo, Cogdill, Correa, Cox, Denham, DeSaulnier, Ducheny, Dutton, Florez, Hancock, Harman, Hollingsworth, Huff, Kehoe, Leno, Liu, Lowenthal, Negrete McLeod, Oropeza, Padilla, Pavley, Price, Romero, Runner, Simitian, Steinberg, Strickland, Walters, Wiggins, Wolk, Wright, Wyland, 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: Senator Alquist.

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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