

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

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# ASSEMBLY JOURNAL

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## GOVERNOR'S MESSAGES

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Assembly Chamber, Sacramento  
Thursday, September 30, 2010

Pursuant to the provisions of Assembly Rule 44, the following messages from the Governor, Speaker of the Assembly, and the Senate were printed.

### COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 22, 2010

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following membership to the Select Committee on High Speed Rail for California for the 2009–2010 Regular Session:

Assemblymember Cathleen Galgiani, Chair  
Assemblymember Mike Davis  
Assemblymember Mary Hayashi  
Assemblymember Jerry Hill  
Assemblymember Jared Huffman  
Assemblymember Kevin Jeffries  
Assemblymember Fiona Ma  
Assemblymember Jeff Miller

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

September 28, 2010

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Mike Eng to the Select Committee on High Speed Rail for California for the 2009–10 Regular Session.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

September 21, 2010

*Mr. E. Dotson Wilson*  
*Chief Clerk, California State Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

RE: Appointment of James Samuel Garrison  
to Managed Risk Medical Insurance Board

Dear Mr. Wilson: Please be advised that I have appointed Mr. James Samuel Garrison to the Managed Risk Medical Insurance Board. This is a term appointment starting September 21, 2010 and the expiration date is January 1, 2014. Mr. Garrison will be replacing Ms. Areta Crowell.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

September 8, 2010

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

RE: Appointment of Ronald Gonzales-Lawrence  
to Advisory Commission on Special Education

Dear Mr. Wilson: Please be advised I have appointed Mr. Ronald Gonzales-Lawrence to the Advisory Commission on Special Education. This is a term appointment starting September 8, 2010 and the expiration date is December 31, 2013.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

September 9, 2010

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

RE: Appointment of David Tamayo  
to Structural Pest Control Board

Dear Mr. Wilson: Please be advised I have appointed Mr. David Tamayo to the Structural Pest Control Board. This is a term appointment starting September 9, 2010 and the expiration date is June 1, 2012.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

September 14, 2010

*E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

RE: Appointment of Kevin Jeffries to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Kevin Jeffries to the State Allocation Board for October 6, 2010 only. Assemblymember Jeffries will be replacing Assemblymember Jean Fuller.

Sincerely,

JOHN A. PÉREZ  
Speaker of the Assembly

#### **SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Joint Legislative Audit Committee, to convene jointly with Committees on Local Government and Accountability and Administrative Review, Wednesday, September 22, 2010, at 2 p.m., in Room 4202;

Budget, to convene jointly with the Committee on Labor and Employment, Wednesday, September 22, 2010, at 1 p.m., in Room 447;

Budget, Thursday, September 23, 2010, at 1:30 p.m., in Room 4202;  
Joint Committee on Fisheries and Aquaculture, Monday, September 27, 2010;

Revenue and Taxation, to convene jointly with the Senate Committee on Revenue and Taxation, Wednesday, September 29, 2010, at 11 a.m., in Room 4203;

Environmental Safety and Toxic Materials, Thursday, September 30, 2010, at 1 p.m. in Goleta City Hall;

Select Committee on High Speed Rail for California, Friday, October 1, 2010, in Los Angeles;

Natural Resources, to convene jointly with the Senate Committee on Environmental Quality, Friday, October 1, 2010;

Select Committee on High Speed Rail for California, Wednesday, October 6, 2010.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 2, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1204	Assembly Bill No. 2210
Assembly Bill No. 1601	Assembly Bill No. 2264
Assembly Bill No. 1679	Assembly Bill No. 2351
Assembly Bill No. 1683	Assembly Bill No. 2443
Assembly Bill No. 1854	Assembly Bill No. 2461
Assembly Bill No. 1862	Assembly Bill No. 2499
Assembly Bill No. 1873	Assembly Bill No. 2668
Assembly Bill No. 2022	Assembly Bill No. 2746

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 12:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2777  
Assembly Bill No. 2789

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 12:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 41	Assembly Bill No. 1809
Assembly Bill No. 354	Assembly Bill No. 1821
Assembly Bill No. 640	Assembly Bill No. 1829
Assembly Bill No. 1060	Assembly Bill No. 1905
Assembly Bill No. 1651	Assembly Bill No. 1931
Assembly Bill No. 1760	Assembly Bill No. 1985
Assembly Bill No. 1770	Assembly Bill No. 2008
Assembly Bill No. 1778	Assembly Bill No. 2047

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 3:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2193	Assembly Bill No. 2457
Assembly Bill No. 2229	Assembly Bill No. 2566
Assembly Bill No. 2245	Assembly Bill No. 2581
Assembly Bill No. 2332	Assembly Bill No. 2663
Assembly Bill No. 2340	Assembly Bill No. 2733
Assembly Bill No. 2408	Assembly Bill No. 2796

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 3:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 498	Assembly Bill No. 2063
Assembly Bill No. 655	Assembly Bill No. 2087
Assembly Bill No. 674	Assembly Bill No. 2089
Assembly Bill No. 939	Assembly Bill No. 2435
Assembly Bill No. 1593	Assembly Bill No. 2453
Assembly Bill No. 1758	Assembly Bill No. 2698
Assembly Bill No. 1788	

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 3:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 177  | Assembly Bill No. 2145 |
| Assembly Bill No. 302  | Assembly Bill No. 2191 |
| Assembly Bill No. 1048 | Assembly Bill No. 2213 |
| Assembly Bill No. 1709 | Assembly Bill No. 2248 |
| Assembly Bill No. 1757 | Assembly Bill No. 2284 |
| Assembly Bill No. 1834 | Assembly Bill No. 2300 |
| Assembly Bill No. 2068 | Assembly Bill No. 2305 |
| Assembly Bill No. 2111 | Assembly Bill No. 2397 |

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2458 | Assembly Bill No. 2635 |
| Assembly Bill No. 2478 | Assembly Bill No. 2667 |
| Assembly Bill No. 2575 | Assembly Bill No. 2763 |
| Assembly Bill No. 2613 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 15  | Assembly Bill No. 815  |
| Assembly Bill No. 114 | Assembly Bill No. 867  |
| Assembly Bill No. 157 | Assembly Bill No. 909  |
| Assembly Bill No. 519 | Assembly Bill No. 987  |
| Assembly Bill No. 542 | Assembly Bill No. 1199 |
| Assembly Bill No. 583 | Assembly Bill No. 1224 |
| Assembly Bill No. 619 | Assembly Bill No. 1373 |
| Assembly Bill No. 677 | Assembly Bill No. 1451 |

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1503 | Assembly Bill No. 1868 |
| Assembly Bill No. 1652 | Assembly Bill No. 1885 |
| Assembly Bill No. 1736 | Assembly Bill No. 1914 |
| Assembly Bill No. 1755 | Assembly Bill No. 1918 |
| Assembly Bill No. 1759 | Assembly Bill No. 1933 |
| Assembly Bill No. 1791 | Assembly Bill No. 1956 |
| Assembly Bill No. 1830 | Assembly Bill No. 1980 |
| Assembly Bill No. 1847 | Assembly Bill No. 2042 |

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2093 | Assembly Bill No. 2536 |
| Assembly Bill No. 2133 | Assembly Bill No. 2543 |
| Assembly Bill No. 2173 | Assembly Bill No. 2560 |
| Assembly Bill No. 2182 | Assembly Bill No. 2616 |
| Assembly Bill No. 2187 | Assembly Bill No. 2666 |
| Assembly Bill No. 2199 | Assembly Bill No. 2671 |
| Assembly Bill No. 2385 | Assembly Bill No. 2694 |
| Assembly Bill No. 2432 | Assembly Bill No. 2729 |

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2743  
 Assembly Bill No. 2754  
 Assembly Bill No. 2756

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 74  
 Assembly Concurrent Resolution No. 103  
 Assembly Concurrent Resolution No. 125  
 Assembly Concurrent Resolution No. 163  
 Assembly Joint Resolution No. 19  
 Assembly Joint Resolution No. 38

And reports the same correctly enrolled, and presented to the Secretary of State on the 7th day of September, 2010, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 301	Assembly Bill No. 1088
Assembly Bill No. 391	Assembly Bill No. 1213
Assembly Bill No. 434	Assembly Bill No. 1223
Assembly Bill No. 537	Assembly Bill No. 1239
Assembly Bill No. 609	Assembly Bill No. 1254
Assembly Bill No. 853	Assembly Bill No. 1280
Assembly Bill No. 933	Assembly Bill No. 1431
Assembly Bill No. 979	Assembly Bill No. 1436

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2010, at 12 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1506	Assembly Bill No. 1900
Assembly Bill No. 1659	Assembly Bill No. 1947
Assembly Bill No. 1745	Assembly Bill No. 1963
Assembly Bill No. 1765	Assembly Bill No. 1997
Assembly Bill No. 1775	Assembly Bill No. 2017
Assembly Bill No. 1832	Assembly Bill No. 2031
Assembly Bill No. 1844	Assembly Bill No. 2048
Assembly Bill No. 1881	

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2010, at 12 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1653  
 Assembly Bill No. 2086

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2010, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1487 | Assembly Bill No. 2345 |
| Assembly Bill No. 2122 | Assembly Bill No. 2347 |
| Assembly Bill No. 2125 | Assembly Bill No. 2372 |
| Assembly Bill No. 2128 | Assembly Bill No. 2404 |
| Assembly Bill No. 2130 | Assembly Bill No. 2411 |
| Assembly Bill No. 2178 | Assembly Bill No. 2444 |
| Assembly Bill No. 2294 | Assembly Bill No. 2448 |
| Assembly Bill No. 2322 | Assembly Bill No. 2496 |

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2010, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2508 | Assembly Bill No. 2724 |
| Assembly Bill No. 2572 | Assembly Bill No. 2726 |
| Assembly Bill No. 2654 | Assembly Bill No. 2742 |
| Assembly Bill No. 2675 | Assembly Bill No. 2747 |
| Assembly Bill No. 2696 | Assembly Bill No. 2782 |
| Assembly Bill No. 2701 | Assembly Bill No. 2784 |
| Assembly Bill No. 2706 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2010, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 25  | Assembly Bill No. 569  |
| Assembly Bill No. 151 | Assembly Bill No. 572  |
| Assembly Bill No. 211 | Assembly Bill No. 633  |
| Assembly Bill No. 219 | Assembly Bill No. 702  |
| Assembly Bill No. 223 | Assembly Bill No. 1106 |
| Assembly Bill No. 278 | Assembly Bill No. 1315 |
| Assembly Bill No. 549 | Assembly Bill No. 1600 |
| Assembly Bill No. 564 | Assembly Bill No. 1640 |

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2010, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1648 | Assembly Bill No. 2188 |
| Assembly Bill No. 1701 | Assembly Bill No. 2263 |
| Assembly Bill No. 1825 | Assembly Bill No. 2275 |
| Assembly Bill No. 1858 | Assembly Bill No. 2289 |
| Assembly Bill No. 1871 | Assembly Bill No. 2293 |
| Assembly Bill No. 2060 | Assembly Bill No. 2302 |
| Assembly Bill No. 2079 | Assembly Bill No. 2362 |
| Assembly Bill No. 2147 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2010, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2456 | Assembly Bill No. 2758 |
| Assembly Bill No. 2540 | Assembly Bill No. 2774 |
| Assembly Bill No. 2596 | Assembly Bill No. 2797 |

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2010, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 31  
 Assembly Concurrent Resolution No. 126  
 Assembly Concurrent Resolution No. 138  
 Assembly Concurrent Resolution No. 151  
 Assembly Concurrent Resolution No. 174  
 Assembly Joint Resolution No. 27  
 Assembly Joint Resolution No. 44

And reports the same correctly enrolled, and presented to the Secretary of State on the 9th day of September, 2010, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

### MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

#### **Governor's Message—Assembly Bill No. 185**

Governor's Office, Sacramento  
 September 9, 2010

*To the Members of the California State Assembly:*

Assembly Bill 185, 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 185 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER

### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 9, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 184	Assembly Bill No. 1078
Assembly Bill No. 185	Assembly Bill No. 1341
Assembly Bill No. 441	Assembly Bill No. 1369
Assembly Bill No. 605	Assembly Bill No. 1798
Assembly Bill No. 668	Assembly Bill No. 1899
Assembly Bill No. 759	Assembly Bill No. 1954
Assembly Bill No. 814	Assembly Bill No. 2018
Assembly Bill No. 1022	Assembly Bill No. 2072

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2010, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2076  
 Assembly Bill No. 2244  
 Assembly Bill No. 2324

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2010, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2098

And reports the same correctly enrolled, and presented to the Governor on the 10th day of September, 2010, at 10:40 a.m.

E. DOTSON WILSON, Chief Clerk



Assembly Chamber, September 10, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 900

And reports the same correctly enrolled, and presented to the Governor on the 10th day of September, 2010, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2151

Assembly Bill No. 2317

Assembly Bill No. 2326

Assembly Bill No. 2331

Assembly Bill No. 2460

Assembly Bill No. 2514

Assembly Bill No. 2531

Assembly Bill No. 2554

Assembly Bill No. 2599

Assembly Bill No. 2682

Assembly Bill No. 2720

Assembly Bill No. 2738

And reports the same correctly enrolled, and presented to the Governor on the 10th day of September, 2010, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 160

And reports the same correctly enrolled, and presented to the Secretary of State on the 10th day of September, 2010, at 3:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 44

Assembly Bill No. 234

Assembly Bill No. 291

Assembly Bill No. 602

Assembly Bill No. 1530

Assembly Bill No. 1766

Assembly Bill No. 1799

Assembly Bill No. 1889

Assembly Bill No. 1923

Assembly Bill No. 1942

Assembly Bill No. 1983

Assembly Bill No. 2088

Assembly Bill No. 2154

Assembly Bill No. 2274

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2010, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2352

Assembly Bill No. 2485

Assembly Bill No. 2597

Assembly Bill No. 2761

Assembly Bill No. 2765

Assembly Bill No. 2770

Assembly Bill No. 2792

Assembly Bill No. 2793

Assembly Bill No. 2798

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2010, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 33

Assembly Bill No. 34

Assembly Bill No. 308

Assembly Bill No. 471

Assembly Bill No. 787

Assembly Bill No. 2077

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2010, at 5 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 97  
 Assembly Concurrent Resolution No. 129  
 Assembly Concurrent Resolution No. 152  
 Assembly Concurrent Resolution No. 157  
 Assembly Concurrent Resolution No. 164  
 Assembly Concurrent Resolution No. 165  
 Assembly Concurrent Resolution No. 167  
 Assembly Concurrent Resolution No. 168  
 Assembly Concurrent Resolution No. 173  
 Assembly Concurrent Resolution No. 175  
 Assembly Concurrent Resolution No. 177  
 Assembly Concurrent Resolution No. 178  
 Assembly Concurrent Resolution No. 179  
 Assembly Concurrent Resolution No. 181  
 Assembly Concurrent Resolution No. 182  
 Assembly Concurrent Resolution No. 184

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of September, 2010, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 13  
 Assembly Joint Resolution No. 43  
 Assembly Joint Resolution No. 45

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of September, 2010, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 12	Assembly Bill No. 289
Assembly Bill No. 52	Assembly Bill No. 408
Assembly Bill No. 97	Assembly Bill No. 424
Assembly Bill No. 153	Assembly Bill No. 482
Assembly Bill No. 194	Assembly Bill No. 499
Assembly Bill No. 222	Assembly Bill No. 737
Assembly Bill No. 226	Assembly Bill No. 827
Assembly Bill No. 231	Assembly Bill No. 1011

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2010, at 4:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2376	Assembly Bill No. 2490
Assembly Bill No. 2393	Assembly Bill No. 2503
Assembly Bill No. 2398	Assembly Bill No. 2530
Assembly Bill No. 2414	Assembly Bill No. 2567
Assembly Bill No. 2437	Assembly Bill No. 2600
Assembly Bill No. 2446	Assembly Bill No. 2670
Assembly Bill No. 2470	Assembly Bill No. 2699
Assembly Bill No. 2479	

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2010, at 4:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 2780
- Assembly Bill No. 2786

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2010, at 4:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1343 | Assembly Bill No. 1987 |
| Assembly Bill No. 1405 | Assembly Bill No. 2036 |
| Assembly Bill No. 1413 | Assembly Bill No. 2059 |
| Assembly Bill No. 1504 | Assembly Bill No. 2084 |
| Assembly Bill No. 1650 | Assembly Bill No. 2202 |
| Assembly Bill No. 1681 | Assembly Bill No. 2211 |
| Assembly Bill No. 1718 | Assembly Bill No. 2304 |
| Assembly Bill No. 1743 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2010, at 4:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 635  | Assembly Bill No. 2734 |
| Assembly Bill No. 1225 | Assembly Bill No. 2764 |
| Assembly Bill No. 1822 | Assembly Bill No. 2773 |
| Assembly Bill No. 2379 | Assembly Bill No. 2791 |
| Assembly Bill No. 2541 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2010, at 12:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 142
- Assembly Concurrent Resolution No. 154
- Assembly Concurrent Resolution No. 180
- Assembly Concurrent Resolution No. 183
- Assembly Concurrent Resolution No. 185
- Assembly Concurrent Resolution No. 187
- Assembly Joint Resolution No. 46

And reports the same correctly enrolled, and presented to the Secretary of State on the 16th day of September, 2010, at 3:15 p.m.

E. DOTSON WILSON, Chief Clerk

**MESSAGES FROM THE GOVERNOR**

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. 15**

Governor’s Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 15 without my signature.

This measure is nearly identical to Assembly Bill 806, which I vetoed last year, and would require a court to advise a defendant prior to the entry of a guilty plea or plea of *nolo contendere* of possible federal penalties associated with a future prosecution if the person is deported

and if the person subsequently reenters the country illegally. While a criminal defendant must be correctly informed about the direct consequences of a plea, this measure goes too far in advising a criminal defendant about the consequences of future criminality.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 151**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 151 without my signature.

While I am sympathetic with this bill's objective of ultimately locating most or all Board of Equalization (BOE) headquarters units in a single location, the fiscal condition of the state precludes relocating BOE's headquarters or field offices for the foreseeable future.

Permanently relocating the BOE headquarters would result in costs exceeding \$100 million. Furthermore, this bill would complicate the sale of bonds to retire the existing Pooled Money Investment Board loan on the property, resulting in additional costs to the state.

Lastly, this bill would unacceptably remove all Administration oversight from BOE's real estate transactions, and would require BOE to develop and maintain a separate competency in that field. Those activities would redirect resources and focus from BOE's core mission as a revenue agency.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 482**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 482 without my signature.

This bill would prohibit an employer from using a consumer credit report for employment purposes with certain exceptions.

This bill is similar to legislation I have vetoed for the last two years on the basis that California's employers and businesses have inherent needs to obtain information about applicants for employment and existing law already provides protections for employees from improper use of credit reports. As with the last two bills, this measure would also significantly increase the exposure for potential litigation over the use of credit checks.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 564**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 564 without my signature.

This bill is in reaction to a newspaper article on the excessive executive compensation for one Los Angeles-based substance abuse treatment center. Given all the recent attention at a local level regarding excessive compensation and abuse of public funds, I can understand why the author felt the need to further highlight abuse in the other programs receiving public funds.

However, the bill fails to address the problem and inadvertently applies federal funding requirements to for-profit entities such as Kaiser Permanente and other health insurers. It also sets up a new county mandate that is unfunded. If the author wants to pursue legislation in the next year, I would suggest that technical errors such as this be addressed in order to effectively address the problem.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 572**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 572 without my signature.

Charter school educators have proven that poverty is not destiny for students that attend public schools in California. Repeatedly, charter schools with high proportions of disadvantaged students are among the highest performing public schools in California. Any attempt to regulate charter schools with incoherent and inconsistent cross-references to other statutes is simply misguided. Parents do not need renewed faith in charter schools as suggested in this bill. On the contrary, tens of thousands of parents in California have children on waiting lists to attend a public charter school. Legislation expressing findings and intent to provide "greater autonomy to charter schools" may be well intended at first glance. A careful reading of the bill reveals that the proposed changes apply new and contradictory requirements, which would put hundreds of schools immediately out of compliance, making it obvious that it is simply another veiled attempt to discourage competition and stifle efforts to aid the expansion of charter schools.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 633**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 633 without my signature.

This bill would require the sexual orientation and gender identity of an inmate or ward, among other risk factors, to be considered as part of the California Department of Corrections and Rehabilitation's inmate and ward classification and housing assignment procedures. This bill is nearly identical to AB 382, which I vetoed last year. This measure is unnecessary because CDCR already considers these factors when determining where to house inmates.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 677**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 677 without my signature.

Defining projects for renewable energy generating facilities serving school and community college districts as public works when the only public funds are those spent to purchase power produced is an unwarranted expansion of prevailing wage requirements into private works of improvement. Because the payment of prevailing wages results in higher costs, the bill may potentially reduce the number of renewable energy projects undertaken.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 933**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 933 without my signature.

This bill would require a physician conducting utilization review in the workers' compensation system to be licensed in California. Such a requirement would be inconsistent with how utilization review is conducted in other areas of medicine and not in line with best practices nationwide. The proponents of this measure have not demonstrated a need for this disparity in treatment.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1213**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1213 without my signature.

This bill would add the Superintendent of Public Instruction to the California Governor's Committee on Employment of People with Disabilities. While adding the Superintendent to the committee would offer another point of view for the committee, this measure would divert resources away from the State Department of Education in a time of fiscal crisis.

Consequently, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1451**

Governor's Office, Sacramento  
September 22, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1451 without my signature.

As I indicated last year when vetoing a similar bill by the same author, until the federal Real ID Act is implemented and the federal government adopts comprehensive immigration reform, it is inappropriate to move forward with state law in this area.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 24th day of September at 4:35 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 15, 151, 482, 564, 572, 633, 677, 933, 1213, and 1451.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1647**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1647 without my signature.

This bill is similar to legislation I have vetoed twice before in the past because there is no evidence that regulating the use of the term "certified athletic trainer" poses any threat to the public health and safety.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1652**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1652 without my signature.

This bill would make available to the general public a ski resort's annual safety plan and information on the fatal incidents at the resort that resulted from recreational activities. This bill would also require ski resorts to create their own signage policy regarding ski area boundaries, closed areas and other skier information.

Many California ski resorts are located on US Forest Service (USFS) land, and are already required to compile and file safety and accident reports with USFS as well as maintain some of this information in the resort management office. Ski resorts in California also already mark their ski area boundaries and trails with appropriate information. This bill may place an unnecessary burden on resorts, without assurance of a significant reduction in ski and snowboard-related injuries and fatalities.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1765**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1765 without my signature.

This bill would exempt specified employees from being subject to any furloughs. While there may be a need to exempt specific employees from furlough, that exemption should be determined on a case-by-case basis depending on the exigencies of the fiscal crisis. By statutorily exempting certain employees from furloughs, this bill limits a Governor's discretion to tailor a furlough policy to appropriately meet the needs of the State.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1832**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1832 without my signature.

This bill gradually increases the current fee that proponents of an initiative are required to pay when submitting a draft of a measure to the Attorney General. The increase goes from the current \$200 fee up to \$2,000 in 2017.

One of the reasons stated for this legislation is that the current fee does not cover the costs to prepare a title and summary for an initiative. As I stated when vetoing similar legislation last year, the fee was initially established to deter frivolous filings and I cannot support changing the purpose of the fee from this original intent. While the



argument may be made that the current fee is no longer a sufficient deterrent, I cannot support increasing the fee ten-fold. While well-funded special interest groups would have no problem paying the sharply increased fee, it will make it more difficult for citizen groups to qualify an initiative. Therefore, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1854**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1854 without my signature.

This bill would undermine and potentially limit a local district's current residency verification process. Determining what proofs of residency should be accepted should continue to remain a local decision. Nothing in current law prohibits a school district from using any type of documentation that fits its local circumstances.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1862**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1862 without my signature.

There is no documented problem that demonstrates the need to change current law with this bill.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1881**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1881 without my signature.

This bill would increase liquidated damages in civil actions for minimum wage violations to twice the wages unlawfully unpaid and interest thereon.

Existing law allows for liquidated damages equal to wages owed, in addition to interest, other penalties, and attorneys' fees. There is no information to show that the existing enforcement and protections of California's minimum wage laws are insufficient.

Consequently, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1889**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1889 without my signature.

Among many other provisions, this bill would require an Executive Branch agency to follow specific staffing requirements prescribed by the Legislature. This is both an inappropriate and unacceptable action to micro-manage and burden the implementation of regulatory policy.

If the author or interest groups wish to make staffing decisions for the Bureau for Private Postsecondary Education, I suggest they look into applying for the position of Bureau Chief. Applications can be obtained at: [www.gov.ca.gov/appointments](http://www.gov.ca.gov/appointments).

For these reasons, I refuse to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2008**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2008 without my signature.

This bill would exempt specified employees from being subject to any furloughs. While there may be a need to exempt specific employees from furlough, that exemption should be determined on a case-by-case basis depending on the exigencies of the fiscal crisis. By statutorily exempting certain employees from furloughs, this bill limits a Governor's discretion to tailor a furlough policy to appropriately meet the needs of the State.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2076**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2076 without my signature.

This bill would make it illegal for a floral business to list or advertise a local telephone number unless the physical address of the business is listed as well. It would also make it illegal to list or advertise a business name if the name misrepresents the business' geographical location.

In today's global economy, it is unreasonable to limit out-of-area businesses from using local names and telephone numbers. In virtually every aspect of the economy, consumers are accustomed to purchasing products from around the world via many methods.

For this reason, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 24th day of September at 4:35 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1647, 1652, 1765, 1832, 1854, 1862, 1881, 1889, 2008, and 2076.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2166**

Governor's Office, Sacramento

September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2166 without my signature.

As I have stated before in vetoing similar measures, allowing a tribal government that is not subject to all federal, state and local laws to participate in the exercise of public power, particularly off reservation lands, diminishes public accountability and control.

Sovereign tribes can work cooperatively with their local governments through agreements and memorandums of understanding as contemplated in the tribal-state compacts my Administration has executed. I encourage the proponents of this measure to pursue their objectives in this manner.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2187**

Governor's Office, Sacramento

September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill (AB) 2187 without my signature.

AB 2187 would create a new criminal prohibition against a person or an employer who, having the ability to pay, willfully fails to pay all wages to an employee who has been discharged or who has quit within 90 days of the date of the wages becoming due. The bill contains an exemption for instances in which the employee's entitlement to unpaid wages is disputed by the employer in a civil action or proceeding by the Labor Commissioner unless there is a final judgment in favor of the employee.

Waiting time penalties and defined timeframes for the payment of final wages currently exist in California law, as do mechanisms for enforcement of these obligations. Therefore, this bill is unnecessary.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2217**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2217 without my signature.

This bill would require courts to provide specific admonishments to jurors about communication through electronic and wireless devices. This bill is unnecessary. Existing law already sufficiently deals with communications among jurors. Moreover, this type of admonishment is better handled through court rules rather than by statute.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2245**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2245 without my signature.

This bill would prohibit a motor vehicle from being equipped with an aftermarket horn that emits a sound greater than 110 decibels.

This bill is unnecessary. Current law already prohibits a motor vehicle's horn from emitting an unreasonably loud or harsh sound.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2264**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2264 without my signature.

Although I laud the intent of this bill to help our youth become productive members of society, this bill goes too far in its provisions. Criminal fines provide a means to not only deter criminal conduct, but also to help pay for the consequences of undesirable behavior. Encouraging those to avoid accountability for conduct the local or state government has found harmful would set a bad precedent for all citizens, particularly our youth. Moreover, the bill is drafted too broadly, applying to segments of the population who are not in need and are capable of being responsible for their conduct. Courts regularly decide on payment schedules based on a person's ability to pay and many counties have created Homeless Courts to address concerns that prompted this bill, thus this bill would unnecessarily limit judicial discretion.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2393**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2393 without my signature.

This bill would create varying standards for determining post-graduate placement rates from different vocational fields. California needs uniform standards in this area of law that can be consistently and fairly applied by the Bureau of Private Postsecondary Education, and that are predictable for consumers and schools. This bill proposes to put California on the same path to overly confusing statutes and guidelines that existed prior to the new Private Postsecondary Education Act.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2411**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2411 without my signature.

This bill would provide for the regulation of pet insurance by the Department of Insurance and require various disclosures from pet insurers.

Existing law provides for the regulation of various types of insurance, by the Department of Insurance, including pet insurance. As such, this bill is not necessary.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2457**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2457 without my signature.

This bill would establish the California Financial Literacy Fund (Fund) in the State Treasury for the purpose of supporting partnerships with the financial services community and governmental and nongovernmental stakeholders to improve Californians' financial literacy. AB 2457 requires the State Controller to administer the Fund, authorizing him to deposit private donations into the fund from entities.

I agree that the goal of financial independence and literacy are critical for California residents, which is why I created Bank on California in 2008. Since that time, Bank on California has partnered with organizations like United Way, Wells Fargo, Bank of America, the FDIC, Financial Education Network of San Francisco, The State Library System and others to provide financial education and resources.

These resources have provided assistance to consumers to get out of debt, increase their credit scores and set up pre-paid debit and credit cards. Bank on California has received charitable contributions from

over 10 major banks and financial institutions and continues to expand this successful campaign.

As a result of these efforts and the success of Bank on California, I believe that this bill is duplicative and unnecessary.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2468**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2468 without my signature.

This bill would allow a business to use the designation "Breast-Feeding Mother Friendly Worksite" on its promotional materials if the Labor Commissioner determines that the employer policy meets specified criteria. The Labor Commissioner would be required to post "Breast-Feeding Mother Friendly Worksites" on its website.

Existing California law establishes protections for lactating mothers. This bill would do nothing to augment or improve these existing laws pertaining to a lactating mother's right to express milk in the workplace. Instead, the bill would create additional responsibility for the Labor Commissioner, without any indication that the new requirements are either warranted or necessary.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2494**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2494 without my signature.

The abrupt termination of contracts that may be providing critical services could leave departments unable to meet their programmatic responsibilities and cause unknown fiscal and operational problems. Furthermore, it is unclear if the immediate discontinuation of a contract as a result of this bill may conflict with the termination language in the terms and conditions of that contract.

Ultimately, this bill makes the process of contracting for personal and consulting services more complicated and will only result in greater expense to the taxpayer.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2543**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2543 without my signature.

Charter school opponents have proven to be increasingly aggressive in attempting to provide authorizers with reasons to deny charter school petitions and renewal requests. Regularly, school districts hostile to charter schools look for inventive ways to limit competition from successful charter schools and make specious findings to deny a renewal request. Appeals on these actions often times are appropriately granted. Placing new authority with districts to unilaterally accelerate deadlines or deny extensions to the newly established deadline for review of a renewal petition could prevent the latest and most relevant student achievement data from being formally considered in the review of a renewal request.

Orderly processing of petitions to renew charter schools is a reasonable goal expressed by the author and the sponsor. Leaving charter school petitioners at the mercy of an authorizer empowered to manipulate deadlines and information in the public record, however, is not the appropriate remedy, particularly if the ultimate result is to close the school or leverage concessions on the design or finances of the school going forward. After careful review, the measure has not adequately established safeguards to ensure the latest information available on student achievement is initially considered and that a truly fair opportunity for due process would continue for appeals.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2616**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2616 without my signature.

As I stated in my veto message of similar legislation last year, I support the intent of this bill; however, I cannot support mandating additional costs in this time of fiscal crisis. Nothing in current law prohibits county elections officials from providing this information and I would encourage them to do so as resources allow.

Therefore, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2734**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2734 without my signature.

This bill would create the Office of Economic Development within the Governor's office. I am very supportive of the effort to create an entity within my office to give companies, entrepreneurs and small businesses information and assistance on business growth and economic development opportunities.

However, I purposefully placed this entity within the Governor's office to underscore the importance of this mission to the state. Therefore, I am disappointed at the insistence of the State Senate to make the director of this office subject to confirmation, which inappropriately infringes on the rights and powers of my office.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2773**

Governor's Office, Sacramento  
September 23, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2773 without my signature.

This measure would require an award of attorney's fees in all fair employment and housing cases even when nominal damages are awarded and even if the case was improperly filed in a court of unlimited jurisdiction. While there may be instances when an award of attorneys fees may be proper, this measure removes all discretion from a judge and encourages frivolous lawsuits.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 24th day of September at 4:35 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2166, 2187, 2217, 2245, 2264, 2393, 2411, 2457, 2468, 2494, 2543, 2616, 2734, and 2773.

SUE PARKER

Assistant Chief Clerk of the Assembly



**Veto Message—Assembly Bill No. 25**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 25 without my signature.

This bill allows a hazardous waste transporter, under certain circumstances, to receive one shipment of used oil from a generator whose identification number has been suspended.

The Department of Toxic Substances Control (DTSC) already allows a conditional reactivation of a suspended identification number for 30 days for generators and transporters. Given this existing process, this bill would simply create additional bureaucracy and reporting requirements for a subset of transporters and generators and do nothing to reduce the number of suspended identification numbers or streamline the reactivation process.

Instead, I am directing DTSC to evaluate its current system, identify inefficiencies and implement changes, where appropriate, to ensure the safe and legal collection and transportation of hazardous waste.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 114**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 114 without my signature.

This bill would authorize a county to adopt a restorative justice program that would be implemented through a juvenile court in conjunction with the district attorney's office, public defender, restorative justice groups, and other interested groups. California's juvenile justice system is already rehabilitation-based, focused on attempts to reform juveniles rather than punish. In addition, juvenile courts may already create restorative justice programs. Consequently, this bill is unnecessary.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 424**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 424 without my signature.

This bill would require the Office of the Chief Information Officer (OCIO) to develop and implement a public education campaign regarding the appropriate and inappropriate uses of the 911 emergency telephone system. This measure is unnecessary inasmuch as the OCIO already has the authority to establish a statewide education program. More importantly, however, is that I cannot condone the estimated expenditure of \$2.1 million dollars on a public awareness campaign that is duplicative of other efforts in a time of fiscal crisis.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 471**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 471 without my signature.

This bill makes technical, non-substantive changes to Government Code provisions concerning the Attorney General's representation of state agencies and its authority to represent the state in certain specified actions. This bill is unnecessary. Moreover, these types of changes should be included in a larger omnibus bill rather than a standalone bill.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 640**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 640 without my signature.

This bill would provide that any person convicted of selling methamphetamine and who is eligible for probation will be required to serve a minimum of 120 days in county jail as a condition of probation. This measure is unnecessary because judges already have the discretion to sentence defendants to appropriate terms. In addition, I cannot condone a law that would create inconsistent penalties for drug trafficking. Existing law requires a person to serve a minimum 180-days sentence for selling cocaine and heroin. It is illogical to treat methamphetamine differently or, by providing a lesser penalty, to suggest that it is somehow less dangerous than heroin or cocaine.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 814**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 814 without my signature.

While I support the author's intent, requiring county elections officials to notify voters that they should receive a sample ballot would increase costs to local governments and likely result in a reimbursable state mandate. I encourage outreach efforts at the local level to inform voters that the voter information guide is available to view online at the Secretary of State's website, and when applicable, at the county elections officials' website. However, during this time of fiscal crisis, I cannot mandate these costs to local governments.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1225**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1225 without my signature.

I support efforts to ensure that California is better prepared for public health emergencies. However, I have previously vetoed similar legislation based in large part on the fact that the after-action reports mandated by this bill are already required by both the State's Standardized Emergency Management System and the federal government as a condition of the receipt of federal funds. As a result, this measure simply duplicates existing statutes and regulations and would not increase public safety or improve preparedness and therefore is unnecessary.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1656**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1656 without my signature.

This bill would prohibit the sale of any clothing made wholly or partially of fur, regardless of the cost of the fur or price of the product, unless a label with the type of animal fur used and its origin is conspicuously displayed on the clothing. It would provide labeling options, exempt used clothing, protect merchants from liability if a manufacturer certifies that the clothing meets this requirement, and make violations of this requirement subject to penalties.

I am concerned that this bill may increase costs to manufacturers and/or merchants associated with labeling additional clothing products. In addition, the penalty structure that provides for a penalty of \$1,000 for each subsequent violation per article of clothing is excessive.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1799**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1799 without my signature.

Current law allows an individual to obtain a replacement vote by mail ballot when an original has been lost or damaged. Under these provisions the voter must sign a statement under penalty of perjury that the original ballot was never received, lost, or damaged. This bill would remove this important safeguard against fraud. It may be convenient to remove this requirement; however, it does not protect the integrity of our elections process.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1899**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1899 without my signature.

I strongly support the goal of transparency in government and believe that posting information online is a simple method of achieving this goal and allowing citizens information about how their tax dollars are spent. For that reason I have issued executive orders directing posting of this type of material to the Reporting Transparency in Government Web site. As such, this bill is not necessary.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1900**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1900 without my signature.

This bill would prohibit the shackling of pregnant inmates and wards during transport to and from correctional facilities except when other less restrictive restraints are deemed necessary. Additionally, this bill would require the Corrections Standards Authority (CSA) to develop guidelines concerning the shackling of pregnant inmates and wards during transport. However, CSA's mission is to regulate and develop standards for correctional facilities, not establish policies on transportation issues to and from other locations.

Since this bill goes beyond the scope of CSA's mission, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2007**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2007 without my signature.

I have consistently supported efforts to increase transparency in regards to reporting requirements. However, this bill is unnecessary. The information requested is already provided electronically to the Secretary of State and hosted online at [www.sos.ca.gov](http://www.sos.ca.gov). Requiring the Fair Political Practices Commission to extrapolate this information and host it on their website is duplicative and costly.

Therefore, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2017**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2017 without my signature.

This bill is contingent on the enactment of Senate Bill 516, which I cannot support. I would ask that the authors of these bills reconcile their efforts to support greater youth involvement in public policy without creating additional organizations when there are numerous organizations and entities already dedicated to working with youth from all backgrounds.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 4:05 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 25, 114, 424, 471, 640, 814, 1225, 1656, 1799, 1899, 1900, 2007, and 2017.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2154**

Governor's Office, Sacramento

September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2154 without my signature.

Current law provides sufficient options for a voter to apply for a vote by mail ballot. Allowing individuals to apply by phone opens the application process to increased voter fraud. For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2293**

Governor's Office, Sacramento

September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2293 without my signature.

While I am sympathetic to the difficulties developers of affordable housing are facing, I am concerned that the practical effect of this bill would be to establish the Department of Housing and Community Development as an indirect guarantor of a developer's construction loan. The Administration has developed a plan that will enable it to meet the cash needs of all general obligation bond projects for 2010 and 2011. However, if the state is required to set cash aside that is not needed until a later time, it could compromise the ability to fund other projects that have current cash needs. In addition, this bill could remove incentives for bond recipients to perform their obligations in a timely manner and would further increase interest costs on bonds.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2340**

Governor's Office, Sacramento  
September 25, 2010

*To Members of the California State Assembly:*

I am returning Assembly Bill 2340 without my signature.

This bill would prohibit an employer from discharging, disciplining, or in any way discriminating against an employee for inquiring about, requesting, or taking up to three days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner. The bill would allow an employee who believes he or she has been discharged, disciplined, or discriminated against to file a complaint with the Division of Labor Standards Enforcement or bring a civil action in court.

This bill is nearly identical to Senate Bill 549 (Corbett, 2007), which I vetoed. While well-intended, the choice of whether or not to offer unpaid bereavement leave should be left to the employer. Further, this bill would impose new and somewhat ambiguous burdens on businesses as well as subjecting them to new threats of litigation over California-specific employment laws. During this challenging economic period, I am unwilling to add new burdens on them and subject them to new grounds for lawsuits.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2362**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2362 without my signature.

This bill would clarify that soft-story buildings are among the types of buildings which redevelopment agencies may provide seismic retrofitting.

This bill is not needed. Current law already allows redevelopment agencies to provide for seismic retrofitting in unreinforced masonry buildings, historical buildings, and all other buildings, which includes soft-story buildings.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2410**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2410 without my signature.

This measure would amend current law that encourages agencies to develop written policies concerning how children are handled at crime scenes involving the manufacturing, trafficking, and use of narcotics to also include hallucinogens. This measure is unnecessary. Agencies are not limited in how they handle these situations by current law and the term "narcotics" is not overly restrictive. Law enforcement and social services agencies can already determine whether there is an immediate threat that requires the removal of a child from a drug crime scene without this legislation.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2437**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2437 without my signature.

While I am supportive of providing California's manufacturers with greater borrowing opportunities to make capital investments, I believe the proper location of this economic development program is in the Governor's Office of Economic Development. In addition, this bill would create new higher costs to employers as a result of the prevailing wage requirements on projects financed under this bill.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2443**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2443 without my signature.

The Governor of California is the primary state officer representing this state's interest in international affairs. This process has proven to be effective and beneficial to California by allowing one voice to represent the state's priorities. This bill would not only cause confusion but also undermine the strength of California's position by allowing the Legislature to insert itself into international trade agreement discussions and negotiations. In order to avoid this confusion and continue the effective current process, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2458**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2458 without my signature.

This bill would result in unfunded costs to the Franchise Tax Board and revenue losses to the state General Fund. In addition, the Franchise Tax Board already has the authority to work out a payment plan for any individual or organization issued an underpayment penalty.

For these reasons, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2464**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2464 without my signature.

This bill would prevent the DMV from issuing an instruction permit to driver license applicants under the age of 18 years until behind-the-wheel driver training has been completed. Although driver training and driver education are important in developing safer and better-prepared young drivers, this bill would actually diminish the effectiveness of the existing program by preventing driver training students from practicing what they have learned after each driving lesson.

The recognized best practices in driver training involve an integrated approach that allows practice time, under parental control, after instruction. This bill is contrary to that model.

I believe that the lessons received from a professional driving instructor need to be reinforced through practice, and that parents play an essential role in developing capable and responsible young drivers. This bill would delay that practice, and tend to cut parents out of the training experience.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2536**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2536 without my signature.

This bill would change the use of housing bonds contrary to the intent of the voters in approving Proposition 1C. These funds were intended to help some of the most vulnerable Californians by funding the construction of emergency shelters that also provide supportive service. It is not consistent with the intent of the voters to redirect these funds to provide services to families in permanent housing.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2664**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2664 without my signature.

This bill would expand the power of the State Lands Commission (Commission) to impose administrative penalties on, or seize property from, a person who illegally constructs, places, maintains, owns, uses, or possesses a structure or facility, including, but not limited to, buildings, boat houses, docks, piers, revetment, fill, pilings, pipelines, groins, jetties, seawalls, breakwaters, and bulkheads on land under the Commission's jurisdiction.

While I understand the bill's intent to streamline the process for the Commission to address illegal structures or facilities on lands under their jurisdiction, the authority this bill gives to the Commission is much too broad in scope and potentially raises constitutional due process concerns for private property owners.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2726**

Governor's Office, Sacramento  
September 25, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2726 without my signature.

The California Workforce Investment Board is currently engaged with the local workforce investment boards, key stakeholders and partners in the collaboration and coordination of programs and services funded under the Workforce Investment Act of 1998. This bill would duplicate existing efforts, therefore, this legislation is unnecessary.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 4:05 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2154, 2293, 2340, 2362, 2410, 2437, 2443, 2458, 2464, 2536, 2664, and 2726.

SUE PARKER

Assistant Chief Clerk of the Assembly

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento  
September 27, 2010

*To the Members of the California State Assembly:*

The following bills, in my opinion, constitute emergency bills 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 these bills as emergency measures: Assembly Bills Nos. 1570, 1602, 1662, 1690, 1715, 1912, 1996, 2055, 2058, 2136, 2279, 2364, 2515, 2695, and 2762.

Sincerely,

ARNOLD SCHWARZENEGGER

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, September 27, 2010

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1570	Assembly Bill No. 2058
Assembly Bill No. 1602	Assembly Bill No. 2136
Assembly Bill No. 1662	Assembly Bill No. 2279
Assembly Bill No. 1690	Assembly Bill No. 2364
Assembly Bill No. 1715	Assembly Bill No. 2515
Assembly Bill No. 1912	Assembly Bill No. 2695
Assembly Bill No. 1996	Assembly Bill No. 2762
Assembly Bill No. 2055	

Received from E. Dotson Wilson, Chief Clerk of the Assembly on the 27th day of September, 2010, at 4:20 p.m., delivered to me by the Engrossing and Enrolling Clerk of the Assembly.

JACQUE ROBERTS, Private Secretary of the Governor

**MESSAGES FROM THE GOVERNOR**

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. 97**

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 97 without my signature.

Given California's participation in the Common Core initiative and the anticipated reauthorization of the federal Elementary and Secondary Education Act, this bill is premature. This bill could create an unnecessary, duplicative process in the development of content standards and in the integration of those standards into the state's assessment system.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 391**

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 391 without my signature.

This bill would require the Superintendent of Public Instruction to contract for an evaluation of the Standardized Testing and Reporting (STAR) Program. I vetoed a similar bill last year. I would ask the author to evaluate that.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 737**

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 737 without my signature.

This bill mandates commercial recycling on private businesses producing more than four cubic yards of waste a week; modifies existing local permitting requirements; and requires the Department of Resource Recycling and Recovery (CalRecycle) to provide the Legislature with a report on the progress being made by the state towards a 75 percent diversion goal.

This bill is unnecessary and duplicative of actions already being undertaken by state agencies. Under the authority of AB 32 and the AB 32 Scoping Plan, CalRecycle is currently in the process of developing mandatory commercial recycling regulations through an open process of workshops and hearings that rely upon stakeholder input and participation. Furthermore, CalRecycle's regulations will apply to both the public and private sectors. Consequently, I believe CalRecycle's more inclusive approach towards meeting the state's ambitious waste diversion goals will better serve California economically and environmentally.

For this reason, I am unable sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 979**

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 979 without my signature.

This bill asserts the exclusive authority of the Fish and Game Commission (Commission) and the Department of Fish and Game (Department) to regulate hunting and fishing in the state. As such, it also bars local entities from regulating hunting or fishing, except where local regulations would protect public health and safety.

This bill is unnecessary. The Department already has the authority to regulate the taking of fish and game throughout the state. Additionally, this bill's provisions fail to recognize the Department's authority to regulate trapping and the take of non-game mammals, thereby creating

opportunities for legal challenges and state costs to defend these lawsuits.

Also, this bill's requirement that the Department and the Commission take steps to authorize public access to navigable waters may include flood waters that flow onto private property. Hunting on these flood waters is a trespass violation under current law, and the safety of the property owner must first be considered when determining whether to allow hunters to enter flooded property.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1223**

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1223 without my signature.

This bill would authorize the Commission on Teacher Credentialing (CTC) to convene a workgroup to develop program standards for the purpose of establishing some "recognition of study" for linked learning competence for credentialed teachers. Nothing under current law prohibits the CTC from convening any workgroup without statutory authority. Therefore, this bill is unnecessary.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1570 without my signature.

This bill appears to try and solve a problem that doesn't exist. Therefore, it's an unnecessary waste of resources.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1712**

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1712 without my signature.

This bill would undermine the ability of a local governing board to make staffing decisions based on its priorities and needs. These provisions should be negotiated through the collective bargaining process, rather than imposed by state law.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2063**

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2063 without my signature.

This bill designates the Chinook salmon as the official state anadromous fish and establishes goals for salmon recovery.

This bill is unnecessary. The Department of Fish and Game and the Fish and Game Commission currently implement actions to restore salmonid populations, using the best available science in a collaborative and clear public decision-making process. Additionally, this bill contains legislative findings related to the economic costs and benefits of salmon. The accuracy of these numbers varies over time making it questionable whether it is proper to place them into state law.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2682**

Governor's Office, Sacramento  
September 28, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2682 without my signature.

I respect the author's intent to reduce costs and create efficiencies for students and community colleges. However, I have concerns that this bill creates a duplication of the efforts that resulted from the expansion of the existing Early Assessment Program (EAP), which evaluates the college-readiness of high school students. I signed into law in 2008 the bill that expanded the use of the EAP operated by the California State Universities, to include community colleges. Therefore, it is unclear why this bill is necessary.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 28th day of September at 4:30 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 97, 391, 737, 979, 1223, 1570, 1712, 2063, and 2682.

E. DOTSON WILSON  
Chief Clerk of the Assembly

**COMMUNICATIONS**

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

September 29, 2010

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: As you know, the Voters FIRST Act (Act), approved by voters in November 2008 as Proposition 11, shifted responsibility for redrawing the State Senate, Assembly, and Board of Equalization district lines to a newly formed 14-member Commission—the Citizens Redistricting Commission (Commission). The Act requires the State Auditor to implement the application and selection process for forming the Commission. To do so, the law requires the State Auditor to establish an Applicant Review Panel (Panel)—three CPAs employed by the Bureau of State Audits (BSA) with ten years of independent auditing experience—to review the applications and identify 60 of the most qualified applicants based on their relevant analytical skills, their ability to be impartial, and their appreciation for California’s diverse demographics and geography. On November 15, 2009, we were selected to serve on the Panel and, over the last five months, we have reviewed the applications, application materials, public comments, and reports from BSA staff. Further, we interviewed nearly 120 of the most qualified applicants and, in a series of public meetings, identified 60 of the most qualified applicants.

Pursuant to the Act and Section 60852 of Chapter 1 of Title 2 of the California Code Regulations, we present to you a list of the names of 60 of the most qualified applicants to the Citizens Redistricting Commission. The list of applicants is divided into three subpools: 20 who are registered as Democrats, 20 who are registered as Republicans, and 20 who are registered as either Decline-to-State or members of another party. The Act permits the President pro Tempore of the Senate, the Minority Floor Leader of the Senate, the Speaker of the Assembly, and Minority Floor Leader of the Assembly (legislative leaders) to strike up to a total of 24 names from the list.

For the convenience of the legislative leaders, we are providing you with 2 sets of 60 compact discs (CDs)—one for each applicant—so that you may provide them to the legislative leaders. Each of the CDs contains the following information about each applicant:

- Recording and Transcript of Applicant Interview
- Initial and Supplemental Application and Amendment (if any)
- Letters of Recommendation
- Form 700 and Amendment (if any)
- Public Comments and Applicant Responses (if any)
- BSA Information Report for the Applicant Review Panel and Applicant Responses (if any)

Additionally, we are providing you with a hard copy of the *BSA Report on Information Collected Concerning Applicant* for each applicant and a memorandum prepared by BSA Chief of Investigations, Steven B. Russo, dated September 21, 2010. The memorandum describes how the BSA gathered information about the applicants. The



purpose of this information gathering process was to both confirm the information presented in the applicants' application materials and to acquire additional public information regarding the applicants that could be relevant to us in determining the 60 finalists.

Under the Act and the implementing regulations, the legislative leaders have the opportunity to strike up to two names each from each subpool of 20 for a total of eight possible strikes per subpool. Leadership may also decline to exercise the strikes. The Act and the implementing regulations further provide that, on or before November 15, 2010, after the legislative leaders have exercised their strikes, if any, the Secretary of the Senate and Chief Clerk of the Assembly shall jointly present the pool of remaining names to the State Auditor. If the Secretary of the Senate and Chief Clerk of the Assembly do not jointly present the pool of remaining names to the State Auditor, by November 15, 2010, the State Auditor must randomly draw from the list of 60 names.

The Act requires that, no later than November 20, 2010, the State Auditor must randomly draw eight names from the remaining pool of applicants—three Democrats, three Republicans, and two who are either Decline-to-State or members of another party—who will serve as the first eight commissioners. No later than December 31, 2010, those first eight commissioners must select the remaining six—two Democrats, two Republicans, and two who are either Decline-to-State or belong to another party—to form the 14-member Citizens Redistricting Commission.

In addition to interviewing nearly 120 applicants, we reviewed their applications, application materials, letters of recommendation, and public comments to evaluate their analytical skills, ability to be impartial and appreciation for California's diverse demographics and geography. As detailed in the memorandum enclosed in this package, to the extent possible, BSA staff validated information provided by each applicant and confirmed that the applicants identified as 60 of the most qualified are eligible to serve on the commission, providing us with reports on its findings. As required by the Act, we conducted every interview and all of our deliberations during open public meetings that were live streamed to provide maximum public accessibility. Videos of all public meetings, transcripts of those meetings, BSA reports to the Panel, and all application materials are available on our Web site at [www.WeDrawTheLines.ca.gov](http://www.WeDrawTheLines.ca.gov).

If, during their reviews and deliberations on the enclosed list of applicants, the legislative leaders or their staff require additional information from the Panel, they may contact Sharon Reilly, Chief Counsel or Stephanie Ramirez-Ridgeway, Applicant Review Panel Counsel at (916) 445-0255 for assistance. If they would like more information from the applicants we are certainly willing to obtain the additional information for them.

Please be assured that we have taken our responsibility to heart and selected each of the enclosed 60 applicants in accordance with the Act and the implementing regulations. In doing so, we determined that these 60 applicants have demonstrated that they possess the requisite relevant analytical skills, ability to be impartial, and appreciation for California's diverse demographics and geography. The BSA will continue to operate the Web site and the Voters FIRST Act email, FAX, and phone until the full Commission is selected and will forward you any public comments



that we receive through November 14, 2010. Again, please do not hesitate to contact our legal counsel if the legislative leaders need any additional information as they contemplate each of the 60 applicants whose names we are presenting to you today.

Regards,

NASIR AHMADI, Member  
Applicant Review Panel

MARY CAMACHO, Member  
Applicant Review Panel

KERRI SPANO, Member  
Applicant Review Panel

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**Receipt of Qualified Applicants for  
Citizens Redistricting Commission**

I acknowledge receipt this 29th day of September at 2:50 p.m., from the Bureau of State Audits, a list of names of 60 qualified applicants for the Citizens Redistricting Commission as determined by the Applicant Review Panel, accompanied by a compact disc on each applicant containing the following information:

Initial and supplemental application, letters of recommendation, F.P.P.C. Form 700, public comments (if any), applicant responses to public comments and/or requests for information from the Bureau of State Audits (if any), video recording of the applicant interview and transcripts, Information Report prepared by bureau staff for the Applicant Review Panel (if any), and applicant information collected by bureau staff.

Delivered to me personally by

SHARON REILLY  
Chief Counsel  
Citizens Redistricting Commission,  
California State Auditor,  
Bureau of State Audits

E. DOTSON WILSON  
Chief Clerk of the Assembly

(NOTE: Qualified Applicants for Citizens Redistricting Commission received from Bureau of State Audits pursuant to Section 8252 of the Government Code.)

**Receipt of Qualified Applicants for  
Citizens Redistricting Commission**

Received from E. Dotson Wilson, Chief Clerk of the Assembly, a list of names of 60 qualified applicants for the Citizens Redistricting Commission as determined by the Applicant Review Panel, accompanied by a compact disc on each applicant containing the following information:

Initial and supplemental application, letters of recommendation, F.P.P.C. Form 700, public comments (if any), applicant responses to public comments and/or requests for information from the Bureau of State Audits (if any), video recording of the applicant interview and transcripts, Information Report prepared by bureau staff for the Applicant Review Panel (if any), and applicant information collected by bureau staff.

Date: September 29, 2010

For

HON. JOHN A. PÉREZ  
Speaker of the Assembly

By

NELLY CORTEZ  
Assistant to the Speaker

**Receipt of Qualified Applicants for  
Citizens Redistricting Commission**

Received from E. Dotson Wilson, Chief Clerk of the Assembly, a list of names of 60 qualified applicants for the Citizens Redistricting Commission as determined by the Applicant Review Panel, accompanied by a compact disc on each applicant containing the following information:

Initial and supplemental application, letters of recommendation, F.P.P.C. Form 700, public comments (if any), applicant responses to public comments and/or requests for information from the Bureau of State Audits (if any), video recording of the applicant interview and transcripts, Information Report prepared by bureau staff for the Applicant Review Panel (if any), and applicant information collected by bureau staff.

Date: September 29, 2010

For

HON. MARTIN GARRICK  
Minority Leader of the Assembly

By

MIKE ZIMMERMAN  
Chief of Staff

**MESSAGES FROM THE GOVERNOR**

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. 113**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 113 without my signature.

This bill is not necessary and has no practical impact on the current state of health coverage in California. If the intent is to update an outdated 20-year old code section, then those updates should be consolidated in omnibus committee bills.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 301**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 301 without my signature.

This bill wasn't necessary in 2008 when I first vetoed it, and it isn't necessary now.

For this simple reason, I will not sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 499**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 499 without my signature.

This bill makes several changes to the California Environmental Quality Act (CEQA) under the guise of CEQA streamlining. Unfortunately, it appears to simply be a back-door attempt to lessen the legal requirements for those who seek to challenge projects under CEQA.

Current CEQA law requires the dismissal of a lawsuit if the plaintiff fails to name a real party in interest. This bill eliminates that dismissal and instead requires the court to grant the petitioner additional time to find a real party in interest and give them notice. By doing so, it gives plaintiffs multiple bites at the apple to file CEQA lawsuits.

The bill also requires a lead agency to list only the project applicant in its notice. I vetoed a similar bill in 2008 due to my concerns that it placed upon the lead agency a new liability for actions not directly related to its review of a project. Additionally, simply listing the project applicant omits other parties who may have legal standing and could infringe upon their constitutional right to due process.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 542**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 542 without my signature.

It is amazing to think that health care providers and facilities get paid, even when they operate on the wrong patient; give the wrong drug; administer a fatal medical procedure; transmit a preventable infection; or worse. My Administration has tried to enact “non-payment” policies since my health reform effort in 2007. Providers have resisted this commonsense policy for years. So, it is understandably hard for me to veto this measure. However, while I am supportive of stakeholder expertise in the development of California’s non-payment policies and procedures for healthcare-acquired conditions consistent with the provisions of federal health reform, legislation is not required for the Department Health Care Services to undertake this process. Nor, given the provider community’s significant resistance to implementation of these policies, do I think it would be a worthwhile use of the Department’s time.

In addition, California needs to enact legislation that consistently applies these non-payment policies to both public and private health coverage while ensuring that no patient bears the fiscal responsibility for these preventable mistakes. Legislation needs to clearly prohibit balance-billing under these circumstances to ensure that health facilities and providers bear the responsibility for their actions.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 549**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 549 without my signature.

This bill is unnecessary in light of the regulations currently awaiting final approval at the Office of Administrative Law. In addition, it is not in the public’s best interest to allow temporary licenses for these types of professionals for undefined amounts of time, especially when there is no mechanism to deny them for basic health and safety reasons such as suspension or revocation in another state.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1239**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill (AB) 1239 without my signature.

This bill would require the California Department of Corrections and Rehabilitation (CDCR) to implement any funding adjustments to inmate academic and vocational education programs consistent with specified priorities, and report annually to the Joint Legislative Budget Committee specified information regarding inmate participation in, and completion of, academic and vocational programs.

This bill is unnecessary, as the directives in AB 1239 largely mirror similar directives in the Budget Act of 2009, ABX4 1 (Evans, Chapter 1, Statutes of 2009). The CDCR has reduced its adult program budget consistent with the directives in ABX4 1 and additional legislation is not needed to further mandate that the CDCR reduce those programs accordingly.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1369**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1369 without my signature.

This bill would allow the use of voluntary or involuntary electronic monitoring programs for inmates being held in lieu of bail for both misdemeanors and felonies. Although this bill would give counties facing jail overcrowding problems the flexibility to place inmates on electronic monitoring, this bill is fundamentally flawed. Under existing law, if a misdemeanant absconds or flees from a voluntary alternative custody program, he or she is subject to felony prosecution. Under this bill, if a person is charged with a felony and escapes or cuts off their electronic monitoring device while participating in an alternative custody program, he or she can only be prosecuted for a misdemeanor. A person should not be subject to misdemeanor penalties for evading felony prosecution.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1593**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1593 without my signature.

I vetoed a similar measure last year, and my concerns about the new and potentially significant General Fund costs for adding these two facilities remains.

For this reason, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1600**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1600 without my signature.

This is the fourth time that I have vetoed this measure. In addition to the concerns that I have consistently cited over the last three vetoes regarding the overall rising cost of healthcare and lack of affordability for employers and individuals struggling to keep their existing coverage, I am now able to add a new concern. The federal health reform provisions that take effect in 2014 will require states to pay the entire cost of mandates that go above and beyond the definition of "essential benefits." This bill certainly requires a higher level of service than contemplated on a federal level and as such, will mandate California to spend new General Fund dollars for these benefits.

I cannot agree to a significant expenditure of new funds when we are struggling to provide basic levels of coverage to our most needy and fragile populations.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1640**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1640 without my signature.

This bill is unnecessary as the issues of concern to the sponsors have already been addressed in the proposed budget trailer bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1679**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1679 without my signature.

This bill establishes the second full week in April, beginning in 2011, as California Public Safety Telecommunicators Week and would require the Governor and Legislature to issue annual proclamations. While public safety dispatchers and other public safety telecommunications workers are essential to the work of first responders, this measure is unnecessary because the Legislature and Governor can issue such proclamations without having to place such mandates in statute. In addition, this measure duplicates the recognition provided by congressional recognition of National Public Safety Telecommunicator Week.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1718**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1718 without my signature.

The goal of this bill is laudable. However, the bill inappropriately grants counties a super priority lien on a participating senior or disabled individual's residential property. Not only would an individual's participation in a county program violate their mortgage contract, it would most likely render them unable to obtain future loans.

I believe that the lending and mortgage industry agree with the intent of this measure. The author would be well-served by working with them and the counties next year to craft a solution that provides a workable and legally acceptable tax deferral program for seniors and disabled individuals struggling to maintain their residential property.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1745**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1745 without my signature.

Benjamin Franklin said it best when he wrote, "In this world nothing can be said to be certain, except death and taxes." This bill is one of five measures this year attempting to assess new fees onto our state's vital records system for birth, death and marriage certificates. While I can appreciate the Legislature's interest in funding particular policies and special programs, if this bill were enacted, it would increase the burial permit fee by 73% and less than half of that new fee would actually fund the state and local registrar functions. Implementing the others would raise millions of dollars in additional fees, none of which would actually fund the base programs. Counties are already allowed to allocate a sum for indigent burials from the existing fee—and since the state has to live within its fiscal means, I would suggest that counties do so as well. If raising revenue for this purpose is a priority, then each county can place a measure on its local ballot and seek approval from their local voters.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1759**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1759 without my signature.

This bill is one more attempt to solve an extremely complex problem through over-regulation, micromanagement and the placement of unnecessary requirements in the contracting process—all without actually solving the underlying issue.

Health coverage is expensive. It's getting more expensive every day. Requiring sophisticated buyers, brokers and health plans to statutorily notify each other that costs may increase throughout the year is similar to advising them that the sun is going to rise in the east.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1879**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1879 without my signature.

This bill requires the California Public Utilities Commission (CPUC) to open a proceeding to reconsider their previous decision on the 3-year limit on billing undercharged amounts due to meter and billing errors.

On May 12, 2010, the CPUC opened a proceeding nearly identical to the one required by this bill. The CPUC anticipates making a final decision on this proceeding by late 2010. This bill would not go into effect until January 1, 2011, making it unnecessary.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 29th day of September at 4:10 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 113, 301, 499, 542, 549, 1239, 1369, 1593, 1600, 1640, 1679, 1718, 1745, 1759, and 1879.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1914**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1914 without my signature.

This bill is unnecessary because clarification can be provided administratively. In fact, an all-county letter on this issue is already being prepared by the Department of Social Services. The Department will also work with the counties where constituents have complained about inappropriate food stamp denials.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1923**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1923 without my signature.

This bill allows the Public Utilities Commission (CPUC) to use funds allocated for the California Solar Initiative Research, Development, and Deployment program to be used for solar panel anti-theft technologies.

This bill is unnecessary. The CPUC's existing program does not preclude them from awarding funds to anti-theft technologies, should they apply as part of a competitive solicitation. As such, this bill simply creates a bad precedent by placing in statute specific uses for these funds.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1925**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1925 without my signature.

This measure would authorize superior courts to develop and implement veterans' courts programs in California to allow criminal defendants who were also veterans of the United States Military an opportunity to go through alternative treatment programs and rehabilitation in a non-prison setting. I strongly support providing alternative treatment programs for veterans who may find themselves caught up in the criminal justice system due to service-related trauma or brain injury. That is why I am signing Assembly Bill 674 and Senate Bill 1296. However, I am unable to sign this bill because, like Assembly Bill 114, which I am also returning without my signature, authorizing legislation is not required for the superior courts to establish specialized courts with dedicated calendars. I would urge the Judicial Council to examine the need for veterans' courts, however, and establish appropriate guidelines for the superior courts to follow.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2009**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2009 without my signature.

This measure would allow counties to use funds from their DNA Identification funds to pay for private laboratories to process DNA samples. While this measure is well-intentioned, leftover public funds would be better used to increase local and state capacity to test DNA rather than diverting these funds to private laboratories. Moreover, as noted by the California Association of Crime Laboratory Directors, this measure could create additional costs for counties and preclude DNA from being submitted to the national Combined DNA Index System.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2018**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2018 without my signature.

This bill is unnecessary since the exact same language was adopted by the 2010–11 Budget Conference Committee and included in the Human Services Omnibus Trailer bill.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2042**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2042 without my signature.

This bill is premature and potentially unnecessary because the federal government is currently working with states, including California, to establish a process for the annual review of unreasonable premium rate increases. My Administration has received funding to undertake this comprehensive effort which I believe will address the problem in a more appropriate and consistent manner.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2072**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2072 without my signature.

I appreciate the strong feelings from advocates on both sides of this issue. Parents, when first advised that their child has been identified with a hearing loss, are in need of information. It is in the parents' and the affected child's best interest to have information that is timely, appropriate, unbiased, and linguistically and culturally sensitive. This bill is an attempt to provide that type of comprehensive information. Unfortunately, the mechanism is through an advisory committee that is anything but unbiased. It's also an advisory committee that will not only duplicate efforts by other state programs and materials by nationally recognized and respected organizations, but it represents a significant workload that will require fiscal resources that cannot be spared.

I do believe that our state's Newborn Hearing Screening Program, along with other state agencies and departments, already coordinate and work to provide the best programs for California children that are deaf or hard of hearing. This bill is unnecessary and potentially contradictory to those successful efforts.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2077**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2077 without my signature.

This bill potentially places vulnerable patients at risk of medication error or exposure to adulterated or misbranded drugs. Without maintaining strict adherence to federal Food and Drug Administration requirements, there is a greater likelihood of product mix-up, loss of product identity, contamination and cross-contamination, and lack of adequate control systems. Current law clearly outlines the regulatory oversight functions for the Department of Public Health and the Board of Pharmacy. I see no reason to change these well-defined regulatory roles in California.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2093**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2093 without my signature.

Our state's public health system rests on the administration of vaccinations and I support efforts to ensure all children are appropriately vaccinated, which is why I am pleased to sign Assembly Bill 354.

This bill, however, is an inappropriate effort to carve various elements out of negotiated provider contracts and set those reimbursement rates in statute. Existing law already requires health plans to fully cover certain preventive benefits, including immunizations. Reimbursing providers for their "administrative costs" at a Medicare rate completely undermines the purpose of capitation and provider contracts, especially if a provider's actual costs are below the Medicare fee.

For this reason, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2147**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2147 without my signature.

This bill would expand the list of factors to be used when rating Safe Routes to School (SRTS) Program proposals to include the consideration of the benefits to a low-income school, and the degree to which the proposal reflects the participation, input and priorities of various community stakeholders. Additionally, this bill would clarify that school districts are included among the government entities eligible to apply for SRTS funds.

While this bill is intended to enhance the position of low-income communities to compete for SRTS funds, based on the recent success of those communities receiving SRTS program funding, this bill may be unnecessary. A recent review of the SRTS Program determined that low-income schools, which comprise approximately one-third of California schools, have received 35 percent and 44 percent of all SRTS grants awarded over the past five years through the state and federal programs, respectively.

Additionally, to the extent funding is provided to weaker proposals receiving additional credits by benefitting low-income schools, this bill could have a negative impact on project delivery and may not result in the intended long-term increases in walking and biking that the program funds are intended to encourage.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2248**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2248 without my signature.

This bill would create a reimbursable state mandate. Therefore, I cannot support additional cost pressure on the state's General Fund.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2274**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2274 without my signature.

This bill restates current law and long-standing program policy. It is unnecessary.

For this simple reason, I am unwilling to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2290**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2290 without my signature.

This bill would require the California Department of Corrections and Rehabilitation (CDCR), not less than 45 days prior to the release of specified inmates, or as soon as practicable, to notify local law enforcement agency of the jurisdiction to which the inmate is to be released regarding the scheduled release. This measure is unnecessary because CDCR currently provides this information to local law enforcement. Moreover, this measure would unnecessarily specify the use of a particular data system, which could limit the department's flexibility to make improvements and updates to the current system. For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2295**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2295 without my signature.

This bill would require the California Department of Corrections and Rehabilitation (CDCR) to retain all files, or electronic copies of those files, prepared by the Division of Adult Parole Operations regarding any person who is paroled and who is required to register as a sex offender for 75 years from the date of release. This measure is unnecessary. The CDCR's current policy concerning the retention of sex offender records exceeds what is required of this bill.

Consequently, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2326**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2326 without my signature.

This bill would impose new requirements upon the California Department of Corrections and Rehabilitation (CDCR) and the Reentry Advisory Committee (RAC), including a requirement to seek and apply for federal funds, develop a comprehensive reentry plan, submit various advisory reports to the Legislature and Governor upon request, and would also increase the number of individuals on the committee. AB 2326 also extends the sunset date of the RAC from January 1, 2011, to January 1, 2016.

This bill imposes several new duties upon the CDCR and the RAC without providing any new sustainable funding to pay for them. I cannot sign a bill that creates such unfunded mandates for the State of California during this time of fiscal crisis.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 29th day of September at 4:10 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1914, 1923, 1925, 2009, 2018, 2042, 2072, 2077, 2093, 2147, 2248, 2274, 2290, 2295, and 2326.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2338**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2338 without my signature.

This bill would allow off-highway vehicles to operate on certain roads in Inyo County unless the California Highway Patrol (CHP) Commissioner finds that designating a highway, or the portion of a highway, would create a potential traffic safety hazard.

This bill could expose the state to liability issues if the CHP allows joint use by off-highway vehicles and vehicles on roads in Inyo County and an accident occurs. This liability could result in significant costs to the state.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2397**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2397 without my signature.

This bill would amend Labor Code section 4850 to provide that an injured employee and his or her employer may mutually agree to extend the employee's leave of absence without loss of salary in lieu of temporary disability payments or maintenance allowance payments beyond the one year period of disability.

I appreciate and value the duties of public servants who perform difficult and dangerous tasks that risk their lives. However, as we have seen with the current pension crisis, there is often an inclination to add special benefits and compensation to unsustainable levels. I am unwilling to facilitate this lack of fiscal responsibility by creating potentially new costs for public entities administering the public's money.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2456**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2456 without my signature.

This bill is unnecessary because the Emergency Medical Services Authority currently has the ability to promulgate regulations to administer a statewide emergency response system. California's diverse geography and population demands a greater degree of flexibility that this bill cannot provide.

For this reason, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2460**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2460 without my signature.

While I appreciate the author's intent behind this bill, I am troubled that the bill essentially seeks to eliminate the penalty for an illegal act with an illegal substance. Unlike similar legislation pending this year relating to alcohol and underage youth, this bill essentially grants immunity to all individuals using illegal substances. The bill also fails to address problematic, high-risk drug use and behavior. Accountability, and the need for the legal consequences arising from such high-risk behavior, is eliminated under this bill.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2485**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2485 without my signature.

This bill would extend the sunset from July 1, 2010 to July 1, 2017 for provisions regarding actions filed in a superior court by a common interest development association against a builder, developer, or general contractor for design or construction defects. This bill also would increase the court fee for out of state attorneys appearing in California superior courts from \$250 to \$500.

Although extending the sunset for the construction defect litigation provisions may continue existing court efficiencies, this bill unnecessarily increases the out of state attorney fee. This fee increase will be addressed as part of the larger trial court budget discussion, and it is inappropriate to increase it through this measure.

For this reason, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2540**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2540 without my signature.

I vetoed a similar measure last year. Given the passage of federal health reform and other legislation that I plan on signing relating to rescission of coverage, this bill is unnecessary. I would also point out that continuing to provide funding to the Managed Risk Medical Insurance program will be unnecessary after 2014 as well.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2564**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning AB 2564 without my signature.

This bill is unnecessary and would divert resources away from the preparation of the Governor's budget, especially when the existing tax expenditure report is already produced by the Department of Finance and available to the Legislature and members of the public.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2566**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2566 without my signature.

I vetoed a similar measure last year. The reason for the veto remains the same. Existing law already addresses the issues highlighted by the sponsors and author. The real problem is that the sponsors want enforcement of this issue moved up on the prioritization of enforcement issues pending with the Medical Board (Board). California currently ranks 41st in the country for taking serious disciplinary action against doctors—and this bill attempts to move those serious disciplinary actions behind businesses that operate “medi-spas” providing skin peels, dermabrasion and laser hair removal.

Good doctors are the backbone of our health delivery system. I believe the members of the Board want to protect patients. I just don't agree that the Board's time is better spent on medi-spa enforcement when other physicians should be more quickly investigated and prohibited from practicing medicine when they have caused serious patient harm or death.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2597**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2597 without my signature.

This bill would use the resources of the Department of Motor Vehicles in order to gain leverage in what are normally privately negotiated business agreements. Enforcing business agreements between manufacturers and dealers should not be the role of the department.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2626**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2626 without my signature.

Existing law allows sheriffs and police chiefs to employ public officers to guard public locations and facilities as directed. This bill would allow security officers employed by the Sheriff of the County of Sacramento to be contracted out to a private company for the purpose of guarding private property. While off duty law enforcement officers are often hired by private firms to guard critical infrastructure, it is for a law enforcement purpose and not to replace private security guards. This bill, however, would allow public officers to be contracted out to provide services that private companies would otherwise provide. These duties should not be performed at the expense of taxpayers.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2663**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2663 without my signature.

I am concerned that this bill could make the state's General Fund cash situation more dire should it become necessary to delay payments to local governments in future years. Vendors, schools, child care providers and many others suffer when the state runs short of cash. It is not unreasonable for local road fund payments to be delayed a few months when other payments are delayed.

There is no reason to single out cities that adopt a particular budget calendar for relief. Since the potential for the delays was known in advance of local budget adoption, these cities can make appropriate cash management plans.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 29th day of September at 4:10 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2338, 2397, 2456, 2460, 2485, 2540, 2564, 2566, 2597, 2626, 2663.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2666**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2666 without my signature. My Administration has consistently supported efforts for greater transparency in government, including the "Reporting Transparency in Government" website. However, this bill inappropriately seeks to publish confidential tax information for no apparent benefit. The Franchise Tax Board and the Department of Finance already publish annual reports detailing all tax expenditures, their cost, their intended benefit and other useful information. The Franchise Tax Board also publishes an annual well-known list that identifies the largest 250 tax delinquencies of individual and business taxpayers. I am unclear as to the need for this bill, other than for the sponsor to continue to provoke and alienate businesses attempting to create jobs and economic recovery in California.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2667**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2667 without my signature.

Existing law requires public or private hospitals, clinics, or birthing centers to provide information on the current law requiring child passenger restraint systems for children less than six years of age. This measure would specify that a hospital would also have to provide information to parents on how to contact someone to assist in the installation of a child restraint seat. While this additional requirement may not be burdensome on hospitals, it is simply unnecessary. Parents must take responsibility for the installation and use of child restraint systems.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2676**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2676 without my signature.

The most significant provisions of this bill have already been addressed by the Budget Conference Committee. Thus, this bill is unnecessary.

For this reason, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2706**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2706 without my signature.

This bill would expand the characteristics protected by the Ralph Civil Rights Act's prohibition against hate violence to also include homelessness or the perception that one is homeless.

While this bill is well-intentioned, it is unclear whether the homeless are targeted for violence because they are homeless, or because they possess a characteristic already protected by the California's hate crime statute, such as mental or physical disability. Furthermore, poverty, unlike race, gender, national origin and disability, is not a suspect classification. Because of the incongruence between the recognized classifications listed in Civil Code section 51.7 and homelessness, this bill could result in legal challenges and increased court costs.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2729**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2729 without my signature.

This bill is unnecessary. Current law already allows for violations of Section 22101 of the Vehicle Code to be enforced through an automated enforcement system.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2784**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2784 without my signature.

This measure would inappropriately interfere with existing executive branch authority and usurp the deliberative process. Furthermore, the additional requirements for appointments to the California Veterans Board remove administrative flexibility and may prevent the most qualified individuals from serving.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2786**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2786 without my signature.

This bill is overly broad and unnecessary. The Department of Public Health, in a public health emergency, already has broad authority to request and receive laboratory data. I am also concerned that the Department, without such a public health emergency, could enact changes that affect both private and public laboratories without any regulatory oversight.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 29th day of September at 4:10 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2666, 2667, 2676, 2706, 2729, 2784, and 2786.

SUE PARKER

Assistant Chief Clerk of the Assembly

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

**Governor's Message—Assembly Bill No. 231 and Senate Bill No. 1456**

Governor's Office, Sacramento  
September 29, 2010

*To the California State Legislature:*

I am signing AB 231 and SB 1456.

AB 231 amends the California Environmental Quality Act (CEQA), to allow the lead agency for a later project that uses a tiered environmental impact report (EIR) to incorporate, by reference, a previous finding of overriding considerations for the earlier project if certain conditions are met. Of merit is the fact that this bill allows public entities some relief from the unfair political backlash that often occurs because they are required to override the same potential impact over and over again.

SB 1456 amends the CEQA regarding: 1) tiering and cumulative impact analysis; 2) mediation; 3) the ability of the Attorney General to request an expedited litigation schedule; and, 4) filing a motion for frivolous actions. Requiring project opponents to base CEQA claims on specific objections made during their participation in the public process will prevent project opponents from piggy-backing off of the comments and arguments of others to establish standing to sue.

Other than the provisions mentioned above, these bills are 99% garbage. Though small steps in the right direction, neither I nor the Legislature should fool ourselves into thinking that these bills even make a dent in the problems caused by CEQA's spaghetti-like requirements.

I am greatly disappointed that the Legislature did not see fit to send to my desk a more substantive bill this legislative session designed to reduce widespread and rampant abuses plaguing the CEQA process—abuses which are made possible by complex and overly bureaucratic requirements in the present law. Serious legislative reforms to curb these abuses have been thwarted by interest groups at every turn, resulting in ineffective piecemeal legislation that does little to solve inherent flaws in law.

Regrettably, our environmental laws and regulations often stand in the way of our environmental goals. Moreover, opportunists use these laws to prevent reasonable management of environmental resources while simultaneously forcing huge expenditures of taxpayer dollars. As Governor, I have been frustrated to find that even our most routine environmental statutes present obstacles for public projects deemed good for the environment, ranging from things like building hiking trails to licensing renewable energy projects designed to provide clean, reliable, sustainable energy while spurring job creation in this State.

There can be no doubt that the opportunistic user of CEQA is, by far, the worst offender, providing needless fodder to special interest groups bent on miring necessary and worthwhile development in years of litigation, uncertainty, and additional expense.

Consequently, next year's crop of state lawmakers, including the next Administration, will again face the unique challenge of reining in CEQA abuses in the face of blind opposition determined to maintain an unworkable status quo. It is my fervent hope that these policymakers pursue substantive and lasting reforms to CEQA that will serve to showcase California as an exemplary steward of the environment as well as a place for creative innovation and dynamic economic growth.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 635**

Governor's Office, Sacramento

September 29, 2010

*To the Members of the California State Assembly:*

I am signing Assembly Bill 635 because I strongly support increased transparency in the bidding and contracting process.

This bill is a good first step at trying to provide more oversight in bidding practices for school roofing projects. While financial disclosure is important, this requirement alone does not go far enough in addressing the apparent lack of competitive bidding investigated and brought to light in the media. I encourage the Legislature to continue working on the issue to ensure additional school funds are being spent prudently.

Sincerely,

ARNOLD SCHWARZENEGGER

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. 558**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill (AB) 558 without my signature.

This bill is similar to AB 1017 (2009), which I also vetoed. Unfortunately, while this measure is well-intended, it continues to ignore the precarious fiscal conditions of California's crime laboratories. Indeed, as noted by the California Crime Laboratory Review Task Force in its 2009 report, DNA, fingerprints, and firearms testing have been identified as areas where requests often exceed staffing capabilities. The Task Force also noted that in order to eliminate the backlog for DNA testing, an additional 282 analysts would have to be funded. Unfortunately, AB 558 will not provide any additional funding or staffing for crime laboratories and will instead divert resources away from testing to sending reports to the Department of Justice. In this time of fiscal crisis, I cannot condone this shift in priorities.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 909**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 909 without my signature.

A driver running a red-light, whether they are traveling straight, or turning right, makes a very dangerous traffic movement that endangers the nearby motoring public, bicyclists, and pedestrians. Modifying existing law to make red-light violations from a right turn less egregious sends the wrong message to the public that California is tolerant of these types of offenses. It is our responsibility to protect the motoring public and not increase the risk of traffic collisions.

Therefore, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1997**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1997 without my signature.

This bill is unnecessary. Nothing under current law prohibits the California Community College Chancellor's Office from working with local community colleges to meet the objectives of this bill. Furthermore, the annual budget act was augmented several years ago to provide the community colleges an additional \$34.2 million for financial aid outreach efforts that were expected to assist students with maximizing federal and state financial aid.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2080**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2080 without my signature.

This bill, authorizing securitization of Build America Bonds federal interest subsidy payments, may provide a mechanism to borrow very expensively to avoid needed budget adjustments for just one year, at high costs to future budgets. Alternatively this could be a substitute for general obligation bonds for large projects, avoiding the required two-thirds voter approval. In either case, this is not good fiscal policy.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2193**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2193 without my signature.

This measure would extend the gambling moratorium related to the expansion of cardrooms and the issuance of new State cardroom licenses through 2020. There is no compelling rationale for extending the gambling moratorium at this time, as a similar extension was approved just four years ago. By precluding existing cardrooms from expanding and new cardrooms from opening, this measure could negatively impact job expansion and creation as well as State and local revenues. Furthermore, the gambling moratorium under existing law does not expire until 2015, which gives the Legislature ample time to evaluate whether the existing moratorium should be extended.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2448**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2448 without my signature.

This bill is substantially the same as legislation I have vetoed in the past because it may allow subjective methods to govern the bidding process for procurement of supplies and materials, which could be more open to manipulation and abuse in the ultimate bid selection. Such abuse could lead to non-competitive bidding and higher costs to the State's taxpayers and community college students.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2613**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2613 without my signature.

It is important that the due process rights of homeowners are balanced against a local government's right to collect an ordinance violation fine. The current system that requires a local government to seek judicial approval to impose a lien properly balances these opposing interests.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2701**

Governor's Office, Sacramento  
September 29, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2701 without my signature.

This bill places qualified playgrounds and playground sites with historical or cultural significance under the jurisdiction of the State Historical Building Code.

This bill is unnecessary, as existing law already specifies that any structure with a historic designation is subject to the California Historical Building Code.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 29th day of September at 5:25 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Troy Whitfield: Assembly Bills Nos. 558, 909, 1997, 2080, 2193, 2448, 2613, and 2701.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 234**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 234 without my signature.

This bill requires the Administrator of the Office of Spill Prevention and Response (OSPR) to develop regulations addressing “pre-booming” of vessels involved in transfers of oil fuel and oil cargo. The bill also increases the per-barrel fee, paid by tankers, and the non-tank vessel fee, that is used to support OSPR’s administrative functions and authorizes the Administrator to adjust the maximum per-barrel fee annually for inflation according to the Consumer Price Index.

This bill is unnecessary. Pursuant to the authority already provided under existing law, OSPR is currently in the process of evaluating the benefit of requiring “pre-booming” standards on fuel transfer operations where it is safe and effective to do so. Additionally, the magnitude of the fee increase proposed to fund OSPR’s regulatory activities per this bill far exceeds what OSPR estimates it would cost to promulgate the “pre-booming” regulations this bill would require.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 408**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 408 without my signature.

This bill increases the state’s lobster permit fee by \$300 and creates a Lobster Management Enhancement Advisory Committee to direct use the additional funds raised by the fee.

I vetoed an almost identical measure last year because I was concerned that it would increase the cost of a commercial lobster permit by almost 90 percent. In my veto message, I also cited the fiscal and programmatic challenges facing the Department of Fish and Game in attempting to implement the provisions of the bill.

This bill does not address the concerns I raised in my veto last year and thus, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 853**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 853 without my signature.

This bill is unnecessary, as existing law adequately requires Local Agency Formation Commissions to consider any relevant social and economic communities of interest. Furthermore, residents already have the ability to seek annexation or establish a new city with the appropriate balance of input from the city, county, and residents affected, as well as the fiscal considerations.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1235**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1235 without my signature.

It is with sincere disappointment that I am unable to sign this hospital peer review measure. I vetoed two bills on this subject last year, with a clear message for the interested stakeholders to work together, along with my Administration, on this extremely complicated and complex issue. Unfortunately, this consensus did not occur. As California stands ready to implement health reform, we need hospitals and physicians to work in new and more efficient ways. I believe both parties are working to provide quality care to patients—but there are better ways to work together. Litigation and protracted contract disputes are not going to be mechanisms to achieve this common goal.

I would encourage the author to keep working with these parties in the coming year—this problem must be addressed. I believe that a final consensus product that first, and most importantly, protects patients while also allowing hospitals and physicians to work together, can be reached.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1335**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1335 without my signature.

By increasing the number of signatures required of a write-in candidate, this bill could deter an individual from challenging an incumbent for the office of superior court judge. I have long supported the people's right to transform their government, whether through, initiative, referendum, or recall. Allowing write-in candidates to oppose a current elected official is a similar opportunity for the people to make their voice heard.

The situation noted by proponents of this measure highlights the unfortunate possibility for abuse by individuals that launch a campaign

based on prejudice. However, this regrettable incident does not warrant the significant change proposed in this bill. Our democracy is successful in part because it is structured with three co-equal branches of government. Current law regarding write-in candidates allows an individual to challenge a Member of the House of Representatives with as few as 40 signatures, and state constitutional officers with as few as 65 signatures. This bill would create a new standard for superior court judges, increasing the requirement in some counties to 1,000 signatures. This would set a precedent that I cannot support.

Consequently, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1680**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1680 without my signature.

This bill would prohibit businesses from being able to enter into contracts that require disputes to be resolved through arbitration. Arbitration has evolved into a productive and useful method for resolving disputes. It allows parties the opportunity to resolve cases faster than traditional litigation and without incurring the enormous expenses associated with going to court.

Since this measure limits the ability of parties to use arbitration, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1683**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1683 without my signature.

Nothing in current law prohibits county offices of education from receiving federal funds consistent with federal law. The Administration does not have any evidence that county offices of education have been denied access to federal dollars that should appropriately be distributed to them. Therefore, it is unclear why the statutory change in this bill is necessary.

However, I am directing the State Board of Education to be especially cognizant of this issue and be diligent about working with the State Department of Education and the county offices of education to ensure that no inadvertent omissions occur in the future.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1726**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1726 without my signature.

This bill would allow a homeowners association (HOA) of a common interest development (CID) unable to achieve a quorum for a member meeting or an election of directors to lower the quorum requirement for the second election to 40% and for the third or additional elections to 33%, unless otherwise specified in the CID's governing documents.

I believe that this bill is unnecessary because existing law allows a HOA to amend its governing documents to establish a lower quorum. I am also concerned that this bill would interfere with the basic democratic principle of CIDs.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1755**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1755 without my signature.

This bill would establish the Seismic Safety Finance Act and would expand existing authority that currently allows local government agencies to implement contractual assessment programs to provide property owners a financing option for specific energy and water efficiency property improvements. This legislation would add seismic strengthening improvements of existing buildings to this current list of eligible uses for contractual assessments.

While parts of this bill have merit, I do not support expanding contractual assessment programs to these types of property improvements.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1760**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1760 without my signature.

I am not convinced of the overall effectiveness of the design-sequencing contracting method. Upon the completion of previously authorized design-sequencing contracts, the California Department of Transportation will analyze this contracting method and produce a final report on the effectiveness of this method. I believe any further authorizations of this contracting method should wait until this report has been released and the effectiveness determined.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1793**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1793 without my signature.

This bill would void a provision in the governing documents of a common interest development (CID) if it prohibits the use of artificial turf or any other synthetic surface that resembles grass in its landscaping rules and regulations.

CIDs provide a system of self-governance through a community association, responsible for managing, maintaining, and repairing the common areas, and have the authority to enforce special rules. Decisions such as these regarding the use of artificial turf can be made by the homeowners and amended into their governing documents.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1822**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1822 without my signature.

This bill is unnecessary and inappropriately requires specific law enforcement association appointments to the California Massage Therapy Council. This Council is already working closely with law enforcement professionals across the state to ensure the profession is appropriately screened for past criminal activity before being certified. In addition, there are members of the public, not associated with the massage industry, already appointed to this Council.

For this reason, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1825**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1825 without my signature.

While I acknowledge the author's effort to address the reason for the last three vetoes on similar measures, the bill continues to represent a significant barrier to affordable coverage. I can appreciate the policy arguments, but none of the organizations lobbying for this bill's passage must represent the individuals and families struggling to pay for their existing health coverage. Nor are any of these organizations offering to help families pay for their increasingly expensive coverage. It is a familiar effort in which supporters demand more and better coverage, until the cost for that coverage is added up. Ironically, some of these same organizations then turn around and blame the health insurance companies for charging too much for the benefits they themselves demanded. I firmly believe you can't have it both ways.

The passage of federal health reform will have broad and consequential impacts across our state and nation. Affordability is the one area in which the hard decisions remain unresolved. However, if left unaddressed, the lack of affordability will undermine the entire reform effort. Leaders, at both a national and state level, must accept this responsibility and be willing to make the decisions that are politically unpopular, but represent a long-range solution to the problem.

This bill represents a one-sided solution that hurts many hard-working Californians by increasing costs as well as the number of uninsured. For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1834**

Governor's Office, Sacramento

September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1834 without my signature.

This bill establishes the Rainwater Capture Act of 2010 to allow landowners to install and operate "rainwater capture systems" for saving water, for landscaping or infiltrating into the aquifer beneath their property. The bill would also include rainwater recapture systems for eligibility under the Property Assessed Clean Energy (PACE) Program.

The PACE programs authorized under current law provide property owners with a cost-effective and easily accessible financing option in which to increase their property's renewable energy generation, as well as reduce their energy use and green house gas emissions.

While I believe other parts of this bill have some merit, I do not support expanding the PACE Program to make it a financing option for rainwater capture systems. Furthermore, as this bill's own legislative findings suggest, further work needs to be done to explore relevant legal, policy, and technical issues pertaining to rainwater and storm water capture before state policymakers consider the appropriateness of pursuing state-sanctioned creative financing options aimed at making rainwater recapture systems more affordable and accessible to property owners on a wide scale.

For these reasons, I am unable sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1838**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1838 without my signature.

This bill would expand an existing pilot program which allows local authorities to file unlawful detainer actions for specified activities, to include San Joaquin County. Notwithstanding the merits of this bill, given the current fiscal condition of the state, I cannot sign this bill as it could potentially create General Fund costs to cover increased caseloads to the courts.

For this reason, I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 30th day of September at 3:44 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 234, 408, 853, 1235, 1335, 1680, 1683, 1726, 1755, 1760, 1793, 1822, 1825, 1834, and 1838.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1868**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1868 without my signature.

This bill would prohibit the Insurance Commissioner from approving any disability or life insurance policy if it includes a provision that would reserve discretionary authority to the insurer to determine eligibility for benefits, and voids certain provisions of a policy or agreement if it provides or funds life insurance or disability insurance coverage.

This bill is unnecessary, as the Insurance Commissioner already has the authority to prohibit the use of discretionary clauses.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1927**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1927 without my signature.

This bill would void any provision that is added to or included in a governing document initially recorded on or after January 1, 2011, that prohibits the rental or lease of a separate interest, unless the provision imposing the prohibition is approved, by the owners of separate interests, as provided.

The right to rent or lease a unit is an important right for a homeowner. However, there is insufficient evidence to indicate that rental restrictions are currently a growing or widespread problem to justify such a wide-ranging rule change. Furthermore, current provisions in law provide for an amendment process for HOAs to make rule changes. Therefore, I believe this bill is unnecessary at this time.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1956**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1956 without my signature.

This bill exempts a non-profit organization that enters into a memorandum of understanding with the Department of Fish and Game (DFG) to provide food for free ranging California condors from the general prohibition of transporting dead animals.

This bill is unnecessary. DFG and our federal partner, the United States Fish and Wildlife Service are actively engaged in conservation efforts including providing supplemental food as needed within existing law.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2012**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2012 without my signature.

This bill increases the maximum punishment for misdemeanor animal neglect from six months to one year in county jail. The misdemeanor provisions of the animal neglect statutes are intended to address less serious offenses. While there is no question that an animal suffers when criminally neglected, an individual who intentionally maims, tortures, or mutilates an animal should be treated more harshly by the justice system. Current law reflects this distinction. In addition, I cannot support a measure that increases the potential jail time for offenses against animals while the Legislature fails to provide incarceration as a potential punishment for offenders that smuggle wireless communication devices into our state prisons.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2032**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2032 without my signature.

This bill would require that an application fee be submitted at the time a minor applies for a child labor entertainment work permit. The fee would be deposited into the Entertainment Work Permit Fund, which would be created by the bill. Money in the fund would be subject to appropriation by the Legislature to the Labor Commissioner for costs in issuing the permit, enforcing entertainment work permit requirements, developing and enhancing a website with informational materials, and training studio teachers.

This bill is essentially the same as AB 402 (Davis, 2009), which I also vetoed. Oversight of California-certificated teachers and the issuance of entertainment permits for mostly school-aged children are functions that reasonably fall within the oversight of the Department of Education, and not the Department of Industrial Relations. As I have stressed throughout my Administration, government must operate more efficiently within existing resources. This bill does not advance that goal.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2047**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2047 without my signature.

The goal of advancing a more diverse student population at the University of California (UC) and California State University (CSU) systems, while maintaining high academic standards is an admirable one. However, this bill attempts to change the constitutional ban on considering race, gender, ethnicity, or national origin as a factor in admissions that the people of California supported when they passed Proposition 209 in 1996.

The UC and CSU systems are aware of and supportive of the important goal of student diversity and make every attempt through its comprehensive review admissions process. That process considers many of the factors contained in this legislation, but do so within current constitutional restrictions. The intent of this bill would be more appropriately addressed through a constitutional change of those current restrictions.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2059**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2059 without my signature.

This bill provides a mechanism for service of legal process on non-residents who cause injuries involving rental cars in California, by allowing process to be served to the rental company. While I appreciate the challenging nature of serving process on people who live out of the country, it does not seem reasonable or justified to simply shift that burden from the plaintiff to the rental car company.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2060**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2060 without my signature.

First, I can understand the impact of new taxes on businesses and the frustration that contractors may have when they are not exempted from sales tax increases. This is one of the reasons I have continued to oppose raising additional taxes because it slows our state's economic recovery efforts and dampens job creation. However, this bill seeks an overly broad and permanent exemption which effectively shifts the burden of paying both state and local sales tax increases from the contractor to the government entity and ultimately, on California's taxpayers. In addition, I believe this bill is unnecessary because current law allows an exemption to fixed-price contracts for city and county tax increases, and such exemptions have been allowed on past statewide sales and use tax increases. I believe this process is appropriate and does not affect district tax revenues, as this bill would propose to do.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2088**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2088 without my signature.

This bill would limit an important power of direct democracy by limiting voters' ability to recall an elected official and elect a replacement. Unfortunately recall efforts can become punitive rather than a constructive effort to replace an officeholder; however, the recall process as a whole is an important component of the people's right to directly change their government. Under the provisions of this bill, an official subject to a recall could resign and allow a successor to take their place. This limits the ability of the voters to select the replacement through a recall election.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2128**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2128 without my signature.

This bill would expand and increase mandatory insurance requirements for private patrol operators and subject operators to the same insurance coverage requirements, regardless of whether or not their guards carry firearms.

There has been no clear justification on why insurance coverage for operators that use guards without firearms should be required to carry the same coverage as operators that use armed guards.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2182**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2182 without my signature.

This bill would authorize public agency officials and property owners to enter into voluntary contractual assessments to finance installation and replacement of onsite sewer and septic improvements on private property. These improvements may consist of converting an existing property from a septic system to a public sewer collection system, replacement of sewer lateral lines, or replacement or upgrade of septic tanks.

Under current law, voluntary contractual assessments provide property owners with a cost-effective and easily accessible financing option in which to increase their property's water and energy efficiency.

While parts of this bill have merit, I do not support expanding contractual assessment programs to these types of property improvements.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2202**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2202 without my signature.

This bill states the intent of the Legislature that funds appropriated from the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 be consistent with the strategic plan for the New River Improvement Project (Project) as developed by the California-Mexico Border Relations Council.

This bill is premature. After the bond passes in November 2012, the author can do more than just state the Legislature's intent, he can actively fight to ensure the bond funds are spent consistent with the Project's strategic plan. And I encourage him to do so at the appropriate time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2304**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2304 without my signature.

This bill requires local water agencies to map the recharge areas that substantially contribute to the replenishment of a groundwater basin. The bill also requires the agencies to submit these maps to local planning agencies and expand public notification when preparing and approving groundwater plans.

I am concerned about the impact this bill could have on privately-owned properties, both those currently used as recharge areas and those that might be used in the future. Once mapped and those maps are provided to local governments, the bill intends that these lands will be rezoned to restrict their use to being a groundwater recharge area.

Property law in California already allows landowners and water districts to work outside of the watchful eye of government and come to a private agreement about how they can manage both their land and water resources.

Although not perfect, maintaining this current system allows them to work together to develop solutions. An area that serves as a recharge basin today probably isn't the only place that can be used to recharge a groundwater basin. And areas that are currently used for this purpose might be better put to some other use in the future. Unfortunately, this bill would eliminate this type of flexibility and negotiation between a landowner and a water district.

For this reason, I am unable sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2317**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2317 without my signature.

It is important that the due process rights of homeowners are balanced against a local government's right to collect a nuisance abatement fine. The current system that requires a local government to seek judicial approval to impose a lien properly balances these opposing interests.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2332**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2332 without my signature.

This bill would authorize the Contractor's State Licensing Board to refuse to issue, reinstate, reactivate, renew, or suspend a contractor's license for failure of a licensee to resolve outstanding liabilities assessed by the Board of Equalization (BOE).

Not resolving outstanding financial liabilities is a serious offense, but this bill unnecessary. The BOE already has at its disposal a number of enforcement actions that it can take against contractors that are delinquent on tax payments. This bill proposes to shift some responsibility for tax collection from the BOE to a Board that is designed to protect the safety and well being of consumers.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 30th day of September at 3:44 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1868, 1927, 1956, 2012, 2032, 2047, 2059, 2060, 2088, 2128, 2182, 2202, 2304, 2317, and 2332.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2342**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2342 without my signature. This bill is unnecessary and duplicative of the extensive work currently being done by the state Department of Social Services and the county welfare offices.

For this reason, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2575**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2575 without my signature.

This bill requires the Department of Forestry and Fire Protection (CAL FIRE) and the Board of Forestry and Fire Protection (Board) to consider cumulative effects when implementing pilot projects to protect riparian zones during timber harvesting. Additionally, the bill requires these agencies and the Department of Fish and Game (DFG) to carry out these additional requirements using existing funds and personnel.

While I believe that it is important that we should continually improve our forest practices, this bill does not provide the responsible state agencies with any additional funding or staff. As a result, these agencies would be forced to redirect scarce budget dollars and substantial numbers of staff from existing program priorities and statutorily-mandated functions.

Additionally, this bill would prohibit CAL FIRE from implementing these pilot projects on state forest lands unless private landowners are willing to undertake the pilot projects on their private lands. This restriction makes no sense. CAL FIRE operates eight Demonstration State Forests totaling 71,000 acres, and these forests represent the most common forest types in the state. A primary purpose of these Demonstration State Forests is to provide opportunities for research and demonstration projects on forest management, while providing public recreation opportunities, fish and wildlife habitat, and watershed protection. This bill would undermine the intent of the Demonstration State Forests and could potentially stall the progress of important pilot projects affecting anadromous salmonids that are currently in the process of development.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2581**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2581 without my signature.

This bill would merely duplicate efforts of Bank on California, as well as other state and federal programs. Bank on California—a program that continues to attract banks and communities to participate—has partnered with banks that believe efforts to “bank the unbanked” can be a profitable endeavor.

Additionally, this bill would result in substantial costs for the Department of Financial Institutions and divert personnel and resources from the Department's primary function of ensuring the safety and soundness of California-chartered institutions.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2654**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2654 without my signature.

This bill requires disclaimers presently required on solicitations and mailings to be conspicuously displayed, as specified. It also increases the fines for violating specified disclosure requirements.

I am supportive of addressing consumer protection against fraudulent business practices. However, this bill also establishes a private right of action allowing for the recovery of damages up to three times the amount solicited, which I am concerned will lead to spurious lawsuits.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2672**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2672 without my signature.

This bill would require an appointed or ex-officio individual who has been debarred, suspended, disqualified, or otherwise excluded from participating in federal "covered transactions" pursuant to federal law to vacate that office.

The removal of appointed or ex-officio officers have historically, and properly, been handled on the local level and I believe the local appointing entity should continue to have the ultimate say on the removal of these officials.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2698**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2698 without my signature. I vetoed a similar bill last year and this measure does not address any of the concerns I outlined in last year's veto message about counties attempting to shift workload to the state.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 30th day of September at 3:44 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2342, 2575, 2581, 2654, 2672, and 2698.

SUE PARKER

Assistant Chief Clerk of the Assembly

The following message from the Governor was received and ordered printed in the Journal:

**Governor's Message—Assembly Bill No. 1695**

Governor's Office, Sacramento

September 30, 2010

*To the Members of the California State Assembly:*

I am signing Assembly Bill 1695.

This bill would allow custodial officers of the Santa Clara County Department of Corrections to perform duties at additional health facilities. Although I am signing this legislation, it should also be noted that 29 other counties have already been added to the statute creating custodial officers. Since more than half the counties in California have been added to this list, the Legislature would save time by making this "limited" classification available statewide rather than individual legislators running 29 additional district bills. Moreover, the Legislature should continue to expand security personnel classifications to allow non-peace officers to provide services for courthouses and other facilities.

Sincerely,

ARNOLD SCHWARZENEGGER

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. 194**

Governor's Office, Sacramento

September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 194 without my signature.

The bill limits the salary that retirement benefits are based on for individuals, prospectively after January 1, 2011, to 125% of the Governor's salary, as specified.

The current compensation limit imposed by the federal government to determine public employee retirement benefits is \$245,000. Currently, this bill would cap the compensation counted towards retirement at \$217,483. While this two tiered cap that would be created by this bill would make a very small dent in the pension problem California faces, it cannot be considered real pension reform. I am still

hopeful that the Legislature will pass an acceptable bill that addresses the real cost issues that have driven up the liability in public pension systems.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 223**

Governor's Office, Sacramento

September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill (AB) 223 without my signature.

It is a common complaint within the business community that “overregulation” is driving businesses out of California. Look no further than AB 223 for such an example. This bill, among other things, tells tattoo artists how to wash their hands (use running water, lather hands with soap for at least 15 seconds, dry using a single-use towel, and turn off the tap using the towel or elbow or foot-pedal); instructs tattoo artists to clean the procedure site using a circular motion (the bill does not appear to authorize a back-and-forth or up-and-down motion); tattoo artists are also told they need to answer questions regarding the procedure site (assuming this is to answer a question from a client, but this detail has been left strangely vague in the bill); and, of course, tattoo facilities must have washable walls, be equipped with waste containers lined with plastic bags specifically manufactured for use in waste containers and large enough to fold over the top rim of the waste container by a minimum (!) of one inch, and have light sources of at least 150 foot candles of light at the procedure area. Of course, this bill also authorizes no less than 3 new fees to fund this new regulatory oversight.

I realize this issue may be important to few, but it is not appropriate to tell tattoo artists through the statute how to wash their hands and fold their trashbags one inch over the rim of a trashcan. If the sponsors wanted a bill that addressed the purported problem, a simple statutory authorization for the Department of Public Health to promulgate standardized regulations would have been acceptable.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 226**

Governor's Office, Sacramento

September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill (AB) 226 without my signature.

This bill includes provisions intended to address issues resulting from changes to law proposed by AB 1987 (Ma). Since I am vetoing AB 1987, those provisions in this bill are not necessary.

The other provision in this bill permits Sacramento County to immediately implement a lower retirement tier for newly hired safety employees, for specified bargaining groups. I encourage Sacramento

County to reach responsible agreements with their employees, and seek new legislation to implement that component of the deal.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 289**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 289 without my signature.

This bill would direct the expenditure of federal funds without going through the regular budget review and development process. This budget process is designed to ensure both the Administration and the Legislature can provide input regarding the way in which funds are spent.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 602**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 602 without my signature.

Local governments face numerous potential legal liabilities when land is developed. One of the protections and assurances provided to local governments in order to encourage them to move forward with land development is that there is a reasonable statute of limitations on when a legal claim can be filed. Existing law gives interested parties sufficient time to bring an action, and extending this period to five years could result in uncertainty for local governments.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 619**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 619 without my signature.

While I sympathize with the victims of the Holocaust and other individuals that were transported against their will during World War II, this bill needlessly places the state in a position of acknowledging the activities of companies during that time.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 827**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 827 without my signature.

The scandal with the City of Bell was a disgraceful use of public funds. I share the public outrage expressed over the abuses attributed to the City of Bell's management of employee contracts. Assembly Bill 827 presents good public policy in that it provides transparency with regards to some municipal personnel contracts, but it should be applied to all public employees, including labor union members and state employees. I encourage the Legislature to enact thoughtful and meaningful solutions rather than a rushed proposal that is severely limited in its application.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 898**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 898 without my signature.

While there are some laudable aspects of this bill, the provision allowing private right of action for violating very prescriptive criteria for the solicitation of services will no doubt lead to spurious law suits. Existing law already allows prosecutors to pursue persons and businesses who engage in false and misleading business practices.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1060**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1060 without my signature.

There is no legitimate evidence to suggest that self-service grocery checkout stands are contributing to the theft of alcoholic beverages and sale to minors or intoxicated persons. Retailers have several strong reasons to prevent the theft or sale of alcohol to minors, including the fact that alcohol is an expensive product to be stolen and a grocer's alcohol sales license could be placed in jeopardy. Thus, it is unclear what problem this bill seeks to address.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1405**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1405 without my signature.

This bill creates the California Climate Change Community Benefits fund by requiring a minimum of 10% of revenues from the sale of compliance instruments for market-based compliance mechanisms under AB 32 to be deposited into the fund.

When the Legislature passed and I signed AB 32, we made a commitment to California's disadvantaged communities that we would ensure that the impacts of climate change and the impacts of reducing climate change would not fall disproportionately on their communities. Throughout the California Air Resources Board's (ARB) process, they have kept this commitment in mind and have fashioned every aspect of this program in a manner that attempts to lessen any disproportionate impact on these communities.

I am confident ARB will keep on this path as they continue the important work of fashioning market-based mechanisms that will reduce the burden on California's business community while still achieving our climate change reduction goals.

To that end, this bill is premature. Unfortunately, the bill proposes to spend money that does not currently exist and might not ever exist in a fund controlled by the state of California.

Important work continues at ARB to determine the most effective and least costly manner to implement AB 32. I encourage the supporters of this bill to work in earnest with ARB as they build this program. There will be a time to have this discussion. Unfortunately, now is not that time.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1413**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1413 without my signature.

I have always wholeheartedly supported the policy of making higher education opportunities as affordable as possible for all California's students. Our state's university and community college systems are amongst the finest in the country and should be made accessible to those seeking a better life through higher education. Unfortunately, given the precarious fiscal situation that the state faces, it would not be practical to adopt a new policy that could limit the financial aid available to students that are in California legally, in order to provide that benefit to those students who are not.

Since the beginning of the year, I have committed to provide the highest amount of funding for higher education, including for financial aid to needy students, that I believe is prudent given all of the competing

interest for limited resources. Given the difficult decisions that are yet to be made to enact a state budget, I am still hopeful that the funding level that I have proposed for higher education will still be enacted. However, with that uncertainty coupled with the ongoing fiscal liabilities California will continue to face in the coming years, the State needs to be especially cautious in even considering enacting a measure like this.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1506**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1506 without my signature.

This measure would require all state departments, upon a specified determination made by the State Controller's Office, to accept registered warrants, also known as IOUs, in lieu of cash payments. The issuance of IOUs represents an embarrassing failure on the part of the state to manage its finances. Unfortunately, if the Legislature does not pass a balanced budget soon, the possibility that the Controller will be forced to issue IOUs this year becomes all too real. I sympathize with businesses that were issued IOUs last year and those businesses that may receive them this year. IOUs place enormous financial strains on recipients who are unable to use them to pay their own obligations, including debts owed to the state. However, requiring state departments to accept IOUs in lieu of cash payments defeats the purpose of issuing IOUs in the first place. It would exacerbate the state's cash crisis and would accelerate the possibility of the state defaulting on its debt service and payroll obligations.

Since IOUs could be avoided if the Legislature passed a balanced budget, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1681**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1681 without my signature.

This bill would create a pilot program allowing Yolo County to conduct all-mail ballot elections on no more than three different dates. As stated in my veto message for a similar bill in 2009, any voter who prefers to vote by mail has the ability to do so under existing law by applying to become a permanent vote by mail voter. While I appreciate the author's inclusion of additional polling places in this year's measure, I remain concerned that with limited options to vote in-person citizens—especially poor, elderly, and disabled voters—would not have sufficient opportunity to vote.



Earlier this year I signed legislation to allow county elections officials to consider permanent vote-by-mail voters when creating precincts. I believe this approach offers flexibility for counties while maintaining an appropriate number of polling places for citizens to vote in-person. By relying solely on the vote by mail process, this bill could undermine public confidence in the electoral system by limiting in-person voting options and relying solely on vote by mail ballots, which are susceptible to fraud.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1778**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1778 without my signature.

While I am supportive of efforts to encourage filming and film production in California, I am concerned that this bill would restrict the economic growth of many of California's agricultural industries by negatively impacting the ability of industry funded programs, such as agricultural commissions and marketing orders, to promote California products.

Marketing Orders, Commissions and Councils are entities of state government. These programs are established by the state with the support of affected farmers and handlers to engage in numerous activities including the development, maintenance and expansion of markets in the United States and other countries. However, marketing program funds do not come from general taxpayers; rather they come from California farmers and processors. As such, it would be improper to restrict the ability of these entities to spend these funds in a manner that best promotes California's agriculture industry.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1791**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1791 without my signature.

Redevelopment funds should be used solely for the purpose of eliminating blight in California's urban neighborhoods. This bill would authorize the use of redevelopment funds on a project that does not meet the statutory definition of blight nor located in an urban or developed area. Since this bill would violate the primary purpose of redevelopment law, I cannot sign this bill.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 30th day of September at 8:40 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 194, 223, 226, 289, 602, 619, 827, 898, 1060, 1405, 1413, 1506, 1681, 1778, and 1791.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1817**

Governor's Office, Sacramento

September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill (AB) 1817 without my signature.

This bill would have required the California Department of Corrections and Rehabilitation (CDCR) to maintain a statewide health care utilization management (UM) program, develop policies and procedures, and report annually to various Legislative committees on specified findings as well as successes or failures.

AB 1817 is unnecessary, as the centralized UM system has already been established within CDCR.

For this reason, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1821**

Governor's Office, Sacramento

September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1821 without my signature.

This bill results in arbitrarily increasing the level of benefits being paid out to those beneficiaries that did not contribute towards this increased level of benefit. While I recognize that surplus funds are not being utilized in the specified 1959 Survivor Benefit Program funds, it does not make sense to increase the benefit amounts to even the small number of participants that would be affected by this measure. That is a policy that runs counter to the overall pension reform direction I believe the state should be adopting.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1830**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1830 without my signature.

This bill would require the High-Speed Rail Authority to make every effort to purchase high-speed train rolling stock and related equipment that is manufactured in California.

While I support job creation in the state, this bill could result in unnecessary additional costs and delays in the constructing of high-speed rail in California and for this reason I am unable to sign it.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1858**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1858 without my signature.

I signed legislation in 2005 that reflected a careful balance between good public health policy and local decision-making authority. I remain comfortable with that original decision and do not believe it is appropriate to change this balance and instead give authority to the state Department of Public Health to overrule local decisions regarding syringe exchange programs.

For this reason, I am unwilling to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1987**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1987 without my signature.

The practice of pension-spiking is a serious one that deserves significant attention by the Legislature in curbing the unacceptable manner in which individual workers are able to artificially boost their retirement payouts. There are numerous examples of public employees taking home larger pension checks in retirement than what they earned in base salary when they were actually working.

California does need a consistent standard that is transparent, understandable, and implementable throughout the state. While this bill purports to address this issue by segregating out some of the factors that have allowed pension spiking, in some instances it still allows local pension boards to determine what is ultimately counted in an employee's pension calculation. This does not provide a consistent treatment of all employees. The taxpayers of California deserve better. I am still hopeful that the Legislature can send me acceptable pension reform legislation.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2068**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2068 without my signature.

This bill would allow persons convicted of a misdemeanor and not granted probation to expunge the conviction at a future date for any reason so long as a court finds that it is in the "interest of justice." Proponents of this measure argue that existing law is unfair because someone can petition a court for any reason, if granted probation, whereas if someone is not granted probation, it requires a person to live crime free for one year before being able to obtain relief. If expungement is an appropriate remedy for those who have truly rehabilitated themselves, then living an honest and upright life for one year should not present too high a bar. Consequently, I do not believe a change in law is warranted.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2151**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2151 without my signature.

This bill would provide that peace officers, members of the California Highway Patrol, and firefighters would not be required to report any accidents to their private automobile insurer while operating their personal vehicles at the request and direction of their employer. This bill would further require all state and local agencies employing peace officers or firefighters to pay the costs of any accident and all damages regardless of whether the driver of the vehicle was acting recklessly or with gross negligence.

While there may be reasons for state and local entities to pay the costs of automobile accidents while employees are responding to emergency situations in their private vehicles, this measure would require indemnification in all situations regardless of the driver's fault, which is unwarranted. Moreover, the Internal Revenue Service-established mileage reimbursement rate already covers costs for insurance for employees that use their private vehicles for work purposes. Since this measure will unreasonably shift costs to public employers in a time of fiscal crisis, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2419**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning AB 2419 without my signature.

This bill removes the apostrophe in the specified references in Contractors' State License Law.

- Number of legislative committees that took time hearing this bill: 3
- Number of pages in this bill needed to remove an apostrophe: 184
- Taxpayer dollars used to pass this bill through the Legislature: \$ thousands and thousands.
- The outrage the public should have that the Legislature is spending its time "working" on bills like this instead of focusing on California's real problems: PRICELESS.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2446**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2446 without my signature.

Improving and expanding Career Technical Education (CTE) opportunities has been among my highest priorities. While I am supportive of the author's intent to give CTE a prominent place in high school graduation priorities, the final version of this bill omitted my Administration's proposed amendments that were intended to limit the new costs to school districts. Therefore, I am concerned that this bill could be construed to impose higher costs without a fund source, which could also be interpreted as a state reimbursable mandate. Given that school budgets are very constrained due to the recession, adding new costs at this time is not advisable.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2478**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2478 without my signature.

I believe it is important to ensure the physical safety of all students, but the protection provisions of this bill do not include students in grades 9 through 12. I am also concerned that the provisions of this bill would likely be ineffective, limited to situations where the person charged with interfering with the peaceful conduct of a school would have to have the specific intent to physically harm students rather than causing a disruption that causes physical harm. Since this bill is too narrowly drawn and otherwise duplicates existing law governing the crime of making criminal threats, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2490**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2490 without my signature.

This bill is unnecessary because there is no evidence to demonstrate that a problem exists. In my view, the bill risks reducing the competitive market for workers' compensation California now enjoys due to our reforms. The broad language in the bill leaves open the potential for costly regulatory interpretation that will impact the cost of workers' compensation insurance. The high deductible contract negotiations the bill seeks to impact are conducted by sophisticated participants on both sides of the table that are well versed in all aspects of workers' compensation and other insurance products. Therefore, I am not convinced the issue addressed by the bill will result in keeping workers' compensation costs down which is the most significant concern to California employers.

For these reasons I am unable to sign the bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2531**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2531 without my signature.

Redevelopment funds are to be used solely for the purpose of eliminating blight in urban neighborhoods in California cities. This bill would authorize the use of redevelopment funds for projects that are not necessarily blighted as well as for projects outside the redevelopment area, and as such would violate the primary purpose of redevelopment law.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2670**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2670 without my signature.

This bill would establish the State Capitol Sustainability Task Force to coordinate, develop, and complete the State Capitol Sustainability Initiative in an effort to make operations at the State Capitol and the legislative office building more environmentally sustainable.

While I am supportive of efforts to make the Capitol more environmentally sustainable, this legislation fails to identify a funding source that will pay for the tasks outlined in the bill. Considering the state's fiscal condition, it would be imprudent to enact legislation that would result in unknown General Fund costs. In addition, this bill is vague regarding the specific powers this task force will hold.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2720**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2720 without my signature.

While my Administration shares the same goals as the author when it comes to promoting healthy and affordable food access for low-income communities in California, the Healthy Food Financing Initiative has not yet been acted on by Congress. Unless and until those important federal funding details are known, this bill is both premature and unnecessary.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2743**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2743 without my signature.

This bill would prohibit a landlord from requiring a tenant, as a condition of rental occupancy, to have an animal "declawed" or "devoiced." I support the goal of this bill, which would preclude landlords from making inappropriate medical decisions as a condition of occupancy. However, I cannot sign a measure that contains findings and declarations by the Legislature that are unsupported by science. In addition, this measure suggests that declawing should be prohibited for any "non-therapeutic" reason, which would include the legitimate medical needs of a pet owner. Regrettably, this bill goes too far in attempting to deal with inappropriate demands by landlords.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 30th day of September at 8:40 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1817, 1821, 1830, 1858, 1987, 2068, 2151, 2419, 2446, 2478, 2490, 2531, 2670, 2720, and 2743.

SUE PARKER

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2747**Governor's Office, Sacramento  
September 30, 2010*To the Members of the California State Assembly:*

I am returning Assembly Bill (AB) 2747 without my signature.

This bill requires the California Department of Corrections and Rehabilitation (CDCR) to maintain and operate a comprehensive pharmacy services program for facilities under its jurisdiction, as specified, and authorizes CDCR to operate and maintain a Centralized Pharmacy Distribution Center (CPDC). Additionally, AB 2747 requires CDCR to report specified information to legislative committees relating to its pharmaceutical costs and operation of a fully functioning and centralized pharmacy center.

CDCR is currently under federal receivership for its health care services. The Receiver has the authority to conduct the provisions of AB 2747 and is currently in the process of implementing the CPDC. It would be premature for me to sign a bill when the successfulness of the CPDC has yet to be determined.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2754**Governor's Office, Sacramento  
September 30, 2010*To the Members of the California State Assembly:*

I am returning Assembly Bill 2754 without my signature.

This bill takes a variety of actions with respect to the Governor's Office of Planning and Research (OPR) including creating a planning and clearing house unit, shifting administrative control of the Strategic Growth Council to OPR and establishing a military liaison position at OPR.

With the provisions mentioned above, this bill makes generally meritorious changes to OPR. Unfortunately, it also includes provisions that are ill-advised.

In addition to adding General Fund costs to the operations at OPR, the bill converts gubernatorial appointees working in the CEQA Clearinghouse (Clearinghouse) at OPR to civil service employees.



Although not a policy-making body in itself, the Clearinghouse plays an important role in helping project proponents navigate California's complex environmental laws. The people working in that unit need to reflect the priorities of the Governor as they undertake their duties and thus it is necessary that they remain gubernatorial appointees.

For these reasons, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2770**

Governor's Office, Sacramento  
September 30, 2010

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2770 without my signature.

This bill would 1) create a pilot program to investigate employment and payment practices within the swimming pool and spa construction industry; and, 2) require the Employment Development Department, in consultation with the Franchise Tax Board, the Department of Justice, the Department of Insurance, the Labor and Workforce Development Agency, and industry representatives, to develop and implement a set of criteria that, if met by an employer, would trigger a recommendation for an audit or investigation by the appropriate state tax authorities.

My Administration has been committed to vigorously enforcing the laws of this state and maximizing resources to combat the underground economy. As shown in creation of the Economic and Employment Enforcement Coalition, I support implementing targeted systems of coordination. However, as I have repeatedly indicated, legislating that coordination and the adoption of protocols or standards for that is unnecessary. If existing laws impeded this coordination, it would be appropriate to alter those. However, simply statutorily instructing the respective enforcement agencies to in essence work together does not assist them in a substantive and practical way.

Moreover, I also note that this bill fails to prescribe what it is intended to achieve. Rather than creating a trigger for a tax audit when labor laws are found to have been violated as the bill intends, this bill instructs tax authorities to recommend and conduct audits or investigations to determine specifically *whether* labor laws, rather than tax laws, have been violated. Having tax authorities audit and investigate for potential labor law violations is inconsistent with their expertise, and instead is a function of the Division of Labor Standards Enforcement.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 30th day of September at 8:40 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2747, 2754, and 2770.

SUE PARKER

Assistant Chief Clerk of the Assembly

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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