

CALIFORNIA LEGISLATURE

1995-96 REGULAR SESSION

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# ASSEMBLY JOURNAL

JOINT RECESS JOURNAL NO. 10

SUMMER RECESS

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Assembly Chamber, Sacramento  
Thursday, August 3, 1995

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1995-96 Regular Session was printed while the Assembly was in Summer Recess:

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Office, Sacramento  
August 2, 1995

*To the Members of the Assembly:*

Assembly Bill 687, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 687 as an emergency measure.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
August 2, 1995

*To the Members of the Assembly:*

Assembly Bill 817, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 817 as an emergency measure.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
August 2, 1995

*To the Members of the Assembly:*

Assembly Bill 825, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 825 as an emergency measure.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
August 2, 1995

*To the Members of the Assembly:*

Assembly Bill 908, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 908 as an emergency measure.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
August 2, 1995

*To the Members of the Assembly:*

Assembly Bill 910, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 910 as an emergency measure.

Cordially,

PETE WILSON

Governor's Office, Sacramento  
August 2, 1995

*To the Members of the Assembly:*

Assembly Bill 911, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 911 as an emergency measure.

Cordially,

PETE WILSON

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 2, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 903

And reports the same correctly enrolled, and presented to the Governor at 4:30 a.m., August 2, 1995.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 2, 1995

Mme. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 687  
Assembly Bill No. 817  
Assembly Bill No. 825

Assembly Bill No. 908  
Assembly Bill No. 910  
Assembly Bill No. 911

And reports the same correctly enrolled, and presented to the Governor at 8 p.m., August 2, 1995.

E. DOTSON WILSON, Chief Clerk

**MESSAGES FROM THE GOVERNOR**

The following message from the Governor was received, and ordered printed in the Journal and the item vetoes placed on the unfinished business file:

**Item Veto Message—Assembly Bill No. 903**

Governor's Office, Sacramento  
August 3, 1995

I object to the following appropriations contained in Assembly Bill 903.

**Item 0820-101-001**—For local assistance, Department of Justice. I delete Provision 2.

I am deleting Provision 2, which would require the Department of Justice to revert General Funds to the extent federal funds become available to support the Spousal Abuser Prosecution Program, established pursuant to Chapter 140, Statutes of 1994. Because of non-supplantation language contained in federal regulations pertaining to this program, this language could jeopardize eligibility for any federal funds that may become available for this program.

**Item 1530-001-775**—For support of Structural Pest Control Board. I reduce this item from \$1,336,000 to \$1,317,000 by reducing:

(a) 84-Structural Pest Control Board from \$1,440,000 to \$1,421,000.

I am making this revision to correct a technical error in the Budget Bill. I am also revising Provisions 1 and 1(a) which would reference

Section 27.00 of this Act. This language was left in the final version of the Budget Bill in error. These technical vetoes will conform with the Legislature's intent.

I am also revising Provision 1 (a) to delete the requirement that the Structural Pest Control Board restrain excessive pricing of services by its licensees. The Board has no statutory authority to implement or enforce cost controls. Therefore, the language represents a substantive change of law which can only be included within a single subject bill, not the Budget Act.

"1. It is the intent of the Legislature that any funding beyond December 31, 1995, ~~shall be provided pursuant to Section 27.00 of this act,~~ and shall be contingent upon the following:

- (a) ~~Prior to consideration by the Department of Finance of a Section 27.00 request,~~ the Structural Pest Control Board shall act to restrain licensees from ~~excessively pricing services and~~ requiring unneeded work to be done. The board shall establish guidelines for the adoption of regulations that establish standards as to how much material is to be removed when replacing wood weakened by fungus or wood-destroying pests or organisms.
- (b) The board shall establish guidelines for the adoption of regulations to allow the consumer the option to independently contract with a company for any pest control work that the licensee would otherwise subcontract out.
- (c) The board shall establish guidelines for the adoption of regulations relative to a system of citations and fines pursuant to Sections 125.9 and 148 of the Business and Professions Code, and shall implement those regulations by July 1, 1996.
- (d) The board shall provide written status reports on the actions prescribed in this provision by October 1, 1995, and by December 31, 1995, to the Department of Consumer Affairs, the Department of Finance, the Secretary of the State and Consumer Services Agency, and the Joint Legislative Budget Committee."

**Item 1760-001-002**—For support of the Department of General Services. I delete Provision 1.

Chapter 150, Statutes of 1994, added Section 11011.21 to the Government Code which mandated the Department of General Services to identify state-owned real property that is or will be unused or underutilized by landholding agencies and to sell, exchange or lease ten percent of those properties per year. Toward that end, in its 1995 "Report to the Legislature—State Surplus Property Inventory," the Department identified the properties which it leases to the Capitol Area Development Authority, most of which are residential units, as surplus to the needs of the State.

I am deleting Provision 1 because, by precluding the Department of General Services from studying for the purposes of selling, or from selling, Capitol Area Development Authority residential property it would severely limit the Department's ability to achieve the goals set forth in Chapter 150, which is not consistent with current law.

**Item 1760-001-666**—For support of Department of General Services. I delete Provision 12.

Chapter 150, Statutes of 1994, added Section 11011.2 to the Government Code which mandates the Department of General Services to identify state-owned real property that is or will be unused or underutilized by landholding agencies, and to sell, exchange or lease ten percent of those properties per year. Chapter 150 also added Section 11001, which requires all state agencies to periodically report to the Department on potentially unused or underutilized properties. The Department is complying with this directive and, in January of this year, submitted its "Report to the Legislature—State Surplus Property Inventory".

I am deleting Provision 12 because it is unnecessarily duplicative of existing law. Specifically, it would require the Department of General Services, Office of Real Estate and Design Services, to direct and assist each state agency to conduct a survey and review of all lands over which the agency has jurisdiction that are available for sale by the state and to report on unutilized or underutilized land. Such a study would impede the Department's ability to comply with the requirements of existing law relating to the disposition of surplus state property, and would represent an unwise investment of the State's limited resources.

**Item 1760-301-666**—For capital outlay, Department of General Services. I reduce this item from \$2,233,000 to \$1,737,000 by deleting:

(.3) 50.10.135—Rehabilitation of Capitol Library and Courts Building—Preliminary plans, working drawings, and construction (496,000), and by deleting Provision 1.

I am deleting the \$496,000 legislative augmentation to rehabilitate the fifth floor hearing room in the Library and Courts Building. Information has not been provided which would justify the need to rehabilitate this hearing room. Furthermore, \$1,422,000 is provided in Item 1760-301-768 (27) to complete the preliminary plans phase for this project at the Library and Courts Building. Construction work for this project would be carried out in a future year, whereas this proposed remodel of the hearing room would be expected to be completed in 1995-96. Such an approach would appear to be inefficient and would result in unnecessary disruption of program operations.

I am deleting Provision 2 to conform to this action.

**Item 1760-301-768**—For capital outlay, Department of General Services. I delete Provision 6.

I am deleting Provision 6 which would require user departments to reimburse the General Fund for the costs of the relocation of the Los Angeles microwave emergency system. Current law provides me with the authority to allocate debt service payments to the appropriate departments. It is premature to establish the allocation at this time since the debt service payments will not begin until Fiscal Year 1997-98.

**Item 1760-490**—Reappropriation, Department of General Services. I delete this item.

I am deleting the legislative augmentation which reappropriates \$1,300,000 from Item 1760-301-001 (2), Budget Act of 1994, for a child

care facility in the Capitol area for legislative employees. I understand that the Senate Rules Committee has made an agreement to use available space in the child care center that has been established in the new Secretary of State's facility. This arrangement satisfies the immediate needs of legislative staff for child care services. Due to limited state resources in the General Fund, this level of funding should more appropriately be available to address other critical program needs. When space in the Secretary of State's child care facility becomes insufficient, funding for this new child care center should be considered.

**Item 1760-492**—Reappropriation, Department of General Services. I delete this item.

I am deleting this item which reappropriates the balance of funds made available pursuant to Provision 9 of Item 1760-001-666 of the Budget Act of 1991 for alterations and repairs of the legislative office buildings at 1020 N Street and 1021 O Street. I am advised that those funds were fully expended during the 1994-95 fiscal year and this item is therefore unnecessary.

**Item 1900-001-950**—For support of Board of Administration of the Public Employees' Retirement System. I delete Provision 2.

I am deleting Provision 2, which requires the Public Employees' Retirement System (PERS) to work with vendors selected for the CalPERS Health and Employee Benefits Enrollment Linkage System (CAHBEL) to develop a request for proposal that does not specify the technical solution, but simply identifies the business needs of PERS. By precluding PERS from specifying the technical solutions that they believe may be necessary to implement the CAHBEL Project, this provision would interfere with the management responsibility of PERS to implement the CAHBEL Project as they deem necessary for its successful operation. Moreover, this provision precludes PERS from operating their programs in a cost-effective manner and in accordance with established fiscal procedures, and could result in a loss of accountability for the project's outcome.

**Item 2660-001-042**—For support of Department of Transportation. I am revising this item by deleting sub-schedules (e) (1) and (e) (2), and by deleting Provisions 7 and 11.

These sub-schedules and Provision 11 express legislative intent to limit expenditures for the Director's Office and the Office of Legislative Affairs to the amounts displayed in the sub-schedules, and legislative intent to adopt appropriation schedules in future budgets to control expenditures for these offices if expenditures are not limited to the amounts reflected in the sub-schedules. The language violates the separation of powers provision concerning the Governor's authority to organize the Executive Branch.

I am deleting Provision 7, which would require the Bureau of State Audits to perform, on a reimbursed basis, an audit of the rates charged by Caltrans to local entities for performing design and engineering work on local projects. This language is now unnecessary in light of the Legislature's inclusion of Provision 10 in this item, which prohibits Caltrans from soliciting or accepting any new locally reimbursed work.

**Item 2660-305-942**—For capital outlay, Department of Transportation. I revise Provision 3 .

~~“3. Transfers pursuant to this item shall require the prior approval of the Department of Finance. The Department of Finance shall authorize any transfer pursuant to this provision not sooner than 30 days after notification in writing to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee. Any allocation of funds for capital outlay in this item shall be available for expenditure in the 1995–96, 1996–97, and 1997–98 fiscal years.”~~

Provision 3 specifies that transfers pursuant to this item require the prior approval of the Department of Finance, and that such approvals shall not be granted sooner than 30 days after notification in writing to the Chairperson of the committees in each house that consider appropriations and the chairperson of the Joint Legislative Budget Committee. This language may result in project delays, and would infringe upon the Executive Branch’s ability to effectively manage its programs.

**Item 2660-325-042**—For capital outlay, Department of Transportation. I delete Provision 6.

I am deleting Provision 6, which would limit the use of State Highway Operation Protection Program funds to highways for which Caltrans was responsible on or before January 1, 1995. This language interferes with the authority of the Executive Branch to effectively manage its programs, and may preclude needed repairs on any roads designated to be parts of the state highway system after January 1, 1995.

**Item 2740-001-044**—For support of Department of Motor Vehicles. I reduce this item from \$341,801,000 to \$338,378,000 by reducing:

(b) 22-Driver Licensing and Personal Identification from \$151,074,000 to \$147,651,000,

and by deleting Provision 2.

I am deleting the \$3,423,000 legislative augmentation to fund the federal “Motor Voter” mandate. In order to maintain even the modest present reserve, we cannot afford an augmentation even in light of the increased work load which has been required of the department to comply with the unfunded federal mandate of the Motor Voter Law.

**Item 2780-001-683**—For support of Stephen P. Teale Data Center, Business, Transportation and Housing Agency. I reduce this item from \$75,095,000 to \$75,094,000, and delete Provisions 2, 5, and 6.

I am deleting Provision 2, which would require notification of the Legislature prior to committing to any expenditure of at least \$250,000. This would add an excessive administrative burden associated with preparing such notifications, and would inhibit the Stephen P. Teale Data Center’s ability to enter into contracts in a timely and businesslike manner.

I am deleting Provision 5, which would require the State Auditor to conduct an audit of Teale Data Center’s cost recovery practices. This audit is unnecessary because the Data Center has already funded an

independent review of the Center's cost recovery methodology. The Data Center's existing audit contract addresses the majority of the objectives contained in Provision 5. I am directing the Director of the Teale Data Center to examine the existing contract and determine which additional audit objectives contained in Provision 5 should be pursued.

I am deleting Provision 6 which would require the creation of a Policy Advisory Council of the Stephen P. Teale Data Center to review the Stephen P. Teale Data Center's plans and policies to respond to the computing and network servicing needs of its customers, as well as approving the data center's budget proposals and rates. Such an advisory council should not have approval authority over the data center's budget proposals or rates, and would constitute an undesirable expansion of governmental bureaucracy.

I am reducing \$1,000 from this item to reflect savings that will be achieved based on vetoing language contained in Provisions 2, 5, and 6 of this item.

**Item 2920-001-001**—For support of the Trade and Commerce Agency. I revise this item by reducing the item from \$23,769,000 to \$23,519,000 by reducing:

(fx) For transfer to the Small Business Expansion Fund from \$500,000 to \$250,000, and by deleting Provision 1.

I am reducing this item by \$250,000 for the initial expenses of an Infrastructure Bank. The remaining \$250,000 should be sufficient to begin operation on a limited scale while continuing to seek capital funds for the bank.

I am deleting Provision 1, which would require the State Auditor to conduct a comprehensive performance audit of the Agency. The Bureau of State Audits estimates that the cost of such an audit would be \$255,000. Without added funding, financing the audit would represent an unallocated reduction in Agency programs. In addition, it is my understanding that the Bureau of State Audits has authority, based on priorities set by the Joint Legislative Audit Committee, to determine which audits to perform within its budget resources.

**Item 3360-001-033**—For support of State Energy Resources, Conservation and Development Commission. I delete this item and Provision 1.

I am deleting the \$5,800,000 appropriation because the State Energy Conservation Assistance Account was established as a continuous appropriation to ensure timely financial assistance to small schools and hospitals for energy conservation projects. Under this program, the Energy Commission reviews applications and provides loans for the highest priority projects. When these loans are repaid, the money is turned around for new loans. Substituting a Budget Act appropriation for the continuous appropriation in statute would unnecessarily delay the allocation of funds for new meritorious projects.

I am deleting Provision 1 to conform to this action.



**Item 3360-001-465**—For support of State Energy Resources, Conservation and Development Commission. I revise this item by reducing:

(b) 20-Energy Resources Conservation from \$19,621,000 to \$13,821,000,

and by deleting,

(g) Amount payable from State Energy Conservation Assistance Account (Item 3360-001-033) (–5,800,000).

I am revising this item to conform to the action taken in Item 3360-001-033.

**Item 3480-011-035**—For transfer by the Controller to the General Fund. I reduce this item from (\$655,000) to (\$579,000).

I am reducing this item by \$76,000 to conform with legislative action that provides full funding of exempt positions funded from the Surface Mining and Reclamation Account in the Department of Conservation. Initially, legislative action was taken to reduce funding for exempt positions and transfer the \$76,000 savings to the General Fund. Subsequently, final legislative action was taken to restore full funding. However, this is a technical veto because action was inadvertently not taken on this item to conform with the restoration of funds.

**Item 3540-001-001**—For support of Department of Forestry and Fire Protection. I delete Provisions 5, 6 and 7.

I am deleting Provision 5, which requires the Department to terminate any contract with a local government by October 1, 1995 if total repayment for fire services is not made in the 1994–95 fiscal year. This language is unnecessary and could prove cumbersome to the Department. The current contract language already gives the Department the authority to cancel any agreement with those entities who do not remit payment for fire services. Leaving this language in the budget would hinder the Department's ability to individually arrange payment terms with entities that contract for fire services and have temporary cash flow problems or other fiscal constraints.

I am deleting Provision 6, which requires the Department of Forestry and Fire Protection to designate as surplus, during the 1995–96 fiscal year, any unstaffed fire lookout sites for which the Department holds fee title. However, I am directing the Department of General Services, which is the responsible agency for the management of the state's real properties, to take the lead in this matter as a part of its normal processes and procedures in reviewing and disposing of state surplus property.

I am deleting Provision 7, which requires the Department to provide payment to the Bureau of State Audits in the amount of \$25,200 for an audit. This audit was initiated in the 1994–95 fiscal year and the Department has encumbered the necessary funds from that year's appropriation. Consequently, this language is not necessary.

**Item 3540-031-928**—For transfer by the Controller to the General Fund. I delete this item.

This item would transfer \$416,000 to the General Fund. While I realize that this action will result in a loss to the General Fund, I am concerned about the fiscal condition of this special fund. There has been a significant downturn in revenues to the Forest Resources

Improvement Fund due to a variety of factors, and I am concerned that this transfer would further exacerbate the fiscal solvency of the fund. The proceeds that otherwise would have been transferred to the General Fund should remain in the fund to provide a prudent reserve.

**Item 3600-101-140**—For local assistance, Department of Fish and Game. I delete this item.

I am deleting the \$75,000 legislative augmentation for the San Francisco Zoo's Avian Center endangered species program. This deletion is necessary to ensure the financing of other high-priority appropriations from the Environmental License Plate Fund, while still maintaining a prudent reserve in the fund.

**Item 3600-101-200**—For local assistance, Department of Fish and Game. I delete this item.

I am deleting the \$52,000 legislative augmentation for support of the Big Creek Hatchery to be operated by the Monterey Bay Salmon Trout Project. The Department is already severely impacted due to the decline in revenues to the Fish and Game Preservation Fund from the sale of licenses, as well as the anticipated outcome of a recent lawsuit regarding the validity of the Chapter 1706, of the Statutes of 1990 environmental filing fees. Funding this project would have a significant impact on the department's ability to meet its current program mandates and high-priority needs, such as critical capital outlay projects at its own facilities, as well as maintain a prudent reserve.

**Item 3640-101-140**—For local assistance, Wildlife Conservation Board. I delete this item and Provision 2.

I am deleting the \$75,000 legislative augmentation for a local assistance grant to the San Joaquin River Conservancy for administration costs. Funds for this purpose have already been provided by a grant from the Department of Parks and Recreation. Therefore, this appropriation is not necessary.

I am deleting Provision 2 to conform to this action.

**Item 3640-401**—For capital outlay, Wildlife Conservation Board. I delete this item.

This item would provide new language under Proposition 70 to expand the area in which land could be acquired for valley oak riparian forest and wetlands along the Mokelumne River near Galt. This deletion is necessary to ensure financing of current appropriations from the California Wildlife, Coastal, and Park Land Conservation Fund, while still maintaining a prudent reserve in the fund.

**Item 3680-005-516**—For support of Department of Boating and Waterways. I reduce this item from (\$4,062,000) to (\$3,718,000) as follows:

I am deleting the \$59,000 legislative transfer from the Harbors and Watercraft Revolving Fund (HWRF) to the General Fund which was the result of a legislatively imposed 25 percent reduction in the department's travel budget. Savings in HWRF monies are most appropriately reverted to the HWRF to fund boating-related activities.

I am also reducing this item to conform to actions taken in item 3680-101-001, which deletes a \$285,000 beach erosion project.

**Item 3680-101-001**—For local assistance, Department of Boating and Waterways. I reduce this item from \$4,003,000 to \$3,718,000.

(a) 30-Beach Erosion Control from \$4,003,000 to \$3,718,000.

I am deleting the legislative augmentation of \$285,000 for the beach erosion project at Seal Beach. This project was not reviewed or evaluated in the context of competing needs for the Harbors and Watercraft Revolving Fund and is not a component of the Administration's beach erosion program.

**Item 3680-101-516**—For local assistance, Department of Boating and Waterways. I reduce this item from \$27,554,000 to \$24,160,000 by reducing:

(a) 10-Boating Facilities from \$23,754,000 to \$20,360,000

Launching Facility Grants from (\$6,159,000) to (\$3,800,000) by reducing:

- 7) Mill Creek from (\$263,000) to (\$36,000), and deleting:
- 19) Lake Chabot Pier (\$180,000),
- 20) Buckley Cove (\$344,000),
- 21) Rollins Lake (\$356,000),
- 22) Sly Creek Reservoir (\$379,000),
- 23) Siskiyou Lake (\$130,000),
- 24) Lakeport (\$573,000), and
- 25) Vallejo Marina (\$170,000).

Small Craft Harbor Loans from (\$9,595,000) to (\$8,560,000) by reducing:

- 8) Vallejo Marina from (\$222,000) to (\$100,000); and deleting:
- 9) Pillar Point Harbor (\$500,000), and
- 10) Coyote Point Marina (\$413,000).

These legislative augmentations would contribute to a deficit in the fund balance. I am eliminating these augmentations and establishing a prudent reserve. In addition, these projects should be submitted for consideration during the normal budget process, so that they may be reviewed and evaluated in the context of competing needs for the Harbors and Watercraft Revolving Fund.

**Item 3680-491**—Reappropriation, Department of Boating and Waterways. I revise this item by deleting Schedule 3 (a) for the Small Craft Harbor Loan for Woodley Island Marina (\$1,000,000).

This reappropriation, from Item 3680-101-516, Budget Act of 1994, was redirected to augment local assistance projects which were not submitted for review and consideration during the normal budget process, and as a result is being vetoed. Therefore, this reappropriation is unnecessary.

**Item 3790-101-140**—For local assistance, Department of Parks and Recreation. I reduce this item from \$854,000 to \$254,000 by deleting:

- (1) 22.25-Local Grants from \$854,000 to \$254,000,
  - (b) Association of Bay Area Governments, Bay Area Trails (\$100,000),
  - (c) San Diego: East Clairemont Park (\$90,000),
  - (d) San Diego: Cabrillo Heights Park (\$50,000),
  - (e) East Bay RPD: Palomares Ranch Acquisition (\$160,000),
  - (g) Los Angeles: Parkland Purchase (\$100,000),
  - (i) Delano: Veterans Memorial Parkway (\$100,000).

I am deleting these projects from the California Environmental License Plate Fund because these projects are not of sufficiently high priority to justify the use of limited state resources.

**Item 3790-101-263**—For local assistance, Department of Parks and Recreation. I reduce this item from \$9,578,000 to \$9,422,000 by deleting:

- (2) 12.25.010—Stanislaus County: Raines Off-Highway Motor Vehicle Recreation Park (\$150,000),
- (3) 12.25.011—Mt. Diablo-Silverado Council/BSA Los Aguilas Camp Road Repair (\$6,000),

and by deleting Provision 1 to conform to this action.

I am deleting the \$156,000 legislative augmentation for two local assistance grants from the Off-Highway Vehicle Trust Fund. These projects are not of sufficiently high priority to justify the use of limited state resources.

**Item 3790-101-721**—For local assistance, Department of Parks and Recreation. I delete this item.

I am deleting the \$180,000 legislative augmentation for five local assistance grants from the California Parklands Act of 1980. This appropriation would reduce the reserve to an imprudent level. In addition, these projects are not of sufficiently high priority to justify the use of limited state resources.

**Item 3790-101-722**—For local assistance, Department of Parks and Recreation. I reduce this item from \$120,000 to \$100,000 by deleting:

- (1) 22.25-Local Grants from \$120,000 to \$100,000

and by deleting:

- (b) City of Linden, pool resurfacing (20,000)

I am deleting the \$20,000 legislative augmentation for a local assistance grant from the California Parklands Act of 1984. This project is not of sufficiently high priority to justify the use of limited state resources.

**Item 3860-001-140**—For support of Department of Water Resources. I delete Provision 1.

I am deleting Provision 1, which requires that \$75,000 of the funds appropriated by this item be used for the nonfederal share of the cost of the Salton Sea research project conducted pursuant to P.L. 102-575. This is a technical veto because the provision was inadvertently included in this item. This language and funding for the research project are included in Item 3860-101-140 which was not included in the budget in error and will be added as a correction to the budget in subsequent legislation. Therefore, Provision 1 of this item is not necessary.

**Item 3860-101-668**—For local assistance, Department of Water Resources. I delete this item and Provisions 1 and 2.

I am deleting the \$150,013,000 legislative augmentation because this appropriation is dependent upon voter approval of the Flood Control Bond of 1996, which currently is proposed in legislation. This measure is one of the many general obligation bonds that is being contemplated by the Legislature. However, the Administration has not prioritized all the different proposals nor has it reviewed all the various needs for bond funding. While these program activities proposed for funding from this item may have merit, an

appropriation such as this would be premature, prior to legislative authorization and voter approvals.

I am deleting Provisions 1 and 2 to conform to this action.

**Item 3910-001-387**—For support of California Integrated Waste Management Board. I reduce this item from \$29,628,000 to \$29,353,000 by reducing:

- (c) 20-Waste Reduction and Resource Recovery from \$31,866,000 to \$31,591,000

and by deleting Provision 2.

I am deleting the \$275,000 legislative augmentation to provide start-up administrative and educational grants to eleven newly designated Recycling Market Development Zones. Funds should be directed toward increased loans, instead of one-time grants, because the loan repayments can be turned around for additional low-interest loans to other businesses needing assistance in the Recycling Market Development Zones.

I am deleting Provision 2 to conform to this action.

**Item 3930-001-001**—For support of Department of Pesticide Regulation. I revise this item by reducing:

- (b) 17-Enforcement, Environmental Monitoring and Data Management from \$23,367,000 to \$23,167,000, and
- (h) Amount payable from the Food Safety Account (Item 3930-001-224) from -\$2,134,000 to -\$1,934,000.

I am revising this item to conform to the action taken in Item 3930-001-224.

**Item 3930-001-224**—For support of Department of Pesticide Regulation. I reduce this item from \$2,134,000 to \$1,934,000.

I am deleting the \$200,000 legislative augmentation for a Biologically Integrated Farming System. This program provides training and financial incentives for farmers to reduce their use of chemicals in agricultural production. While the program may have merit, state funding for the program was authorized last year on a one-time basis, with the understanding that continued funding would be provided from federal and private funds. Furthermore, I am concerned that expenditure demands against the Food Safety Account are greater than revenues coming into the Account, which will result in a shortfall once reserves are exhausted. The proposed legislative augmentation would exacerbate this funding problem.

**Item 3940-001-001**—For support of State Water Resources Control Board. I revise this item by reducing:

- (b) 20-Water Rights from \$8,399,000 to \$8,098,000, and by deleting:

- (fx) Amount payable from the Environmental License Plate Fund (Item 3940-001-140) (-301,000).

I am deleting the \$301,000 legislative augmentation and the related 3.1 personnel years to conduct an instream water registry program in the State Water Resources Control Board's Water Rights Program. While the registry may have merit, funding the registry is not the highest priority use of the funds in light of existing permit backlogs in both the Water Rights and Water Quality Programs. In addition, it is necessary to delete this augmentation to ensure that other

high-priority appropriations from the Environmental License Plate Fund may be funded, while still maintaining a prudent reserve in the fund.

**Item 3940-001-140**—For support of State Water Resources Control Board. I delete this item.

I am deleting this item to conform to the action I have taken in Item 3940-001-001.

**Item 3940-001-235**—For support of State Water Resources Control Board. I delete Provision 1.

I am deleting Provision 1 to conform to action I have taken on Item 3940-001-140. This is a technical action to delete a provision that properly belonged with Item 3940-001-140, but was located in this item in error. Since I am deleting Item 3940-001-140, I am also deleting the language that would reserve the appropriation in that item for the development and maintenance of a registry of instream flow requirements.

**Item 3960-001-014**—For support of Department of Toxic Substances Control. I revise this item by reducing:

- (a) 12-Site Mitigation from \$49,151,000 to \$48,487,000,
- (b) 13-Hazardous Waste Management from \$39,359,000 to \$38,339,000,

and by deleting,

- (fx) Unallocated reduction (−1,684,000),

and by deleting, Provision 5.

I am deleting the legislative restoration of 19.7 personnel years for site cleanup and hazardous waste enforcement. The proposed reductions in the budget relating to a shortfall in Hazardous Waste Control Account resources were made after a careful priority examination of existing and new statutory workload that would have to be accomplished during the year. Restoring positions and imposing an unallocated reduction on the department to fund the positions is unnecessarily restrictive, and would infringe on my authority to prepare a budget that reflects my spending priorities within available resources. While the Legislature's restoration of positions for site cleanup and hazardous waste management appears well-intentioned, the Legislature did not accept the responsibility for identifying resources to fund those positions. I have chosen to allocate funds in a way that ensures a balanced approach to achieving public health and environmental goals. For example, urgent public health needs will be addressed by inclusion in the budget of 12.3 personnel years and \$3 million to clean up hazardous substances at clandestine drug laboratories, as required by Chapter 55, Statutes of 1994 (SB 47X). It would not be sound policy to sacrifice this critical program to an unallocated reduction in order to fund an important, but less compelling purpose. To conform with this action, I am deleting both the funding for the positions and the related unallocated reduction that would have been the source of funding for the positions.

Also as a conforming action, I am deleting Provision 5, which would specify legislative intent to exempt various positions performing direct site cleanup, inspections and enforcement duties from an

unallocated reduction, and require the department to report to the Legislature on the reduction plan it has implemented to distribute the unallocated reduction.

**Item 4130-001-632**—For support of Health and Welfare Data Center. I delete Provisions 5 and 7.

I am deleting Provision 5, which would require a consultant to determine the biometric identifier (fingerprint, palm print, etc.) which would best meet the State's need to reduce welfare fraud. This language is unduly restrictive, would result in unnecessary additional costs, and would delay the implementation of a statewide fraud detection system. In the interest of establishing an effective fraud detection system in an expeditious manner, I am pursuing separate legislation to provide the necessary authorization, and directing the Data Center to use funds in this item to hire a contractor to assist in developing the necessary plans and planning documents.

I am deleting Provision 7, which would require the Health and Welfare Data Center to reimburse the Bureau of State Audits up to \$200,000 for a contract with an independent consultant to review the State's framework and plan for automating welfare in California, and to assist the Data Center in developing the criteria and specifications for subsequent automation procurement. While I agree that it is beneficial to provide for an independent review of these automation efforts, and have no objection to sharing that review with the Legislature, I believe this language is unnecessarily restrictive. Specifically, given the non-technical nature of the framework and plan that are to be produced, it is not clear that an in-depth review by a private contractor would be beneficial. Additionally, since no appropriation was provided for this effort, an expenditure of \$200,000 could lead either to a deficiency or a delay in ongoing automation efforts. Therefore, I am vetoing this provision, as it is more appropriate for the Chief Information Officer to monitor the development of the State's framework and plan for welfare automation.

**Item 4260-101-001**—For local assistance, Department of Health Services. I delete Provision 16.

I am deleting Provision 16, which pertains to dental quality assurance and improved dental access in rural areas for the Medi-Cal program. Compliance with Provision 16 would result in a \$3.7 million deficiency in the Medi-Cal dental program, as these funds were not appropriated in the budget. Further, this language is not necessary and is overly prescriptive. The requirements of this provision would infringe upon Executive Branch authority to effectively administer State government. The existing process of monitoring quality of care, using the federally mandated Surveillance and Utilization Review System (SURS), is sufficient. The Budget Act already includes enhanced funding to support an ongoing significant expansion of existing dental SURS activities, increasing the number of on-site visits, and adding monitoring of quality of care as part of SURS. The results of this significant program enhancement should be evaluated before additional resources are provided for this purpose.

**Item 4300-101-001**—For local assistance, Department of Developmental Services. I revise this item by reducing:

- (c) 10.10.060-Early Intervention Programs from \$39,017,000 to \$38,467,000, and
- (g) Amount payable from Federal Trust Fund (Item 4300-101-890) from -\$34,671,000 to -\$34,121,000.

I am revising this item to conform to the action I have taken in Item 4300-101-890.

**Item 4300-101-890**—For local assistance, Department of Developmental Services. I reduce this item from \$34,671,000 to \$34,121,000.

I am deleting the \$550,000 legislative augmentation for the Family Resource Centers operated under the Early Start Program. The State Budget funds these centers at the historical annual level of \$2.5 million. The \$550,000 will be reversed to fund direct service costs for developmentally delayed and disabled infants in 1996-97.

**Item 4440-001-001**—For support of Department of Mental Health. I delete Provision 2.

I am deleting Provision 2, which specifies that the Department of Mental Health shall develop and use performance outcome measures for target populations and complete draft outcome measures for the state hospitals by March 1, 1996. The deadline cannot be met because staff must be redirected to develop the strategic plan regarding the future of state hospitals by January 1, 1996, as required by Provision 7 in Item 4440-011-001 which I am sustaining. The Department is not adequately staffed to complete both of these projects in the specified time frame, so I am deleting the requirement because it should follow the completion of the strategic plan.

**Item 5100-001-870**—For support of Employment Development Department. I delete Provision 4.

I am deleting Provision 4 because the use of Wagner Peyser funds is more closely aligned with the GAIN program and base closure than the Employment Training Panel. I am directing the Director of the Employment Development Department to set aside these Wagner Peyser funds for the purposes of the GAIN program.

**Item 5180-101-001**—For local assistance, Department of Social Services. I delete Provision 7.

I am deleting Provision 7, which would require the transfer of State Foster Care funds to Santa Clara County to fund a project to provide intensive services to children and their families to prevent foster care placement. Although the objectives of the Santa Clara project are consistent with my goals of keeping families together and protecting children from abuse, the funding mechanism potentially could result in a cost to the General Fund, despite language intended to preclude General Fund costs. I am particularly concerned that budget bill language would not supersede program funding formulas which are mandated in statute.

Further, I intend to pursue the realignment of children's programs through my Partnership for Excellence Project. The Partnership Project will provide counties that choose to participate a stable source of funding and flexibility to structure programs in a manner that best serves children and their families. Accordingly, Santa Clara



and any other county, could have both the flexibility and funding to operate programs such as the existing Santa Clara wrap-around services program by participating in the Partnership for Excellence Project upon its enactment. If Santa Clara County chooses not to participate in the Partnerships Project, there are alternate funding sources—such as federal Family Support and Family Preservation funding or county savings generated through implementation of the Emergency Assistance Program—which could be used to fund the program without a cost to the General Fund.

**Item 5180-141-001**—For local assistance, Department of Social Services. I delete Provisions 9, 10, and 12.

Provision 9 would require the Department of Social Services to report to the Legislature by September 1, 1995, on the status of the state's proposal for implementation of electronic benefits transfer (EBT) for food stamps, the status of the federal government's policy regarding states' authority to implement EBT, and an estimate of potential cost savings from implementation. I am vetoing this language because the Department is not permitted sufficient time to prepare the report. However, I am instructing the Department to investigate the potential implementation of EBT and to estimate any savings its implementation might achieve.

Provision 10 would require the Department of Finance, in November 1995, to estimate the anticipated amount of savings associated with several proposals in the County Administration of Welfare Programs budget. If the Department of Finance estimates that these savings (projected to be \$8.6 million) will materialize, the funds would be reverted to the General Fund. In the Governor's Budget, the Administration proposed to allow counties to use these savings to perform administrative activities such as annual redeterminations of eligibility which, due to fiscal constraints at the county level, the counties have been unable to perform in recent years. While these are not core eligibility determination activities, these responsibilities are nonetheless essential to maintain the integrity of county welfare administration. Additionally, this provision is inconsistent with the provisions of the budget trailer bill, SB 1344 (Solis), which proposes to allow counties experiencing fiscal distress to reduce their share of County Administration costs without the loss of state matching funds. Given that the Legislature has already reduced the county administration budget below the level which counties have indicated they are prepared to fund, I am deleting the language. This action will leave state funds available to match the level of expenditures which counties have indicated they will provide for county administration.

Provision 12 would authorize the Department of Finance to redirect funds to establish Aid to Families with Dependent Children (AFDC) biometric identification pilot projects in Orange, San Diego and San Bernardino counties. While this language does not require that any specific action be taken, I am deleting it because it is inconsistent with the Administration's policy regarding implementation of a fingerprint imaging system. Since this policy is to expedite the statewide implementation of fingerprint imaging, language authorizing redirection of funds for additional pilots is unnecessary.

**Item 5180-151-001**—For local assistance, Department of Social Services. I revise this item by reducing:

- (b) 20.05-Employment Services from \$235,139,000 to \$229,669,000,
- (ix) Amount payable from Employment Training Fund (Item 5180-151-514) from —\$22,735,000 to —\$20,000,000, and
- (j) Amount payable from Federal Trust Fund (Item 5180-151-890) from —\$885,343,000 to —\$882,608,000.

I am deleting the \$5,470,000 legislative augmentation to the Department of Social Services for the Greater Avenues for Independence (GAIN) program. This action conforms to the action I am taking in Item 5100-001-870 and will make \$2,735,000 in Employment Training Fund monies available to the Employment Training Panel.

**Item 5180-151-514**—For local assistance, Department of Social Services. I reduce this item from \$22,735,000 to \$20,000,000.

I am reducing this item by \$2,735,000 to conform to action taken in Item 5180-151-001.

**Item 5180-151-890**—For local assistance, Department of Social Services. I reduce this item from \$885,343,000 to \$882,608,000.

I am reducing this item by \$2,735,000 to conform to the action I have taken in Item 5180-151-001.

**Item 5240-001-001**—For support of Department of Corrections. I reduce this item from \$3,016,457,673 to \$3,016,456,673 by reducing:

- (a) 21-Institution Program from \$2,837,738,830 to \$2,837,737,830, and by deleting Provisions 11, 12, and 15.

I am deleting Provision 11, which specifies that the Department shall be required to notify the Joint Legislative Budget Committee of any payments in an amount greater than \$100,000 made pursuant to legal challenge, whether that challenge is settled outside of court or by judgment of a court. This provision would create a cumbersome process for payment of judgments and settlements of lawsuits against the department. In some cases the thirty day notification period would make it impossible to reach a settlement.

I am deleting Provision 12, which allocates \$3,000,000 of funds appropriated in this item to fund the Community Based Punishment Act of 1994. While I support the goals of the Act, the language precludes the use of funds to implement the program unless a sufficient number of inmates can be diverted from state prison, thereby generating a level of savings equal to the amount of a grant award. I am concerned that this mechanism would in effect prohibit the release of any of these funds. Consequently, the language sets aside funds that cannot be used for community based programs. It is also not clear that funds which could not be allocated for community programs could be used by the Department to continue to incarcerate felons.

Furthermore, this language duplicates funds for this purpose. The Board of Corrections budget has been increased by \$2,000,000 and language added to provide grants to counties to develop community-based punishment plans. I believe this will be a more effective approach to implement the program given the assurance of funding which is not contingent upon specified conditions and the existing relationship between the Board and the counties.

I am reducing this item by \$1,000 and deleting Provision 15, which

prohibits the Department of Corrections from expending \$4.9 million of \$19.6 million approved by the Legislature for the implementation of Phase 2 of the new Health Care Delivery System for inmates until the Department submits a report to the Legislature on the status of the implementation, the status of Correctional Treatment Centers, the number of filled and vacant positions for the phase 2 implementation, and other information related to the incidence of mental illness among inmates. In light of the unallocated and other budget reductions applied to the Department of Corrections, this new reporting requirement and restrictions on the use of approved funds unduly restricts the Administration's authority to manage its programs and may prove to delay implementation of Phase 2 of the Health Care Delivery System and result in additional costs to the State.

**Item 5240-001-917**—For support of Department of Corrections. I reduce this item from \$42,930,000 to \$41,919,485 as a technical adjustment to conform with legislative action taken on Item 5240-001-001, which reduced a like amount of Inmate Welfare Funding.

**Item 5460-001-001**—For support of Department of the Youth Authority. I am reducing this item from \$295,337,670 to \$295,336,670 by reducing:

(a) 20-Institutions and Camps from \$296,477,000 to \$296,476,000, and by deleting Provision 2.

I am reducing this item by \$1,000 and deleting Provision 2, which would require the Department of the Youth Authority to contract for an evaluation of its education programs. Although this evaluation may be meritorious, without additional funding, it would unduly restrict funds needed for implementation of currently mandated programs and for completion of required studies and reports. Redirecting funds for this evaluation would either require stopping work on other studies already in progress, that are being conducted at the request of the Legislature, or require reducing direct services to wards.

I am reducing \$1,000 from this item to reflect savings that will be achieved based on vetoing language contained in Provision 2 of this item.

**Item 6110-105-001**—For local assistance, Department of Education (Proposition 98). I delete Provision 8.

I delete this provision as this would require the Superintendent to allocate \$50,000 of unclaimed funds from this item to the El Tejon Unified School District. This language is not necessary because existing law permits the relocation of Kern County's Regional Occupational Program classes to improve access for El Tejon Unified School District students. In addition, the loss of El Tejon average daily attendance funding will negatively impact the Kern County program, and the proposed single district El Tejon program may be less able to provide as rich an educational experience for its students as the existing regional program because of the limited funding. This is an issue that should be resolved locally by the districts involved.

**Item 6110-230-001**—For local assistance, Department of Education, (Proposition 98). I delete Provision 12.

Provision 12 would redirect \$4 million from the existing

home-to-school transportation budget, and would require that the funds be allocated to a specific county for purchase of public transit services. In addition to resulting in a reduction to the base transportation budget for every school district in the state, the language would require an unconstitutional use of Proposition 98 funds.

**Item 6610-001-001**—For support of the California State University. I reduce this item from \$1,571,124,000 to \$1,571,004,000 by reducing:  
 (a) Support from \$2,237,235,000 to \$2,237,115,000,  
 and by deleting Provision 7.

The Legislature augmented this item to provide funding for the Center for the Resolution of Environmental Disputes. This center was created pursuant to Resolution Chapter 127, Statutes of 1991 (Senate Concurrent Resolution No. 22) and was to be funded solely from grants or fees from services. Given the intent of SCR No. 22 and the need to provide scarce General Fund resources for high-priority programs, I am deleting this augmentation.

**Item 6870-101-001**—For local assistance, Board of Governors of the California Community Colleges. I reduce this item from \$1,270,625,000 to \$1,270,028,000 by deleting:  
 (mx) 20.40.030-Instructional Equipment (\$597,000),  
 and by deleting Provision 16.

The legislative augmentation would provide replacement equipment for the East Los Angeles College, Vocational Building. The Los Angeles Community College district should use funds from within its existing budget, or from the one-time augmentation from 1994-95 funds for instructional equipment purchases. Additionally, this augmentation of \$597,000 would be in excess of the Proposition 98 guarantee.

I am deleting Provision 16 to conform to this action.

**Item 6870-301-660**—For capital outlay, Board of Governors, California Community Colleges. I sustain this item at \$72,635,000.

While it is not my intent to set a precedent, I am sustaining the funding for this project in recognition of the district's initiative in raising local funds for its library. In the future, community college districts should propose partnerships of this nature for consideration as part of the Governor's Budget.

**Item 8100-001-001**—For support of Office of Criminal Justice Planning. I reduce this item from \$3,366,000 to \$3,365,000 by reducing:

(c) 50-Criminal Justice Projects from \$8,503,000 to \$8,502,000,  
 and by deleting Provision 1.

I am reducing this item by \$1,000 and deleting Provision 1, which requires the Office of Criminal Justice Planning to coordinate the statewide monitoring effort of the impact of the implementation of Chapter 12, Statutes of 1994, the "Three Strikes" law. I am approving similar language requiring the Board of Corrections to undertake the primary responsibility for monitoring the impact of the "Three Strikes" law. This provision would require unnecessary duplicative efforts by the Office of Criminal Justice Planning.

I am reducing \$1,000 from this item to reflect savings that will be achieved based on vetoing language contained in Provision 1.

**Item 8100-101-001**—For local assistance, Office of Criminal Justice Planning. I reduce this item from \$24,349,000 to \$24,249,000 by deleting:

(rx) 50.30.671-San Francisco and San Diego Midnight Basketball Program (\$100,000)

and by deleting Provision 2 to conform to this action.

While this program apparently has merit, no information has been provided regarding its efficacy compared to other programs. I have proposed funding for nearly 100 grant proposals which provide, in addition to recreational activities, programs that educate parents in more effective ways to deal with their children and assist in developing parenting skills; that enhance social skills, provide employment training and job skills, as well as alcohol and drug counseling. These projects provide a variety of alternative approaches to child social development and self-improvement. The distribution of limited public resources requires prioritization of programs based upon a demonstration of the greatest positive potential. While its value may be substantial Midnight basketball has yet to display its worth in relation to many other fine programs.

**Item 8100-101-890**—For local assistance, Office of Criminal Justice Planning. I revise this item by deleting Provision 2.

I am deleting Provision 2, which would allocate \$500,000 of the federal Anti-Drug Abuse funds appropriated by this item to Los Angeles County for the development of the interdisciplinary Victims Response Center pilot project in the San Fernando Valley, pursuant to Assembly Bill 1608 of the 1995-96 Regular Session. Currently, local agencies are responsible for setting each county's priorities for use of these funds. While this may be a worthy project, its affirmation as the best proposal was not declared by the local agencies responsible for setting Los Angeles County's priorities. It is preferable that each county set its own priorities, based on specific local needs, for funding of programs to enhance law enforcement's response to violent crime and controlled substance offenses.

**Item 8380-001-001**—For support of Department of Personnel Administration. I delete Provision 1.

I am deleting Provision 1, which would express legislative intent regarding the negotiation of memoranda of understanding by the Department of Personnel Administration (DPA). These Memoranda of Understanding are presented to the Legislature for review and approval as the final step in the collective bargaining process. Provision 1 would inappropriately interject the Legislature into this process at the beginning of negotiations. Therefore, this provision limits and interferes with DPA's and the employee representatives' ability to bargain.

**Item 8965-001-001**—For support of the Veterans' Home of California-Barstow. I delete Provisions 1 and 2.

Provision 1 would prohibit the Department of Veterans Affairs from awarding a final bid for the Veterans Home Information System (VHIS) for the Barstow Veterans Home (Home) until a quality assurance consultant has reviewed the project, and would require that a copy of the consultant's review be provided to the Legislature. Provision 2 would prohibit the Home from opening January 1, 1996 unless the VHIS is operative *or* the Director of Veterans Affairs

makes specified determinations which are required to be reported to the Joint Legislative Budget Committee prior to opening the Home.

Provisions 1 and 2 interfere with the Administration's ability to manage its programs. Provision 2 additionally places barriers on admitting veterans to the Home upon the scheduled opening. These veterans will have made important arrangements to accommodate their decision to move into the Home on schedule and the opening of the Home should not be delayed for administrative reasons.

SEC. 6.30—Rebidding Sole Source Contracts after an Emergency. I am eliminating this Section.

I am eliminating Budget Act language that requires the rebidding of sole-source contracts let in an emergency situation, if any work remains after the emergency has abated, this would infringe upon Executive Branch authority to effectively administer State government. Furthermore, the language would add one more layer to an already cumbersome contract process, and is contrary to my initiative to improve efficiency in State business practices.

SEC. 14.25—Related to the Department of Consumer Affairs. I delete this control section.

This section would prohibit the reserves of all funds controlled by any Department of Consumer Affairs (DCA) board, bureau, or commission from exceeding 25 percent of the 1995-96 fiscal year appropriation; otherwise, their fees would be required to be reduced. This section would also prohibit the DCA from administratively establishing positions.

I am deleting this section because the requirement for immediate fee reductions precludes the orderly expenditure of excess reserves over a period of time sufficient to avoid frequent fee changes. The fee reduction requirement could result in a board reducing fees one year and increasing fees the next year to maintain an appropriate revenue base for licensing and regulatory functions. This requirement would additionally result in unnecessary administrative costs and workload. Furthermore, many licenses are not renewed on an annual basis but rather every two, three, or four years. This requirement could result in inequities among licensees as to the fee paid. The prohibition from administratively establishing positions would restrict the DCA from responding to workload increases required to perform regulatory and consumer protection functions.

SEC. 16.00—Establishment of a Joint Legislative Procurement Task Force. I delete this control section.

I am deleting Budget Act language that would create a Joint Legislative Procurement Task Force and requires designated state agencies to assist that body in the discharge of its specified duties. The mission of the Task Force is to examine the state's existing procurement system and recommend reforms to the Legislature and the Governor by January 1, 1996. Among the items to be included in the Task Force report is an evaluation of my Procurement 2000 initiative, including, but not limited to, an assessment of the potential costs and benefits pursuant to that initiative.

This Administration shares the concerns of the Legislature expressed as findings and declarations in this control section that reform of the state's procurement system is necessary to reduce costs to the taxpayers, improve the quality of commodities and services purchased by state agencies, reduce cycle times in the procurement

process, and strengthen accountability. For that reason, I issued Executive Order W-73-94 on February 10, 1994 to initiate a reform of the state's procurement process which has been designated as the Procurement 2000 Initiative. That effort is now well underway with the active involvement of both the executive and legislative branches. A number of legislators, along with representatives of several state agencies, comprise the Executive Steering Council which provides guidance to those involved in the Procurement 2000 Project. Accordingly, I believe that the establishment through the Budget Act of another body to simultaneously review procurement issues would not be productive and, in fact, could be disruptive of the effort in this area already underway.

With the above deletions, revisions and reductions, I hereby approve Assembly Bill 903.

PETE WILSON  
August 3, 1995

#### RECEIPT

I acknowledge receipt this 3rd day of August, 1995, at 10 a.m., of the budget for the 1995-96 fiscal year, together with an explanatory message delivered to me personally by Karen Morgan.

RALPH ROMO  
Acting Chief Clerk of the Assembly

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The following veto messages from the Governor were received and ordered printed in the Journal and the bills ordered to the unfinished business file:

#### **Veto Message—Assembly Bill No. 21**

Governor's Office, Sacramento  
August 3, 1995

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 21 without my signature.

This bill would require the State Chancellor of the California Community Colleges, upon request of a student body association, to review allegations that a community college district is charging unauthorized fees. If the Chancellor finds that the fees are unauthorized, the district would be required to cease collection and either return the fees that had been collected already or count them as an offset to state funding.

This bill is unnecessary. Its provisions duplicate the existing regulatory authority of the Chancellor's Office. The enactment of AB 21 would only result in an additional mandate in state law, further cluttering an already overly lengthy Education Code.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1125**

Governor's Office, Sacramento  
August 3, 1995

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1125 without my signature.

This bill would allow a minor, 12 years of age or older, to appear before the court, without the assistance of a guardian and without counsel for the purpose of obtaining an injunction or temporary restraining order against harassment or a protective order against domestic violence.

In May 1995, the Judicial Council of California approved the addition of Rule 364 to the California Rules of Court, which became effective on July 1, 1995. Rule 364 establishes that a minor accompanied by a duly appointed and acting guardian ad litem, may be permitted to appear in court without counsel for the limited purpose of obtaining or opposing an injunction or temporary restraining order pursuant to specified provisions. Rule 364 is almost identical to AB 1125 as introduced, prior to being amended in the Senate. To that end, Rule 364 has already accomplished what AB 1125 originally set out to do.

To the extent that the final version of AB 1125 veers from its original policy it may inadvertently undermine the critical balance between child empowerment and child protection achieved by Rule 364.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1216**

Governor's Office, Sacramento  
August 3, 1995

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1216 without my signature.

This bill would allow a single hospital to be considered a school for the purposes of receiving special education funding.

Current law specifically prohibits this. Reform legislation was enacted in 1993 to curb situations in which inappropriate program practices were contributing to the rapid growth in the statewide costs of special education. Per pupil expenditures were, in some cases, exceeding \$150,000 per student. Specifically included in these reforms was a provision that eliminated the ability of public hospitals to qualify as a school.

In response to this change in law, all public hospitals save one adapted their business practices to the requirements of the new statute.

For these reasons, I am returning this without my signature.

Cordially,

PETE WILSON



**Veto Message—Assembly Bill No. 1570**

Governor’s Office, Sacramento  
August 3, 1995

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1570 without my signature.

This bill would increase the membership of the Health Care Service Plan Advisory Committee from 20 to 22 members. Both new members would be required to be employed by a health care service plan as providers of direct patient care. One must be a registered nurse, and the other new member would be a health care worker, other than a registered nurse, physician, or surgeon.

This bill is unnecessary. Providers and other health care workers can already become members of the Advisory Board if they meet the requirements of existing law.

Cordially,

PETE WILSON

**Veto Message—Assembly Bill No. 1806**

Governor’s Office, Sacramento  
August 3, 1995

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1806 without my signature.

This bill would require every individual who is elected, appointed, or nominated to specified offices to file statements of economic interest within 30 days of assuming an office or accepting an appointment or nomination, and would make other technical, nonsubstantive changes to existing law.

At the request of the sponsor of this legislation, the Fair Political Practices Commission, the author of the measure has requested that AB 1806 be returned in order to make technical corrections to the legislation.

Cordially,

PETE WILSON

**RECEIPT**

I acknowledge receipt this third day of August 1995, at 4:05 p.m., of Assembly Bills Nos. 21, 1125, 1216, 1570, and 1806, without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Karen Morgan.

E. DOTSON WILSON  
Chief Clerk of the Assembly

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DORIS ALLEN, Speaker

PAM CAVILEER, Minute Clerk