

CALIFORNIA LEGISLATURE
2011–12 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 20, 2011

SIXTH SESSION DAY

FORTY-SIXTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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 Minute Clerk: Phone 916-319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, January 20, 2011

The Assembly met at 10:32 a.m.

Hon. Fiona Ma, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Reading Clerk Russell C. Tomas reading.

ROLL CALL

The roll was called, and the following answered to their names—73:

Achadjian	Conway	Hernández	Pan
Alejo	Cook	Hill	Perea
Allen	Davis	Huber	Pérez, V. Manuel
Ammiano	Dickinson	Hueso	Portantino
Atkins	Donnelly	Huffman	Silva
Beall	Eng	Jones	Skinner
Berryhill	Feuer	Knight	Smyth
Block	Fong	Lara	Solorio
Blumenfield	Fuentes	Logue	Swanson
Bonilla	Furutani	Ma	Torres
Bradford	Galgiani	Mansoor	Valadao
Brownley	Garrick	Mendoza	Wagner
Buchanan	Gatto	Mitchell	Wieckowski
Butler	Gordon	Monning	Williams
Calderon	Gorell	Morrell	Yamada
Campos	Grove	Nestande	Mr. Speaker
Carter	Hagman	Nielsen	
Cedillo	Harkey	Norby	
Chesbro	Hayashi	Olsen	

Quorum present.

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 Lowenthal and Miller.

On personal business, and waiving per diem: Assembly Members Fletcher and Hall.

Because of illness, and waiving per diem: Assembly Member Halderman.

Because of illness in his family, and waiving per diem: Assembly Member Jeffries.

(NOTE: For letters explaining the absences of Assembly Members Lowenthal and Miller on this day, on legislative business, pursuant to the Assembly Rules, see the Assembly Journal for the Regular Session for this day.)

PRAYER

Upon invitation of Speaker pro Tempore Ma, the following prayer was offered by Assembly Member Richard S. Gordon, of the 21st Assembly District:

Lord, We glorify You this day, for You have created us to live together in a community. We also thank you today, Lord, for Martin Luther King, Jr. and for all those who believe that people should “not be judged by the color of their skin but by the content of their character.” Let Your love, Lord, and the respect we show to one another, guide our character. Let Your love spread throughout our communities so that all are welcomed, all are valued, and all will know wholeness and well-being.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Ma, Assembly Member Allen then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Calderon, seconded by Assembly Member Hagman.

DESK HELD OPEN

Assembly Member Calderon was granted unanimous consent that the Assembly Desk be held open today for the purpose of receiving a Proclamation from the Governor relative to the First Extraordinary Session.

PROCLAMATION OF THE GOVERNOR

The following proclamation of the Governor relative to the 2011–12 First Extraordinary Session of the Legislature was received and ordered printed in the Journal:

**FISCAL EMERGENCY PROCLAMATION
BY THE GOVERNOR OF THE STATE OF CALIFORNIA**

WHEREAS on the 6th of December, 2010, pursuant to Section 10(f) of Article IV of the Constitution of the State of California, Governor Arnold Schwarzenegger; proclaimed a fiscal emergency; and

WHEREAS that proclamation contained certain findings supporting the declaration of a fiscal emergency; and,

WHEREAS on January 10, 2011, I released my proposed budget for the State of California and that budget reflected current economic, budgetary, and cash information; and

WHEREAS without corrective action the combined operating deficit for Fiscal Year 2010–11 and Fiscal Year 2011–12 is \$25.4 billion; and

WHEREAS revenues are \$3.1 billion lower than were projected at the time of the 2010 Budget Act; and

WHEREAS the passage, in November 2010, of Proposition 22 created an additional budget shortfall of \$1.6 billion; and

WHEREAS decisive action is required to solve the State’s persistent and severe budget problems, continue economic recovery, promote job growth, and preserve public education and the quality of life for all Californians.

NOW, THEREFORE, I, EDMUND G. BROWN JR, 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 General Fund expenditures will increase substantially above the estimate of General Fund revenues, and further, that this will create a carry-over deficit affecting the cash reserves and the budget for Fiscal Year 2011–12.

I, EDMUND G. BROWN JR, Governor of the State of California, HEREBY DECLARE and REAFFIRM that a fiscal emergency exists.

I, EDMUND G. BROWN JR, 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, which is causing budgetary and cash deficits in Fiscal Year 2011–12.

I, EDMUND G. BROWN JR, Governor of the State of California, further determine, in accordance with the findings set forth herein, and the legislation that I am proposing to the Legislature in connection with this proclamation, that this proclamation dated January 20, 2011, supersedes the proclamations issued on December 6, 2010, for the purposes of Section 10(f) of Article IV of the Constitution.

IN WITNESS WHEREOF I have hereunto set my hand
and caused the Great Seal of the State of California
to be affixed this 20th day of January, 2011.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State



Proclamation Receipt

I acknowledge receipt this 20th day of January, 2011 at 11:07 a.m., of a proclamation by the Governor, regarding the First Extraordinary Session, accompanied by proposed legislation to address the fiscal emergency, delivered to me personally by Jacque Roberts.

SUE PARKER
Assistant Chief Clerk of the Assembly

(NOTE: The above proclamation issued by Hon. Edmund G. Brown Jr., Governor of the State of California, declares and reaffirms that a fiscal emergency exists and supersedes the proclamation issued on December 6, 2010. Pursuant to Article IV, Section 10(f) of the Constitution of the State of California, March 6, 2011 is the 45th day following the issuance of the proclamation.)

ADJOURNMENT

At 5 p.m., the Assembly adjourned to reconvene upon call of the Speaker.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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