

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

---

---

# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 14

---

FINAL RECESS

---

Assembly Chamber, Sacramento  
Friday, October 1, 2004

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2003–04 Regular Session was printed while the Assembly was in Final Recess:

**COMMUNICATIONS**

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

September 8, 2004

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

Dear Dotson: This is to advise you that I have appointed the following members to the Joint Legislative Committee on Emergency Services and Homeland Security:

Assemblymember Christine Kehoe, Chair  
Assemblymember Bob Dutton  
Assemblymember Jerome Horton  
Assemblymember Doug La Malfa  
Assemblymember Jay La Suer  
Assemblymember Alan Lowenthal  
Assemblymember Gloria Negrete McLeod

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

September 24, 2004

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

RE: Appointment of David R. Field and Adrian Tatum  
to Bureau of Naturopathic Medicine Advisory Council

Dear Mr. Wilson: Please be advised I have appointed Dr. David R. Field and Mr. Adrian Tatum to the Bureau of Naturopathic Medicine Advisory Council. Dr. Field's term appointment starts September 24, 2004 and the expiration date is June 1, 2007. Mr. Tatum's term appointment starts September 24, 2004 and ends June 1, 2008.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

October 1, 2004

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

RE: Appointment of Katharine B. Duhamel  
to California Film Commission

Dear Mr. Wilson: Please be advised I have appointed Mrs. Katharine B. Duhamel to the California Film Commission. This is a pleasure appointment starting October 1, 2004 and the expiration date is October 1, 2006. Mrs. Duhamel will be replacing Mr. Mark Whitlock.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

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

September 2, 2004

*Senator Don Perata*  
*Majority Leader, State Senate*  
*State Capitol, Room 313*  
*Sacramento, California*

Dear Senator Perata: On behalf of the state Assembly, I want to personally thank you for the lovely pen and ink set you have donated (valued at \$395.95) to the Assembly. I agree that it will make a wonderful accessory and I would like to let you know that it will be displayed in the Speaker's historical office in the west wing of the capitol.

I will be forwarding a copy of this letter to the Chief Clerk of the Assembly for inclusion in the Journal.

Sincerely,

JON WALDIE  
Chief Administrative Officer  
California State Assembly

September 14, 2004

*The Honorable Fabian Nunez  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Nunez: The Senate Rules Committee has appointed the following members to serve on the Joint Legislative Committee on Emergency Services and Homeland Security (Res. Ch. 144, 2004): Senators McPherson (Vice Chair), Aanestad, Ashburn, Chesbro, Ducheny, Perata and Soto.

Sincerely,

JOHN L. BURTON  
Chairman

---

Jeannie Oropeza, Program Budget Manager, Department of Finance, dated August 31, 2004, submitting letter of transmittal relative to the Outdoor Environmental Education Program (pursuant to Assembly Bill 1330, Chapter 663, Statutes of 2003). Referred by the Speaker to the Committee on Education.

**Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiative, pursuant to Elections Code, Section 9007:

**Waiting Period and Parental Notification  
Before Termination of Minor's Pregnancy.  
Initiative Constitutional Amendment. SA 2004RF0024**

Referred by the Speaker to the Committees on Judiciary and Health.

**Car Decal Program. Initiative Statute. SA2004RF00225**

Referred by the Speaker to the Committee on Transportation.

**Driver's Licenses. College Expenses. Public Benefits.  
Eligibility of Illegal Aliens.**

**Initiative Constitutional Amendment. SA2004RF0026, Amdt. #1-NS**

Referred by the Speaker to the Committees on Judiciary.

**REPORTS**

The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2004-106  
August 26, 2004

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning California's enhanced program for wireless 911 calls (wireless E911), which would communicate to emergency response dispatchers the locations and callback numbers of callers from mobile phones.

This report concludes that, under the leadership of the Department of General Services' 911 Office (General Services), California has addressed many of the concerns raised by two federal reports on the nationwide implementation of wireless E911. The implementation is a cooperative effort among various key players, including the California Highway Patrol (CHP), which currently answers most wireless 911 calls in the State; local answering points, some of which are opting to accept wireless E911 calls in their areas; and private wireless carriers and local exchange carriers. Although much work remains to be done, General Services expects to have wireless E911 implemented in most of the State by December 2005.

The CHP currently cannot determine if all its communications centers (centers) answer wireless calls promptly because it lacks a system to track wait times in 15 of its 24 centers. However, six of the nine centers that do collect wait-time information did not meet the state goal of answering 911 calls within 10 seconds. Wait times were high, in part, because dispatchers at CHP centers answered significantly more 911 calls per dispatcher than did the local answering points we contacted. Unfilled dispatcher positions at CHP centers contributed not only to longer wait times, but also to significant overtime costs for the CHP. To establish a benchmark for the number of staff to answer calls, the CHP needs a more reliable system to track the number of calls. The CHP does not expect the number of wireless E911 calls diverted to local answering points to exceed 20 percent statewide.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

Above report referred to the Committee on Utilities and Commerce.

## California State Auditor

2003-124  
August 31, 2004

*The Honorable Speaker of the Assembly  
The Honorable Members of the Assembly  
of the Legislature of California  
State Capitol, Room 3196  
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Department of Health Services' (department) Medical Therapy Program (MTP).

This report concludes that some of the department's policies and practices result in higher state costs for the MTP. During fiscal year 2002-03, the department expended \$7.2 million from the State's General Fund to fully support certain county personnel associated with the MTP without the express statutory authority to do so. Under statute, the department is required to share in MTP costs equally with the counties, which should have resulted in the department expending only \$3.6 million for these costs. Moreover, we noted that the department could further reduce state costs by accurately identifying all revenue to the State's Medicaid program, the California Medical Assistance Program (Medi-Cal), and by using a greater proportion of this revenue to offset its costs. We estimate that the State's MTP costs could have been reduced by an additional \$1 million during fiscal year 2002-03 based on these Medi-Cal payments.

The audit also revealed that a majority of MTP claims are denied for Medi-Cal payment due to a child's lack of eligibility. In addition, the department improperly allows Medi-Cal to pay claims for services to MTP children who are not in special education without requiring that their other health care insurers, if any, be billed first. Further, the department's limits on the number of times Medi-Cal will pay for certain therapy procedures are a barrier to obtaining Medi-Cal reimbursement for MTP services and may be overly restrictive for children in the MTP. We also found that most counties we visited took reasonable steps to follow up on MTP claims denied for Medi-Cal payment. Finally, the relatively low dollar value of MTP claims in fiscal year 2003-04, payable by the Healthy Families Program, casts doubt on whether these payments will significantly reduce MTP costs in the future.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

Above report referred to the Committee on Health.

The following reports were presented by the Chief Clerk:

**Child Care Facilities Revolving Fund Program  
2003–04 Annual Report  
(Pursuant to Assembly Bill 1578, Chapter 299, Statutes of 1997)**

Above transmitted report, together with letter of transmittal from Jack O’Connell, State Superintendent of Public Instruction, Department of Education, dated August 5, 2004, referred by the Speaker to the Committee on Budget.

**Quarterly Hazardous Waste Fee Revenue Report  
April 1, 2004 through June 30, 2004  
(Pursuant to Health and Safety Code Section 25178.1)**

Above transmitted report, together with letter of transmittal from Ramon J. Hirsig, Executive Director, Board of Equalization, dated August 11, 2004, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Approved Blended and Integrated Teacher Preparation Programs:  
A Report to the Legislature  
(Pursuant to Assembly Bill 1307, Chapter 565, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Dr. Sam W. Swofford, Executive Director, Commission on Teacher Credentialing, dated August 12, 2004, referred by the Speaker to the Committee on Education.

**Use and Cost of References in General Civil Cases  
(Pursuant to Code of Civil Procedure Sections 638(c), 639(e), and 640.5)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated August 13, 2004, referred by the Speaker to the Committee on Judiciary.

**Mental Health Treatment Facilities  
(Pursuant to Supplemental Report to the 2003 Budget Act  
Item 5460-301-001)**

Above transmitted report, together with letter of transmittal from Walter Allen III, Director, Department of the Youth Authority, dated August 11, 2004, referred by the Speaker to the Committee on Budget.

**Property Tax Apportionments Report 2003  
(Pursuant to Government Code Section 12468)**

Above transmitted report, together with letter of transmittal from Steve Westly, State Controller, dated August 11, 2004, referred by the Speaker to the Committee on Revenue and Taxation.

**Gas-Fired Power Plant NOx Emission Controls  
and Related Environmental Impacts  
(Pursuant to Supplemental Report of the 2003–04 Budget Act  
Item 3900-001-0001)**

Above transmitted report, together with letter of transmittal from Alan C. Lloyd, Ph.D., Chairman, Air Resources Board, dated August 12, 2004, referred by the Speaker to the Committee on Budget.

**Accelerated Light-Duty Vehicle Retirement Program  
(Pursuant to Health and Safety Code  
Sections 44100(e)(10), 44104.5(b), and 44104.5(c))**

Above transmitted report, together with letter of transmittal from Alan C. Lloyd, Ph.D., Chairman, Air Resources Board, dated August 11, 2004, referred by the Speaker to the Committee on Transportation.

**Report to the Senate Committee on Environmental Quality and  
the Assembly Committee on Natural Resources  
(Pursuant to Public Resources Code Section 21080.5(k))**

Above transmitted report, together with letter of transmittal from Sandra S. Ikuta, Deputy Secretary and General Counsel, Resources Agency, dated August 9, 2004, referred by the Speaker to the Committee on Natural Resources.

**Franchise Tax Board Daily Compound Interest Rate Table  
from 1/1/2005 through 6/30/2005  
(Pursuant to Revenue and Taxation Code Section 19521)**

Above transmitted report, together with letter of transmittal from Larry Gilbert, Manager, Statistical Research Section, Economic and Statistical Research Bureau, Franchise Tax Board, dated August 17, 2004, referred by the Speaker to the Committee on Revenue and Taxation.

**Joint Enforcement Strike Force on the Underground Economy  
(Pursuant to Unemployment Insurance Code Section 329)**

Above transmitted report, together with letter of transmittal from Herb K. Schultz, Acting Director, Employment Development Department, dated August 17, 2004, referred by the Speaker to the Committee on Labor and Employment.

**2004 Annual Report to the Legislature  
(Pursuant to Welfare and Institutions Code, Section 14165)**

Above transmitted report, together with letter of transmittal from J. Keith Berger, Executive Director, California Medical Assistance Commission, dated August 19, 2004, referred by the Speaker to the Committee on Health.

**2004 Judicial Council Annual Report  
(Pursuant to California Constitution, Article VI, Section 6)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated August 16, 2004, referred by the Speaker to the Committee on Judiciary.

**CalPERS Commitment to Diversity Report, June 15, 2004  
(Pursuant to Supplemental Report of the 2004 Budget Act)**

Above transmitted report, together with letter of transmittal from Fred Buenrostro, Chief Executive Officer, California Public Employees' Retirement System, dated August 17, 2004, referred by the Speaker to the Committee on Budget.

**2003 Utility Procurement of Goods, Services and Fuel  
from Women, Minority, and Disabled Veteran-Owned Business Enterprises  
(Pursuant to Public Utilities Code Section 8283(e))**

Above transmitted report, together with letter of transmittal from Steve Larson, Executive Director, Public Utilities Commission, dated August 30, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Report on Actions Taken in 2003 to  
Implement Government Code Section 12812.2  
(Pursuant to Government Code Section 12812.2(c))**

Above transmitted report, together with letter of transmittal from Terry Hamminen, Secretary, California Environmental Protection Agency, dated August 11, 2004, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Consulting Services Contract Report  
(Pursuant to Public Contracts Code, Section 10359)**

Above transmitted report, together with letter of transmittal from Herb K. Schultz, Acting Director, Employment Development Department, dated August 17, 2004, referred by the Speaker to the Committee on Labor and Employment.

**Private Industry Partners Report  
(Pursuant to Vehicle Code Section 1685(g))**

Above transmitted report, together with letter of transmittal from Chon Gutierrez, Director, Department of Motor Vehicles, dated August 20, 2004, referred by the Speaker to the Committee on Transportation.

**2004 Evaluation of People with Developmental Disabilities  
Moving from Developmental Centers into the Community  
(Pursuant to Lanterman Act Section 4418.1)**

Above transmitted report, together with letter of transmittal from Dorothy M. Place, Ph.D., Project Director, California State University, dated, referred by the Speaker to the Committee on Human Services.

**Report on Use of Harbors and Watercraft Revolving Fund  
(Pursuant to Harbors and Navigation Code Section 85.2 (b)(2))**

Above transmitted report, together with letter of transmittal from Ruth Coleman, Director, Department of Parks and Recreation, dated August 19, 2004, referred by the Speaker to the Committee on Budget.

**Annual Report CalVet Insurance Plans  
(Pursuant to Military and Veterans Code Sections 987.2 and 989.7)**

Above transmitted report, together with letter of transmittal from Tom Johnson, FACHE, Secretary, Department of Veterans Affairs, dated September 1, 2004, referred by the Speaker to the Committee on Veterans Affairs.

**Second Semiannual Report on  
Energy Settlements and Energy Litigation and Investigation Expenses  
(Pursuant to Government Code Section 16428.6)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated September 10, 2004, referred by the Speaker to the Committee on Judiciary.

**Consulting Services Contract Report for  
Fiscal Year 2003–04  
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated September 10, 2004, referred by the Speaker to the Committee on Business and Professions.



**Implementation of Chapter 704, Statutes of 2000, SB 1703 (Escutia)  
September 1, 2004 Report  
(Pursuant to Senate Bill 1703, Chapter 704, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated September 1, 2004, referred by the Speaker to the Committee on Human Services.

**Mentally Ill Offender Crime Reduction Grant Program  
Annual Report  
(Pursuant to Penal Code Section 6045.8)**

Above transmitted report, together with letter of transmittal from William J. Crout, Acting Executive Director, Board of Corrections, dated September 1, 2004, referred by the Speaker to the Committee on Public Safety.

**Actuarial Valuation Reports as of June 30, 2003 for  
the California State Teachers Retirement System  
(Pursuant to Education Code Section 22311)**

Above transmitted report, together with letter of transmittal from Jack Ehnes, Chief Executive Officer, State Teachers' Retirement System, dated August 31, 2004, referred by the Speaker to the Committee on Banking and Finance.

**Crime in California 2003  
(Pursuant to Penal Code Section 13010(g))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated September 20, 2004, referred by the Speaker to the Committee on Public Safety.

**Comprehensive Annual Financial Report  
for the Fiscal Year Ended June 30, 2003**

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Director, Finance and Administration Division, California Lottery, dated September 21, 2004, referred by the Speaker to the Committee on Governmental Organization.

**Peace Officer Training  
on Mental Illness and Developmental Disabilities  
(Pursuant to Penal Code Section 13515.25)**

Above transmitted report, together with letter of transmittal from Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, dated September 23, 2004, referred by the Speaker to the Committee on Public Safety.

**2003 Progress Report on the Phasedown of Rice Straw Burning in the  
Sacramento Valley Air Basin  
(Pursuant to Health and Safety Code Section 41865(n))**

Above transmitted report, together with letter of transmittal from Alan C. Lloyd, Ph.D., Chairman, Air Resources Board, dated September 23, 2004, referred by the Speaker to the Committee on Natural Resources.

**Legislation Necessary to Maintain the Codes  
(Pursuant to Government Code Section 10242)**

Above transmitted report, together with letter of transmittal from Diane Boyer-Vine, Legislative Counsel of California, dated September 27, 2004, referred by the Speaker to the Committee on Judiciary.

**Reimbursable State Transportation Improvement Program (STIP)  
Projects Implemented Prior to Allocation  
(Pursuant to Assembly Bill 872, Chapter 572, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated September 9, 2004, referred by the Speaker to the Committee on Transportation.

**Expenditure Plan: Agnews Transition  
(Pursuant to Senate Bill 1113, Chapter 208, Statutes of 2004)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated September 10, 2004, referred by the Speaker to the Committee on Budget.

**Homicide in California 2003  
(Pursuant to Penal Code Section 13014)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated September 20, 2004, referred by the Speaker to the Committee on Public Safety.

**Certified Disabled Veteran Business Enterprise (DVBE)  
Small Business Contracting Activity**

**and/or Race, Ethnicity, and Gender Business Ownership Reports from:**

Business, Transportation and Housing Agency, Glenn Stober, Manager, Small Business Loan Guarantee Program, dated August 24, 2004;

California Energy Commission, Robert L. Therkelsen, Executive Director, dated August 26, 2004;

Gambling Control Commission, Nancy E. Bither, Deputy Director, Support Services, dated August 31, 2004;

Coastal Conservancy, Anna Schneider, Office Technician, dated September 3, 2004;

California State Teachers' Retirement System, Jack Ehnes, Chief Executive Officer, dated September 7, 2004;

Department of Insurance, Ronald J. Lucero, Chief, Business Management Bureau, dated September 7, 2004;

California Unemployment Insurance Appeals Board, Jennifer Burkhart, Procurement Analyst, dated September 8, 2004;

State Board of Equalization, Ramon J. Hirsig, Executive Director, dated September 16, 2004.

Referred by the Speaker to the Committee on Utilities and Commerce.

**2002–03 Emergency Medical Services Fund (EMS) Reports  
(Pursuant to Health and Safety Code Section 1797.98b(a)) from:**

San Joaquin County, Elaine L. Hatch, EMS Director, dated August 11, 2004;

Trinity County, Angela C. Bickle, Deputy Auditor, dated August 20, 2004.

Referred by the Speaker to the Committee on Health.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 30, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 59   | Assembly Bill No. 1520 |
| Assembly Bill No. 649  | Assembly Bill No. 1586 |
| Assembly Bill No. 745  | Assembly Bill No. 1794 |
| Assembly Bill No. 854  | Assembly Bill No. 1825 |
| Assembly Bill No. 1222 | Assembly Bill No. 1841 |
| Assembly Bill No. 1298 | Assembly Bill No. 1873 |
| Assembly Bill No. 1324 | Assembly Bill No. 1897 |
| Assembly Bill No. 1432 | Assembly Bill No. 1914 |
| Assembly Bill No. 1493 | Assembly Bill No. 2032 |
| Assembly Bill No. 1504 | Assembly Bill No. 2148 |

And reports the same correctly enrolled, and presented to the Governor on the 30th day of August, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 30, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2234 | Assembly Bill No. 2850 |
| Assembly Bill No. 2504 | Assembly Bill No. 2893 |
| Assembly Bill No. 2558 | Assembly Bill No. 2994 |
| Assembly Bill No. 2684 | Assembly Bill No. 3029 |
| Assembly Bill No. 2716 | Assembly Bill No. 3046 |

And reports the same correctly enrolled, and presented to the Governor on the 30th day of August, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 31, 2004

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

- Assembly Concurrent Resolution No. 193
- Assembly Concurrent Resolution No. 242
- Assembly Joint Resolution No. 85

And reports the same correctly enrolled, and presented to the Secretary of State on the 31st day of August, 2004, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 31, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 488  | Assembly Bill No. 2581 |
| Assembly Bill No. 1670 | Assembly Bill No. 2626 |
| Assembly Bill No. 1821 | Assembly Bill No. 2665 |
| Assembly Bill No. 1931 | Assembly Bill No. 2687 |
| Assembly Bill No. 1944 | Assembly Bill No. 2705 |
| Assembly Bill No. 2055 | Assembly Bill No. 2758 |
| Assembly Bill No. 2373 | Assembly Bill No. 2927 |
| Assembly Bill No. 2430 | Assembly Bill No. 2941 |
| Assembly Bill No. 2462 | Assembly Bill No. 3024 |
| Assembly Bill No. 2554 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 31st day of August, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 1, 2004

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

Assembly Concurrent Resolution No. 148  
 Assembly Concurrent Resolution No. 149  
 Assembly Concurrent Resolution No. 152  
 Assembly Concurrent Resolution No. 224  
 Assembly Concurrent Resolution No. 225  
 Assembly Concurrent Resolution No. 251  
 Assembly Concurrent Resolution No. 253  
 Assembly Concurrent Resolution No. 257  
 Assembly Concurrent Resolution No. 258  
 Assembly Joint Resolution No. 88

And reports the same correctly enrolled, and presented to the Secretary of State on the 1st day of September, 2004, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 1, 2004

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

Assembly Bill No. 30	Assembly Bill No. 2240
Assembly Bill No. 214	Assembly Bill No. 2295
Assembly Bill No. 252	Assembly Bill No. 2436
Assembly Bill No. 471	Assembly Bill No. 2485
Assembly Bill No. 939	Assembly Bill No. 2527
Assembly Bill No. 1876	Assembly Bill No. 2632
Assembly Bill No. 1959	Assembly Bill No. 2686
Assembly Bill No. 1979	Assembly Bill No. 2846
Assembly Bill No. 2054	Assembly Bill No. 2856
Assembly Bill No. 2056	Assembly Bill No. 2894

And reports the same correctly enrolled, and presented to the Governor on the 1st day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 1, 2004

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

Assembly Bill No. 2916	Assembly Bill No. 3079
Assembly Bill No. 3034	Assembly Bill No. 3096
Assembly Bill No. 3047	

And reports the same correctly enrolled, and presented to the Governor on the 1st day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2004

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

Assembly Bill No. 594	Assembly Bill No. 2342
Assembly Bill No. 736	Assembly Bill No. 2387
Assembly Bill No. 1431	Assembly Bill No. 2404
Assembly Bill No. 1846	Assembly Bill No. 2476
Assembly Bill No. 1898	Assembly Bill No. 2477
Assembly Bill No. 1910	Assembly Bill No. 2529
Assembly Bill No. 1946	Assembly Bill No. 2536
Assembly Bill No. 2040	Assembly Bill No. 2572
Assembly Bill No. 2201	Assembly Bill No. 2585
Assembly Bill No. 2317	Assembly Bill No. 2637

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2086 | Assembly Bill No. 2742 |
| Assembly Bill No. 2268 | Assembly Bill No. 3076 |
| Assembly Bill No. 2406 | Assembly Bill No. 3083 |
| Assembly Bill No. 2673 | Assembly Bill No. 3085 |
| Assembly Bill No. 2678 | Assembly Bill No. 3094 |

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2004

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

Assembly Concurrent Resolution No. 234

And reports the same correctly enrolled, and presented to the Secretary of State on the 2nd day of September, 2004, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 50   | Assembly Bill No. 2028 |
| Assembly Bill No. 502  | Assembly Bill No. 2064 |
| Assembly Bill No. 710  | Assembly Bill No. 2075 |
| Assembly Bill No. 1199 | Assembly Bill No. 2093 |
| Assembly Bill No. 1408 | Assembly Bill No. 2168 |
| Assembly Bill No. 1592 | Assembly Bill No. 2208 |
| Assembly Bill No. 1723 | Assembly Bill No. 2213 |
| Assembly Bill No. 1845 | Assembly Bill No. 2222 |
| Assembly Bill No. 1875 | Assembly Bill No. 2304 |
| Assembly Bill No. 1881 | Assembly Bill No. 2395 |

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 6    | Assembly Bill No. 2158 |
| Assembly Bill No. 107  | Assembly Bill No. 2170 |
| Assembly Bill No. 113  | Assembly Bill No. 2191 |
| Assembly Bill No. 263  | Assembly Bill No. 2205 |
| Assembly Bill No. 382  | Assembly Bill No. 2311 |
| Assembly Bill No. 955  | Assembly Bill No. 2316 |
| Assembly Bill No. 1721 | Assembly Bill No. 2409 |
| Assembly Bill No. 1857 | Assembly Bill No. 2533 |
| Assembly Bill No. 1950 | Assembly Bill No. 2600 |
| Assembly Bill No. 1964 | Assembly Bill No. 2681 |

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2691 | Assembly Bill No. 2834 |
| Assembly Bill No. 2693 | Assembly Bill No. 2942 |
| Assembly Bill No. 2718 | Assembly Bill No. 3010 |
| Assembly Bill No. 2748 | Assembly Bill No. 3015 |
| Assembly Bill No. 2750 | Assembly Bill No. 3040 |
| Assembly Bill No. 2752 | Assembly Bill No. 3095 |
| Assembly Bill No. 2761 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2004

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

Assembly Bill No. 32	Assembly Bill No. 1874
Assembly Bill No. 662	Assembly Bill No. 1878
Assembly Bill No. 675	Assembly Bill No. 1988
Assembly Bill No. 1012	Assembly Bill No. 2193
Assembly Bill No. 1127	Assembly Bill No. 2216
Assembly Bill No. 1299	Assembly Bill No. 2248
Assembly Bill No. 1470	Assembly Bill No. 2289
Assembly Bill No. 1643	Assembly Bill No. 2312
Assembly Bill No. 1696	Assembly Bill No. 2330
Assembly Bill No. 1701	Assembly Bill No. 2428

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2004

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

Assembly Bill No. 2531	Assembly Bill No. 2782
Assembly Bill No. 2611	Assembly Bill No. 2805
Assembly Bill No. 2702	Assembly Bill No. 2813
Assembly Bill No. 2713	Assembly Bill No. 2837
Assembly Bill No. 2724	Assembly Bill No. 2871

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2004

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

Assembly Bill No. 20	Assembly Bill No. 2015
Assembly Bill No. 466	Assembly Bill No. 2024
Assembly Bill No. 1079	Assembly Bill No. 2318
Assembly Bill No. 1383	Assembly Bill No. 2498
Assembly Bill No. 1489	Assembly Bill No. 2565
Assembly Bill No. 1655	Assembly Bill No. 2647
Assembly Bill No. 1812	Assembly Bill No. 2709
Assembly Bill No. 1960	Assembly Bill No. 2820
Assembly Bill No. 1963	Assembly Bill No. 2878
Assembly Bill No. 1994	Assembly Bill No. 2901

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2004, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2004

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

Assembly Bill No. 2950	Assembly Bill No. 3100
Assembly Bill No. 3008	Assembly Bill No. 3102
Assembly Bill No. 3056	Assembly Bill No. 3118

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2004, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 2004

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

Assembly Joint Resolution No. 56

And reports the same correctly enrolled, and presented to the Secretary of State on the 10th day of September, 2004, at 2:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 2004

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

- Assembly Bill No. 105
- Assembly Bill No. 2923

And reports the same correctly enrolled, and presented to the Governor on the 10th day of September, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 653  | Assembly Bill No. 2275 |
| Assembly Bill No. 824  | Assembly Bill No. 2283 |
| Assembly Bill No. 1362 | Assembly Bill No. 2286 |
| Assembly Bill No. 1465 | Assembly Bill No. 2303 |
| Assembly Bill No. 2030 | Assembly Bill No. 2306 |
| Assembly Bill No. 2035 | Assembly Bill No. 2343 |
| Assembly Bill No. 2072 | Assembly Bill No. 2412 |
| Assembly Bill No. 2079 | Assembly Bill No. 2435 |
| Assembly Bill No. 2080 | Assembly Bill No. 2446 |
| Assembly Bill No. 2233 | Assembly Bill No. 2514 |

And reports the same correctly enrolled, and presented to the Governor on the 10th day of September, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2100 | Assembly Bill No. 2868 |
| Assembly Bill No. 2104 | Assembly Bill No. 2955 |
| Assembly Bill No. 2176 | Assembly Bill No. 2962 |
| Assembly Bill No. 2455 | Assembly Bill No. 3033 |
| Assembly Bill No. 2631 | Assembly Bill No. 3044 |
| Assembly Bill No. 2706 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 10th day of September, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 10, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 338  | Assembly Bill No. 1711 |
| Assembly Bill No. 384  | Assembly Bill No. 1895 |
| Assembly Bill No. 890  | Assembly Bill No. 2855 |
| Assembly Bill No. 1338 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 10th day of September, 2004, at 3:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1510 | Assembly Bill No. 2288 |
| Assembly Bill No. 1829 | Assembly Bill No. 2384 |
| Assembly Bill No. 1860 | Assembly Bill No. 2628 |
| Assembly Bill No. 1886 | Assembly Bill No. 2744 |
| Assembly Bill No. 1982 | Assembly Bill No. 2790 |
| Assembly Bill No. 1990 | Assembly Bill No. 2867 |
| Assembly Bill No. 2004 | Assembly Bill No. 2956 |
| Assembly Bill No. 2007 | Assembly Bill No. 3050 |
| Assembly Bill No. 2128 | Assembly Bill No. 3090 |
| Assembly Bill No. 2132 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2004, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2004

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

Assembly Concurrent Resolution No. 67  
 Assembly Concurrent Resolution No. 252  
 Assembly Joint Resolution No. 45  
 Assembly Joint Resolution No. 60  
 Assembly Joint Resolution No. 96

And reports the same correctly enrolled, and presented to the Secretary of State on the 14th day of September, 2004, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2004

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

Assembly Bill No. 269	Assembly Bill No. 1684
Assembly Bill No. 358	Assembly Bill No. 1733
Assembly Bill No. 366	Assembly Bill No. 1852
Assembly Bill No. 606	Assembly Bill No. 1867
Assembly Bill No. 658	Assembly Bill No. 2136
Assembly Bill No. 711	Assembly Bill No. 2285
Assembly Bill No. 857	Assembly Bill No. 2377
Assembly Bill No. 1119	Assembly Bill No. 2413
Assembly Bill No. 1126	Assembly Bill No. 2431
Assembly Bill No. 1155	Assembly Bill No. 2445

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2004

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

Assembly Bill No. 1227	Assembly Bill No. 2783
Assembly Bill No. 1353	Assembly Bill No. 2874
Assembly Bill No. 1369	Assembly Bill No. 2883
Assembly Bill No. 1558	Assembly Bill No. 2922
Assembly Bill No. 2587	Assembly Bill No. 3020
Assembly Bill No. 2657	Assembly Bill No. 3021
Assembly Bill No. 2666	Assembly Bill No. 3087

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2004

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

Assembly Bill No. 1796	Assembly Bill No. 2144
Assembly Bill No. 1896	Assembly Bill No. 2146
Assembly Bill No. 1957	Assembly Bill No. 2151
Assembly Bill No. 1958	Assembly Bill No. 2152
Assembly Bill No. 1975	Assembly Bill No. 2348
Assembly Bill No. 1987	Assembly Bill No. 2358
Assembly Bill No. 2042	Assembly Bill No. 2633
Assembly Bill No. 2066	Assembly Bill No. 2638
Assembly Bill No. 2127	Assembly Bill No. 2661
Assembly Bill No. 2129	Assembly Bill No. 2710

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2004, at 2 p.m.

E. DOTSON WILSON, Chief Clerk



Assembly Chamber, September 15, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2722 | Assembly Bill No. 2943 |
| Assembly Bill No. 2821 | Assembly Bill No. 3018 |
| Assembly Bill No. 2838 | Assembly Bill No. 3065 |
| Assembly Bill No. 2884 | Assembly Bill No. 3088 |
| Assembly Bill No. 2895 | Assembly Bill No. 3098 |

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2004, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2004

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

- Assembly Concurrent Resolution No. 209
- Assembly Concurrent Resolution No. 248

And reports the same correctly enrolled, and presented to the Secretary of State on the 16th day of September, 2004, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 164  | Assembly Bill No. 1075 |
| Assembly Bill No. 578  | Assembly Bill No. 1077 |
| Assembly Bill No. 664  | Assembly Bill No. 1417 |
| Assembly Bill No. 671  | Assembly Bill No. 1782 |
| Assembly Bill No. 825  | Assembly Bill No. 2155 |
| Assembly Bill No. 864  | Assembly Bill No. 2165 |
| Assembly Bill No. 1010 | Assembly Bill No. 2466 |
| Assembly Bill No. 1020 | Assembly Bill No. 2596 |
| Assembly Bill No. 1068 | Assembly Bill No. 2891 |
| Assembly Bill No. 1074 | Assembly Bill No. 3017 |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2004, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 95   | Assembly Bill No. 1367 |
| Assembly Bill No. 135  | Assembly Bill No. 1394 |
| Assembly Bill No. 242  | Assembly Bill No. 1486 |
| Assembly Bill No. 379  | Assembly Bill No. 1550 |
| Assembly Bill No. 421  | Assembly Bill No. 1839 |
| Assembly Bill No. 712  | Assembly Bill No. 1906 |
| Assembly Bill No. 780  | Assembly Bill No. 2103 |
| Assembly Bill No. 1009 | Assembly Bill No. 2120 |
| Assembly Bill No. 1253 | Assembly Bill No. 2122 |
| Assembly Bill No. 1297 | Assembly Bill No. 2682 |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2004, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1588 | Assembly Bill No. 3089 |
| Assembly Bill No. 2121 | Assembly Bill No. 3092 |
| Assembly Bill No. 3041 |                        |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2004, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2004

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

Assembly Bill No. 923	Assembly Bill No. 2328
Assembly Bill No. 1148	Assembly Bill No. 2519
Assembly Bill No. 1426	Assembly Bill No. 2532
Assembly Bill No. 1629	Assembly Bill No. 2598
Assembly Bill No. 1650	Assembly Bill No. 2683
Assembly Bill No. 1858	Assembly Bill No. 2701
Assembly Bill No. 2251	Assembly Bill No. 2727
Assembly Bill No. 2252	Assembly Bill No. 3001
Assembly Bill No. 2277	Assembly Bill No. 3049

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2004

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

Assembly Bill No. 2115

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2004, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 20, 2004

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

Assembly Concurrent Resolution No. 235  
 Assembly Concurrent Resolution No. 236  
 Assembly Concurrent Resolution No. 243  
 Assembly Concurrent Resolution No. 254  
 Assembly Concurrent Resolution No. 255

And reports the same correctly enrolled, and presented to the Secretary of State on the 20th day of September, 2004, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 20, 2004

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

Assembly Bill No. 389	Assembly Bill No. 2006
Assembly Bill No. 1240	Assembly Bill No. 2807

And reports the same correctly enrolled, and presented to the Governor on the 20th day of September, 2004, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 20, 2004

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

Assembly Bill No. 2525

And reports the same correctly enrolled, and presented to the Governor on the 20th day of September, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 21, 2004

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

Assembly Concurrent Resolution No. 238

And reports the same correctly enrolled, and presented to the Secretary of State on the 21st day of September, 2004, at 11:30 a.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. 2549**

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California State Assembly:*

I am returning AB 2549 without my signature.

While I understand the arguments behind this measure, I believe the nuances of the changes proposed may be too complex for many Californians who hire contractors to perform private works of improvement on their homes and private property.

Existing law, including lien protections and other "prompt pay" requirements, afford most contractors with sufficient protection to ensure payment on disputed payments. Additionally, I believe this bill will only further complicate the various disparate statutes regarding disputed payments between contractors and owners. This area of law that is very important to both the consumer and contractor has been amended piecemeal for far too long.

I am asking the Legislature to work on crafting a measure that would, not only simplify existing law, but ensure that California consumers are adequately protected and that contractors continue to be treated fairly while providing a consolidation and reform of this entire body of law.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1884**

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1884 without my signature.

I strongly support the need to provide law enforcement with as many tools as necessary to adequately protect the citizens of California. The process in current law ensures that if a prosecutor decides there is a need to broach a person's privacy in an investigation there is a process in place which balances the need of the investigation against a person's right to privacy. If an investigation is of sufficient importance as to merit electronic eavesdropping, a city attorney may seek the cooperation and assistance of those agencies which presently have the authority to do so.

City attorneys who prosecute misdemeanor cases are a vital component in the criminal justice system. While this bill would eliminate one extra step they currently must go through to obtain permission to record and use communications in an investigation, it is not a process that should be streamlined.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2370**

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 2370 without my signature.

This bill establishes a new statutory evaluation for teachers and places unnecessary restrictions on the use of the student evaluations. Nothing in current law restricts teachers from voluntarily distributing non-binding student evaluations as proposed by this bill.

Furthermore, current law already requires teachers to go through a rigorous process of certification, re-certification, and professional development. Codifying this authorization in statute could conflict with existing teacher accountability protocols that adjudicate teacher quality.

Therefore I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1822 without my signature.

While I support the policy objective of conforming California's school enrollment policy to national immunization enrollment guidelines, I am concerned that the proposal would result in a reimbursable state-mandated local program with annual Proposition 98 costs of \$1.4 million. The budget does not provide funding for this purpose.

This bill would prohibit the admission of pupils transferring from other states who have not been immunized against either mumps or hepatitis B regardless of age or grade level. Most California students and all that enter in kindergarten have been immunized against these diseases and there is little risk of transmission of these diseases at school. I encourage schools to recommend to parents of students coming from other states and nations that have not already been immunized to do so and provide information on the availability of such immunizations through publicly supported medical programs.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1818**

Governor’s Office, Sacramento

August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1818 without my signature.

Providing appropriate training for the safe operation of snowmobiles is good for public safety, however, AB 1818 fails to specify the elements necessary to complete a training course as required in the bill. If a training course is to be mandated it is important that there is statewide consistency provided through a program developed with safety experts and state agencies responsible for recreation and transportation. In addition, the bill does not clearly identify an appropriate state agency to enforce safety training requirements.

This bill attempts to regulate those businesses that provide snowmobile rental opportunities to the public. Specifically, this bill would require rental companies to provide safety training courses to renters, and provide equipment such as helmets, flashlights and shovels to renters, require guides to have cardiopulmonary resuscitation (CPR) training, and require adult supervision for persons under 16 years of age.

Although I am not signing this bill, I am directing the Department of Parks and Recreation to work with other appropriate state agencies to develop a program for safe snowmobiling to be offered to the public that is more comprehensive and enforceable by the state.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2408**

Governor’s Office, Sacramento

August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2408 without my signature.

I fully support our state government serving the needs of our diverse population in an effective and comprehensive way. One way California does this is by hiring bilingual employees who are able to speak to the public in their own languages.

The Dymally-Alatorre Bilingual Services Act (Act) established clear guidelines for state agencies to recruit and retain bilingual staff for public contact positions. All state agencies are monitored by the State Personnel Board (SPB) for compliance with the guidelines and procedures of the Act and has the authority to ensure compliance. State agencies are currently required to submit an implementation plan every other year to report on their progress towards complying with the Act.

AB 2408 is duplicative of existing law and unnecessarily alters current reporting requirements that will not accurately reflect an agency’s progress in complying with the Act. These additional requirements will increase the workload for all state agencies, including SPB, and could result in significant delays in the filling of critical

positions by prolonging the hiring process when vacancies need to be filled in various state departments and agencies.

Additionally, this bill will add a cumbersome and potentially costly exemption process to hire candidates for specified jobs and prolong the current hiring process which may jeopardize the successful and timely implementation of programs designed to improve services to all Californians.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2085**

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2085 without my signature.

While the intent of this bill is laudable, to reduce the number of rail crossing accidents, the approach is unlikely to achieve the goal. If drivers do not understand that dangerous driving at rail crossing is in itself dangerous, it is doubtful that expanding the list of related violations will have the hoped for deterrence the author seeks.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1466**

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1466 without my signature.

Litter prevention and recycling messages have proven to be an effective tool for conservation. While I believe it is important to utilize litter prevention and recycling messages throughout the State, I do not see it as good policy to place slogans into statute. In order for slogans to be effective, they need to include cultural and regional elements, as well as retain the ability to evolve with changing times. Placing a slogan in statute does not provide the necessary flexibility.

This bill establishes "Don't Trash California" and "California es tu casa. No hagas de ella un basurero," as the unified litter prevention and recycling slogan for California. This bill authorizes agencies to incorporate the unified message into all litter prevention and recycling messages, signs and advertisements.

Litter prevention is a priority for the State and there is preliminary data illustrating that pilot projects using these slogans have proven to be effective. Therefore, I am directing Agencies to incorporate these messages into signage and educational materials where appropriate.

For the aforementioned reasons, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 30th day of August at 9:33 a.m., of AB 2549, AB 1884, AB 2370 AB 1822, AB 1818, AB 2408, AB 2085, and AB 1466 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1707**

Governor's Office, Sacramento

August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1707 without my signature.

This bill reveals the next lawsuit abuse problem in California that is likely to drive businesses out of the state. By quadrupling the minimum fines associated with unintentional violations under the Disabled Persons Act (DPA), the bill will have the effect of extorting money from state and local governments much the same way violations under the Unruh Act extort money from small businesses. Instead of providing incentives to correct violations in buildings and facilities to assist the disabled community this bill will cause the focus to revolve around litigation.

Businesses are often faced with a lawsuit that has a potential to be financially damaging in defending or paying increased fines for mistakes such as the height of a sign that can be easily corrected.

It is unfortunate that legislation, such as AB 209 (Leslie) that would reform the system did not make it through the legislative process. I would welcome legislation that would provide an avenue for businesses or governments to correct potential violations prior to being subjected to fines or civil liability. The public policy goal should be to ensure public and private facilities are open to those with disabilities, not to penalize businesses financially for unintended violations that can easily be corrected once put on notice.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1790**

Governor's Office, Sacramento

August 27, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill No. 1790 without my signature.

I see no reason for the Legislature to pass a bill stating its intention to consider an idea in the future.

The protection of students must be among our highest priorities and I am in full support of efforts to continue to do so. However, the enactment of this bill would not result in any substantive benefit or make any meaningful progress toward achieving that goal of enhancing the safety of school facilities.

Therefore I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1885**

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 1885 without my signature.

Although this measure correctly notes that biotechnology represents one of the most promising growth industries of this era and that industry-oriented bioscience training to address the workforce needs of the industry in the East Bay region is a laudable goal, legislation is not needed to create the East Bay Biotechnology Center at California State University, Hayward.

I encourage the California State University system, as well as other educational institutions, to work with the industry as well as the appropriate governmental agencies to address the workforce needs of this growing industry.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2655**

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2655 without my signature.

The Secretary of the California Department of Food and Agriculture has broad discretion to implement accurate weights and measures standards to assure consumer protection and confidence.

Submetering of water in multi-family housing units may assist in promoting water conservation. If consumers are to be charged based on volumetric consumption, accurate measurement is paramount. This bill authorizes the Secretary to enter into agreements with organizations certifying water submeters. This bill is unnecessary as there are currently no prohibitions on the Secretary to enter into any agreement with an organization to provide testing standards or services.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2776**

Governor's Office, Sacramento  
August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2776 without my signature.

It is inappropriate to bias the deliberations of the Quality Education Commission (QEC) by directing it to consider specific approaches and proposals. If enacted, this measure would send a message to the QEC that both the Legislature and the Administration already give special consideration to the particular approach outlined in the bill.



While I recognize that the Commission may study and recommend any changes to the existing school financing structure under its current authority, I do not want to prejudice the hearing debate of such important issues one way or another.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2973**

Governor's Office, Sacramento

August 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2973 without my signature.

This bill would authorize hospitals to retain Independent Plan Reviewers (IPR), approved by the Office of Statewide Health Planning and Development (OSHPD), to review and certify plans for hospital construction or alteration, when such plans have projects costing more than \$50 million. The OSHPD would be allowed to delegate authority to a given hospital to retain an IPR for projects costing between \$20 million and \$50 million, if the OSHPD determines an undue delay may occur. AB 2973 would also establish a negotiable objective of 90 days for review and approval by the OSHPD. Additionally, this bill would provide that the State hiring freeze does not apply to positions supported by the Hospital Building Fund and would also exempt these positions from provisions of law requiring the abolition of vacant positions.

Although AB 2973 attempts to address the potential for delays of hospital construction projects, I am unable to agree with the proposed exemptions to future, potential hiring freezes and position vacancy management. Such personnel management flexibility is necessary given the current significant fiscal constraints of the State and these provisions would create a precedent that could hamper the ability of my Administration to address such fiscal concerns in the future.

Therefore, I am unable to support AB 2973 at this time, and I am returning this bill unsigned. However, I would be willing to consider a version of this bill that provides for IPRs, approved by the OSHPD, if such future legislation does not include the aforementioned exemptions to hiring freezes and vacancy management practices.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 31st day of August at 5:20 p.m., of AB 1707, AB 1790, AB 1885 AB 2655, AB 2776, and AB 2973 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

PAMELLA J. CAVILEER

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2849**

Governor's Office, Sacramento  
September 10, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2849 without my signature.

I find no compelling reason for increasing the membership of the California State University Board of Trustees specifically to appoint a non-faculty union employee. Under current law, the Governor is authorized to appoint 16 at-large members to the Board, one of whom may be a non-faculty employee. Therefore, this bill is unnecessary.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1846**

Governor's Office, Sacramento  
September 10, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1846 without my signature.

This bill would only create more confusion of governance in the existing education system, if the Office of the Superintendent of Public Instruction (SPI) is the authority for provisions related to the No Child Left Behind (NCLB) Act and the State Board of Education (SBE) is the authority for all other federal programs. In addition, this bill would undermine the authority of the SBE.

Moreover, California has already submitted applications for various programs and received funding under the NCLB Act. This bill may force California to revise and resubmit current applications in order to meet the provisions of this bill, potentially jeopardizing receipt of federal funding.

This shift in authority proposed by the bill would also limit statewide public input. Although the SPI is an elected official, I believe it is important for education stakeholders—parents, students, teachers, administrators, and community members—to have an official venue for public testimony. The SBE holds public hearings on various K–12 education issues throughout the state for issues to be appropriately heard and considered.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2373**

Governor's Office, Sacramento  
September 10, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill No. 2373 without my signature.

The Quality Education Commission (QEC) is charged with evaluating education financing models for the state to consider. It is inappropriate to bias the deliberations of the QEC, by directing it to consider specific approaches and proposals.

While I recognize that the Commission may study and recommend any changes to the existing school financing structure under its current authority, I do not want to prejudice the debate of such important issues one way or another.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1431**

Governor's Office, Sacramento  
September 10, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1431 without my signature because it would result in duplicative and inconsistent regulation of medical group claims.

While I support effective regulation of California's managed care delivery system, this bill would result in overlapping oversight of claims paid by medical groups that contract with HMO's. AB 1431 could require some medical groups that contract with HMOs to register with the Department of Insurance as third party administrators even though the Department of Managed Health Care also regulates their contracts.

Having two different agencies oversee medical group payment activity would lead to inconsistent regulatory requirements and confusion among provider groups. Instead, California government should be uncomplicated to facilitate an appropriate and straightforward regulatory climate which protects our health care delivery system.

For these reasons, I am returning AB 1431 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 10th day of September at 4 p.m., of AB 2849, AB 1846, AB 2373 and AB 1431 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 3083**

Governor's Office, Sacramento  
September 13, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3083 without my signature.

This bill has the commendable goal of clarifying horseracing law. However, it adds a second definition of "Advance Deposit Wagering," that is slightly different to the existing definition in Business and Professions Code 19604. While the meaning is probably the same, I see no need to update the law in a potentially confusing manner.

"Takeout" is a commonly used term in the industry, but is not used in current law. There is no need to codify it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 13th day of September at 4:20 p.m., of AB 3083 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2637**

Governor's Office, Sacramento

September 15, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2637 without my signature.

This bill would require the California State University (CSU) to unnecessarily incur costs to hire independent investigators to examine all employee complaints of reprisal, retaliation, threats or coercion.

The California State University (CSU) employees are currently protected from retaliation for disclosing improper activities under the California Whistleblower Protection Act. Furthermore, in 2002 the CSU Chancellor issued Executive Order 882, establishing procedures for responding to complaints filed by CSU employees or applicants. The complaint review process includes an investigation and an opportunity for the complainant to present evidence and witnesses in support of the complaint.

The existing statutory and CSU Executive Order frameworks provide adequate protection for those that believe that they have been retaliated against for having reported improper activities. It is unclear how requiring CSU to employ an external investigator will provide a better process.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 745**

Governor's Office, Sacramento

September 15, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 745 without my signature.

School district finances, including personnel salaries and related compensation, should receive thorough public scrutiny; however, this bill essentially duplicates existing reporting requirements.

Currently, the School Accountability Report Card, an annual school assessment, includes fiscal and expenditure data including the percent of the budget spent on teacher and administrative salaries. This report card is available to the public via district or county websites, and if not available by the Internet, can be obtained from the district upon request.

To the extent that the bill also creates another reimbursable state mandate with an estimated cost in excess of a half million dollars to provide information already available, this creates an unnecessary expenditure of already scarce education dollars that could be better used in the classroom.

Therefore, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2504**

Governor’s Office, Sacramento  
September 15, 2004

*To the Members of the California State Assembly:*

I am returning AB 2504 without my signature.

The health and well-being of our children is a very important personal issue to me and I am supportive of the author’s efforts to provide healthy food alternatives to California’s schools. Unfortunately this bill includes language that would make its provisions contingent upon the enactment of SB 1566 (Escutia), which failed passage in the Assembly. As a result, even if signed, this bill would never become operative.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2686**

Governor’s Office, Sacramento  
September 15, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2686 without my signature.

This bill is unnecessary because school districts currently have the ability to implement a school lunch program that offers more low-fat options along with nutritional posting without the enactment of this measure.

I have long been committed to the physical health and fitness for kids and adults alike for many years and am concerned that childhood obesity rates have increased dramatically. Every child should be encouraged to pursue a healthy and active lifestyle. However, simply providing parents and students with nutritional information can only make a marginal change in behavior, unless it is coupled with more enforceable mechanisms.

The State should tackle important child obesity and health issues in a comprehensive manner, instead of the piecemeal approach to regulating nutrition in schools, as this bill contemplates.

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

Sincerely,

ARNOLD SCHWARZENEGGER

### Receipt of Bills

I acknowledge receipt this 15th day of September at 1:20 p.m., of AB 2637, AB 745, AB 2504, and AB 2686 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

### **Veto Message—Assembly Bill No. 2923**

Governor's Office, Sacramento

September 15, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2923 without my signature.

When I signed the Executive Order in February of 2004 creating the California Performance Review, its mission was to make fundamental changes in state government, establish new procedures to create greater efficiencies, prioritize government functions, create true accountability over the fiscal management of state. CPR reviews government functions at all levels when there is interaction with state government.

Among its recommendations, the California Performance Review advocates for a more comprehensive approach to higher education governance restructuring. This bill may have merit in its intent to basically revitalize the California Postsecondary Education Commission, but we need to continue the work begun by the California Performance Review before enacting a measure like this.

Sincerely,

ARNOLD SCHWARZENEGGER

### **Veto Message—Assembly Bill No. 2673**

Governor's Office, Sacramento

September 15, 2004

*To members of the California State Assembly:*

I am returning Assembly Bill 2673 without my signature.

Coordinating efforts to protect federal wildlife areas, refuges, and national parks with all levels of government is important to assure these resources are protected and available for all to enjoy. The United States Department of Interior has an established procedure for disclaiming its interests in transportation and utility corridors maintained and controlled by county governments. This process includes general public and government participation, a 90 day comment period, and requirements on environmental review if the proposed use of the corridor is altered or intensified.

This bill requires local governments, prior to applying for transfer of a qualified recordable disclaimer of interest, to submit to the Secretary of Resources a statement of how the property will be used and certify compliance with applicable state environmental laws. This bill then requires the Secretary to refer these requests to appropriate state agencies for review. This additional layer of bureaucratic review will

likely not lead to additional protections, may prove as a disincentive for these transfers to occur, and will add additional unnecessary costs without identifying a pressing need.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2593**

Governor's Office, Sacramento  
September 15, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2593 without my signature.

This bill is not necessary. The Public Utilities Commission (PUC) has been successfully administering the Self-Generation Incentive Program, offering financial incentives to utility customers that install new equipment to meet all or a portion of their facilities' electric energy needs. The PUC through Public Utilities Code Section 379.5, 379.6 and 701 grants authority to adjust that program. Therefore, this bill duplicates the PUC's existing authority.

The PUC already has the authority to rescind their collection of funds for the SGIP. Southern California Edison, the sponsor of this measure, is the only one of the investor-owned utilities whose SGIP program is over-funded. For example, Pacific Gas & Electric Company has transferred over \$15 million into this fund to meet program demand. The issue here may be over collection or it may be program implementation, however this is an issue that the PUC can resolve. This bill would duplicate existing PUC authority.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2893**

Governor's Office, Sacramento  
September 15, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2893 without my signature.

The Public Safety Officer Procedural Bill of Rights Act was intended to provide an additional layer of protection to peace officers due to the unique circumstances that they face while enforcing California's laws. Their job leads to a variety of public interactions and requires split-second decision making that could mean life or death for the officer or members of the community. While I recognize the vital service that coroners provide to the citizens of California, their job duties do not generally place them in situations that would necessitate the protections provided in this Act.

In addition, as public employees, coroners already have significant civil service protections. Mandating that they be covered by the Act would simply remove local decision making and increase State costs without providing a significant benefit to the public.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2281**

Governor's Office, Sacramento  
September 15, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2281 without my signature.

AB 2281 would relocate the Rural Health Policy Council (RHPC) to the California Health and Human Services Agency and make technical changes to the law related to the RHPC.

While the proposal to relocate the RHPC from the Office of Statewide Health Planning and Development may have merit, these changes can be made administratively.

Furthermore, the report on the reorganization of state government by the California Performance Review (CPR) recommended the elimination of the RHPC. If after review and vetting of the CPR's recommendations the work of the RHPC is deemed to be vital to the rural healthcare constituents of California, then the decision will be made of whether it should be relocated.

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

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 15th day of September at 4:45 p.m., of AB 2923, AB 2673, AB 2593, AB 2893 and AB 2281 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jake Parnell.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2462**

Governor's Office, Sacramento  
September 16, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2462 without my signature.

This bill would require an automatic annual cost-of-living and growth adjustment in State funding for home-to-school transportation commencing in the 2006–07 fiscal year. When I signed the 2004–05 Budget, it included \$14 million in growth and COLA for home-to-school transportation. However, I am concerned that this bill creates new General Fund cost pressures, constraining the state's ability to prioritize school funding. While I fully intend to honor my agreement with the education community to fund COLA and growth on education programs as appropriate, it would be irresponsible for me to restrict a future Administration's fiscal flexibility by requiring automatic spending increases on this program every year.

For the reasons stated above, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2678**

Governor's Office, Sacramento  
September 16, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2678 without my signature.

I support the author's intention to lower textbook costs to college students, and am generally supportive of textbook rental programs as one means to make the overall cost of college attendance more affordable. However, I am opposed to provisions in the bill that would allow additional fees to be assessed to all students, even those not using the program, in order to keep a textbook rental service financially self sustaining.

Therefore, since nothing in current statute prohibits a California university or college from establishing and maintaining a textbook rental program, without these objectionable provisions, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2311**

Governor's Office, Sacramento  
September 16, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 2311 without my signature.

In the beginning of my administration I directed Secretary Tamminen to establish a working group to develop green building bank initiatives for both public and private buildings. Members of the working group include public sector decision makers, commercial real estate business owners and managers, energy experts and financial mangers. The group is currently developing recommendations for a comprehensive program to dramatically advance energy conservation as well as incorporate other green building principles into commercial buildings.

This bill is largely identical to an executive order passed in the prior administration. This order has not been rescinded and is still in effect. Since this bill would codify much of an existing executive order, it would not improve upon existing efforts to increase adoption of sustainable building practices in California.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1898**

Governor's Office, Sacramento  
September 16, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1898 without my signature.

This bill would change the composition of the Emergency Medical Services Commission (Commission) and add a new member.

The report on the reorganization of state government by the California Performance Review (CPR) recommended the elimination of the Commission. If after review and vetting of the CPR's

recommendations the work of the Commission is deemed to be vital to the emergency medical services system of California, then the decision will be made of whether its composition should be changed.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1362**

Governor's Office, Sacramento

September 16, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 1362 without my signature.

I have a strong respect for our State firefighters and for the hard work and sacrifices they perform daily to protect California and its citizens from harm. Nevertheless, I have been entrusted by the people of California to be prudent regarding our State's fiscal condition.

This bill requires the State and Members of Bargaining Unit 8 that are employed by the Department of Forestry and Fire Protection to enter into binding arbitration when negotiations have reached an impasse over economic issues. The third party arbitrator would have authority to mandate cost increases without any regard to revenue sources or streams, and without any accountability to taxpayers.

This bill would effectively require the Governor and the Legislature to surrender control of budget impacts to an outside arbitrator. This bill also removes the State's ability to manage the contract negotiation process with their employees and increases costs at a time when the State is recovering from a fiscal crisis.

This bill would eliminate any leverage the State has at the bargaining table to complete negotiation and reach agreement. With binding interest arbitration in effect, the parties would necessarily bargain solely to "position" for arbitration rather than to reach agreement. There would be no incentive whatsoever for the exclusive representative to attempt to reach agreement.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 16th day of September at 11:44 a.m., of AB 2462, AB 2678, AB 2311, AB 1898 and AB 1362 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1988**

Governor's Office, Sacramento  
September 16, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1988 without my signature.

While we always want to keep parents informed of a variety of issues, imposing the additional administrative duties proscribed in this bill would increase the cost on school districts by an estimated \$5.3 million annually. Since information concerning irradiated food is already available from a variety of sources, these funds would be better spent in the classroom.

Therefore, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 824**

Governor's Office, Sacramento  
September 16, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 824 without my signature.

Providing the five counties that opted to maintain administration of their In-Home Supportive Services (IHSS) program with increased State participation in wages and benefits is not feasible at this time. The estimated annual State General Fund cost increase of this bill is in excess of \$400,000. However, I do understand the need to re-evaluate whether these counties should be penalized for the choice they made. This issue is worthy of consideration in future budget discussions, but the state cannot afford to add additional costs to the current budget.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 649**

Governor's Office, Sacramento  
September 16, 2004

*To the Members of the Assembly:*

I am returning Assembly Bill 649 without my signature.

This bill would require the State to reinvest into the community-based services program for the developmentally disabled any General Fund savings that result from the State receiving increased federal financial participation (FFP) for those services. The bill requires the Department of Developmental Services (DDS) to consult stakeholders in developing budget proposals to reinvest these funds. The bill also requires the Department of Health Services (DHS) to make every effort to secure the maximum amount of federal funds for community-based services.

This bill will limit the State's flexibility to manage the budget by preventing the State from offsetting General Fund expenditures for community-based services to the developmentally disabled with increased federal funds. Receipt of additional federal funds gives the State flexibility to continue General Fund investments in services or to offset General Fund expenditures according to fiscal and policy

priorities. This flexibility to manage resources is particularly important during times of fiscal crisis. Given the current fiscal challenges facing California, it is critical that the State maintain all potential options for balancing the budget.

This Administration is committed to increasing California's share of federal funding, and our State agencies and departments continue to explore ways to maximize federal funds. The DDS and the DHS have been working on several projects to maximize federal funds for the developmental services system. The 2004 Budget continues to provide resources to the DDS to increase federal funds in several areas.

For the reason stated above I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 16th day of September at 3:52 p.m., of AB 1988, AB 824 and AB 649 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2339**

Governor's Office, Sacramento

September 16, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2339 without my signature.

The bill is unnecessary. I see no reason why a bill needs to be enacted into law that dictates the coordination of meeting schedules.

Nothing in current law would cause the State Board of Education, the California State University Board of Trustees, and the University of California Board of Regents to meet on the same day.

Therefore, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 17th day of September at 10:10 a.m., of AB 2339 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2168**

Governor's Office, Sacramento

September 18, 2004

*To the Members of the California State Assembly:*

I am returning AB 2168 without my signature.

When the Board of Barbering and Cosmetology was reviewed by the Joint Legislative Sunset Review Committee in 2002, the Committee originally recommended to repeal the voluntary license for instructors of barbering and cosmetology as these licenses are voluntary and the

standards and requirements to obtain them are flawed and outdated. However, the recommendation was amended to allow the Board one year to study and address this issue; to date the Board has failed to complete those guidelines.

This bill extends the repeal date of provisions related to barber and cosmetology instructor licenses and provides for the reinstatement of fees for instructor licenses.

The need for these licenses has not been demonstrated as both public and private schools have standards in place for barber and cosmetology instructors. Additionally, schools will still have the option of implementing additional standards to assure the competency of these instructors.

This bill does not provide additional consumer protection as it simply allows the Board to continue to study the issue of a voluntary license.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2035**

Governor's Office, Sacramento  
September 18, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2035 without my signature.

This bill would set a precedent for "double counting" some students in the School Facilities Program by allowing Regional Occupational Centers/Programs (ROC/Ps) and school districts to both receive funding for the same student. While I am supportive of the services provided by ROC/Ps, I cannot support this kind of funding mechanism.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2710**

Governor's Office, Sacramento  
September 18, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2710 without my signature.

This bill establishes a resident student fee policy that is inconsistent with the student fee policy provisions of the higher education Compact that I reached with the University of California and California State University systems. Therefore, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 18, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2446 without my signature.

This bill creates new funding pressures for limited bond funds at a time when existing bond funds for new school construction and modernization projects are insufficient to meet existing known needs.

Under current law, if demand for joint-use projects is less than existing available bond funds, those funds can be redirected for new school construction and modernization projects. Instead of expanding the projects eligible for joint-use funding, it is more important that the funds are available to ensure that sufficient school buildings are available for existing student needs.

The state's commitment to eliminate overcrowded classrooms, such as those used for Concept 6 school calendars is a high priority, and I believe the state should make that a higher priority than to expand the use of existing school bond funds for parks and preschool facilities.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1126**

Governor's Office, Sacramento  
September 18, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1126 without my signature.

Adjusting the per-pupil grant award for modernization projects on a monthly basis, rather than annually, as currently required by law, will add another level of administrative bureaucracy, and may create inequities in the level of funding received by districts for comparable projects that are progressing within months of each other.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3010**

Governor's Office, Sacramento  
September 18, 2004

*To the Members of the California State Assembly:*

I am returning AB 3010 without my signature because I believe that it is unnecessary.

Working with the community colleges on a collaborative basis to modify the current plan review and approval process is a commendable goal, but this can be achieved more effectively and efficiently if addressed administratively, rather than statutorily. In fact, a great deal of work has already been done with stakeholders to identify the problems and successes of the existing process, timelines, schedules, responsibilities and goals.

I am directing the Department of General Services' Division of the State Architect to continue working with the Chancellor's Office of the community colleges to ensure a viable design, plan, and review process is in place, so that our community colleges are designed and built in a timely, efficient and cost-effective manner that serves the best interests of the State of California.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2832**

Governor's Office, Sacramento  
September 18, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2832 without my signature.

This bill would raise California's minimum wage to a level that would be the highest in the nation. According to the Employment Development Department, this will increase the costs to California employers by at least \$3 billion, and as much as \$4.4 billion.

In recent years, the high cost of doing business in California has driven away jobs, businesses, and opportunity. We have launched California's recovery by making our state a more attractive place to do business, so that employers will stay in our state, expand in our state, and create more jobs here.

Now is not the time to create barriers to our economic recovery or reverse the momentum we have generated. I want to create more jobs and make every California job more secure.

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

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 18th day of September at 10:54 a.m., of AB 2168, AB 2035, AB 2710, AB 2446, AB 1126, AB 3010 and AB 2832 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Pamela Oto.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2871**

Governor's Office, Sacramento  
September 20, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill (AB) 2871 without my signature.

AB 2871 would eliminate the continuous requirement that a local government declare a state of emergency to authorize the operation of a syringe exchange program.

I am committed to the public health goal of reducing the transmission of HIV and Hepatitis C among injection drug users through syringe exchange programs. Current law requires that local governments renew their declaration of a local emergency due to a critical local public health crisis every two to three weeks. While cumbersome, this reauthorization ensures that local government and local public health officials review the status of the syringe exchange program when deciding to continue the program.

I am willing to reconsider the concept of this bill in the future if there are appropriate local control measures in place. It is imperative that local communities, public health officials and local law enforcement are

provided the opportunity to provide input to local leaders to ensure that the health benefits of a syringe exchange program outweigh any potential adverse impact on the public welfare.

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

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 20th day of September at 3:55 p.m., of AB 2871 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 858**

Governor's Office, Sacramento

September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 858 without my signature.

Existing statute already affords local school boards general control over all aspects of their interscholastic athletic policies, programs, and activities. Decisions regarding athletic teams names, nicknames or mascots should be retained at the local level.

At a time when we should all be working together to increase the academic achievement of all California's students, adding another non-academic state administrative requirement for schools to comply with takes more focus away from getting kids to learn at the highest levels.

For these reasons, I am unable to support this legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1253**

Governor's Office, Sacramento

September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1253 without my signature.

This bill directs the Superintendent of Public Instruction to conduct a study, regarding home-to-school transportation, but identifies no funding for its completion. Currently, legislative members can request the Legislative Analyst's Office to conduct studies on their behalf, without any additional statutory authority. Therefore, this bill is unnecessary.

For this reason, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1810**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 1810 without my signature.

Existing federal law adequately protects consumers from ATM fraud by limiting their liability for an unauthorized electronic funds transfer to \$50. Because consumers rarely lose money as a result of ATM fraud, it is unnecessary to place additional regulatory requirements on ATM operators.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1944**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1944 without my signature.

This bill would allow schools to receive funding for time when students are volunteering as an elections precinct board member. While civic and other volunteer activities can offer many educational opportunities to students, these activities should be in addition to, and not in place of, valuable classroom learning time with a teacher.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2080 without my signature.

Funding for a new cohort pursuant to the Academic Improvement and Achievement Act (AIAA) was not included in the final budget for 2004–05. I deleted the \$5 million augmentation because this small competitive grant program helps only 12 districts out of over 1,000 school districts in the state. The program has sufficient funding to complete the existing cohort. As previously stated, these funds should be spent for educational priorities agreed to with the education community to provide more flexible funding so local schools can fund their most important needs.

Therefore, I am unable to support this legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2191**

Governor's Office, Sacramento  
September 21, 2004

*To the members of the California State Assembly:*

I am returning Assembly Bill 2191 without my signature.

I support the author's goal of giving the victim notice prior to the release of a person committed to a state hospital because they were found Not Guilty by Reason of Insanity. Victim's participation in the criminal justice process should be protected and that is why I have signed Assembly Bill 1504 to ensure proper notice of the release is provided by the local district attorney after being notified by the state.

AB 2191 would require the director of a State hospital to try and notify the victim. The local courts currently maintain case files with victim notification requests and contact information. It is inefficient to have the state try and duplicate this process versus having the courts and district attorney notify the victim.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2330**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2330 without my signature.

Volunteer Firefighters' Length of Service Award System (VFLSAS) is a local program that has historically been financed through local government participants. The program was established to provide an incentive and recruitment tool for local fire departments and districts that utilize volunteer firefighters by offering lifetime awards to their volunteer firefighters.

This bill requires that the administrative costs, now being paid by the local agencies for the VFLSAS program, be shifted to the State. This bill mandates funding from the General Fund at a time when the State is unable to absorb additional costs.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2536 without my signature as the intent of this bill can be done administratively through the regulatory process and does not require legislation.

This bill requires the Department of Housing and Community Development (HCD) to establish building standards by January 1, 2006 regarding the installation of grab bars and non-skid flooring or mats in hotel bathrooms.

While the goals of the bill are laudable, they can be better accomplished through the building standards adoption process.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2850**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2850 without my signature.

This bill requires private security service contractors to retain employees employed by the previous contractor for a period of at least 90 days. Since security concerns, particularly in California's high rises and government buildings, are higher than ever before, it is imperative that security service contractors are able to make the necessary staffing decisions that best provide the security their clients demand.

In many cases, a new contractor will call upon the knowledge and expertise of the existing employees in order to provide that protection. This is even more likely considering the amount of training required for private security guards under current law. Retaining current employees would not only provide the contractor this expertise but also save the contractor the costs of the training. A statutory mandate is not needed for contractors to appreciate these incentives.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2883**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2883 without my signature.

The residents within the Santa Clara Valley Water District (District) are burdened with significant water quality challenges due to historic pollution from specific sites. These challenges may justify the District obtaining extraordinary powers for mitigation and cost recovery. However, the bill lacks the necessary parameters to ensure adequate due process for all.

This bill grants the district unprecedented responsibilities that more properly should be under the oversight of a Regional Water Quality Board. The District would have no obligation to follow applicable state water quality policies or plans, thereby leaving it to the District to determine water quality standards and remediation actions, rather than using scientifically established statewide standards.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3017**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3017 without my signature.

The \$1.25 million appropriation in this bill for the Advancement Via Individual Determination program (AVID) was not included in the 2004–05 Budget Act. I recognize the role that the AVID program has served in increasing underrepresented student access to advanced placement courses and higher education. Unfortunately, the State's limited resources do not allow for the continued level of support for the program. As I stated in my line-item reduction message, districts currently participating in the AVID program are encouraged to utilize existing staff development dollars to supplement AVID teacher training funding.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3090**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3090 without my signature.

I agree with the author's intent to clarify the use of initiatives with regard to the California Environmental Quality Act (CEQA). However, the Secretary of Resources has already finalized the adoption of revisions to the CEQA Guidelines that include the court case referenced in this bill; therefore it is already a moot issue. If adopted, this bill will then cost additional taxpayer dollars to remove this obsolete provision in follow-up legislation.

This bill would require, on or before July 1, 2006, the Office of Planning and Research (OPR) to recommend proposed changes, and the Secretary of the Resources Agency (Resources) to certify and adopt, revisions to OPR's CEQA Guidelines in order to reflect the California Supreme Court's holding as specified.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3102**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3102 without my signature.

The bill is unnecessary. Current law requires the chairs of the Legislature's elections committees to meet with the Secretary of State. This bill deletes that requirement and instead, requires the Secretary of State to meet with chairs and vice-chairs of the committee to report on

electronic voting systems. Who meets with whom and how often will have no effect on the integrity of the election process.

Sounds like a school yard fight to me.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 21st day of September at 1:19 p.m., of AB 858, AB 1253, AB 1810, AB 1944, AB 2080, AB 2191, AB 2330, AB 2536, AB 2850, AB 2883, AB 3017, AB 3090, and AB 3102 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

SUE PARKER

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1074**

Governor's Office, Sacramento

September 21, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 1074 without my signature.

This bill mandates that if a boxer is suspended for 30 days for their medical protection, due to a hard fight, a knockout or a technical decision, they must also take an additional neurological examination.

Currently, the physicians and surgeons on site have discretion to require boxers to have additional tests after boxers are knocked out or seriously injured. The medical community, involved with the profession of boxing, currently makes recommendations and takes necessary precautionary measures that will ensure the health and safety of these boxers.

Under current law, these types of special examinations require the boxer and the California Athletic Commission to share the cost of these types of examination. This bill mandates requirements on the Commission at a time when the Commission is facing financial difficulties to meet its current mandates.

Finally, the Commission states that over 10,000 boxers have taken the exam and only one has failed it. The Commission, along with the neurologists who have conducted over 80% of the examinations, believe the test is not an accurate measure of damage to the brain and therefore provides little safety protection for the boxer.

For the above reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1075**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1075 without my signature.

This bill is inoperative due to the failure of the Legislature to pass Senate Bill 592 (Denham), thus this bill would just place inoperative statutes in law.

I am therefore returning AB 1075 without my signature and without consideration of the policy it promotes.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2377**

Governor's Office, Sacramento  
September 21, 2004

*To the members of the California State Assembly:*

I am returning Assembly Bill 2377 without my signature.

This bill is another example of expanding state bureaucracy without demonstrating a need. It is a waste of taxpayer money to require the Department of Motor Vehicles to expend significant funds to provide for licensing of traffic violator schools that are currently approved at the local level by the courts.

I am signing Senate Bill 1269 which would have the Judicial Council consider all the issues involving traffic violator schools, including the use of traffic violator fees. It is sound fiscal policy to assess the current model prior to increasing regulation.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2403**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2403 without my signature.

This bill would create a misdemeanor offense of installing hidden video or photo equipment in a residence, without the resident knowing or consenting, in order to invade the privacy of the subject.

Our homes are where we enjoy the greatest expectation of privacy. Voyeurism in the home cannot be tolerated by the law, especially when the unwelcome looker is a roommate or someone with ready access to the whole house. For this reason I signed Senate Bill 1484 to specifically protect one's bedroom from intrusive acts of peeking or video recording. SB 1484 adequately addresses the specific problem of abusing the privilege of access to invade another's privacy.

However, AB 2403 is more broad and potentially criminalizes otherwise innocent video recording within the home if the subject unexpectedly engages in private or embarrassing conduct. Additionally,

AB 2403 creates confusion and redundancy in the statutes by adding a whole new section of law. SB 1484 is drafted tighter and better addresses the problem of voyeurism in the home.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2647**

Governor’s Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2647 without my signature.

This bill is unnecessary. While I am a strong supporter of maintaining a quality academic assessment and school accountability system, of which the California High School Exit Exam (CAHSEE) is an important part, school districts currently receive uncapped supplemental instruction funding for any pupil who does not demonstrate sufficient progress toward passing the exit examination.

Therefore, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2841**

Governor’s Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2841 without my signature.

This bill would significantly change authority for proposing and approving school district reorganizations statewide without first having tested such reforms on a more limited basis. The proposed changes would increase the authority of individual school districts to petition for reorganization, and reduce the role of the State Board of Education in reviewing and approving certain types of district reorganizations.

While I am supportive of streamlining the process for school district reorganizations, I would rather test such changes on a pilot basis before permitting the authority statewide.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2956**

Governor's Office, Sacramento  
September 21, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 2956 without my signature.

This bill increases the time period for members to move between retirement systems with reciprocity from six (6) months to 36 months.

I find no compelling policy reason why the existing mobility under the current system of reciprocity is not sufficient. Additionally, in the haste of last minute amendments, the bill actually creates an unfair advantage for only one group of members in the retirement system.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3087**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3087 without my signature.

While I support the intent of the bill to accomplish recommendations of the Blue Ribbon Fire Commission, I have tasked the Resources Agency to strategize and prioritize the recommendations. Accordingly, it is premature to legislatively address a study of the State Emergency Plan and Mutual Aid System at this time. In addition, the Office of Emergency Services prepared an After Action Report for the 2003 Southern California Fires, which also contains specific recommendations that will be pursued. Finally, the study prescribed in this bill will require costs that are not identified in the current Budget Act.

For these reasons, I am returning Assembly Bill 3087 without my signature. However, I want to assure all Californians that public safety is a top priority of my Administration. Therefore, I am directing the Office of Emergency Services to continue working with the Resources Agency to implement the recommendations of the Blue Ribbon Fire Commission.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 21st day of September at 4:55 p.m., of AB 1074, AB 1075, AB 2377, AB 2403, AB 2647, AB 2841, AB 2956 and AB 3087 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

SUE PARKER

Acting Chief Clerk of the Assembly



**Veto Message—Assembly Bill No. 95**

Governor's Office, Sacramento  
September 22, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 95 without my signature.

The Cemetery and Funeral Bureau currently has sufficient oversight authority to enable it to detect any problem with a licensed cemetery's endowment care fund. Additionally, since 1996, laws have provided the Bureau with more regulatory and enforcement authority to ensure that licensed cemeteries employ prudent business management practices to protect the financial and personal interests of consumers.

This bill raises the minimum amount required to be deposited into a cemetery's endowment care fund per plot. Currently, cemetery owners are able to increase the amounts they can collect to maintain their grounds and to guarantee future care of the property.

There is no demonstrated need for this bill and does not provide any greater consumer protection or industry safeguards that are not available under current law.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1918**

Governor's Office, Sacramento  
September 22, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1918 without my signature.

This bill would require school districts to provide additional disability compensation benefits to school employees, without requiring employees to contribute for the cost of those benefits. These benefits are currently subject to collective bargaining and are appropriately determined at the local level. Requiring all districts to provide this benefit could increase benefit costs and may not be of the highest priority for districts or their employees.

For these reasons, I cannot sign this bill, but would encourage school districts to work with their collective bargaining representatives to determine the need for this benefit.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2015**

Governor's Office, Sacramento  
September 22, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 2015 without my signature.

This bill is unnecessary. While I appreciate the author's intent to provide foster youth with exceptional needs a voice in their individualized education program, I believe that current law already responsibly addresses this issue. This bill mandates that the foster youth with exceptional needs over the age of 13 be included on the individual education program team. Current law already requires the individual

education program team to include the individual with exceptional needs, whenever appropriate.

For this reason, I am unable to support this legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2644**

Governor's Office, Sacramento  
September 22, 2004

*To the members of the California State Assembly:*

I am returning Assembly Bill 2644 without my signature.

Improving the quality of our air is a priority of my administration. Through the budget and other legislative efforts we have committed millions of dollars towards clean air programs that are assured to make significant improvements in air quality, including upgrading our aging school bus fleet to new cleaner burning less polluting busses.

However, AB 2644 is duplicative of existing state regulations for idling school buses and is unnecessary. This bill will limit the California Air Resources Board's discretionary authority to modify the program. Future refinements, such as changes to reporting and training provisions and other substantive and nonsubstantive amendments would need to go through the legislative process and be approved by the Governor. This is an unnecessary level of micro-management that the states regulatory system is designed to address.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2810**

Governor's Office, Sacramento  
September 22, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 2810 without my signature.

This bill requires the California Department of Forestry and Fire Protection (CDF) to include in its enforcement report information on the costs of civil actions to recover administrative costs or impose a lien on real property and the amount of penalties imposed but not yet collected or adjusted.

The additional information required by this bill is already collected by CDF and available to the public, including the Legislature, upon request. Therefore, it is not necessary to increase staff workload to mandate additional information to be included in a report to the Legislature.

For this reason I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2813**

Governor's Office, Sacramento  
September 22, 2004

*To the Members of California State Assembly:*

I am returning Assembly Bill 2813 without my signature.

The bill is unnecessary because it is duplicative of federal efforts to notify employees that may be eligible for the federal earned income credit.

For this reason, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2837**

Governor's Office, Sacramento  
September 22, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2837 without my signature.

This bill is unnecessary. The Labor & Workforce Development Agency and Division of Apprenticeship Standards has recently created a Quality Standards Committee, composed of both union and non-union apprenticeship program sponsors, to work with interested parties on the development of apprenticeship standards. Furthermore, requiring the withholding of reimbursements to apprenticeship programs for supplemental instruction may have the adverse effect on programs in migratory trades, slow-growth trades and highly technical or dangerous trades.

All apprenticeship programs already undergo an approval and oversight process through the Division of Apprenticeship Standards that is responsible for ensuring that these programs function effectively. Students or others who are concerned about the quality of any specific programs should bring their concerns to the Division.

Therefore, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2532**

Governor's Office, Sacramento  
September 22, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2532 without my signature.

A number of well-intentioned mandates have been placed upon California hospitals in recent years, including nurse-to-patient staffing ratios and seismic retrofit requirements. Hospitals will be spending billions of dollars in the coming years in order to comply with these mandates. As such, I believe we must carefully weigh additional mandates on hospitals in order to ensure the financial burden does not become too great or interfere with their ability to offer quality health care.

Because I am concerned about the financial burden hospitals are already under, I cannot support the costly mandate imposed on them by AB 2532. Although the goal of having all hospitals implement a standardized lift policy that includes lift teams and modern equipment is

laudable, it need not be mandated in statute. Procedures to limit injuries caused by the lifting patients should already be a part of a hospital's mandatory Injury and Illness Prevention Program (IIPP). If an individual believes a hospital's IIPP is insufficient, they may file a claim with the Division of Occupational Safety and Health. I believe this existing statutory protection and the accompanying workplace safety standards adopted by the Occupational Safety and Health Standards Board are sufficient to protect health care workers from injury.

Although I cannot support AB 2532, I encourage hospitals to review their lift policies to determine the extent to which they can develop lift teams and purchase machinery to assist in lifting patients. I also encourage hospitals to consider incorporating modern lift technologies into new construction and significant renovation projects, including their seismic retrofit activities.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2289**

Governor's Office, Sacramento  
September 22, 2004

*To The Members of the California State Assembly:*

I am returning Assembly Bill 2289 without my signature.

The value of this mandate is questionable as this information is widely documented through studies written by private foundations and is readily available to individual consumers through health insurance agents and brokers.

Additionally, the Department of Managed Health Care already has access to the information mandated by this bill as health plans are currently required to submit the full premium cost of the health plan, copayment, coinsurance or deductible requirements and lifetime and annual maximums.

This bill adds to the existing regulatory morass thereby increasing the cost of doing business in California without adding any health and safety protections for Californians.

AB 2289 requires health plans and insurers to report to the Department of Managed Health Care and the Department of Insurance, on a one-time basis, a written statement describing what enrollees pay out-of-pocket for benefits.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 320**

Governor's Office, Sacramento  
September 22, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 320 without my signature as it further erodes the ability to do business in California by creating more uncertainty regarding litigation and litigation costs.

This bill prohibits all businesses and professions licensed under the Department of Consumer Affairs (DCA) from inserting "gag clauses" in civil suits settled with customers.

When parties who are in dispute agree to settle, there should be some assurances that the dispute has been resolved in a satisfactory and final manner for both parties. Often settlements are reached when the cost of settlement is less than the cost of defense—even if a party believes they have not erred, it often makes economic sense to settle.

Under this bill a party who agrees to a civil settlement, could still file a complaint with a regulatory agency subjecting the licensee to double jeopardy. Even after the resolution of a civil suit, this bill could still require a licensee to a second adjudication before a regulatory body.

The policy implications of this bill does not further the goal of making California more business friendly, therefore, I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 671**

Governor's Office, Sacramento

September 22, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 671 without my signature as the requirements would be premature to the recommendations being considered by the California Performance Review (CPR).

This bill would require the Governor to annually submit a newly defined five-year workforce infrastructure plan to the Legislature in conjunction with his proposed budget. Currently, a five-year report is submitted regarding infrastructure on real and personal property, generally known as “hardscape.”

The bill defines and broadens the report to include “workforce infrastructure” for public instruction and libraries. Because there is a lack of clarity in the definition, the bill expands the report to include any item needed to support the school’s workforce, such as information or computer systems, equipment, supplies and requires the estimated costs. It would also require that a funding source be identified to pay for these items, including books and supplies for libraries.

This bill may require the State to engage in a planning process for identifying infrastructure needs for schools and libraries that are the responsibility of local government. Further, it is not clear how this bill would improve the State’s infrastructure planning process. Finally, this bill is not consistent with the CPR.

When I signed the Executive Order in February of 2004 establishing the CPR, its mission was to make fundamental changes in state government, establish new procedures to create greater efficiencies, prioritize government functions, create true accountability over the fiscal management of state resources. Further exposure of government must be fully reviewed and consolidated against existing state entities and programs.

The recommendations of this bill warrant careful review and consideration through the CPR process before enacting any legislation that makes substantial changes to the state’s infrastructure plan.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2891**

Governor's Office, Sacramento  
September 22, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 2891 without my signature.

This bill would permit fellows who have completed one of the four Capital Fellows Programs to compete in promotional State civil service exams.

While I believe fellows who have completed and served in one of the four programs, are skilled, intelligent and knowledgeable, this bill is unfair by allowing these fellows to compete in exams under circumstances not available to State civil service employees or their fellow CSUS employees.

Employees of the State Legislature are only able to participate in promotional state civil service exams if they have served two or more consecutive years of employment. This bill would create an unfair standard by allowing fellows, who only serve a term of eleven months, the same eligibility.

There is no demonstrated need to warrant this bill as fellows currently interested in state employment currently have many opportunities for State employment through competition in the open State civil service exam system.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2752**

Governor's Office, Sacramento  
September 22, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 2752 without my signature as it places a new, unnecessary filing requirement on California business.

This bill requires domestic and foreign corporations to file a copy of their corporate election procedures with the California Secretary of State. The bill would also make a copy of the procedures available to the companies' shareholders upon request.

This bill is unnecessary, as any corporation's bylaws and articles of incorporation, including its elections procedures, are available to the public through the Securities and Exchange Commission (SEC).

I encourage the author and sponsor to work with the SEC to make this information easier for investors to find, without placing a new filing requirement on companies seeking to do business in California.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2874**

Governor's Office, Sacramento  
September 22, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2874 without my signature.

I am concerned about hospitals and emergency rooms closing, but the Department of Health Services cannot mandate hospitals, who are likely struggling financially, to stay open for up to nine months to allow the

local governments to form local health care districts. Furthermore, requiring insolvent private hospitals to remain open, without county financial assistance during that time, could result in lower patient care standards due to rapid attrition of medical staff, hospital staff and suppliers during that time.

Mandating the sales price of a failing private facility to reflect the price of its use as a general acute care hospital is onerous regulation of the private marketplace. Instead, proper communication between a failing hospital and the community should provide the local government with first right of refusal of the facility at appropriate market rates.

This bill addresses the symptom of hospital closures and not the illness: the cost of providing care in California. Instead, the Legislature should focus on measures that foster success and solvency such as improving the regulatory environment, reducing the number of unfunded mandates that divert resources away from care and making health insurance premiums more affordable for our uninsured patients.

I encourage hospitals and counties to coordinate with one another with respect to hospital closures, but for the reasons stated above I am unable to sign this legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2895**

Governor's Office, Sacramento  
September 22, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 2895 without my signature.

One of the most important duties of the Governor of a state is to protect its citizens. Determining the true identity and history of an individual is a key component of that protection. This bill does not adequately address the security concerns that my Department of Homeland Security and I have and I cannot support it.

Receipt of Bills

I acknowledge receipt this 22nd day of September at 5:10 p.m., of AB 95, AB 1918, AB 2015, AB 2644, AB 2810, AB 2813, AB 2837, AB 2532, AB 2289, AB 320, AB 671, AB 2891, AB 2752, AB 2874 and AB 2895 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

SUE PARKER

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2406**

Governor's Office, Sacramento  
September 23, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2406 without my signature.

This bill requires the State Fire Marshall to develop state regulations and statistical protocols requiring local firefighting agencies' to provide information to the state about local fire response times.

While I fully support ways of improving firefighting agencies' ability to respond quickly to fire incidents, this bill imposes an unnecessary and costly mandate without demonstrating any improvement in fire safety.

Fire protection service standards are directly dependent on the local decision-making process. Local agencies are in the best position to evaluate their conditions to match community needs with available resources.

For these reasons I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2146**

Governor's Office, Sacramento  
September 23, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 2146 without my signature.

I share the author's concern for our marine resources and the safety of our State's fishing fleet. However, I am concerned that the significant changes this bill mandates in the Dungeness crab fishery should be considered and addressed through the Fish and Game Commission following its thorough review and open public hearing process.

One of the principal tasks of the Fish and Game Commission is the regulation and management of our State's fisheries. This bill enacts statutory changes to management of the Dungeness crab fishery that will complicate the Commission's ability to respond to fishery dynamics and render the fishery inflexible. Such an effort to preference one segment of the fishery over another should not be made without significant scientific and biological analysis, public discussion and consideration of alternatives. That is the role of the Fish and Game Commission.

I encourage the Legislature to vest the Commission with fishery management responsibility for Dungeness crab and then let the Commission proceed with the dozens of complex decisions necessary to effect sustainable fishery management.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1841**

Governor's Office, Sacramento  
September 23, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1841 without my signature.

This bill could weaken the accountability provisions of the Immediate Intervention for Underperforming Schools Program and the High Priority Schools Grant Program (IIUSP/HP). The IIUSP/HP program was designed to provide support for the development and implementation of action plans designed to improve the academic achievement of pupils in schools that have been designated as underperforming.

By allowing reorganized high schools to receive a share of incentive funding, this bill would limit the state's ability to track the programs of students originally enrolled at the participating high schools. Moreover, extending the timeframes to meet required performance growth targets



by an additional year would postpone state interventions at schools that have failed to meet their API growth target, and undermine the intent of the program.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2724**

Governor's Office, Sacramento  
September 23, 2004

*To the Members of the California State Assembly:*

I am returning AB 2724 without my signature.

I support the provisions of this bill that expand and streamline the existing Golden State Scholarshare program. Unfortunately, this bill also includes unrelated provisions that expand the powers of the California Educational Facilities Authority (CEFA) to allow financing of entities that can already be funded through the California Infrastructure and Economic Development Bank. Therefore, expanding that authority to CEFA is duplicative and unnecessary.

I encourage the Legislature to pass a consensus measure that includes only the provisions related to the Golden State Scholarshare Program.

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

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 23rd day of September at 11:12 a.m., of AB 2406, AB 2146, AB 1841 and AB 2724 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jake Parnell.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 366**

Governor's Office, Sacramento  
September 24, 2004

*To The Members of the California State Assembly:*

I am returning Assembly Bill 366 without my signature.

This bill requires the Department of Social Services to operate the Child Care Substitute Employee Registry Pilot Program until January 1, 2008. It would clarify that child care workers would be registered by the Substitute Employee Registry, rather than by the individual child care facility and that all substitute employee records would be maintained at the Substitute Employee Registry's regional office. This measure would take effect immediately as an urgency statute.

This bill provides that the Substitute Employee Registries are to be funded by a combination of licensing fees charged to participating registries and the reallocation of unearned child care contract funds, pursuant to Section 8278 of the Education Code. Despite the commendable negotiations between the author and the Department of Social Services, the licensing fees are not adequate for implementation

and the additional funding from Proposition 98 monies cannot be used for this purpose. The Education Code Section 8278 funds were intended for the provision of direct child care services.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 517**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 517 without my signature.

Serious questions have arisen regarding the integrity of automated enforcement systems and so I am reluctant to support any effort to lengthen the period in which confidential records may be retained. I believe that the people of California have a reasonable expectation that any case arising from these systems will be handled promptly and any record quickly destroyed. Furthermore, this bill would not cut waste, but encourage inefficiency by more than doubling the amount of time permitted to complete a task.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 711**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 711 without my signature.

I fully support the concept of streamlining and improving the oversight of California's private postsecondary and vocational education. However, this bill does not achieve that goal and could harm consumers, as it is unclear what authority the Bureau of Private Postsecondary and Vocational Education (Bureau) would have to sanction institutions that fail to comply with state laws. AB 711 falls short of its objective to streamline functions of the Bureau.

Therefore, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 736**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 736 without my signature.

This bill is premature, in that it places conditions on school districts' use of funding of school facilities bond measures passed after January 1, 2006. While I am very supportive of efforts to improve the environment

of California's classrooms, as well as promoting energy efficiency and conservation, this policy discussion more appropriately should be considered within the context of a comprehensive environmental policy involving energy efficient housing, schools and commercial properties.

Therefore, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 750**

Governor's Office, Sacramento

September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 750 without my signature.

Although my Administration conceptually supports the framework and intent of AB 750, the bill would include speech language pathologists as qualified rehabilitation professionals. Speech language pathologist's training focuses on communication disorders, not neuromuscular and musculoskeletal systems, which most custom durable medical equipment (DME) is designed to accommodate. Including this professional group as qualified rehabilitation professionals will prevent the Department of Health Services (DHS) from establishing stringent criteria in their upcoming contractual agreements because DHS' requirements cannot be more restrictive than law.

Because this measure, as written, would undermine DHS' efforts to contain inappropriate Medi-Cal expenditures, I am returning AB 750 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1383**

Governor's Office, Sacramento

September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1383 without my signature.

My Administration is committed to keeping Californians safe from those who want to harm us through acts of terror. This bill would arbitrarily appropriate specified amounts of money in the Antiterrorism Fund to listed cities and counties without establishing fair and neutral selection criteria. Allocating funds without strategically assessing where the greatest needs exist, will not improve our ability to prevent, deter or respond to acts of terrorism.

While I support local efforts to combat terrorism, the limited dollars in the Antiterrorism Fund should remain competitive among all political subdivisions of the state.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1486**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1486 without my signature.

I am supportive of using a competitive process for public works projects and understand that this bill is needed to clarify that process. However, this bill imposes restrictions on lease-leaseback contracts that could limit competition, inadvertently limit schools' flexibility, and drive higher administrative costs; thereby potentially increasing the overall cost of school facility construction.

For this reason, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1897**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1897 without my signature.

The State Board of Education includes a student member whose participation brings a vibrant dynamic to the statewide policy debate. I am especially pleased with the contributions that the student member I recently appointed has brought to the current State Board. However, mandating that school districts appoint a preferential voting student member to local school board is unnecessary since existing law already provides a mechanism for student representation on local school boards. As such, I encourage all interested students to pursue the wonderful opportunity of being appointed to their local school board, under the provisions of current law.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1946**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1946 without my signature.

This bill could result in the release of prisoners convicted of serious and violent felonies. Additionally, medically incapacitated prisoners could be released, and this bill does not provide any mechanism to return these prisoners to custody in the event they somehow would become a threat to public safety, or the prisoner's condition were to improve to the point that they no longer were medically incapacitated.

This bill would modify the Department of Corrections (CDC) Compassionate Release program by allowing medically incapacitated inmates to be considered for release or resentencing. This bill would allow that the court may resentence or recall a sentence if the court finds that the conditions under which the prisoner would be released or

receive treatment do not pose a threat to public safety, and the prisoner is incapacitated by a medical condition that renders him or her permanently disabled.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1963**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1963 without my signature because the bill is unnecessary.

I support the use of culturally competent models of service delivery that can improve health outcomes by reducing cultural and linguistic barriers to accessing the health care system. In particular, Promotores de Salud represent an effective means of serving California's increasingly diverse population. Indeed, several state-supported public health programs already use Promotores de Salud.

The Department of Health Services (DHS) can further promote this model of service through administrative action. Moreover, we should not single out in statute a specific model of outreach for a specific community, when we live in the most racially and ethnically diverse state in the nation.

Finally, this bill also has an indeterminate fiscal impact associated with requiring DHS to revise its standards related to funding for local programs.

For these reasons I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2086**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2086 without my signature.

This bill would exempt specific county providers from the continuing enrollment process in the Medi-Cal program and thus would undermine the Administration's Medi-Cal Anti-Fraud Program and jeopardize the fiscal integrity of the program. Federal Medicaid statute requires all providers, including counties, to provide up-to-date, factual information to support their continuing eligibility as Medi-Cal providers. If a federal audit reveals that the Department of Health Services (DHS) did not obtain the required information, the consequence could be the loss of Federal Financial Participation.

The bill's language that exempts county-owned Federally Qualified Health Centers from the requirement to submit re-enrollment documentation to the state is contrary to federal law. The DHS is the single state agency for the Medicaid program and is charged with implementing program controls for the Medi-Cal program, including

the maintenance of accurate records for all providers. If these controls are not in place the state risks the loss of millions of dollars in federal program funds.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2106**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2106 without my signature.

Under existing law, the Department of Finance already is required to provide an annual tax expenditure report to the Legislature containing specific information. This bill changes the type of information that is provided in the annual report. However, some of the information that Department of Finance would be required to report is not available. For example, the original intent of a given tax expenditure is often not clearly defined in the enabling statute. In addition, the number and income distribution of taxpayers benefiting from sales tax exemptions would not be known because this information is not required to be reported by retailers when filing their tax returns. Furthermore, some of the information might not be available for reporting to the Legislature because of existing confidentiality requirements.

Therefore, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2189**

Governor's Office, Sacramento  
September 24, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 2189 without my signature. This bill shifts the responsibility for ensuring immigration consultants file and maintain a bond from the Secretary of State to local city and district attorneys.

This bill requires a corporate surety to notify the local city attorney or district attorney of the county when an immigration consultant has cancelled their surety bond—bonds that immigration consultants are required to have under current law. Additionally, the bill sets forth a \$10,000 civil penalty for a corporate surety company's failure to comply and allows for a private cause of action against a corporate surety if they fail to notify.

Currently, the Secretary of State is responsible for administering the law requiring the filing and maintenance of bonds by immigration consultants. Corporate sureties already notify the Secretary of State when a bond is cancelled.

This bill does little to protect consumers against unscrupulous consultants, and instead subjects corporate surety companies to penalties and lawsuits for failure to notify.

This bill creates new exposures to penalties and litigation to an industry supplying protection to the consumer by bonding immigration consultants.

For these reasons I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2295 without my signature.

While I am generally very supportive of increasing student awareness of career opportunities and guidance in career technical education so that they can be better prepared in workforce competencies, no additional statutory authority is necessary for school districts to provide the services outlined in the bill. Therefore, this bill is unnecessary.

Furthermore, the California Performance Review (CPR) taskforce report will provide a more appropriate venue for consideration of these goals in concert with other components of a more preferable systemic approach to workforce preparation and career technical education.

Therefore, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2416**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2416 without my signature.

This bill is inconsistent with the State Board of Education's policy to ensure that classroom curriculum is rigorous, standards-aligned and research-based. Authorizing local districts to determine which supplemental instruction materials are scientifically based and standards-aligned does not necessarily provide that assurance. Furthermore, this bill could jeopardize the more than \$144 million in Reading First program funding that is provided to the State, if the supplemental instructional materials chosen by local educational agencies were found not to be based on scientifically based reading research. The United State Department of Education's policy guidance for Reading First programs requires that the state educational agency, California's State Board of Education, be responsible for ensuring that only programs based on scientifically based research can be funded through the Reading First program.

For these reasons, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2705**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2705 without my signature.

This bill would increase the threshold that distinguishes petty theft from grand theft.

The threshold is a minimum value that allows district attorneys to charge a defendant with a greater offense and greater punishment if the value is exceeded. In practice, district attorneys use their discretion when reviewing theft cases to determine the severity of the crime, so that the charge matches the offense. The increase in the threshold would make it more difficult to appropriately charge a defendant for a theft that deserved a greater punishment.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2742**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2742 without my signature.

While I am supportive of the author's goal of providing adequate medical treatment and proper notification to inmates and wards, this measure would result in an increase in costs and bureaucracy while decreasing the time physicians spend with patients.

AB 2742 diverts the attention of prison doctors away from concerted efforts to improve medical care by requiring unnecessary procedural paperwork. This bill will not improve inmate health care as the author intends, but instead redirects resources and attention away from implementing the enhancements to the Inmate Medical Services Program.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2744**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2744 without my signature.

The State's entire K-12 educational system: standards, textbooks, teacher training, assessments, accountability and intervention are built on the content standards as the foundation. The State Board of Education currently has the authority to review and revise the content and performance standards as the Board deems appropriate. The original standards were adopted through a public and inclusive process involving teachers, educators and content experts from around the state. Having the development under the authority of the State Board ensures that the public has access to all deliberations around the standards since the State Board is subject to the requirements of the Bagley-Keene



Opening Meeting Act. Therefore, I see no compelling reason to shift the duties for standards development from the State Board of Education to the State Superintendent of Public Instruction.

For these reasons, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2868**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2868 without my signature.

This bill establishes an additional registration program for an industry that is already regulated. Creating a new program for the registration and oversight of these persons is an unnecessary bureaucratic solution. Consumer protections may be built in to the existing programs regulating tax preparers and others who may be providing these loans to consumers, without establishing a new government program.

For these reasons I am cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2930**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2930 without my signature.

As currently written, this bill would place a significant barrier for law enforcement to discipline its officers who violate its policies and procedures.

Specifically, this bill would provide that information received during a criminal investigation from a union representative could not be used against the offending officer in a disciplinary action even though the same information could be used to discipline an officer if it came to light through a non-criminal investigation. For example, if during a criminal investigation of an officer information surfaces from the union representative that the officer has violated significant policies of the department but do not rise to a criminal action, the chief of police, sheriff, or warden would not be able to utilize that information to discipline the officer.

By creating such a loophole in the law, the possibility increases that a select few bad actors could perpetuate a code of silence or other actions that would jeopardize law enforcement's ability to police their own. The majority of our peace officers work very hard to protect the integrity of our justice system and the citizens of California. Providing an avenue for a small minority to escape discipline in appropriate situations will disparage the entire profession.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 24th day of September at 2:27 p.m., of AB 366, AB 517, AB 711, AB 736, AB 750, AB 1383, AB 1486, AB 1897, AB 1946, AB 1963, AB 2086, AB 2106, AB 2189, AB 2295, AB 2416, AB 2705, AB 2742, AB 2744, AB 2868 and AB 2930 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 113**

Governor's Office, Sacramento

September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 113 without my signature.

The Off-Highway Vehicle Stakeholders Roundtable is a successful stakeholder advisory utility that has been able to develop consensus-based off-highway vehicle legislation and recommendations. I support balancing the priorities of the Off-Highway Motor Vehicle (OHV) Recreation Division between recreation and conservation. The best way to achieve balance is through the collaborative stakeholder process of the OHV Roundtable. This bill circumvents that process.

This bill requires the Off-Highway Motor Vehicle Recreation Commission to include an explanation of the impact of an expenditure made from the Off-Highway Vehicle Trust Fund and balances and of its statutory requirements. Additionally, this bill restates the protection of off-highway vehicle recreational opportunities as one of the purposes of the Off-Highway Vehicle Program.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 606**

Governor's Office, Sacramento

September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 606 without my signature.

California has many laws and regulations that protect an employee's right to adequate meal and rest periods, including a recently added statutory penalty against any employer who violates meal and rest period requirements. Yet, despite the strong foundation of California labor law and the numerous new laws added in recent years, the proponents of AB 606 believe that even more changes are needed.

AB 606 singles out one industry and places additional requirements on employers in that industry. Specifically, this bill would require longer rest periods and other accommodations for employees classified as hotel room attendants and would establish new reporting requirements and penalties for employers who fail to comply with these requirements.

These additional penalties and recordkeeping requirements will prove a disincentive to job creation and economic development, things California needs.

I believe the foundation of California labor law is strong. California does not need more labor laws, just tougher enforcement of its existing laws, especially in industries with high numbers of vulnerable workers and a history of labor law violations. The Labor and Workforce Development Agency is focusing its enforcement activities on these very workers and industries, and I would encourage the proponents of AB 606 to work with the Agency as it pursues the common goal of protecting California workers.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1148**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1148 without my signature.

This bill is essentially duplicative of Assembly Bill 2328 (Wyland), which addresses the state built-in gains tax issue in conformity with federal law for those former S corporations that were retroactively converted to state C corporations under 2002 legislation.

Therefore, because this bill is unnecessary I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1696**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1696 without my signature.

The provisions in this bill go beyond the scope of cleaning up the technical implementation issues raised concerning AB 1548 (Chapter 665, Statutes of 2003). The Legislature should pass a clean up bill in the next session that contains only the required technical fixes.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1812**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1812 without my signature.

AB 1812 would expand, until December 31, 2006, those authorized to perform the medical examination required of drivers who transport school children, the elderly or disabled, and farm laborers in vehicles. The bill would also require the DMV to submit a report, on or before December 31, 2006, regarding this authority granted to a physician's assistant, advanced practice nurse, or a doctor of chiropractic to perform these medical examinations.

This bill is unnecessary. Before reducing the current standard, the study required in this bill should be completed. I am directing the Department of Motor Vehicles to undertake this and make recommendations to the Secretary of Business, Transportation and Housing on how this issue should be dealt with.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2006**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2006 without my signature.

Developing a reliable cost effective energy supply for California is a top priority of my administration. To ensure investment and to develop electricity generation, California must provide for long-term resource adequacy, consistent with the State Energy Action Plan, in a manner that creates stability and predictability in wholesale markets. A transparent, competitive procurement process is essential to obtain the best possible deal for California ratepayers.

The California Public Utilities Commission (PUC) has acted on my request to accelerate resource adequacy requirements. I remain committed to meeting our future energy needs through a combination of energy efficiency, demand response, renewable energy and traditional generating resources.

This bill creates a redundant and burdensome energy procurement process that would steer the state back towards monopoly utilities without some of the consumer protections necessary to protect ratepayers. These provisions direct ratepayers to assume all the risk associated with electricity generation including cost overruns while ensuring utility profits.

Many of the provisions in this bill are unnecessary and duplicate existing statute or policy decisions that can be found in AB 57, PUC decisions, and Energy Commission proceedings. However, AB 2006 adds layers of mandates and process that favor monopoly utilities and will significantly delay ongoing proceedings at the commission, resulting in considerable delay in power plant construction.

I commend the author for including sections that address transmission siting and permit streamlining, along with an attempt to direct the PUC to report back on their progress to improve rate design.

Ensuring sufficient supplies of reliable, competitively priced electricity remains the cornerstone of my energy policy. I look forward to working with the legislature to continue to bring clarity and consistency to California's energy policy in the coming months.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2213**

Governor's Office, Sacramento

September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2213 without my signature.

This bill would require janitorial contracting businesses to register with the Labor Commissioner. California law contains extensive protections for workers, including some specifically designed to protect workers in the janitorial contracting industry. These workers do not need additional laws to protect them, but instead need existing laws to be fully enforced. The Labor and Workforce Development Agency, using its authority under existing law, was recently able to secure back wages for janitorial workers in excess of \$1.5 million.

As we work to make California a better place in which to do business, we should not establish new barriers that prevent employers from expanding their operations. This bill would also make successor contractors liable for wages and penalties owed by the previous contractor. The requirement that a successor contractor be held liable for the violations of the previous contractor will only serve to dissuade good employers from taking over business from those employers who choose to break the law. This does nothing to help those working for the unlawful employer, but merely keeps the good employer from expanding operations.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2283**

Governor's Office, Sacramento

September 24, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 2283 without my signature.

Ensuring that persons have access to information and referral to social services is of great importance to me. However, it is premature to enact legislation that requires federal funding that has yet to be passed by Congress.

The California Public Utilities Commission has begun the process of implementing "211" and can continue with its work in this area until the Congressional bill is enacted.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2545**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 2545 without my signature.

Strong workplace safety laws are a necessary and vital component of a positive business environment in California. More importantly, workplace safety laws must be adequately enforced. That is why the budget I signed in July made no cuts to labor and workplace safety law enforcement. Workers must feel confident that their places of work are safe.

California law already provides for the assessment of large penalties against employers who willfully violate workplace safety laws. In fact, criminal penalties for willful violations of such laws were significantly raised in 2000. These penalties, buttressed by a commitment to the enforcement of workplace safety laws, help ensure a safe working environment for working Californians without creating a business environment that drives businesses from our state.

Given the recent criminal penalty increases, as well as the commitment of the Labor and Workforce Development Agency to enforce California labor law, I see no reason to support additional civil penalty increases for one particular workplace safety violation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3040**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning AB 3040 without my signature.

This bill prohibits the Department of Finance and the State Controller's office from imposing hiring freeze and staff reduction requirements on any position that provides oversight and related support of remediation or corrective action at a hazardous substance release site that is funded with an agreement with a responsible party or with the federal government.

While I support actions to ensure the State can continue to maintain staff positions for overseeing essential government functions, this bill sets an unnecessary precedent. The Department of Finance currently possesses this authority. Therefore, additional statutory clarification is not warranted.

For this reason I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 25th day of September at 12:01 p.m., of AB 113, AB 606, AB 1148, AB 1696, AB 1812, AB 2006, AB 2213, AB 2283, AB 2545, and AB 3040 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Pam Oto.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2197**

Governor's Office, Sacramento

September 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2197 without my signature.

This bill authorizes the Secretary for Resources to consult with specified interest parties to evaluate whether the Department of Water Resources should continue to inspect dams that are licensed and inspected by the Federal Energy Regulatory Commission.

When I signed the Executive Order in February 2004 creating the California Performance Review, its mission was to make fundamental changes in state government, establish new procedures to create greater efficiencies, prioritize government functions, and create true accountability over the fiscal management of state resources. Eliminating duplications in state government is a priority of my administration. While I agree with the intent of this bill, it is unnecessary and premature because the Secretary for Resources can currently consult with interested parties, if necessary, without legislation. We will pursue comprehensive reform on consolidating and restructuring administration functions in the next legislative session.

For these reasons I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 27th day of September at 12:49 p.m., AB 2197 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1723**

Governor's Office, Sacramento  
September 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1723 without my signature.

By mandating employee benefits that are normally considered optional, this bill would establish a troubling precedent at a time when California should be looking to reduce mandates on employers in an effort to keep existing businesses in the state and encourage others to return. Offering direct deposit to an employee should be between the employer and the employee.

For this reason, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2079**

Governor's Office, Sacramento  
September 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2079 without my signature.

This bill intends to address various recommendations of the Secretary of State's Task Force on Voter Privacy. I believe that an open election process instills confidence in California's voters and that any effort to protect a voter's privacy must be weighed against the open elections process.

Current law provides that the processing of provisional voters is open to the public, both before and after an election. Prior to the processing of provisional ballots, an elections official must make available a list of provisional voters for public inspection, from which challenges may be presented. This bill would prohibit an elections official from disclosing the identity of any provisional voter or a list of such voters before an election is certified, which would make the elections process less accessible to the public during the critical canvass period.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2748**

Governor's Office, Sacramento  
September 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2748 without my signature.

This bill would provide that if the polling place designated for any precinct has been relocated from the location used during the preceding two consecutive statewide elections, the elections official must post a notice of the location of the new polling place in a format and manner deemed appropriate by the official.

While I support efforts to encourage voter participation, this bill is unnecessary because a voter already receives sufficient notification of his or her correct polling place on the sample ballot. Not only is the address of the polling place clearly marked, but it is prominently highlighted when it has changed from the previous election. A voter can also locate his or her polling place by calling the Secretary of State's



office or local county elections office, by visiting the Secretary of State's website, and, in most counties, by checking the county elections website. A voter may even cast a provisional ballot at a different polling place, which will be counted once it can be verified.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3098**

Governor's Office, Sacramento  
September 27, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3098 without my signature.

This bill would extend the pilot project for increased precinct size, but would add a new reporting requirement on barriers to voting for specified "protected classes" of voters for those local jurisdictions that want to participate.

Among many of the federal and state protections to voters to ensure their right to vote, the Federal Voting Rights Act ensures that voters may not be discriminated against because of race. The report required by this bill is unnecessary, redundant and may be costly.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 27th day of September at 4:55 p.m., of AB 1723, AB 2079, AB 2748 and AB 3098 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

SUE PARKER

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 857**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 857 without my signature.

While I support the author's goal of access for families to relevant services and information about autism, current law provides a method of furnishing that information and delivering services. Under existing law, 21 regional centers are required to develop relevant information and provide access to appropriate services for children with autism. The regional center system and its allied agencies are the most efficient system for identifying the needs of children with autism and informing their families. Supports and services offered by regional centers are comprehensive and offer a cost-effective method of evaluating and serving persons with autism.

Current regional center resource development and service coordination practices include the development of educational and informational guides that describe services related to autism. This service coordination also includes meeting formally and informally

with each person with autism and their family to describe the nature of the person's disability, how it was diagnosed and what steps should be taken to promote that person's individual growth.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1558**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of California State Assembly:*

I am returning Assembly Bill 1558 without my signature.

Enactment of AB 1558 would create a mechanism for Local Initiatives and County Organized Health Systems (COHS) health plans to develop additional legal entities to operate managed care contracts or enter into contracts with the Medicare program.

The first section of the bill is unnecessary as it appears that many or all of the entities referred to in the bill currently have the authority to create "additional legal entities" under current law.

However, my Administration supports the author's goal to allow the COHS to establish systems of care for persons who are eligible to receive health care services under both the Medi-Cal and Medicare programs. It is important that dually-eligible persons have the option to receive care from a single plan that would be responsible for integrating services across the health care continuum. Many of these beneficiaries are among the most frail seniors and individuals with disabilities; they would benefit greatly from the integration of care that this legislation was intended to create. Further, this integration of care can lead to long term savings in the Medi-Cal program by reducing unnecessary inpatient hospitalizations and nursing facility care. This Administration is committed to working with the author to introduce and pass legislation at the earliest opportunity in the next legislative session to achieve this important objective.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2136**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2136 without my signature.

I appreciate the efforts to develop a sliding fee scale to enhance the ability of narcotic treatment providers to provide medical treatment for the addicted population; however, this bill would give providers veto authority over a judge in deciding when to discontinue narcotic replacement therapy.

I encourage the Department of Alcohol and Drug Programs to work with the Legislature next year to find a solution which addresses the

medical needs of this population without infringing upon the duties of the judiciary to decide the appropriate disposition of a defendant or probationer undergoing narcotic replacement treatment.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2413**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2413 without my signature.

In signing Senate Bill 1448, I indicated that I would look to sign a clean-up measure that removed the inconsistencies in the sunset dates for all components of the STAR program, including extending the sunset dates for second grade testing and the norm-referenced test. This bill seeks to only extend the sunset date of the primary language assessment.

Therefore, I encourage the Legislature to approve a bill at the beginning of the next session that extends the sunset date for all of the components of STAR and corrects the drafting errors in SB 1448, including the error which required a program of test preparation. In the intervening period, I expect that educators and administrators will continue the current practice of not conducting test preparation.

Therefore, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2435**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2435 without my signature.

Allowing school districts to teach middle school and high school students about the importance of properly maintaining their personal finances is a worthy objective. However, this bill is unnecessary because school districts already have the authority to teach "budgeting, savings, and credit," under current law.

Although I am unable to support this legislation, I agree with the importance of learning to spend wisely and properly managing finances. Learning to balance a checkbook, saving money for a rainy day, and understanding the dangers of too much credit card debt are all vital skills for kids to learn in order to become responsible adults.

While teaching financial responsibility is important for our children, I would welcome future legislation that requires all members of the State Legislature to complete a course in financial management and responsibility.

Requiring legislators to take a refresher course on managing finances may be the wisest investment the State could ever make. California may never have found itself in the deep fiscal crisis that it has had to endure, if such a requirement were signed into law earlier.

One of the best lessons we can offer to our children, is to practice sound financial principles, and I believe the Legislature should begin teaching kids by example.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2657**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2657 without my signature.

While I recognize that the metal-plating process can adversely impact the environment and public health if not properly managed, there are numerous federal, state and local laws that regulate this industry. The bill singles out this industry for special assistance for failure to comply with existing environmental protection laws.

Specifically, this bill provides loans and loan guarantees to a segment of the metal plating industry that is located within the South Coast Air Quality Control District. While I am sympathetic to the fact that air quality in that region is a challenge, it is unfair to provide a publicly funded loan program to a specific industry that is located in one region of the state. Moreover, the bill only provides funding for air quality problems and ignores other regulatory concerns, such as hazardous waste and water quality. This bill promotes unfair competition and does this while using scarce State resources.

For these reasons I cannot support this measure at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2713**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2713 without my signature.

This is a well-intended bill and I applaud the efforts to expose wrongdoing within government. However, this bill would condone violations of the attorney-client privilege, which is the cornerstone of our legal system. This bill will have a chilling effect on when government officials would have an attorney present when making decisions. It is an attorney's duty to advise the governmental officials when they are about to engage in illegal activity. This bill will ensure that advice is not conveyed in every situation and therefore it is too broad to affect the intended purposes.

Existing law already addresses the most egregious situations, which is the only time the attorney-client relationship should be breached. It is critical to evaluate the recent changes to the law as it relates to the attorney-client privilege prior to further eroding this important legal principle.

For the reasons stated I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3018**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3018 without my signature.

Inconsistent interpretation of existing law has created confusion relative to when and how employers must provide meal and rest periods to their employees. This confusion has left many employers facing steep penalties for failing to adhere to the law, even if they believe they have met all required mandates. In addition, increased penalties for failing to provide necessary meal and rest periods have, unfortunately, provided incentive for some to take advantage of the confusion in this area in the hope of securing hefty awards from employers. This confusion is also hurting employees, as employers are growing so fearful of being hit with claims and lawsuits that they are resorting to rigid policies that deny employees any flexibility in when they may take their meal and rest periods.

This bill addresses this problem for unionized employers in the transportation industry, allowing the establishment of specific criteria regulating meal periods via collective bargaining. Unfortunately, this problem impacts both union and non-union employers and spreads across almost all industries.

In addition, I believe that a good portion of this issue can be addressed administratively. Regulations are warranted to clarify when an employer has complied with the mandate to provide meal and rest periods. I am directing the Labor and Workforce Development Agency to immediately commence rulemaking on the regulations it believes necessary to resolve the confusion in existing law without hindering employees' access to meal and rest periods in any manner. If issues are identified that cannot be remedied administratively, I am asking the agency to propose legislation to address them next year.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 28th day of September at 1:57 p.m., of AB 857, AB 1558, AB 2136, AB 2413, AB 2435, AB 2657, AB 2713 and AB 3018 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 242**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 242 without my signature.

This bill contains primarily statements of intent for various teacher preparation, recruitment, and retention policies for both K–12 and higher education. Although it is desirable for the State to develop long-range plans for such matter as the preparation and retention of highly qualified teachers, this bill is neither comprehensive nor fiscally

feasible. Moreover, this legislation is unnecessary since the Commission on Teacher Credentialing has indicated that it will adopt regulations consistent with the provisions outlined in this bill.

My Administration has already taken steps toward increasing the number of well-prepared teachers by working with the University of California and California State University systems to improve the supply of science and math teachers and is willing to continue working toward a more reasonable long range plan than what is provided for in this bill.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 712**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 712 without my signature.

Preschool can be a valuable addition to the education of many children, and I believe strongly that every child should be ready and able to succeed once they enter into the school system. My Administration recognizes that preschool, child care, and school readiness programs are important factors to the future academic success and well being of California's youth. At the same time, I also strongly believe that before we make promises about expanding the preschool system, I want to be sure that the State can actually deliver on that promise.

Governing responsibly requires me to provide the State with a clear understanding of the potentially billions of dollars in costs and other requirements of preschool, in relation to the benefits and resources available, before determining the scope of the commitment that we can all enter into together. Some research and study has already been conducted and even more will be produced in the near term. My commitment to comprehensive school readiness is strong. My Administration will work in collaboration with the California Children and Families Commission and other interested groups and parties to assess the infrastructure and options available in providing a statewide preschool program. However, doing so does not require additional legislative authority, and therefore, this bill is unnecessary.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1297**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1297 without my signature:

Last year California passed tough laws to curtail abusive tax avoidance transactions, to enhance penalties for such transactions and to create a voluntary compliance program. Senate Bill 614 (Chapter 656, Statutes of 2003) also required a report by the Legislative Analyst on the impact of the act within two years.

This measure, at best, is premature and at worst, takes away an important type of indemnity insurance that allows legitimate business

ventures to go forward. Should the Legislative Analyst's report demonstrate that these insurance products facilitate abusive tax shelters, I will consider a measure addressing that problem.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1650**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 1650 without my signature.

While I support reforms to streamline funding for K–12 professional development categorical programs, I am concerned that this bill does not include adequate protections to ensure that professional development for teachers is aligned to the state-adopted content standards. In addition, the bill does not contain adequate fiscal safeguards to ensure that the State's funding liability is capped at the levels provided in the annual budget act. Finally, I am concerned that some of the activities the bill requires school districts to perform could be deemed reimbursable state mandates.

I am willing to work with the Legislature in the next legislative session to develop a bill that accomplishes the desired reforms and also addresses my concerns.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1426**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1426 without my signature.

The Workforce Housing Reward Program funds, administered by the Housing and Community Development Department (HCD), were designed to be a statewide benefit to reward communities for real production of affordable housing.

This bill inappropriately sets aside \$1 million from this program to fund one regional county government, the Sacramento Area Councils of Government (SACOG), to implement their future affordable housing plan, which has not yet been determined.

This bill does not take into consideration whether similar plans exist in other regions of the State or whether similar rewards were considered to encourage other regions to enter into such plans. If other similar regional plans exist, providing a special reward for SACOG presents a fundamental unfairness because other regions would not receive the same set aside funding reward.

Additionally, setting aside valuable and depleting Proposition 46 funds for one region without going through the competitive bidding process would neglect other worthy plans for affordable housing in other parts of the state.

For these reasons I am unable to sign this legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1860**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1860 without my signature.

All charter schools should be held accountable for the academic achievement of their students and charter school students should be responsible for giving their best effort to reach their potential. However, this bill runs counter to the general intent of charter schools, which is to operate independently from the existing school district structure. Current law exempts charter schools from most laws governing school districts. This bill would subject charter schools to specific regulations and laws that may hamper their ability to focus on innovation in the classroom and increasing student performance.

For these reasons, I cannot support this legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1874**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1874 without my signature.

The expansion of broadband access is a critical component for increasing the economic prosperity of California and its citizens. Statewide broadband access for companies and individuals helps in our bid to increase our competitive-advantage to attract and retain business in California. However, to achieve this important goal, we must have a comprehensive solution to greatly expand broadband access.

I am calling on the Legislature to work with my Administration in the coming year to develop a comprehensive plan to expand the economic prosperity of the state, which must include methods to accelerate broadband deployment in the best interests of the state and its businesses and citizens.

For this reason I am returning the bill unsigned.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1960**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1960 without my signature.

I share the author's concerns with the rising cost of prescription drugs and generally, her interest in disclosure of information to consumers. However, this measure would have the unintended consequence of increasing drug costs to health plans, the Medi-Cal Program and other purchasers, without providing any real consumer benefit. Studies, including one from the Federal Trade Commission, have shown that



enactment of this legislation will limit competition and significantly increase the cost of prescription drugs.

For the reasons stated above I am returning this bill without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2042 without my signature.

Improving the quality of our air is a priority of my Administration. Through the budget and other legislative efforts we have committed millions of dollars to clean air programs that are assured to make significant improvements in air quality. I urge the South Coast Air Quality Management District to ensure that port-affected communities will receive a greater than proportional share of funds for these pollution reduction incentive programs.

This bill establishes 2004 as a ceiling for air emissions from the Ports of Los Angeles and Long Beach. The bill requires the South Coast Air Quality Management District (SCAQMD), the Air Resources Board (ARB) and the Ports of Long Beach and Los Angeles, to develop a Memorandum of Agreement (MOA) implementing emission control measures for operations at the ports.

However, this bill will not reduce pollution in any way. We need to focus our scarce resources on substantive, prompt action that will make real progress toward our shared air quality goals. Ports and federally regulated sources of air pollution must do more to reduce emissions in order for California to meet its mandates and to reduce negative air impacts in the communities in which these facilities operate.

In order to improve air quality and protect the health of the residents, it is imperative that an innovative program including financial and regulatory incentives be developed and implemented to reduce air pollution from the ports. I am directing the California Environmental Protection Agency (CalEPA) and the ARB to work with the ports, the railroads, other goods movement facilities, local air districts, the U.S. Environmental Protection Agency (U.S. EPA) and local communities to develop such a program for our ports throughout the state. This program should build on the regulatory program already mapped out by the ARB and the U.S. EPA. As most of the pollution is generated by federally regulated sources, I urge the federal government to provide the necessary incentives and regulations that will result in early reduction of pollution from the ports and related goods movement.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2055**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 2055 without my signature.

Agriculture is one of the most important economic sectors, accounting for over \$27 billion in California's economy. As of 2003, 48 local jurisdictions had specifically addressed agriculture in their general plans. This bill would impose new state requirements on all local governments' general plans.

This bill adds no new protections for agricultural land. In fact, while it renames the Open Space Element to the Agricultural and Open Space Element, it does not require agricultural land to be considered in that element.

While I believe that land planning should be done at the local level, it is imperative that the state have a comprehensive vision for land use in California. I have begun work with my Cabinet to develop strategies to ensure that Californians have enough housing and better roads, while at the same time maintaining the natural splendor of our open spaces and the rich economic value of our agricultural lands.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2064**

Governor's Office, Sacramento  
September 29, 2004

*To Members of the California State Assembly:*

I am returning Assembly Bill 2064 without my signature.

Encouraging recreational activities in park poor areas for young people is a very worthwhile goal for our state.

This bill directs DPR to facilitate local active recreation opportunities in park poor areas and to enter into a lease of up to 25 years with local entities. However, DPR already facilitates active recreation activities in park poor areas through its Office of Grants and Local Assistance, which provides a substantial amount of financial and technical assistance to local entities for their park and recreation needs.

Local recreation opportunities should be provided by local entities on locally-owned property. Any exceptions should be made on a case-by-case basis following thorough analysis. Should an exception be deemed necessary, there is already an established process for DPR to enter into short-term and long-term leases.

For the above reasons I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2152**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 2152 without my signature.

While I understand the author's intention to address categorical programs, this bill actually limits the flexibility in the allocation of funds to best meet the needs of schools at the local level. The bill dictates an allocation formula to local districts, instead of allowing school boards the ability to determine the allocation based on their specific needs.

For these reasons, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2343**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2343 without my signature.

This is an issue that is best resolved by locally elected school boards who are in the best position to determine the structural planning of their schools and the safety needs of their students. Existing law already provides that new school construction projects include automated fire detection, alarm, and sprinkler systems and school modernization projects must include automated fire detection and alarm systems. Therefore, since current law does not prohibit a local school district from adding sprinkler systems to their modernization projects if they choose, I believe this decision is best left to local districts on a case-by-case basis depending upon the needs of their schools.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2750**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2750 without my signature.

This bill is unnecessary. The Legislature has a constitutional obligation to submit a budget to the Governor by midnight June 15th and for the Governor to act upon by June 30th.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2783**

Governor's Office, Sacramento  
September 29, 2004

*To the members of the California State Assembly:*

I am returning Assembly Bill 2783 without my signature.

Through an Executive Order I am directing the Office of Emergency Services to conduct a comprehensive review of existing programs intended to protect the elderly from all types of abuse and to ensure programs provide more efficient and effective methods for fighting financial crimes against seniors, including potential funding sources to carry out this objective. The Office of Emergency Services is the proper entity to handle this study because the programs addressing elder abuse are currently housed within the office. I am also directing the Office of Emergency Services to develop recommendations that will serve our elderly community by enhancing coordination among law enforcement and governmental agencies in the areas of information-sharing, training, and crime prevention. It is important that protection services are geared toward improving the lives of our seniors and that is why I am directing our agencies to develop a plan to coordinate state and local efforts.

Therefore, this bill is premature at this time. The problems and potential solutions will be identified once the comprehensive review is completed.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3034**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 3034 without my signature.

The Biotechnology Industry is a vital contributor to both California's business climate and our citizen's well-being. Not only does this industry provide good, high paying jobs in our communities, but it also contributes countless scientific advancements that enrich the lives of Californians as well as of the citizens of the world. This industry is at the forefront of cutting-edge technology, and I am proud to support its continuing presence within this state.

Unfortunately, I cannot support this legislation because it creates an unnecessary report developed at state expense.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2596**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2596 without my signature.

While I am very supportive of efforts to increase the number of career technical education courses offered as well as heightening the awareness of career technical education across the state, this bill is premature. My Administration will be working in collaboration with the

career technical education community and interested stakeholders to develop a comprehensive plan to help give career technical education students the meaningful, high quality education they deserve.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2388**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2388 without my signature.

AB 2388 would require the Office of Spill Prevention and Response (OSPR) Administrator to appoint an additional labor member that represents non-management pilots to the Los Angeles/Long Beach (LA/LB) Harbor Safety Committee (Committee).

Harbor Safety Committees were developed to enhance safety at California's ports. With safety as their primary goal, committees pride themselves on being inclusive and unbiased. It is my goal to allow these committees to maintain safety as a paramount concern. Further, SB 1742 (McPherson) makes AB 2388 unnecessary. SB 1742 would allow any Harbor Safety Committee to petition the Administrator for new or additional membership positions as needed to conduct Harbor Safety Committee business and to reflect the makeup of the local maritime community.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2631**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2631 without my signature.

California has several strong pest prevention, control, and eradication programs that serve as models for other states and countries. We have implemented numerous Memorandum of Understandings and cooperative agreements among agencies to assist in combating these threats to our environmental and agricultural resources. Yet more needs to be done. I am directing Secretaries Kawamura and Chrisman to review existing invasive species prevention and eradication efforts, identify opportunities for federal funding, and make recommendations to me on ways to enhance cooperation and effectiveness by December 31, 2004.

This measure establishes the Invasive Species Council which is designed to study and develop policy recommendations for the prevention and eradication of invasive species. This bill creates an additional costly layer of bureaucracy, including unfunded mandates, at a time when we are promoting government efficiency.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 29th day of September at 4:36 p.m., of AB 242, AB 712, AB 1297, AB 1650, AB 1426, AB 1860, AB 1874, AB 1960, AB 2042, AB 2055, AB 2064, AB 2152, AB 2343, AB 2750, AB 2783, AB 3034, AB 2596, AB 2388, and AB 2631 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1829**

Governor's Office, Sacramento

September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1829 without my signature.

California is a partner in the global marketplace. California businesses and its citizens are entrepreneurial, innovative and on the leading edge of new ideas and technologies. The rest of the world has received untold benefits exported from our state; yet at the same time our state and its citizens have also benefited from our neighbors around the world.

As California begins to emerge from the dark days of our fiscal crisis, our focus should not be on erecting artificial barriers that will thwart the spirit of our citizens and the businesses that help our economy grow, but rather on ideas and policies that will fuel the thriving spirit of businesses who look to be on the forefront of the challenges of tomorrow.

This bill prohibits state agencies from using funds from the state to contract for services with a contractor unless they can certify that the work will be performed in the United States.

Noticeably excluded from the provisions of this bill are the investment activities of the State of California. The state will continue to be able to invest its treasury bonds and state retirement funds without the need to comply with this bill, but these provisions apply to all other state and local contracts.

While this bill purports to be about saving jobs, it would actually be detrimental to our economy and the creation of new jobs in this state. It is also contrary to my administration's efforts to create a more efficient and effective purchasing system and to increase small business contracting participation. This bill adds additional restrictions on state contractors, thereby resulting in less competition at the state and local levels and ultimately result in higher prices paid by governmental entities for goods and services.

A recent report by the Public Policy Institute of California (PPIC) states that California has gained 713,000 jobs from direct foreign investment in California and additionally found that placing the type of restrictions, as set forth in this bill, on businesses will have a negative impact on our economy. The report further states that restricting state contracting will not necessarily help workers in California, but could instead result in contracts being awarded to out-of-state bidders.

There is a right way and a wrong way to expand economic opportunity in California. The wrong approach is to implement measures that restrict trade, invite retaliation or violate the United States

Constitution and our foreign trade agreements. The United States Constitution clearly defines that the authority to regulate trade with foreign nations rests with the federal government. Article 1, Section 8 grants Congress the exclusive authority “to regulate Commerce with foreign nations.”

In today’s global economy, the best approach to create and enhance job growth in California is to provide a competitive business environment. In order to improve their competitiveness in a global market, California businesses cannot be penalized with punitive policies restricting their ability to make decisions on how to best perform and provide goods or services for state government and our consumers. These restrictions will drive businesses out of California.

California must continue to be an active participant in the worldwide economy in order to create new opportunities and better jobs for our citizens. This bill is contrary to those goals. Therefore, I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 29th day of September at 5:25 p.m., of AB 1829 without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jake Parnell.

E. DOTSON WILSON  
Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 6**

Governor’s Office, Sacramento  
September 30, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 6 without my signature.

I share the Legislature’s concern over the cost of providing health care to prisoners. The Department of Corrections has been reviewing and implementing a number of policies designed to address this issue, including a number of recommendations that were made by the State Auditor.

The Department of General Services is currently engaged in a deliberative process to evaluate the competitive bidding exemption for medical services with all of the agencies that have utilized the exemption in the past, including the Department of Corrections. This bill will circumvent this collaborative effort currently underway, which is scheduled to be concluded by the end of the year.

In addition, the bill creates potential added liability to the state based on the fact that even emergency contracts must go through a competitive bid process. This could lead to additional litigation against the state, if the delivery or availability of medical services to inmates is delayed or restricted.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 59**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 59 without my signature.

The establishment of a new commission is not necessary. The Legislature and the Administration can create commissions to advise them without the need for legislation. As I said in my State of the State I am going to "blow up the boxes"; this bill creates new boxes without explaining the need for a new commission. The Legislature and the Administration have many resources to advise them on the issues that this commission is being created for.

For these reasons I am returning Assembly Bill 59 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 338**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 338 without my signature.

This bill would require the California Department of Transportation to use asphalt containing crumb rubber generated in the United States in lieu of other materials, in specified minimum percentages of its total asphalt usage on highway construction and repair projects.

While I am supportive of the overall policy of this bill, I am concerned that by limiting the product to those of U.S. origin only may violate various trade agreements. In addition, this bill may invite sanctions from other nations against products produced in California.

I encourage the author to revisit this issue next legislative session and to, with the Secretary of the State and Consumer Services Agency and the Secretary of the Business, Transportation and Housing Agency, find appropriate language that would alleviate any possible legal challenge which would invalidate otherwise good public policy.

For these reasons I am returning Assembly Bill 338 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 358**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 358 without my signature.

The goals of AB 358 are extremely important. I strongly believe that the State of California must continue its existing programs to guarantee that women are not discriminated against in state policies or programs. With the issuance of Executive Order S-6-04, my Administration has clearly established the state's equal employment policies without discrimination. All state agencies, departments, boards, and commissions shall recruit, appoint, train, evaluate and promote state



personnel on the basis of merit and fitness, without regard to age, race, ethnicity, color, ancestry, national origin, gender, marital status, sexual orientation, religion, disability or other non-job-related factors. Thus, this bill is duplicative of existing policy and unnecessary.

In addition, the Department of Health Services' Office of Civil Rights is responsible for ensuring that actions taken by all levels of management achieve the Department's equal employment opportunity objectives as well as ensuring equal access to health services for beneficiaries. The Office of Civil Rights annually conducts a workforce analysis to determine any statistically significant under-representations, hidden barriers and the policies or processes that may result in under-representation.

For these reasons I am unable to sign this bill at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 382**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 382 without my signature.

The issue of tax exempt bonds involving federally recognized Indian tribal governments needs to be considered within the context of a thorough review of qualifying tribal development projects, mitigating environmental impacts resulting from additional infrastructure, and a review of a more comprehensive fiscal plan. While I support the need of Indian tribal governments to have additional revenue sources necessary to improve infrastructure, health care and other community services, this bill is premature.

Therefore, at this time I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 653**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 653 without my signature.

This bill repeals the January 1, 2005 sunset date of the Energy Efficiency Revenue Bond Program, making the authority to issue revenue bonds permanent. Although I strongly support energy efficiency, I am concerned that this program has not been working effectively over the last few years. I have been recently informed that bond sales from this program have been suspended due to technical flaws with the authorizing statute. Therefore, we should allow this program to sunset and craft another program that addresses these structural challenges.

For these reasons I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 662**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 662 without my signature.

This bill's intention to create another advisory task force within California Department of Education (CDE) is unnecessary. The California Blindness Advisory Task Force that was established by the Office of the Superintendent of Public Instruction years ago, issued a report in 2002, "A Future View: Quality Education for all Students Who Are Blind and Visually Impaired." To date, none of the recommendations made by that task force have been implemented by the CDE.

While I believe in addressing the special needs of blind and visually impaired students in California, the inability of the CDE to act upon a prior task force's recommendations does not warrant the creation of yet another task force within the department to address the same needs.

For these reasons I am unable to support this legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 955**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 955 without my signature.

While I support the desire to establish surplus property at the Sonoma Developmental Center as an extension of Jack London State Historic Park or the Sonoma Valley Regional Park, I believe that existing state statute authorizes the Department of General Services to accomplish this task without the need for additional legislation.

This bill would have required the Department of General Services to transfer any designated surplus property at the Sonoma Development Center to the Department of Parks and Recreation for the purposes of extending Jack London State Historic Park. Additionally, the bill would have allowed the Department of Parks and Recreation to transfer any surplus property to the County of Sonoma for the purposes of extending Sonoma Valley Regional Park.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1010**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California Assembly:*

I am returning Assembly Bill 1010 without my signature.

While I support the idea of using an electronic multimedia format, it is crucial that we remain focused on providing all pupils with an actual textbook in core curricula areas. In addition, I am concerned about the rising costs of textbooks and this bill could create increased costs to the State in the form of higher textbook costs for publishers to comply with the electronic multimedia format requirement. Higher costs could make

it more difficult for schools to ensure that pupils have adequate textbooks which was a cornerstone of the *Williams v. State of California* settlement agreement.

For these reasons, I am unable to support this legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1012**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1012 without my signature.

While well intentioned, the practical effects of AB 1012 would be devastating to school-based law enforcement officers and school administrators responsible for keeping students and staff safe in the school setting.

I believe parental involvement is an important part of ensuring a pupil's academic success. This includes informing parents when their child is involved in a disciplinary or school safety investigation. Currently, there are a number of constitutional and statutory protections that shield juveniles from excessive and unreasonable interrogations.

However, I am concerned that the procedures required by this bill are too broad and may result in a number of safety and liability issues. The requirements of this bill would apply to principals when making pupils available for any questioning by a peace officer, including cases where a pupil is a witness and where a pupil is not suspected of delinquency. These broad parameters may result in significant delays in investigation and could jeopardize the safety and security of the school and the surrounding community.

This bill assumes that an adversarial relationship should exist whenever officers interact with students. By advising students that they do not have to talk to an officer, there is an inference that the officer is an adversary who cannot be trusted. Perhaps the greatest benefit these officers can deliver is the ability to stop crime before it occurs through their proactive discussions with students. If discussions between the officers and students become too formalized, they will not take place as often. If officers cannot perform prevention activities, we are likely to see more officers on campus after the fact, after the crime, after the tragedy, instead of before when it might have made a difference.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1042**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1042 without my signature.

Medical Technical Assistants-Psychiatric (MTA-Ps) serve as members of the treatment teams in psychiatric facilities located within state prisons. To be effective, they must gain the trust of the inmates to whom they are providing treatment services. The use of chemical

restraints is counter to the goals of the psychiatric programs and the effort to provide mental health treatment in the least restrictive environment possible. In addition, it has yet to be established that such chemicals are effective and safe for use on mentally ill patients.

For purposes of security, the Salinas Valley and Vacaville Psychiatric Programs have entered into agreements with the prisons to have state correctional officers, who are authorized to carry and use Oleoresin Capsicum (OC) pepper spray under certain conditions, respond to and assist Department of Mental Health staff to defuse and control situations with patients. When necessary, these staff may assume control over the situation for a brief time in order to squelch disturbances and restore order. Therefore, it is not necessary for treatment team members to carry OC pepper spray.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1324**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1324 without my signature.

This bill seeks to address the tragic circumstances of one state employee by amending the entire workers' compensation system in an unprecedented manner. This bill would extend workers' compensation benefits to the dependents of specified public safety employees if the dependent suffered health problems as a direct result of their parent or spouse's workers' compensation injury. The workers' compensation system is intended to compensate employees for injuries arising out of and occurring in the course of employment. Extending those benefits to dependents of employees, even in the narrow manner proposed in this bill, is beyond the constitutional requirement of the workers' compensation system.

Earlier this year, I signed Senate Bill 899, a major overhaul of the workers' compensation system. My Administration is in the process of implementing the necessary regulations to improve the system. The reforms were negotiated in a bi-partisan fashion and are intended to return fundamental fairness to a system that was spiraling out of control. The reforms are intended to refocus the workers' compensation system on medical outcomes rather than litigation. This measure expands the scope and intent of the workers' compensation system disturbing the delicate balance sought by this year's reform efforts.

I am mindful that the daughter of one of our public servants contracted an illness simply because her mother faced an occupational hazard. However, this bill establishes a dangerous precedent by expanding workers' compensation benefits to non-employees as an alternative for health care coverage.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1520**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1520 without my signature.

This bill would create the California Veterans Memorials Commission, and authorize the design, construction and dedication of veterans' memorials.

While I strongly support the men and women of California who have served this Nation and believe there is no higher priority than honoring and caring for our veterans, this bill is unnecessary. California has already established the California Veterans Memorial—a memorial to all California Veterans—in Capitol Park.

In addition, California already has agencies, boards and commissions with overlapping and related responsibilities that should be consolidated to make government more efficient, effective and transparent. The enactment of AB 1520 would add a new state commission rather than consolidate or reduce the number of existing commissions.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1588**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1588 without my signature.

This bill authorizes the California Department of Forestry and Fire Protection (CDF) to seek firefighting aircraft from the Federal Excess Property Program which the administration already has the authority to do and is currently doing. Additionally this bill also takes some of the flexibility away from the Office of Emergency Services, the Office of Homeland Security and CDF on deciding how to best deploy the aircraft.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1592**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1592 without my signature.

I support the intent to make improvements to the statutes governing the use of Disabled Veteran Business Enterprises (DVBE) in state contracting. My Administration is committed to including these firms as much as feasible within the State's business operations. However, due to recent budget and staff reductions, numerous state agencies and departments cannot comply with the provisions of this bill.

Furthermore, the California Performance Review (CPR) contains recommendations for restructuring procurement processes, specifically

the DVBE contract participation, which merits further consideration. It is premature to make statutory changes before the final results of the CPR are implemented.

For the reasons stated above I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1670**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1670 without my signature.

The provisions in this bill are already contained in a separate measure. Therefore, this bill is unnecessary.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1782**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1782 without my signature.

On August 24, I vetoed a measure (Senate Bill 1324) that was nearly identical to this bill. My concerns with creating spot exemptions to the California Outdoor Advertising Act remain the same.

While I recognize the hardships that many school districts are facing and I encourage innovative ways to find additional funding, I recommend the Legislature address the number of categorical programs and mandates imposed on school districts. Our focus should be on getting more money into the classroom, not finding new sources of revenue to fund a system in which reforms are needed.

For these reasons I am returning AB 1782 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1821 without my signature.

I share the author's desire to increase the number of trained health care professionals in California. As we project the workforce needs in California's future, it is undeniable that more nurses will be needed to serve our growing population.

Consistent with available federal Workforce Investment Act funding, my Administration is continuing to fund nurse training programs around the State. Additionally, I have called upon my Cabinet to develop a comprehensive plan of action to maximize funding and education

opportunities through better coordination with the community college system, the Department of Education, private foundations and the hospital community.

Legislatively mandating this program removes flexibility to adjust to a decline in federal funds or changes in California's workforce needs.

For these reasons I am returning AB 1821 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1839**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1839 without my signature.

Protection of California consumers is of paramount concern to my Administration. This bill provides a good foundation upon which to start discussions next year. The terms contained in the bill need to be further addressed and refined. If the goal is consumer protection, then there needs to be a level playing field with standards and terms based on objectivity and clarity, which will provide true benefit to the consumer.

My concerns with this bill include the vague definitions of "certified" used cars, "qualified technician" and the new definitions it places into law of "sellers" and "dealers". These terms will likely cause the Department of Motor Vehicles to be involved in costly investigations over unenforceable and conflicting definitions. Furthermore, since vehicles are not leased under a conditional sale contract, the inclusion of leases in the bill will likely lead to disputes and increased litigation. Federal law addresses the concerns raised regarding credit scores and therefore, is unnecessary and could lead to potential confusion for consumers.

I look forward to working with the Legislature to pass an improved law that will resolve my concerns with this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1865**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1865 without my signature.

While the employment of parolees is an integral part of their re-integration into the community, we must ensure that their employment does not create a risk to public safety.

After discovering critical flaws in the operation of their job placement services contractor, the Department of Corrections completely overhauled this system to ensure that employers are made aware of the criminal history of any parolee referred to that company for employment.

While this bill is based on this principle, it contains highly bureaucratic processes that do not contribute to either public safety or parolee placement into employment.

For this reason I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1895**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1895 without my signature.

I support policies that provide children and their advocates with means to obtain and exercise their rights, however this bill is unnecessary. The Department of Social Services has taken steps to minimize this potential problem for foster youth by recently developing regulations that require a Transitional Independent Living Plan to be completed for each child in foster care. This plan includes a variety of issues, including addressing immigration status. This should enable the immigration process to be started sooner.

Current law already requires the court to appoint an attorney to represent the child in dependency proceedings. Counties already have the option of appointing an attorney to assist in resolving the immigration status of a child. This bill will apply an overbroad solution to all counties regardless of the individual needs of each jurisdiction.

For the reasons stated above I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1914 without my signature.

I appreciate and share the author's interest in improving correctional education programs. That is one reason why I appointed Jeanne Woodford as the current California Department of Corrections (CDC) Director, based on her proven support for correctional education programs while Warden at San Quentin State Prison. Signing this bill would only hamper the improvements being planned and implemented by the Director.

This bill eliminates accountability for the education programs by creating another layer of bureaucracy that is not directly answerable to the Director. Appointment of a Deputy Director for Correctional Education could only be made from a list of candidates provided by the Correctional Education Committee. This clearly usurps the Director's authority at a time when she is tasked with evaluating the current educational, vocational and treatment programs in order to implement a comprehensive plan to provide more rehabilitation opportunities to end the cycle of violence

CDC's Director has an existing Advisory Committee on Correctional Education, which includes representatives of the Superintendent of Public Instruction, and the Chancellors of both the California State



University system and the California Community Colleges system. This bill would replace the existing committee with the 15-member Correctional Education Committee appointed by 12 different appointing authorities, hampering the Director's ability to improve and expand education programs.

For these reasons I am unable to support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1957**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1957 without my signature.

A top priority of my Administration is to provide access to affordable prescription drugs. However, importing drugs from Canada or assisting residents in their efforts to do so would violate federal law and could expose the State to civil, criminal and tort liability. We all would like to see low-income uninsured residents have access to more affordable medicines, but measures such as this, over-simplify the complex safety, trade, supply and pricing issues involved in this marketplace. In light of these circumstances, I do not believe AB 1957 will bring the necessary relief to Californians who require assistance in accessing necessary medicines.

In an effort to bring significant price reductions to California's most at-risk consumers, my Administration put forward "California Rx" that seeks to provide real assistance to these Californians. California Rx represents an approach that harnesses the purchasing power of low-income seniors and uninsured Californians up to 300% of the federal poverty level (\$47,000 for a family of three) to secure meaningful discounts in prescription drug costs. My Administration has begun negotiations with pharmaceutical companies regarding their participation in California Rx. While I am encouraged by the concrete commitments made by some members of the industry, I am disappointed that many companies have not yet stepped up and offered meaningful discounts for this population. Over the next six weeks, I will continue negotiations to secure significant discounts for California's low-income uninsured, and I hope to move forward with a legislative proposal in January 2005 to implement California Rx. If, however, specific companies and the industry as a whole are not willing to provide a real solution to this problem, I will work closely with the State Legislature to develop an approach that guarantees significant reductions in prescription drug prices for California's low-income uninsured residents.

Come January, I will propose legislation that will bring lower-cost prescription drugs to California's most vulnerable residents. I am still hopeful that California Rx will be the vehicle to secure those price reductions, but for a voluntary, negotiated model such as California Rx to work, the drug companies must come forward and negotiate in good faith. I call upon the companies to help solve this problem through

California Rx; but if I cannot rely on the good faith negotiations of the industry, I will use all the options at my disposal to secure lower-cost prescription drugs for low-income, uninsured Californians.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1958**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1958 without my signature.

This bill would authorize the Board of Administration of the Public Employees' Retirement System (Board) to form a pharmaceutical purchasing consortium (Consortium) with individuals and private and public entities to obtain lower drug costs.

While I support the author's goal of seeking relief from high drug prices for taxpayers and consumers, current law already authorizes the Department of General Services to purchase pharmaceuticals on behalf of a number of State agencies and it allows other state, county, city, and municipal government entities to participate. Current law also authorizes the Board to enter into joint purchasing arrangements, including prescription drug purchasing arrangements with public or private entities under certain conditions.

Furthermore, this legislation undermines efforts to develop and implement a California State Pharmacy Assistance Program (California RX) which is a proposed program to address the high cost of drugs for the uninsured. The California RX program would harness the purchasing power of low-income seniors and uninsured Californians to secure prescription drug discounts from pharmaceutical manufacturers through the Department of Health Services (DHS). The DHS has a proven track record for obtaining discounts and supplemental rebates for pharmaceuticals while the proposed Consortium would have competing interests and goals when purchasing and negotiating drugs for governmental entities and individual enrollees.

For these reasons I am returning AB 1958 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2240**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2240 without my signature.

The Federal Title IX requirements that are intended to ban sex discrimination in school academics and athletics have provided a worthy benefit to improving equity in athletics for women and men. However, establishing an additional Equity in Athletics Bill of Rights is generally duplicative and unnecessary. Instead, the Legislature could approve a bill requiring the posting of existing Title IX requirements, on school campuses and on the California Department of Education website, to help promote greater student and parental awareness of athletic equity issues in California schools.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2275**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2275 without my signature.

My Administration is firmly committed to ensuring equal employment opportunities for anyone interested in public service with the State of California and that is why my Administration issued Executive Order S-6-04 in March of this year which clearly sets forth the State's employment opportunity policies.

In a recent court decision, *Connerly v. State Personnel Board*, the Third District Court of Appeals, invalidated specified sections of the State Civil Service Affirmative Action Program as unconstitutional. However, the sections that provide for data collection and reporting were not found unconstitutional and were not invalidated. Accordingly, under both state and federal law, state agencies have a responsibility to maintain statistical information on the composition of their workforce, and state agencies are required by federal law to identify racial, gender and ethnic under-representation in their workforce. I fully expect that all state agencies will comply with this responsibility and maintain meaningful information on the composition of the state workforce.

I would consider legislation that repeals those provisions of law that have been judicially invalidated. I encourage the State and Consumer Services Agency to work with the proponents of this legislation to craft a measure that will eliminate the invalid statutory provisions, but does not impose additional reporting and recordkeeping requirements.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2285**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2285 without my signature.

The Department of Health Services remains in litigation over some of the issues relevant to this legislation, and it is premature to mandate activities that are currently being reviewed by a court of law. The necessary funding to provide the Department of Health Services with resources to implement this bill was not included in the Budget Act of 2004. During this period of severe budget crisis in the State, I am unable to prioritize this legislation above other necessary activities.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2317 without my signature.

While I am supportive of reasonable efforts to eradicate the historical trend of women earning less than men for doing the same work, I do not believe the provisions of AB 2317 are necessary in order to achieve this goal.

Current state and federal laws forbid and provide civil and criminal penalties for an employer that pays discriminatory wage rates to employees on account of gender. The civil penalty for violation of the equal pay requirement was doubled just last year. In addition, SB 1809, which I recently signed into law, classifies the violation of equal pay requirements as one of the more serious labor law violations for which an employee can bring a private civil action. We need to allow these new laws time to work before considering additional penalties.

For these reasons I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2387**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2387 without my signature.

The practical implementation of the provisions of this bill would be contrary to the expressed will of the people who voted to approve Proposition 209 in 1996. Therefore, since the provisions of this bill would likely be ruled as unconstitutional, they would be more appropriately addressed through a change to the State Constitution.

For these reasons, I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2455**

Governor’s Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2455 without my signature.

While I am concerned about the rising costs of textbooks, this bill attempts to control prices for textbooks administratively, and may result in the unintended consequence of limiting the number of new books offered for adoption in California. We need to find more creative and realistic solutions to reduce the costs of instructional materials.

Furthermore, this bill would also eliminate important revisions made to the Education Code that are an integral part of the *Williams v. State of California* settlement agreement.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2466**

Governor’s Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2466 without my signature.

The policy issue contained in this bill, while important, does not require waving an opportunity for the public to be involved in the process. Recognizing the importance of a policy discussion on this issue, this bill requires that the State Auditor conduct an audit to examine certain aspects of the state sales and use tax system.

The report issued by the State Auditor should be part of the discussion before enacting new changes in the Bradley-Burns Uniform Local Sales and Use Tax Law. I would encourage the Legislature to revisit this issue next session.

For these reasons I am returning Assembly Bill 2466 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2476**

Governor’s Office, Sacramento  
September 29, 2004

*To the Members of the California State Legislature:*

I am returning AB 2476 and SB 86 without my signature.

I strongly support the authors’ goals of ensuring the protection of the agricultural, wildlife, and recreational resources of the Delta. However, I believe that the protection of these important natural resources warrants a comprehensive and coordinated approach. In order to achieve a meaningful solution to the future protection of the Delta, we must build upon existing programs and funding sources, not develop new ones.

In February 2004, the Resources Agency submitted a report to the Joint Legislative Budget Committee. Neither of these bills

comprehensively address the solutions contained in the report. They also fail to recognize and propose coordination with other habitat and conservation programs that are ongoing in the Delta.

For these reasons I am unable to sign these measures.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2598**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2598 without my signature.

This bill makes sweeping changes to the laws that govern Common Interest Developments (CID) and the foreclosure process for failure to pay delinquent homeowners' assessments.

While the intent of this legislation is laudable and intended to protect homeowners from being foreclosed upon for small sums of delinquent assessments, this bill is overly broad and could negatively impact all homeowners living in CIDs.

This bill could unfairly result in increased assessments for other homeowners who pay their assessments in a timely manner and may delay the transfer of real property in CIDs due to the lien procedures set forth in the bill.

Foreclosure should be the last course of action taken against a homeowner. If there were more open discussion between homeowners and their associations, many conflicts could be resolved. That is why I recently signed into law AB 1836 (Chapter 754, 2004) and AB 2718 (Chapter 766, 2004). These bills establish methods to encourage more disclosure and better communication between homeowners and their associations.

I recognize that additional clarification in the foreclosure statutes is necessary. However, this change should be made incrementally working together with all impacted parties. Therefore, I am directing the State and Consumer Services and the Business, Transportation and Housing Agencies to work with all of the interested stakeholders to develop and ensure that the process for collecting CID homeowners' assessments is refined so that all homeowners are treated equitably and foreclosure only occurs after every reasonable alternative is exhausted.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2633**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2633 without my signature.

I appreciate the environmental damage that can be caused by the inappropriate handling, transport and disposal of grease, including how this product can foul our land, rivers, and oceans. The California Department of Food and Agriculture has a system of regulating grease hauling while the Integrated Waste Management Board regulates waste. We have existing regulatory authority to address this issue. I am directing the Department of Food and Agriculture in coordination with

the Integrated Waste Management Board to review and upgrade its existing system to improve the tracking and enforcement of laws governing disposal and transportation of restaurant grease.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2684**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2684 without my signature.

Charitable organizations provide a variety of critical services to individuals in their communities and usually do so with very limited funds. I commend all the charitable organizations that provide training and other services to clients facing employment barriers. I appreciate the author's desire to limit burdensome administrative requirements imposed on charitable organizations.

This bill would exempt charitable organizations contracting with a state or local agency to provide employment services from the requirement that they verify an individual's legal right to work in this country. While requiring charitable organizations to check an individual's right to work status may be viewed as an administrative burden, it is a necessary requirement to ensure limited public funds are spent to train individuals who can legally obtain employment in California. This is particularly true for charitable organizations using federal Workforce Investment Act funds, which, under federal law, can only be used to train workers who have the right to work in the United States.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2702**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2702 without my signature.

This bill establishes more detailed standards regarding the development of second unit housing in California. One provision specifically restricts local governments from requiring a second unit floor space to be less than 550 square feet. This creates a one-size fits all approach to second units being built in local neighborhoods.

This bill limits the say of local governments, homeowners, and local communities regarding second units being constructed in their neighborhoods. In effect, this bill dictates unilateral decisions by the state regarding what type of development is appropriate for local communities without any community participation.

As a strong proponent of local control, I believe that government is most responsive and accountable to people when it is close to the people. This bill removes that control away from local officials, where homeowners and residents can voice their concerns about their neighborhoods and moves it to a state bureaucracy in Sacramento.

Additionally, with the unanticipated growth from second units on single family properties, this bill does not take into consideration the impact and ability for local governments to provide adequate water, sewer and schools.

My Administration is very aware of the lack of affordable housing facing California. At the beginning of my Administration, I asked the Secretary of the Business, Transportation and Housing Agency to pursue an aggressive agenda into finding ways of increasing home ownership opportunities for all Californians. I encourage all housing advocates and local governments to work with the Secretary to implement this agenda making the American Dream more affordable and available to our citizens.

For these reasons I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2715**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2715 without my signature.

This bill is unnecessary and the purpose of this policy has no discernible public benefit.

This bill requires any business in California that has a contract with a customer sales call center to include a provision in the contract that requires employees of the call center to disclose their physical location upon the request of a California resident.

It is unclear what policy goal this bill seeks to address.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2884**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2884 without my signature.

This bill is an attempt to remove obstacles to cleanup pollution at properties with non-operating businesses. However, this bill does not accomplish its intended purpose. If a Regional Water Quality Control Board (Board) initiates and attempts abatement, the Board should not be liable for complete abatement.

I am concerned that the board attempting the abatement will inappropriately incur liability as a responsible party under state and federal law. This will impose undue hardship on the State and significantly increase state expenditures.

For these reasons I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2946**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2946 without my signature.

I recognize the importance that religious programs play in the rehabilitation of prisoners and I strongly support the continuing rights of clergy members to minister to the jail and prison population throughout the State of California. AB 2946 inhibits the ability to effectively maintain security and manage institutional religious programs.

Every state and local correctional facility has different dynamics and individual safety concerns that need to be addressed. We entrust facility administrators with the job of protecting the public, the inmates, staff, visitors and others. To do so, the administrator has to balance the interest of safety over the access to inmates by visitors. By imposing an extremely high standard before barring one class of visitor to the facility, we tie the hands of administrators to ensure public safety.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2994**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2994 without my signature.

While I support the goal of recognizing the stringent environmental standards California has placed on the forestry industry, many other industries face similar regulatory burdens without the availability of bidding preferences. The preferences imposed by this bill could result in costly legal challenges, retaliation by other states and nations, and bid protests from those claiming the preference should be granted and those objecting to it.

This bill takes the state's procurement efforts in the opposite direction of the general economic trends for free and open trade in a global economy.

I encourage all Californians to buy voluntarily California-grown and manufactured products, particularly when the price, fitness and quality of the product are equal. As I have said, "Be Californian, Buy California Grown."

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3021**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3021 without my signature.

This bill requires additional reporting requirements that are not necessary. This bill creates burdensome new mandates that do not produce any identifiable benefit that results in improving California's economic climate or leads to job creation.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3051**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3051 without my signature.

I support California's firefighters and other public safety employees. California's workers' compensation system already recognizes the inherent danger in these professions by providing a number of statutory presumptions in favor of the injured public safety employees.

Nothing in current law precludes a person who deserves compensation within the system from being fairly compensated. This bill extends the statute of limitations for the collection of death benefits that are presumptively concluded to be service related. Because current law presumes certain firefighter injuries to be work-related, this bill will also increase the potential for the surviving heirs of firefighters who die from non-work related illnesses to receive workers' compensation death benefits.

Earlier this year, I signed Senate Bill 899, a major overhaul of the workers' compensation system. My Administration is in the process of implementing the necessary regulations to improve the system. The reforms were negotiated in a bi-partisan fashion and are intended to return fundamental fairness to a system that was spiraling out of control. The reforms are intended to refocus the workers' compensation system on medical outcomes rather than litigation. This measure expands the scope of the workers' compensation system disturbing the delicate balance sought by this year's reform efforts.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3056**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3056 without my signature.

This bill defines in statute how the counties should conduct their business and how they make their business decisions. The bill would limit counties' flexibility to operate the In-Home Supportive Services program efficiently and effectively by preventing them from making needed program changes in a timely and appropriate manner. The

counties already have the correct authority to do this if they so choose. The bill would also delay and possibly prevent future General Fund savings by delaying or preventing a county from eliminating a more costly mode of service delivery (the Contract Mode).

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 1:15 p.m., of Assembly Bills Nos. 6, 59, 338, 358, 382, 653, 662, 955, 1010, 1012, 1042, 1324, 1520, 1588, 1592, 1670, 1782, 1821, 1839, 1865, 1895, 1914, 1957, 1958, 2240, 2275, 2285, 2317, 2387, 2455, 2466, 2476, 2598, 2633, 2684, 2702, 2715, 2884, 2946, 2994, 3021, 3051, and 3056 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

HUGH R. SLAYDEN

Acting 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. 2210**

Governor's Office, Sacramento

August 27, 2004

*To the Members of the California Assembly:*

I am signing Assembly Bill 2210 with the understanding that this measure merely codifies current practice and that the Commission on Teacher Credentialing will establish the regulations required by this bill without the creation of a reimbursable State-mandated local program.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 129**

Governor's Office, Sacramento

September 10, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 129.

This bill provides more flexibility to meet the needs of children that are dependents of the child welfare system, and in the juvenile court system. I am also requiring the California Department of Social Services to consider these modifications to the CWS/CMS as a priority to be funded within existing resources.

This bill authorizes counties to designate that a child is both a dependent child and a ward of the juvenile court, establish a protocol for determining this designation, and require the Judicial Council to collect specified data and report on the implementation of this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 868**

Governor's Office, Sacramento  
September 21, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 868, which will expand the period that a migrant farm labor center is open to allow farm workers and growers more time to harvest crops. This bill makes important policy changes that I strongly favor. Unfortunately, it also chapters out provisions chaptered in SB 1102 (Chapter 227, Statutes of 2004), which I signed that would have prohibited rent increases for residents of an Office of Migrant Services facility.

Under my Administration, I do not intend to approve a request by Housing and Community Development Department to increase the rents during this fiscal year.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 164**

Governor's Office, Sacramento  
September 22, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 164 with the understanding that more work can be done in this area of principal training.

This proposal expands the activities for high school principal training under California's current program, which is strongly linked to the state's academic content standards and curricula. The ever increasing challenge of ensuring all students an opportunity for future success in workforce and/or postsecondary settings makes it incumbent on the state to focus more critically on the full range of responsibilities of leaders to prepare high school students for the complexities of the 21st century.

Therefore, I am calling on the Secretary of Education, in collaboration with the State Board of Education and the Superintendent of Public Instruction, to develop a proposal addressing instructional leadership, as well as the visionary and practical leadership that will be required to guide our diverse student population toward greater success.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 2185**

Governor's Office, Sacramento  
September 23, 2004

*To the Members of the California State Assembly:*

I have signed AB 2185 which requires health care service plans to provide coverage for equipment used in the treatment of pediatric asthma. Increasing the availability and affordability of essential medical equipment for children with asthma is vitally important to the management of this disease.

Asthma is the most chronic disease of childhood with prevalence in California's children ages 0–5 estimated to be 8.8 percent and in children ages 6–11 estimated to be 13.7 percent. In 2000, hospitalizations represented the largest direct medical expense

related to asthma with the average cost per hospitalization at \$13,000. Most of these emergency and hospital visits were preventable with appropriate asthma management.

This bill helps manage asthma; however, it does not help reduce the incidence of the disease. One of the contributing factors to pediatric asthma is air pollution. Improving the quality of our air is a priority of my Administration. By meeting our air quality standards, we can significantly reduce the incidence of pediatric asthma. Through the budget and other legislative efforts we have committed millions of dollars towards clean air programs that are assured to enhance the condition of air for our children.

For the reasons stated above, I have signed this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 2600**

Governor's Office, Sacramento

September 23, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 2600 creating the Sierra Nevada Conservancy.

Enactment of AB 2600 marks an important milestone in the preservation and restoration of one of California's most beautiful and bountiful areas—the Sierra Nevada region. The significance of the Sierra Nevada is strongly felt within California and far beyond our boundaries. It has done much to define our state and to shape our awareness as Californians. It provides a home for most of the State's plant and wildlife species. It provides more than 60 percent of the water supply for our cities, farms and wildlife areas. It supplies timber for our homes and food for our tables. It provides inspiration and recreation for millions of visitors each year.

The Sierra Nevada's resource values and communities are rapidly changing due to population growth, evolving land use and new resource management imperatives. Against this backdrop of change, there is an overarching need to preserve and restore the irreplaceable values of the region for future generations.

Since well over half of lands in the Sierra have been in public ownership for decades, future success will involve projects that do not necessarily require land acquisition. We need to act creatively to conserve the region's irreplaceable natural resources, serve visitors from all over the world, reduce threats to the region such as wildfire, maintain the viability of working landscapes, conserve the region's unique cultural and historical resources and preserve the character of the region's landscape and communities. It is my desire to see conservation easements play an enhanced role in the Conservancy's preservation efforts, leaving lands on local tax rolls and preserving working landscapes in their historic uses and not to overburden future taxpayers with unnecessary land management costs.

I appreciate the efforts of the many groups and agencies throughout the region and the State who have worked together over many years to bring this conservancy to fruition. I commend the bipartisan efforts of Assemblymembers Leslie and Laird to devise a balanced and

cooperative foundation for this new conservancy that I firmly believe is essential to position it for success in the Sierra. I look forward to working with all of you to ensure the future of this region.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 488**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 488.

This bill represents a good first step in providing the most valuable tool we can give to parents to protect their children from sexual predators—information. By providing sex offender information on the Internet, California will finally join the majority of other states that make this information accessible to parents and others.

That being said, we have a long way to go to make California a leader in protecting our children. I encourage the Legislature to work together next year to provide a more comprehensive measure that will ensure more of the Megan's Law database is available to the public with information on their neighbors and neighborhood.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 1733**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 1733 because it protects cellular phone consumers by prohibiting cellular phone service providers from including subscriber phone numbers in directories without first obtaining consent. Additionally, it includes safeguards to protect cellular customers from unsolicited telemarketing calls and text message spam.

However, this bill requires consent to be obtained on a separate document that the customer must physically sign and date. This over burdensome provision does not take into account modern business practices developed for consumer ease and greater business efficiencies such as digital files and over the phone approvals.

I look forward to working with the legislature next session to revise the consent provision to represent actual modern day business practices.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 1878**

Governor's Office, Sacramento  
September 24, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 1878 into law.

However, this bill does not permit a person that holds a valid Class M or Class M1 license, which allows lawful operation of a motorcycle or motordriven cycle, to legally drive a motorized scooter. The bill

accommodates only those individuals who hold a Class C automobile driver license or instruction permit.

While the number of scooter operators who do not hold a Class C license or instruction permit may be small, the bill forces individuals who have a Class M or M1 to apply for an automobile license if they wish to legally operate a motorized scooter. This means they must undergo all of the required tests to operate an automobile, including a behind the wheel examination, even though their current licenses were issued only after they showed proficiency in operating two-wheeled vehicles.

Therefore, in signing this bill, I will be asking the Department of Motor Vehicles to work with the author and the Legislature to address this oversight during the 2005 legislative session.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 3092**

Governor's Office, Sacramento  
September 27, 2004

*To Members of the California Assembly:*

I am signing Assembly Bill 3092 because I support reducing illegal tobacco sales to minors. However, I do not believe AB 3092 goes far enough to solve the problem.

AB 2443 (Daucher), sponsored by the Department of Health Services, would also have increased fines for not posting age-of-sale warning signs. In addition, it would have authorized local law enforcement agencies to enforce the Stop Tobacco Access to Kids Enforcement (STAKE) Act.

According to the Department of Health Services, one of our seven retailers continue to sell tobacco to youth. The most effective way to ensure that retailers do not sell tobacco to minors is through continual enforcement. AB 2443 would have provided the flexibility for local jurisdictions that place a priority on enforcing illegal tobacco sales to keep tobacco out of the hands of California's youth.

I encourage the Legislature to work with the Department of Health Services to develop cost-effective enforcement solutions that keep tobacco products out of the hands of our children.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 1000**

Governor's Office, Sacramento  
September 27, 2004

*To the Members of the California Assembly:*

I am signing Assembly Bill 1000, which make clarifying changes to the California Corporate Disclosure Act of 2002. The California Corporate Disclosure Act requires publicly traded companies to disclose detailed information to the Secretary of State, much of which is already publicly available through the Securities and Exchange Commission. California is the only state in the nation to impose these burdensome and duplicative reporting requirements on business.

Although this bill does begin to fix the problems with the California Corporate Disclosure Act, I am directing the Department of

Corporations to review the efficacy of the California Corporate Disclosure Act and, if appropriate, to consider sponsoring legislation to eliminate the duplicative requirements and further align its provisions with federal reporting requirements.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 2943**

Governor's Office, Sacramento

September 28, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 2943 to prohibit the use of vaccines containing thimerosal for pregnant women and children under three years of age in California, effective July 1, 2006.

Used as a preservative, thimerosal is a mercury-based preservative compound that has been added to vaccines since the 1930s. Some have suggested a link between thimerosal in vaccines and autism. However, the most comprehensive reviews of scientific research to date from the American Academy of Pediatrics (AAP), the Centers for Disease Control and Prevention, and the Institute of Medicine conclude that there is no credible evidence linking thimerosal with autism or other neurodevelopmental disease in children.

While the best available evidence states that thimerosal is safe in the levels found in vaccines, the U.S. Food and Drug Administration (FDA), the Public Health Service (PHS) and the AAP recommended in 1999 the removal of thimerosal from childhood vaccines. This recommendation reflects the importance of minimizing unnecessary exposure to mercury and maintaining public confidence in vaccine programs. Vaccine manufacturers agreed to this recommendation and since 2001, thimerosal has been removed in all routine pediatric vaccines.

I share the policy basis of the FDA, PHS and AAP 1999 recommendation. I believe that an abundance of caution merits the acceleration of the process already underway to remove thimerosal from the last few vaccines that contain it, as intended by AB 2943. Moreover, I believe AB 2943 includes an appropriate mechanism to ensure the availability of adequate vaccine supply in cases of emergency. I will direct the Health and Human Services Agency and the Department of Health Services to assess anticipated vaccine supply and demand in 2006–07 closely.

While I take this action in an abundance of caution, I want to encourage parents to get their children vaccinated. There are significant risks associated with the failure to vaccinate children which far outweigh any theoretical risk associated with thimerosal.

For these reasons I am signing this bill.

Sincerely,

ARNOLD SCHWARZENEGGER



**Governor's Message—Assembly Bill No. 2149**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 2149.

I support efforts to develop and enhance communication between officials who are interested or charged with protecting the health and safety of children. However, given limited resources and my desire to avoid duplicate services, I ask that the Department of Social Services (CDSS) and interested counties implement this bill's provisions in a manner that effectively maintains open communication channels, as permitted by law, while ensuring that it is done in ways that are cost neutral and in the least cumbersome manner and without undermining sole CDSS authority in matters of administrative actions.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 2100**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 2100, legislation that will provide a new model of support for persons with severe developmental disabilities who wish to live in California's communities. This legislation builds upon the innovative services created by the Lanterman Developmental Disabilities Services Act and the 1999 United States Supreme Court's Olmstead decision, which calls for the support and integration of persons with disabilities in their homes and communities rather than institutions.

Consistent with the Olmstead decision, this legislation will provide another alternative that will better enable individuals to live in more integrated settings by expanding the range and availability of appropriate community-based placements. AB 2100 allows for the development of housing dedicated to persons with developmental disabilities and authorizes three San Francisco Bay Area regional centers to provide lease payments to establish a permanent stock of stable housing. This pilot program will establish a family teaching model that will serve up to three persons with developmental disabilities in family settings.

California has systematically and continually developed integrated community-based services and supports for persons with developmental disabilities. It is time to take the next step and implement a new model capable of providing services to individuals whose only other previous option had been a state run developmental center. Therefore, it is with great enthusiasm that I am signing AB 2100.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 664**

Governor's Office, Sacramento  
September 28, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 664.

This bill makes numerous changes to existing law to combat those employers who manipulate their unemployment insurance contribution rate in an effort to reduce their unemployment insurance costs.

Employers who engage in schemes to illegally reduce their unemployment insurance rates cost states billions of dollars in lost revenue. This lost revenue is needed to pay unemployment insurance benefits to workers who lose their jobs through no fault of their own. Many states, including California, have unemployment insurance trust funds that are at risk of insolvency. This funding shortfall is partly attributed to the fact that federal and state laws have inadequately combated businesses that manipulate their contribution rate.

Recently enacted federal legislation requires states to enact laws for the specific purpose of combating schemes that inappropriately lower an employer's unemployment insurance contribution rate. Although I believe that few California businesses will fully engage in such schemes, it is important to ensure all businesses have a level playing field and contribute proportionately to the state's unemployment insurance system. The provisions in AB 664 not only fulfill the federal requirement, but also ensure law abiding employers do not pay higher unemployment insurance costs because a few businesses unfairly manipulate the system. By signing AB 664, California will be one of the first states to enact key legislation aimed at maintaining the integrity of the state's unemployment insurance funding structure while promoting a level playing field for all employers.

I am signing this measure because California must immediately step up the fight against employers who manipulate the unemployment insurance system. However, I am concerned that, because the passage of the federal legislation came so near the end of California's legislative session, further discussion of the provisions of this bill is warranted. Therefore, I am directing the Labor and Workforce Development Agency to work with both employer and employee representatives during the fall to ensure that AB 664 as written is strong enough to fight this problem but does not inadvertently ensnare law abiding employers. If shortcomings or other problems with the existing language are identified, I would support legislation next year to ensure they are addressed immediately.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bills Nos. 2853, 2855, and 2856**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bills 2853, 2855 and 2856, which make reforms to the state mandates process and make several mandates optional.

When I signed the Executive Order in February of 2004 creating the California Performance Review, its mission was to make fundamental

changes in state government, establish new procedures to create greater efficiencies, prioritize government functions, and create true accountability over the fiscal management of state resources. CPR reviews government functions at all levels when there is interaction with state government.

Among its recommendations, the California Performance Review urged the reform of the state mandates process to make reimbursement more cost efficient, predictable, and fair for both state and local government. These bills, particularly Assembly Bill 2856, represent a good start in undertaking that reform. Expanding the information required in a mandates claim will help the State predict its obligations to reimburse local government.

We need to continue the work begun by the California Performance Review and the Assembly Special Committee on State Mandates and further reform the state mandates process. We need to establish a mechanism for reducing or eliminating mandates when there is a change of law or when the costs decrease over time. We need to be vigilant in drafting and approving legislation that creates state-mandated local programs to evaluate it with an eye towards projecting accurately the future cost of the mandate.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 2430**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California Assembly:*

I am signing Assembly Bill 2430 which would shift enforcement of insurance requirements for hot air balloon operators from CPUC jurisdiction to local government.

This bill preserves insurance requirements, while shifting oversight to local governments that are closer and more accessible to these locally based, recreational businesses.

Some local operators have expressed concern that the placement of these provisions in the Public Utilities Code provides for continued oversight and jurisdiction by the CPUC.

I am signing this bill with the understanding that the CPUC will no longer have jurisdiction over hot air balloons and hot air balloon operators.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 1629**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 1629.

The quality assurance fee authorized in this legislation will provide funds that would be otherwise unavailable in these times of fiscal constraint, thus enabling the State to provide a much needed increase in Medi-Cal reimbursement rates to skilled nursing facilities. Higher rates,

combined with the facility-specific rate methodology specified in the bill, will result in better wages for nursing home employees, compensation for structural improvements and better quality of care for the residents.

I believe that AB 1629 will allow the Administration to effectively measure and track quality of care in skilled nursing homes by requiring the Department of Health Services to conduct a baseline evaluation before implementation of the new rate methodology, and a follow-up evaluation in 2008, after the nursing homes have experienced the benefits of the higher reimbursement for a specified time period.

These evaluations, which will be provided to the Legislature, will document the number of skilled nursing homes that are complying with the state minimum staffing requirements; the staffing levels maintained; staffing retention rates; the number of nursing homes with findings of immediate jeopardy, substandard quality of care, or actual harm to residents; the number of state citations received by nursing homes; and the average wages and benefits paid to nursing home employees. In addition to these measures, the follow-up evaluation will also report the extent to which nursing home residents who expressed a preference to return to the community, were able to return to the community.

This bill will sunset on July 31, 2008, at which time we will examine available information regarding the impact of the new rate methodology on the State General Fund and improvements in quality of care and retention of staff, to decide whether changes should be made to the rate methodology or the quality assurance components of the bill.

I expect the sponsors to work with County Mental Health Directors to pass clean-up legislation that will mitigate any unintended consequences that may arise because of the link between Medi-Cal rates and those paid by county institutions for mental diseases.

The most important point of AB 1629, however, must not be forgotten. This rate increase is to improve the care of residents in nursing facilities. I am directing the Department of Health Services to closely monitor implementation and to identify opportunities to recognize and reward quality care. We are making this investment in nursing facilities to ensure better care, and I intend to hold the industry and caregivers accountable for this critical responsibility.

I believe that AB 1629 will improve the quality of life for some of our most vulnerable residents and therefore I am pleased to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 864**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 864 because it is a necessary restatement of current law to address a conflict between two sections of the Gambling Control Act.

The bill promotes better regulation and enforcement of the cardroom industry by the California Gambling Control Commission and the Division of Gambling Control within the Office of the Attorney General. The bill also gives the Attorney General the authority to review any changes to local gambling ordinances for compliance with the

Gambling Control Act. Assembly Bill 864 will not allow any overall expansion of gambling as originally permitted under Business and Professions Code section 19961.

The bill clarifies small cardrooms to be held to the expansion limits currently in place for larger cardrooms and requires small cardrooms that propose an expansion of gambling to be subject to voter approval.

For the above reasons I am supporting this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 825**

Governor's Office, Sacramento

September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 825 and commend Senator Dede Alpert for working collaboratively with my Administration on the substantive content of this measure.

I am committed to shifting greater control over educational decisions to the local level, and the increasing number of categorical programs that school districts have had to manage impedes that process.

This bill makes significant strides in streamlining school funding for California schools and provides increased local control over their educational programs. Of the 88 separate state categorical programs, this bill repeals 26 of them, and allows school districts the flexibility to use the \$1.8 billion in funding from those programs within six block grants. While there are still many ways that the state can simplify the manner in which we regulate and allocate funds to schools, I am signing this bill to move the state in the right direction.

I am signing this bill with the understanding that clean-up legislation will be introduced next legislative session to address a technical problem in the bill. The bill inadvertently repeals the Carl Washington School Safety and Violence Prevention Act. This repeal was an oversight that occurred in late amendments to the bill. As the repeal provision does not become operative until July 1, 2005, there will be time to enact clean-up legislation prior to the repeal taking effect.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 135**

Governor's Office, Sacramento

September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 135, which accelerates bridge funding for solar energy rebates in California.

Consistent with my commitment to significantly increase the amount of renewable energy consumed in California, I have released an aggressive plan to create 1 million solar systems. This comprehensive plan includes financial incentives to assist homeowners in absorbing the up front costs of installing solar, energy pricing reform to increase incentives for conservation and ensure real time pricing reflects actual costs, commitments to work with allied industries such as homebuilders and building inspectors to seamlessly adopt uniform building codes.

The plan builds on existing successful programs at the state and local level to ensure the benefits of solar are available to all Californians.

California's warm and sunny climate makes it one of the best places on earth to use solar energy. Solar energy is generated precisely when and where Californians need it, at peak hours on the buildings that consume it. The on-site, on-demand nature of solar power translates into increased energy system reliability. In addition, every megawatt of energy Californians procure from renewable resources like the sun reduces our dependence on other sources. A diversified energy portfolio is a more secure energy portfolio.

Assembly Bill 135 is the first step on this important journey and will help lead toward energy security, reliability and independence for California. I look forward to working with the California Public Utilities Commission and the legislature to assist in implementing my "Million Solar System Initiative."

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 1199**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 1199 which will permit the Trinity Public Utilities District to exercise the powers of a health care district and take over the administration and operation of Trinity Hospital. This bill will help keep this vital emergency facility open for the local community and region.

Although this bill does not specify that a vote of the people is required, I believe that existing law already provides constitutional protections for the payers of this special tax. With the understanding and assurance from the proponents that this will have a vote of the ratepayers, I can support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 1796**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 1796, which exercises a federal option to provide food stamp benefits in support of individuals' efforts to successfully recover from drug lifestyles. The challenge of overcoming a drug addiction is substantial and universally denying food stamp benefits to people with felony drug convictions has created additional obstacles to independent drug free living and increases the likelihood of re-offending behavior.

This measure will allow the provision of food stamp benefits to individuals convicted of non-violent drug felonies who comply with treatment requirements. Individuals who do not participate in treatment or were convicted of felonies beyond personal use will remain

ineligible. As such, this bill offers both an appropriate incentive and reward to individuals who overcome their addiction.

Technological developments in the benefit delivery system and studies on the positive economic impact of food stamp benefits warrant this policy change. The successful implementation of the Electronic Benefit Transfer system assures that food stamp benefits cannot be easily exchanged or converted into drugs. Food stamp benefits are entirely federally funded, and AB 1796 will bring millions of dollars into the state's economy at little cost to the state.

It is time for California to join the District of Columbia and 31 other states that have eliminated or modified the ban on food stamp benefits for individuals with felony drug convictions. With my signature California will assist individuals in becoming self-sufficient, provide care for their children and overcome their drug addiction while adding millions of federal dollars to our economy.

For these reasons I support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 2121**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 2121, which requires the State Water Resources Control Board (SWRCB) to adopt water quality control policy containing principles and guidelines for maintaining in-stream flows on northern California coastal streams.

The SWRCB should begin developing this policy only if the \$1.5 million transfer from the Resources Trust Fund to the SWRCB pursuant to the 2004 Budget Act is made. If adequate funding is not made available to the SWRCB, then the work should be postponed until funding is available. As part of this comprehensive effort to develop guidelines for water right administration on northern California coastal streams, I urge the SWRCB to focus on the Russian River first. I am also concerned that the deadline in the bill is unattainable, even if adequate funding is provided, given the complexity and importance of adopting in-stream flow guidelines. I ask that the Legislature follow up next session with a bill to extend the deadline and provide additional funding as necessary.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 2248**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 2248 to require the Department of Health Services (DHS) to create a Parkinson's disease registry and conduct a program of epidemiological assessment on the incidence of the disease.

Parkinson's disease is a slowly progressive neuro-degenerative disorder that effects between 40,000 and 110,000 Californians. This disease has touched the lives of countless more residents whose friends and loved ones have suffered from this debilitating disease. Data

collection on the disease has the potential to assist scientists in identifying the possible causes of Parkinson's disease.

Parkinson's disease is generally diagnosed based on clinical symptoms, rather than laboratory or radiological tests. Until there is a specific test to diagnose Parkinson's disease, inconsistent reporting may occur. Therefore, it is particularly important that the reporting system developed use a scientifically sound model of reporting data that will capture all of the cases. I am directing the DHS to work with scientists, medical professionals and advocacy and patient groups to develop an appropriate model to ensure the most accurate reporting of Parkinson's disease.

Given the time required to solicit and retain funds sufficient to develop and maintain the registry, it may not be possible to begin the phase in of the Parkinson's disease reporting by January 1, 2005. There is also concern that the submission of implementation and funding schedules to the Legislature by the July 1, 2005 deadline will be difficult to meet.

I am directing the DHS to work with the author on additional clarifying legislation that would ensure the Parkinson's registry is sustainable, uses a scientifically sound model, and to extend the timelines as necessary to ensure resource needs and the operational requirements can be met.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 2407**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I am signing Assembly Bill 2407 to allow school districts to offer kindergarten classes for different lengths of time without seeking a State Board of Education waiver. I trust that school boards will make the right decision to ensure that full day kindergarten classes are offered equitably through the district. If inequities arise as a result of this bill, I would encourage the Legislature to pass a measure repealing this statute.

Sincerely,

ARNOLD SCHWARZENEGGER



**Governor's Message—Assembly Bill No. 2805**

Governor's Office, Sacramento  
September 29, 2004

*To the Members of the California State Assembly:*

I have signed Assembly Bill 2805 today because it will allow the City of Los Angeles to go forward with their bid to secure an NFL team. This extraordinary authority to extend the redevelopment area without a finding of blight is needed to provide the necessary funding to develop the infrastructure for the facility.

This special circumstance to attract an NFL franchise to California is extremely unique and important and I would not consider this expansion of redevelopment authority under any other circumstance. It is my understanding that if the bid is ultimately unsuccessful and an NFL team is not secured this extraordinary authority would sunset without being used.

Sincerely,

ARNOLD SCHWARZENEGGER

**INDEX—GOVERNOR'S VETOES**

<i>Assembly Bills</i>	<i>Journal Page</i>
6 veto	8189
59 veto	8190
95 veto	8151
113 veto	8168
129 signing message	8209
135 signing message	8219
164 signing message	8210
242 veto	8179
320 veto	8154
338 veto	8190
358 veto	8190
366 veto	8159
382 veto	8191
488 signing message	8212
517 veto	8160
606 veto	8168
649 veto	8137
653 veto	8191
662 veto	8192
664 signing message	8216
671 veto	8155
711 veto	8160
712 veto	8180
736 veto	8160
745 veto	8130
750 veto	8161
824 veto	8137
825 signing message	8219
857 veto	8175
858 veto	8142
864 signing message	8218
868 signing message	8210
955 veto	8192

1000	signing message	8213
1010	veto	8192
1012	veto	8193
1042	veto	8193
1074	veto	8147
1075	veto	8148
1126	veto	8140
1148	veto	8169
1199	signing message	8220
1253	veto	8142
1297	veto	8180
1324	veto	8194
1362	veto	8136
1383	veto	8161
1426	veto	8181
1431	veto	8129
1466	veto	8124
1486	veto	8162
1520	veto	8195
1558	veto	8176
1588	veto	8195
1592	veto	8195
1629	signing message	8217
1650	veto	8181
1670	veto	8196
1696	veto	8169
1707	veto	8125
1723	veto	8174
1733	signing message	8212
1782	veto	8196
1790	veto	8125
1796	signing message	8220
1810	veto	8143
1812	veto	8170
1818	veto	8123
1821	veto	8196
1822	veto	8122
1829	veto	8188
1839	veto	8197
1841	veto	8158
1846	veto	8128
1860	veto	8182
1865	veto	8197
1874	veto	8182
1878	signing message	8212
1884	veto	8121
1885	veto	8126
1895	veto	8198
1897	veto	8162
1898	veto	8135
1914	veto	8198
1918	veto	8151
1944	veto	8143
1946	veto	8162

1957	veto	8199
1958	veto	8200
1960	veto	8182
1963	veto	8163
1988	veto	8137
2006	veto	8170
2015	veto	8151
2035	veto	8139
2042	veto	8183
2055	veto	8184
2064	veto	8184
2079	veto	8174
2080	veto	8143
2085	veto	8124
2086	veto	8163
2100	signing message	8215
2106	veto	8164
2121	signing message	8221
2136	veto	8176
2146	veto	8158
2149	signing message	8215
2152	veto	8185
2168	veto	8138
2185	signing message	8210
2189	veto	8164
2191	veto	8144
2197	veto	8173
2210	signing message	8209
2213	veto	8171
2240	veto	8201
2248	signing message	8221
2275	veto	8201
2281	veto	8134
2283	veto	8171
2285	veto	8202
2289	veto	8154
2295	veto	8165
2311	veto	8135
2317	veto	8202
2330	veto	8144
2339	veto	8138
2343	veto	8185
2370	veto	8122
2373	veto	8128
2377	veto	8148
2387	veto	8202
2388	veto	8187
2403	veto	8148
2406	veto	8157
2407	signing message	8222
2408	veto	8123
2413	veto	8177
2416	veto	8165
2430	signing message	8217

2435	veto	8177
2446	veto	8139
2455	veto	8203
2462	veto	8134
2466	veto	8203
2476	veto	8203
2504	veto	8131
2532	veto	8153
2536	veto	8144
2545	veto	8172
2549	veto	8121
2593	veto	8133
2596	veto	8186
2598	veto	8204
2600	signing message	8211
2631	veto	8187
2633	veto	8204
2637	veto	8130
2644	veto	8152
2647	veto	8149
2655	veto	8126
2657	veto	8178
2673	veto	8132
2678	veto	8135
2684	veto	8205
2686	veto	8131
2702	veto	8205
2705	veto	8166
2710	veto	8139
2713	veto	8178
2715	veto	8206
2724	veto	8159
2742	veto	8166
2744	veto	8166
2748	veto	8174
2750	veto	8185
2752	veto	8156
2776	veto	8126
2783	veto	8186
2805	signing message	8223
2810	veto	8152
2813	veto	8153
2832	veto	8141
2837	veto	8153
2841	veto	8149
2849	veto	8128
2850	veto	8145
2853	signing message	8216
2855	signing message	8216
2856	signing message	8216
2868	veto	8167
2871	veto	8141
2874	veto	8156
2883	veto	8145

2884	veto	8206
2891	veto	8156
2893	veto	8133
2895	veto	8157
2923	veto	8132
2930	veto	8167
2943	signing message	8214
2946	veto	8207
2956	veto	8150
2973	veto	8127
2994	veto	8207
3010	veto	8140
3017	veto	8146
3018	veto	8179
3021	veto	8208
3034	veto	8186
3040	veto	8172
3051	veto	8208
3056	veto	8208
3083	veto	8129
3087	veto	8150
3090	veto	8146
3092	signing message	8213
3098	veto	8175
3102	veto	8146

---

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

O