

CALIFORNIA LEGISLATURE

2007–08 REGULAR SESSION

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# ASSEMBLY JOURNAL

RECESS JOURNAL NO. 17

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FINAL RECESS

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Assembly Chamber, Sacramento  
Wednesday, October 1, 2008

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2007–08 Regular Session was printed while the Assembly was in Final Recess.

**COMMUNICATIONS**  
**Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Krystal M. Paris, Department of Justice, dated August 4, 2008, transmitting copies of the title, summary and text of the following proposed initiative pursuant to Elections Code Section 9007:

**Wealth Tax. Constitutional Amendment and Statute.**  
**Initiative No. 08-0012, Amdt. #1 NS**

Referred by the Speaker to the Committee on Revenue and Taxation.

Krystal M. Paris, Department of Justice, dated August 4, 2008, transmitting copies of the title, summary and text of the following proposed initiative pursuant to Elections Code Section 9007:

**Election Day Holiday. Initiative Statute.**  
**Initiative No. 08-0013**

Referred by the Speaker to the Committee on Governmental Organization.

**REPORTS**

The following reports were presented by the Chief Clerk:

**Classes or Positions that have met the Criteria for**  
**State Safety Membership**  
**(Pursuant to Government Code Section 20405.1(c))**

Above transmitted report, together with letter of transmittal from David A. Gilb, Director, Department of Personnel Administration, dated, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Police Pursuits  
(Pursuant to Senate Bill 719, Chapter 485, Statutes of 2005)**

Above transmitted report, together with letter of transmittal from J. A. Farrow, Commissioner, Department of California Highway Patrol, dated August 6, 2008, referred by the Speaker to the Committee on Public Safety.

**Inmate Treatment and Prison-to-Employment Plan  
(Pursuant to Assembly Bill 900, Chapter 7, Statutes of 2007)**

Above transmitted report, together with letter of transmittal from Matthew L. Cate, Secretary, Department of Corrections and Rehabilitation, dated August 7, 2008, referred by the Speaker to the Committee on Public Safety.

**Chief Business Officer Training Program  
(Pursuant to Senate Bill 352, Chapter 356, Statutes 2005)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated August 11, 2008, referred by the Speaker to the Committee on Education.

**CALFED Independent Panel on Agricultural Water Use  
Report of 2004  
(Pursuant to Supplemental Report of the 2007 Budget Act,  
Item 3860-001-0001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated August 11, 2008, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Bureau of Medi-Cal Fraud and Elder Abuse Annual Report  
(Pursuant to Paragraphs (a)(1) through (a)(5) of Section 1007.15(c)(1) of  
Title 42 of the Code of Federal Regulations)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated August 12, 2008, referred by the Speaker to the Committee on Public Safety.

**Toll Bridge Seismic Safety Retrofit Program  
Report-Second Quarter—2007 Fiscal Year Ending June 30, 2008  
(Pursuant to Streets and Highways Code Section 30952.2)**

Above transmitted report, together with letter of transmittal from Will Kempton, Director, Department of Transportation, dated August 15, 2008, referred by the Speaker to the Committee on Transportation.

**Energy Use and Purchasing Activities  
(Pursuant to Budget Act 2007, Item 3860-001-0001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated August 18, 2008, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**2008 OAL Determination No. 19  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated August 15, 2008, referred by the Speaker to the Committee on Business and Professions.

**2008 OAL Determination No. 20(S)  
(Pursuant to Government Code Section 11340.5)**

Above transmitted report, together with letter of transmittal from Susan Lapsley, Director, Office of Administrative Law, dated August 19, 2008, referred by the Speaker to the Committee on Business and Professions.

**June 2008 Report  
on Status of Compliance with the Consent Judgment with  
the United States Department of Justice  
(Pursuant to Assembly Bill 1807, Chapter 74, Section 74  
Statutes of 2006)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated August 19, 2008, referred by the Speaker to the Committee on Health.

**Annual Carbon Footprint  
of Department of Water Resources Total Operations  
(Pursuant to Budget Act 2007, Item 3860-001-0001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated August 20, 2008, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**2007–08 Fourth Quarter Update on the Staff Hiring Plan  
(Pursuant to Budget Act 2007, Item 4440-011-0001, Provision (9))**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated August 22, 2008, referred by the Speaker to the Committee on Health.

**Patient Benefit Fund Report 2007–08  
(Pursuant to Senate Bill 1404, Chapter 352, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated August 25, 2008, referred by the Speaker to the Committee on Health.

**Bureau of Medi-Cal Fraud and Elder Abuse  
Quarterly Statistical Report Ending June 30, 2008  
(Pursuant to Budget Act 2007, Item 0820-001-0001, Provision 1)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated August 27, 2008, referred by the Speaker to the Committee on Public Safety.

**Expenditures and Commitments for Capital Outlay Projects  
(Pursuant to Budget Act 2007, Item 3860-001-0001)**

Above transmitted report, together with letter of transmittal from Lester A. Snow, Director, Department of Water Resources, dated August 27, 2008, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Litigation Deposit Fund—  
Statement of Fund Balance for Quarter Ending June 30, 2008  
(Pursuant to Government Code Section 16427(e))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Division of Administrative Support, Department of Justice, dated August 27, 2008, referred by the Speaker to the Committee on Budget.

**Purchase and Lease of Electronic Recording Equipment  
by Superior Courts (January 1–June 30, 2008)  
(Pursuant to Government Code Section 69958)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director to the Courts, Judicial Council of California, dated August 28, 2008, referred by the Speaker to the Committee on Judiciary.

**Annual Report on Program Operations  
(Pursuant to Insurance Code Section 10089.13)**

Above transmitted report, together with letter of transmittal from Susie Hernandez, Legislative Coordinator, California Earthquake Authority, dated September 1, 2008, referred by the Speaker to the Committee on Insurance.

**Motor Truck Towing Two Trailers Impact on Public Safety Report  
(Pursuant to Senate Bill 1237, Chapter 450, Statutes of 2006)**

Above transmitted report, together with letter of transmittal from J. A. Farrow, Commissioner, Department of California Highway Patrol, dated September 5, 2008, referred by the Speaker to the Committee on Transportation.

**Child Care Facilities Revolving Fund 2007–08 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 September 8, 2008, referred by the Speaker to the Committee on Education.

**Annual Report to the Agricultural Labor Relations Board  
for Fiscal Years Ending 2007–08  
(Pursuant to Agricultural Labor Relations Act of 1975, Section 1143)**

Above transmitted report, together with letter of transmittal from J. Antonio Barbosa, Executive Secretary, ALRB, Agricultural Labor Relations Board, dated September 12, 2008, referred by the Speaker to the Committee on Labor and Employment.

**Reliability Standards for  
Telecommunications Emergency Backup Power Systems  
and Emergency Notification Systems  
(Pursuant to Assembly Bill 2393, Chapter 776, Statutes of 2006)**

Above transmitted report, together with letter of transmittal from Paul Clanon, Executive Director, Public Utilities Commission, dated September 8, 2008, referred by the Speaker to the Committee on Utilities and Commerce.



**Committee on Education**

September 30, 2008

Mme. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1865  
 Assembly Bill No. 2085  
 Assembly Bill No. 2086  
 Assembly Bill No. 2361

Assembly Bill No. 2378  
 Assembly Bill No. 2955  
 Assembly Bill No. 3008

MULLIN, Chair

Above bills ordered filed with the Chief Clerk.

September 30, 2008

Mme. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 493  
 Senate Bill No. 672  
 Senate Bill No. 681

MULLIN, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Banking and Finance**

October 1, 2008

Mme. Speaker: Your Committee on Banking and Finance reports the following bills pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1224  
 Senate Bill No. 1286

NAVA, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Agriculture**

October 1, 2008

Mme. Speaker: Your Committee on Agriculture reports the following bills pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 200  
 Senate Bill No. 1404

PARRA, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Judiciary**

October 1, 2008

Mme. Speaker: Your Committee on Judiciary reports the following resolutions pursuant to the provisions of Joint Rule 62(a):

Assembly Constitutional Amendment No. 2  
 Assembly Constitutional Amendment No. 14

JONES, Chair

Above resolutions ordered filed with the Chief Clerk.

October 1, 2008

Mme. Speaker: Your Committee on Judiciary reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1591

JONES, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Transportation**

October 1, 2008

Mme. Speaker: Your Committee on Transportation reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 298

DE SAULNIER, Chair

Above bill ordered filed with the Chief Clerk.

**Committee on Health**

October 1, 2008

Mme. Speaker: Your Committee on Health reports the following bill pursuant to the provisions of Joint Rule 62(a):

Senate Bill No. 1712

DYMALLY, Chair

Above bill ordered filed with the Chief Clerk.

**MESSAGES FROM THE GOVERNOR**

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

**Governor’s Message—Assembly Bill No. 1954**

Governor’s Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am signing Assembly Bill 1954 with the intent that the Riverside County Transportation Commission and the Department of Transportation (Caltrans) will include the California Highway Patrol (CHP) as an active participant on any matters pertaining to the design, operation, and law enforcement services for the proposed I-15 High Occupancy Toll lane corridor to ensure motorist safety.

I am instructing the Business, Transportation and Housing Agency, CHP, and Caltrans to work with the author and the Legislature on making the necessary legislative changes to properly implement this program.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor’s Message—Assembly Bill No. 619**

Governor’s Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am signing Assembly Bill 619.

This bill would require the Department of Motor Vehicles (DMV) to establish an amnesty program to allow vehicle owners who have previously underreported the value or otherwise misrepresented vehicles for registration purposes to pay required fees and taxes, comply with all legal requirements, and to avoid criminal prosecution for their earlier false statements by December 31, 2010.

While I am signing this bill, there are provisions that need to be addressed before it can be successfully implemented. Specifically, this bill could result in significant workload for the Bureau of Automotive Repair’s (BAR) Referee Program without ensuring adequate revenue to

support this program. Statutory authority is required to charge a fee for that work. This cost must rightfully be borne by the vehicle owners who are participating in the program.

I am instructing the Department of Consumer Affairs and BAR to work with the author and the Legislature on making the necessary legislative change to properly implement this program.

Sincerely,

ARNOLD SCHWARZENEGGER

**Governor's Message—Assembly Bill No. 1879**

Governor's Office, Sacramento

September 29, 2008

*To the Members of the California State Legislature:*

I am signing Assembly Bill 1879 (Feuer) and Senate Bill 509 (Simitian), which begin the historic implementation of the California Green Chemistry Initiative, started by my Administration in 2007.

These bills provide a foundation for the development of a Green Chemistry program that will build upon existing information and programs and create a model for other states and nations to follow. To ensure that the Green Chemistry Initiative is as visionary and efficient as possible, all administrative agencies involved in this process, including the Department of Toxic Substances Control as lead agency, should take into account programs in other states, countries and regions, such as the European Union, to build upon their experience, data and expertise.

Sincerely,

ARNOLD SCHWARZENEGGER

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

**Veto Message—Assembly Bill No. 2115**

Governor's Office, Sacramento

September 24, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2115 without my signature.

Not only would this bill create state mandated costs for charter schools to comply with its provisions, the measure runs counter to the intent of charter schools, which were created to be free from many of the laws governing school districts.

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

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 24th day of September at 4:10 p.m., of Assembly Bill 2115 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly



**Veto Message—Assembly Bill No. 529**

Governor's Office, Sacramento  
September 25, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 529 without my signature.

This bill would require mortgage servicers to provide to consumers of residential loans a notice that a fixed rate loan is scheduled to switch to an adjustable rate loan, or a payment option loan is set to reset to a fully amortizing loan, between 90 and 120 days before the change occurs.

While it appears that the purpose of the bill is to ensure that borrowers are informed in advance of changes in their loan payments to avoid defaults, if implemented it could have the opposite effect. This bill would likely confuse mortgage holders by providing them with multiple notices containing conflicting future payment amounts. By providing mortgage holders with a notice that indicates an "example" payment amount, at or about the same time that they receive another notice that indicates an "actual" payment amount, the multiple notices could cause them to question the real payment amount. As a result, mortgage holders might base their decision to seek assistance with their existing loan or refinance that loan based on erroneous or confusing information.

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

Sincerely,

1ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1333**

Governor's Office, Sacramento  
September 25, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1333 without my signature.

This bill would require the legal owner of foreclosed residential rental property to, under certain circumstances, pay a utility service provider for service provided to tenants; permit a water or sewer utility service provider to file a lien on property to collect delinquent charges; and require these providers to report specified information on the liens to the Assembly and Senate Judiciary Committees.

I have already taken significant steps to provide needed protections to tenants during the foreclosure of their homes. For instance, I recently signed SB 1137, which, among other things, doubled the amount of time that tenants have to find a new home before they must vacate foreclosed property. This bill takes the wrong approach of potentially increasing the costs associated with foreclosed property by allowing utility liens for water and sewer, and allows utilities to benefit during a time of financial hardship for many property owners. This bill could further have an adverse economic impact on California as it may complicate and impede the sales of foreclosed property or result in more evictions upon sale of the foreclosed property. By requiring lenders and legal owners of foreclosed property to assume the responsibility for utility payments, this bill may increase the financial costs associated with buying foreclosed property. Finally, landlords must provide habitable housing, and therefore are already obligated to ensure tenants have access to water and sewer services.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 25, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1830 without my signature.

In an attempt to address various issues to come out of the subprime loan meltdown, this bill would enact the Higher-Priced Mortgage Loan Law, restrict the use of various loan features, codify a fiduciary duty for mortgage brokers, and authorize California's mortgage regulators to apply specified federal mortgage lending laws and regulations to their licensees.

The goals of this bill are to be lauded and the work and effort that went into the bill commended. However, I believe the approach of the bill to address the subprime crisis overreaches and may have unintended consequences.

First, its provisions will only apply to state regulated entities, as federally regulated entities will be exempt. This will create an uneven playing field, putting state regulated entities at a competitive disadvantage and consumers will have unequal protections under the law. Secondly, this bill allows for a private right of action and allows a plaintiff to recover attorney fees if he or she prevails. The bill does not allow a defendant to recover costs if he or she prevails. This provision will likely lead to increased litigation based on de minimis violations as plaintiffs attorneys will have much to gain and little to lose.

Many changes have already occurred to curb some of the past lending and brokering abuses. Last year, I signed SB 385 strengthening underwriting criteria to ensure that borrowers can afford loans. The Federal Reserve Board has implemented amendments to the Truth in Lending Act (Regulation Z) to regulate advertising practices and provide additional protections to the lending marketplace. I recently signed SB 1137 to provide homeowners with additional protections against foreclosure and to expand the rights of tenants. Finally, the President recently signed the Housing and Economic Recovery Act, which imposes new oversight requirements on loan originators and contains many other provisions to assist in economic recovery. All of these changes need time to take effect. As a result, further legislation is unnecessary until we can evaluate the effect of the reforms that have already been enacted.

I am directing the appropriate agencies within my Administration to implement any of the appropriate portions of this bill that can be done so administratively. I encourage the Legislature to work with my Administration to implement the many pieces of this legislation that could be helpful to consumers.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1867**

Governor's Office, Sacramento  
September 25, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1867 without my signature.

This bill would require public agencies to accept bids for appraisal projects from any appraiser who is a designated member of any appraisal organization that is a member of the Appraisal Foundation and provides an appraiser who was not allowed to submit a bid to a public agency may sue that agency for equitable relief.

I vetoed a substantially similar bill last year on the grounds that it would create a specific cause of action which could result in significant litigation costs for public agencies. This bill does little or nothing to resolve my concerns regarding the threat of increased litigation or costs to the state.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2586**

Governor's Office, Sacramento  
September 25, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2586 without my signature.

This bill would require new owners of foreclosed properties to assume the responsibility of returning the renters' security deposits that were part of a rental agreement made between the landlord and tenant before foreclosure.

I believe this bill is inequitable and fundamentally changes existing provisions in law because it would sign liability to the successor in interest for money never received and for actions not under its control. New owners who acquire property through foreclosure, who never signed an agreement with the tenant, should not be required to take over the legal obligations of the previous owner, including an obligation to return security deposits. As a result, this bill may increase costs and discourage purchases of foreclosed properties, and thus delay economic recovery in California.

Additionally this year, I have signed several other measures to strengthen tenant notifications and rights during foreclosure proceedings, including SB 1137, which, among other things, doubled the amount of time that tenants have to find a new home before they must vacate foreclosed property.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 25th day of September at 12:20 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 529, 1333, 1830, 1867, and 2586.

JACQUELYN KIRWAN

Assistant Clerk of the Assembly

**Veto Message—Assembly Bill No. 13**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 13 without my signature.

Current law already requires hospitals to have written staffing plans for nursing staff. In addition, hospitals must determine the staffing needs for "non-licensed" classifications using the hospital's individual patient care requirements and their system of providing care. The Department of Public Health already has the authority to issue deficiencies and administrative penalties to hospitals when an investigation concludes that staffing deficiencies lead to harm or poor patient outcomes.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 117**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 117 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 152**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 152 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 547**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 547 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 659**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 659 without my signature.

The continuity of services in child care settings is a laudable goal. However, this bill would create a negative incentive for the county to rely on the availability of state and federally funded programs to alleviate their local program needs, rather than maximizing their local funds to create a comprehensive child care delivery system.

The bill would also create significant Proposition 98 General Fund cost pressure to expand state child care programs at a time of fiscal challenge.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 697**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 697 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 734**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 734 without my signature.

This bill would amend membership criteria for the California Apprenticeship Council (CAC), significantly amend existing law with regard to auditing of apprenticeship programs, and places new requirements on new or expanding apprenticeship programs in the building and construction trades.

While the auditing provisions are a vast improvement in public policy over existing audit provisions, changes to criteria for membership on the CAC and a failure to address the "needs test" for new or expanding apprenticeship programs are cause for concern. There has been no indication that current criteria for membership is somehow inadequate or needs to be addressed, and the failure to address the "needs test" will ensure that California's apprenticeship programs will remain de-recognized by the federal Department of Labor.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 885**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 885 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1133**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1133 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1290**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1290 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1519**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1519 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1751**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1751 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2132**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2132 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2179**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2179 without my signature.

The Air Resources Board (ARB) is currently developing the low carbon fuel standard (LCFS) as part of its implementation of AB 32, the California Global Warming Solutions Act of 2006. The purpose of the LCFS is to set declining carbon content targets for vehicle fuels and let the market determine which fuels to provide Californians for consumption. This bill chooses one type of fuel over another, which is contrary to the market concept underlying the development of the LCFS.

Additionally, the sustainability criteria required by this bill set a precedent for exhaustive but marginally beneficial analyses that are inconsistent with those presently under development by the ARB and would likely delay implementation of the LCFS.

Although I cannot support this measure, I strongly support the concept of our State fleets routinely using alternative and renewable fuels. In 2007, Caltrans initiated a pilot program to determine the feasibility of using biodiesel fuel in its fleet. To date, the results of that program have been favorable and I encourage them to continue expanding it in a cost effective manner.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2467**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2467 without my signature.

While I believe that it is beneficial to transfer information from preschool and infant and toddler programs to elementary schools, this bill is unnecessary. Nothing under current law prohibits the transfer of specified information that is deemed beneficial to the pupil and the public school teacher. Furthermore, nothing in current law prohibits a parent or guardian from providing information that would support their child's learning environment or abilities.

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

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2861**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2861 without my signature.

This bill contains numerous drafting errors that render its provisions confusing at best and potentially harmful to patients at worst.

I would encourage the author and stakeholders to fix these errors in future legislation. At that time, I will consider this legislation again.

For this reason, I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3013**

Governor's Office, Sacramento  
September 26, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3013 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 26th day of September at 5:40 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 13, 117, 152, 547, 659, 697, 734, 885, 1133, 1290, 1519, 1751, 2132, 2179, 2467, 2861, and 3013.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 290**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 290 without my signature.

I am very concerned about the safety of Department of Transportation (Caltrans) maintenance workers and support the intent of this bill to grant them additional protection in the performance of their duties. However, this bill contains a provision that would inappropriately restrict the use of amber warning lights by Caltrans workers in a manner that contradicts the department's official policy, its maintenance manual, and which if followed, could actually increase the danger to those employees by prohibiting them from using the lights in situations where doing so would be the safest course of action. In addition, this bill

could significantly increase the department's exposure to tort liability by defining every instance where amber warning lights are used as, implicitly, an unusual or extreme hazard.

It is troubling to me that I cannot sign this bill at this time. However, next year, the original legislation requiring motorists to move over for tow-trucks and authorized emergency vehicles is due to sunset. By January 1, 2009, the California Highway Patrol is required to prepare a report assessing the impacts of this law and recommending whether or not it should be extended.

Pending this report, should the Legislature choose to seek extension of the move-over law next year, I urge that Caltrans employees be included in a manner that provides safety for the employees and the motoring public.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 501**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 501 without my signature.

While I support the safe and proper disposal of home-generated sharps waste, this bill only applies to the disposal of prefilled injection devices. Although the use of these devices is increasing, omitting other types of home-generated sharps from the bill could potentially create an unintentional disincentive for the production and use of these prefilled injection devices. Limiting the types of sharps in this way, making the bill's provisions take effect only upon the request of consumers, and the options provided to the manufacturers of these devices will likely reduce the efficacy of this bill. Lastly, and most importantly, this bill is unclear as to who bears the ultimate cost of these containers. This problem requires a solution that must be shared among all the stakeholders, not just the manufacturers of one type of device.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 567**

Governor's Office, Sacramento  
September 27, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 567 without my signature.

This bill seeks to regulate common interest development associations by establishing a Common Interest Development Bureau within the Department of Consumer Affairs and impose a \$10 per unit biennial fee on such associations to fund the bureau's operations.

Creating another layer of government bureaucracy is costly and unnecessary. Numerous bills have been signed into law in the past few years to address the various problems cited by the author. There is little or no evidence that these measures have proven ineffective in addressing the current situation. Today, several other government

agencies are handling issues raised with these associations. As such, I can see no reason to create an entirely new state entity at this time.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 681**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 681 without my signature.

This bill is unnecessary. The state does not need to authorize counties to establish pilot programs in their local jurisdictions.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 725**

Governor's Office, Sacramento  
September 27, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 725 without my signature.

This bill is unnecessary and impractical for the Department of Housing and Community Development to implement. Providers of rental housing are free to develop a uniform rental housing application on their own should they find such an application helpful for their housing developments or for their prospective tenants. Also, since housing providers would be able to request additional information on this application, it in effect would not truly be a universal application.

Additionally, this bill would require state agencies, when awarding housing funding or tax credits, to assign bonus points to applicants using the universal rental application. This provision places the use of a specific rental application on the same priority level as other high level programmatic priorities such as housing affordability, project readiness, and funding commitments. This is not an appropriate way to disperse scarce housing bond funds.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 842**

Governor's Office, Sacramento  
September 27, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 842 without my signature.

This bill would add ranking provisions to the Infill Incentive Grant program and Transit-Oriented Development programs administered by the Department of Housing and Community Development (HCD). These provisions would give preference if an applicant's general plan, transportation plan, or regional blueprint provides for a 10-percent reduction in the incremental growth in vehicle miles traveled (VMT).

The fundamental weakness of this bill is the absence of any generally accepted, standardized tools for measuring changes in VMT that

accommodate in any meaningful and reliable way the varying social, economic, and geographical conditions in the state. Moreover, even if there were such measures, this bill would provide no means of monitoring whether the projected VMT reductions were achieved or any sanction for failing to achieve the projected reductions. Without these elements, this bill is pointless.

Additionally, the bill is costly and duplicative. The Infill Incentive Grant program and Transit-Oriented Development programs are programmatically structured to minimize automobile use. The ranking criteria for the programs currently include several measures that incentivize and target reduced automobile usage. This bill would impose substantial costs on HCD and local planning agencies with little, if any, prospect of achieving its goal of reducing automobile use.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 952**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 952 without my signature.

This bill would require the board of directors of a homeowner association (HOA) in a common interest development (CID) to provide a payment plan to an owner who is delinquent in paying his or her assessments, if the homeowner can establish a need for working out a payment plan.

This measure will likely be impractical and burdensome for HOAs to actually implement. HOAs enjoy substantial authority in the governing rules that are granted by a vote of the homeowners and can be altered by such a vote. It is more appropriate for each HOA to recognize the unique needs of their homeowners in resolving these issues than passing a one size fits all statewide solution.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 996**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 996 without my signature.

This bill allows collectors of traffic and parking fines to have access to the confidential home address information at the Department of Motor Vehicles (DMV). There are existing mechanisms in place to allow a traffic enforcement agency to pursue collections from law enforcement officers and others who have a restricted confidential home address. The agencies are authorized to obtain an individual's employment information from the DMV and send billing notification to the individual's place of employment. Additionally, unpaid fines can be reported to DMV and included in the registration renewal notice.

DMV estimates significant costs to implement the bill, depending on the volume of requests for restricted confidential address records. DMV

maintains over 1.5 million records that fall under the Confidential Records program. These records cannot be accessed electronically, and therefore, additional staff time would be required to manually process requests for these records. I am also concerned that this access puts the home addresses of law enforcement officers at risk of disclosure.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1017**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1017 without my signature.

This bill establishes timelines under the California Environmental Quality Act (CEQA) during which an administrative appeal of an action taken by a nonelected decision-making body may be made to the elected body.

This bill is unnecessary because existing law already allows local elected officials to set their own deadlines for administrative appeals under CEQA. Imposing standard deadlines for the governance of administrative appeals without regard for variations in local conditions, caseload impacts and other practical considerations unnecessarily limits the discretion of local governments.

For these reasons, I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1418**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1418 without my signature.

This bill would require the Department of Financial Institutions to develop a Credit Union Membership Investment Model to encourage state-chartered credit unions to identify best practices within the credit union industry. The bill would also require the Secretary of Business, Transportation and Housing to prepare a list of significant commitments made by federally- and state-chartered banks related to community investment.

The department is a regulatory agency whose core mission is to enforce our state's banking laws and ensure that state-chartered banks and credit unions engage in sound fiscal and business practices. Neither major provision of this bill are consistent with the mission of the government agencies tasked with these responsibilities. It is additionally unclear that any of the activities envisioned in this bill would actually help in any material way the intended beneficiaries or that these activities are not better suited for the marketplace to act upon.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:25 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 290, 501, 567, 681, 725, 842, 952, 996, 1017, and 1418.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1574**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1574 without my signature.

If this bill were enacted, the Board of Pharmacy would be authorized to issue a limited pharmaceutical license to a physician-owned surgical clinic without it being licensed by the state Department of Public Health (Department). Licensure by the Department ensures that clinics operate in compliance with state and federal standards and provide patients with quality medical and surgical care. This bill fails to address the larger issue of a recent court ruling prohibiting the Department from issuing licenses to surgical clinics that are partially or wholly-owned by physicians. This bill also fails to enact patient safety standards that have been the subject of two previous vetoes.

I will not support a partial solution to a much larger problem, especially when I have requested a comprehensive solution that resolves the quality and licensure issues for physician-owned clinics.

For these reasons, I am not able to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1709**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1709 without my signature.

While I support the use and inclusion of energy efficiency products for the homes in our state as demonstrated by my Million Solar Roofs Initiative, this bill would allow Mello-Roos taxes to be imposed on homeowners in order to finance energy efficiency improvements. This provision represents a fundamental shift in the purpose of Mello-Roos taxes and is one that I cannot support.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1873**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1873 without my signature.

California small claims courts are devised to offer accessible legal services and adjudication to all California citizens. However, this bill would add an additional fee that a claimant may incur when trying to serve a defendant. Such an additional fee may limit the ability of a claimant to bring a claim and would not keep with the spirit of accessibility to small claims courts. We should not be imposing additional fees on the citizens utilizing our court systems with no corresponding increase in services.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1975**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1975 without my signature.

This bill will create a reimbursable state mandate of unknown magnitude by requiring local agencies to accelerate submission of DNA samples. The Legislature could use next session to eliminate this potential mandate issue by revising the bill.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2002**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2002 without my signature.

This bill would double certain penalties on public works projects and create new liability on contractors for the acts of subcontractors.

While I strongly support efforts to ensure compliance with our prevailing wage laws, the proponents of this measure have failed to demonstrate a need for the increased penalties or evidence that simply doubling penalties and creating new liabilities is an effective way of achieving greater compliance. Strong enforcement of existing laws, as well as concerted public outreach and education of employers, will do far more to ensure compliance with our laws than simply indiscriminately doubling penalties.

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

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2139**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2139 without my signature.

In 2005, I vetoed a substantially similar bill and encouraged the Legislature and insurance industry to address the narrow situation where those driving their own family members to medical appointments are not considered as driving during the course of employment.

This bill, however, did not incorporate that suggestion, and as such, does not address the fundamental fairness issue for consumers. Insurers must be able to manage the risk they assume and charge insureds appropriate rates to cover that risk. This bill would subject all drivers, including many that also work for similarly low wages as In-Home Support Service (IHSS) workers, to subsidize the increased premium costs associated with the increased risks these particular insured represent.

Without question, IHSS workers perform an invaluable service for California's most vulnerable citizens allowing them to remain in their own homes. That being said, there are a great number of invaluable services that are performed everyday that benefit millions of our citizens. This bill would cause just one classification of employment to be exempt from the insurance rating factors that affect all other consumers.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2151 without my signature.

This bill would cede a portion of the state's oversight of off-sale retail licensees to local entities. While I support the intent of the bill to strengthen redevelopment efforts in blighted areas, I cannot support legislation which contradicts the provision of the California Constitution vesting the State with the exclusive right to license and regulate alcoholic beverage retailers.

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

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2231**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2231 without my signature.

While I appreciate the progress that Alameda County, Solano County, and the City of Berkeley have made in addressing domestic violence, the funding mechanism authorized by this bill is inappropriate. Irrespective of its intent or the programs it would fund, this bill would extend and increase a fee that is actually a tax; its imposition without a local vote of the people, would be a clear violation of our Constitution.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2344**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2344 without my signature.

This bill would increase license fees on retailers that sell tobacco. I do not believe it is fair to the thousands of small retailers impacted by this bill to increase fees at this time. There is a significant surplus of funds from Proposition 10 available to cover the enforcement costs of this program.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2541**

Governor’s Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2541 without my signature.

Existing law allows courts to direct most low-level, non-violent drug offenders to diversion or participation in a deferred entry of judgment program. This bill seeks to expand these opportunities to higher-level drug dealers. Although the state should seek to make meaningful rehabilitation a reality for a person convicted of a drug offense, this rehabilitation should be concurrent with or subsequent to the imposition of his or her rightful sentence. This bill would undermine the state’s drug laws and thereby place the public’s safety in jeopardy.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:26 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1574, 1709, 1873, 1975, 2002, 2139, 2151, 2231, 2344, and 2541.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2617**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning AB 2617 without my signature.

This bill would require that the Department of Transportation or a local authority post signs wherever a motorcycle is permitted upon high-occupancy vehicle (HOV) lanes. This would necessitate a significant expenditure to post and replace such signs on the state's highway systems. Additionally, no data has been established to indicate that confusion over whether a motorcycle can or cannot use HOV lanes is a widespread problem. The need for this costly signage program has not been conclusively established.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2629**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2629 without my signature.

While the bill's proposal to allow a competent person to service agricultural manlifts in lieu of an entity certified by the Division of Occupational Safety and Health (Division) has merit, other provisions in the bill are flawed and cannot be accepted unless supporting information is brought forward to justify the changes proposed. For example, the bill proposes to expand the Division's jurisdiction to include private residences, while removing the Division's jurisdiction over elevators in hydroelectric facilities. Both changes significantly alter long standing practices and were added to the bill with little explanation. Other provisions of this measure dealing with two-unit residential buildings are ambiguous and create more questions than answers. I suggest the proponents of this measure work with the Division to justify the proposed changes and draft unambiguous language that addresses the alleged shortcomings in existing law.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2697**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2697 without my signature.

While I support greater transparency in hospital financing and quality indicators, this bill represents an effort to undermine our current competitive market-based health care system. Requiring “boutique” hospitals to conduct an impact study on surrounding hospitals before commencing operations is anticompetitive and may result in patients having fewer choices when they seek effective, specialized care in their community. Furthermore, a great deal of this data is already collected and available through the Office of Statewide Health Planning and Development.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2923 without my signature.

This bill reiterates existing law, which already requires the Secretary of the Resources Agency (Secretary) and State Lands Commission (SLC) to review certain state-owned lands for suitability or non-suitability as wilderness areas and to report to the Governor and the Legislature.

Additionally, this bill statutorily prioritizes specific state-owned lands for review as wilderness. These specific designations appear arbitrary and could result in the redirection of scarce resources from within the agency and its departments. I prefer to let the Secretary manage the reviews his agency and departments are required to conduct under existing law.

For these reasons, I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2937**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2937 without my signature.

Despite advancements in technology and the best efforts of law enforcement, innocent people sometimes are arrested or convicted of crimes they did not commit. I applaud efforts to address injustice done when an innocent person has been erroneously incarcerated and support measures to help such an individual receive appropriate compensation

or services. However, I cannot support this bill because it would create a state-mandated local program resulting in increased General Fund costs.

This bill would require counties to provide case management services for two years to persons wrongfully incarcerated and, upon request, for any person wrongfully incarcerated and released since January 1, 2002. The state already compensates these individuals, even though wrongful convictions occur at the local level. Any programs to further assist these persons should therefore be funded at the local level. In addition, many of these individuals could otherwise be eligible for local programs without mandating the provision of case management services.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2996**

Governor's Office, Sacramento

September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2996 without my signature.

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

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 27th day of September at 2:27 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2617, 2629, 2697, 2923, 2937, and 2996.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 169**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 169 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 815**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 815 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 860**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 860 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 926**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 926 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1720**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1720 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1722**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1722 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1823**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1823 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1829 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1910**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1910 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1951**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1951 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:45 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 169, 815, 860, 926, 1720, 1722, 1823, 1829, 1910, and 1951.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1022**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1022 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1569**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1569 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1724**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1724 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1916**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1916 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1950**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1950 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2233**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2233 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2299**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2299 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2440**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2440 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2471**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2471 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2595**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2595 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 27th day of September at 2:46 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1022, 1569, 1724, 1916, 1950, 2233, 2299, 2440, 2471, and 2595.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2610**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning AB 2610 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2627**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2627 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2849 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2871 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2878**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2878 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2953**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2953 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2964**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2964 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2992**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2992 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3045**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3045 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3050**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3050 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

## Receipt of Bills

I acknowledge receipt this 27th day of September at 2:47 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2610, 2627, 2849, 2871, 2878, 2953, 2964, 2992, 3045, and 3050.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1955**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1955 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2275**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2275 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2508**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2508 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2770 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3014**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3014 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 27th day of September at 2:48 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1955, 2275, 2508, 2770, and 3014.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 3059**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3059 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3064**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3064 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3068**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3068 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3080**

Governor's Office, Sacramento  
September 27, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3080 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 27th day of September at 2:49 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 3059, 3064, 3068, and 3080.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 264**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 264 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 359**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 359 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1028**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1028 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1221**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1221 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 1230**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1230 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1760 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1825 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1852**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1852 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1866**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1866 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1870**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1870 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1885 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1928**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1928 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1942**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1942 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1982**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1982 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2078**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2078 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2160**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2160 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2173**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2173 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2213 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2243**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2243 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2412**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2412 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2427**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2427 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2584**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2584 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2622**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2622 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2898**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2898 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3033**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3033 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3041**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3041 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3052**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3052 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3054**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3054 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

### Receipt of Bills

I acknowledge receipt this 28th day of September at 1:35 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 264, 359, 1028, 1221, 1230, 1760, 1825, 1852, 1866, 1870, 1885, 1928, 1942, 1982, 2078, 2160, 2173, 2213, 2243, 2412, 2427, 2584, 2622, 2898, 3033, 3041, 3052, and 3054.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

### **Veto Message—Assembly Bill No. 1057**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1057 without my signature.

This bill would expand coverage to the uninsured in Santa Clara county using federal funds that are only available for three years. This program is not sustainable and represents a piecemeal approach to a larger problem. The larger problem can only be solved with comprehensive health care reform that promotes prevention, covers all Californians, contains cost and shares responsibility.

I cannot support a bill that only covers a fraction of a problem requiring far larger solutions.

For this reason, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

### **Veto Message—Assembly Bill No. 1112**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1112 without my signature.

This bill adds the acquisition or construction of residential rental property in order to house district teachers and employees to the purposes for which a school district or community college district governing board may request voter approval to issue and sell bonds.

School districts should not add residential property management to their list of responsibilities. This broadened authority would detract from their primary responsibility of educating students. The issue of affordable housing is best addressed by the local government agencies tasked with that responsibility.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1129**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1129 without my signature.

I am supportive of providing additional flexibility for small rural jurisdictions to participate in the Local Housing Trust Fund program by reducing the minimum participation level and allowing flexibility for local governments to provide dedicated fee revenue in lieu of a one-time match. However, the bill is silent on when local governments may expend state funds that are on deposit awaiting local matching funds. Allowing local governments to expend state funds without the accompanying local matching funds undermines the purpose of a matching grant program.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1366**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1366 without my signature.

This bill would require local governments to have approved housing elements and to have submitted annual housing element progress reports for eligibility for funding of specified affordable housing programs administered by the Department of Housing and Community Development. As a result, this bill could exclude housing projects located in some communities from accessing Proposition 1C housing bond funds for affordable housing projects. While compliance with housing element law is important, withholding funding could have the effect of reducing affordable housing options in communities where it is most needed.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1502**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1502 without my signature.

While I acknowledge that teaching students the importance of financial literacy is meritorious, school districts already have the flexibility to incorporate money management into their lesson plans. Moreover, the State Board of Education adopted content standards developed by a diverse group of experts and are intentionally broad in



order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1605**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1605 without my signature.

This bill is unnecessary. Public health nursing issues are being addressed through collaboration with the Department of Public Health and the stakeholder community. In addition, this bill would unnecessarily restrict the Department’s ability to choose a chief deputy that brings the skills and expertise needed to manage a large, complex and important governmental agency.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1754**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1754 without my signature.

Nothing under current law prohibits the Chancellor of the California Community Colleges to distribute a pre-existing model grade changing policy to each community college district, even without legislative mandate. Therefore, this bill is unnecessary.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1816**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1816 without my signature.

This bill is unnecessary because the courts already maintain and have exercised authority to appoint temporary cemetery managers when circumstances warrant.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1821 without my signature.

While the intent to streamline reporting requirements for the higher education segments is a laudable goal, I understand this bill contains a drafting error. Furthermore, as currently drafted, this bill would likely result in significant state reimbursable mandated costs on the Community Colleges.

I would be willing to sign a bill in the next session that addresses these concerns and directing my Department of Finance to work with the appropriate Legislative staff to this end.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1863**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1863 without my signature.

While I respect the author's intent to recognize the role of Italian Americans in California and United State history, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1872**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1872 without my signature.

While I support the goal of making evidence-based information available to assist in educating students with Autism Spectrum Disorders, this bill is premature. It is unclear whether private funding can be secured for this purpose, as required by the bill. Programs that are established in statute without consistent funding can establish the appearance of addressing an issue, but tend to provide marginal benefit in the long run.

Given the current fiscal situation, I encourage the author to work with the Department of Developmental Services in determining the best way to meet the objective within existing resources available.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1884 without my signature. As I have stated before in vetoing similar measures, allowing a tribal government that is not subject to all federal, state and local laws to participate in the exercise of public power, particularly off reservation lands, diminishes public accountability and control.

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

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1917**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1917 without my signature.

This bill would allow, upon adoption by the Los Angeles County Board of Supervisors, an enhanced survivor benefit for children of medical professionals in county jail and mental health facilities who are killed in the line of duty.

Although this is a well-intentioned bill, this is a matter that should be resolved in collective bargaining at the local level before seeking any necessary legislative approval.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2000**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2000 without my signature.

This bill would permit a city or county, where construction of housing units exceeded their fair share of the regional housing need in the prior planning period, to credit those units against the jurisdiction's fair share for the next planning period. While the goal of rewarding cities and counties that exceed their fair share is laudable, this bill would

negatively impact the housing industry by reducing the amount of land available for residential development and could result in more regulatory barriers to housing.

Additionally, this bill would require on-going appropriations from the General Fund in order for the Department of Housing and Community Development to comply with the law.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2019**

Governor's Office, Sacramento  
September 28, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2019 without my signature.

This bill would give tenants the ability to initiate legal action against an owner of publicly subsidized, rent-restricted, or assisted housing if the owner fails to provide the proper legal notice when the owner decides to remove the property from the subsidized housing market.

This measure, while well intentioned, attempts to achieve this goal by expanding the number of individuals who have standing to initiate legal action and enforce current notification requirements. This could increase overall litigation throughout the state. In addition, owners, who may have simply been unaware of the notification requirements, may face excessive and unnecessary delays or court costs prior to the sale or transfer of their property. These types of delays and burdens could discourage potential buyers of the affordable housing development and increase the chances that individuals who own, or are considering the purchase of, affordable housing units will choose not to enter the market.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2034**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2034 without my signature.

While I respect the author's intent to recognize the role of Native Americans and their tribal and sovereign governments' relationship with the state, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2064 without my signature.

While I respect the author's intent to recognize the role that Southeast Asians played in the Vietnam War, I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2097**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2097 without my signature.

This bill would allow a redevelopment agency to divert funds set aside for the construction of affordable housing to finance supportive services which include staff salaries and other ongoing costs. While the intent of this bill, to increase social services for individuals who are homeless, is laudable, AB 2097 would set a precedent for the expenditure of redevelopment funds on ongoing, programmatic costs that create new levels of financial risk for taxpayers. Because redevelopment funds are based largely on bond indebtedness, they should be strictly limited to one-time costs associated with capital improvements and other physical work. In addition, this bill would reduce the available funding for actual housing production, which undermines state and local efforts to increase affordable housing opportunities for families with low and moderate incomes.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2135**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2135 without my signature.

I vetoed similar legislation in 2006 and am concerned that this bill circumvents the decision by the State Board of Education on this issue. The State Board thoroughly vetted the issue in its deliberations and this measure contradicts that decision.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2138**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2138 without my signature.

This bill attempts to create a statewide policy of exempting certain foster care students from district-specific graduation requirements. In doing so, this bill would usurp the authority of local school boards to determine the conditions under which students should be granted diplomas. Beyond the current minimum statewide requirements, local school boards have the ability to waive their own local graduation requirements based on the merit of each student's case. This bill would undermine their ability to judge each individual student's particular circumstances.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2167**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2167 without my signature.

Current law already provides adequate protection for school employees to review the contents and provide rebuttal to documents in their personnel file. Enacting this bill could result in hindering the reasonable process of school management personnel to fairly evaluate and discipline employees.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2189 without my signature.

The proposed continuing education requirements in this bill impose an additional burden on the regulated profession without justifying a compelling need.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2214**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2214 without my signature.

This bill authorizes a parent to make a request to a school or school district, but then also includes a provision that would allow a school or school district to disregard that parent's request. I do not support a measure that changes the law to ostensibly provide more parental rights, but results in no tangible effect.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2259**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2259 without my signature.

This bill would allow a homeowner in a common interest development (CID) to retain the right to rent or lease his or her unit, if the right existed at the time of ownership unless the owner relinquishes those rights in writing.

The supporters of this bill stress that the bill will protect the property rights of the owners of property within a CID governed by a home owner association (HOA) by preserving the conditions under which the property was purchased. This view stresses that these conditions are essentially a contract between the buyer and the HOA. However, the converse of this argument is that owners have their property rights limited when they are prevented from renting or leasing their property when they are restricted by this law and the subsequent actions taken by HOAs.

This bill alters the basic tenets under which CIDs and HOAs are formed and operated. While my support of property rights is unwavering, the CID creates a unique community model that is unlike the standard single family home in a traditional neighborhood. Property owners and residents that purchase and live in a CID governed by an HOA have agreed to live under a common set of rules and guidelines governed by a democratic process. It is best, as current law allows, for the owner-members of the HOA to determine what is best for their communities.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2295 without my signature.

This is the second time I have vetoed similar legislation. Current California Transportation Commission (CTC) policy guidelines already

provide that local road rehabilitation projects are eligible for State Transportation Improvement Projects funding. This bill is duplicative of existing guidelines and unnecessarily reduces the ability of the CTC to modify its guidelines to reflect future changes in available funding and transportation policy.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2315**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2315 without my signature.

The State Board of Education (SBE) recently addressed the issue of greater transparency and clear timelines and procedures in the instructional materials adoption process. Those SBE regulations were intended to set forth the process by which the SBE adopts curriculum frameworks, evaluation criteria, and instructional materials. Moreover, I see no need to change the process or the people involved in this important work. The SBE should maintain the authority of selection and appointment of instructional materials reviewers and content review experts.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2346**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2346 without my signature.

Current law allows a child care facility in a State building to receive a rent discount if the facility shows a specific need for the discount. The Department of General Services (DGS) already has substantially discounted the rent for each child care facility located in State buildings to help ensure the viability of each facility. Requiring the State to provide free rent to only specific child care facilities, as this bill proposes, sets an inappropriate precedent to provide a permanent rent exemption, without the discretion of DGS.

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

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2438**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2438 without my signature.

I vetoed a substantively similar bill last year. I continue to believe that the provisions in this bill could undermine the goal of achieving student academic improvement.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2442**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2442 without my signature.

This bill is unnecessary. The funds within the Medical Board of California should be used to support ongoing consumer protection activities that are more directly related to the Board's licensure, regulatory and enforcement efforts.

For this reason, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2443 without my signature.

This bill, while well-intentioned, detracts from the mission and purpose of the Medical Board of California. The Board should be focused on successfully implementing its current licensure, regulatory and enforcement activities before attempting to offer new programs outside its highest priority—protecting the health and safety of consumers.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2468 without my signature.

I have vetoed similar legislation dealing with the cost of instructional materials in prior years. Current law already provides safeguards against California paying higher prices for instructional materials than

any other state or school district in the entire country. Moreover, I continue to believe that California should always focus on providing the highest quality of educational materials for our students.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2529**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2529 without my signature.

The fee schedule specified in this bill can be posted on the Division of State Architect website without legislative mandate. Therefore, this bill is unnecessary.

For this reason, I will not sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2543 without my signature.

I share the author's concern about the health workforce needs of our state. However, the provisions of this bill place an additional licensing fee on an entire profession to provide specialized loan assistance grants beyond the \$10 surcharge they already pay for the Mental Health Service Provider Education Program. Unfortunately, this bill is double-assessing the same profession for similar programs.

I would encourage the stakeholders to consider the loan repayment funds they currently receive through licensure assessments and discuss how those funds can be redirected to address their policy goals.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2550**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2550 without my signature.

I support the notion that best value contracting is a reasonable alternative for construction projects which allows projects to be awarded based on a combination of best price and qualifications because construction projects represent a large, long term investment of resources. However, I am concerned that this legislation may allow

subjective methods to govern the bidding process for procurement of supplies and materials with a relatively short life cycle, which could be more open to manipulation and abuse in the bid selection process.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2594**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning AB 2594 without my signature.

If this bill was signed into law, it would be in conflict with the recently enacted budget trailer legislation. By allowing redevelopment agencies to use tax increment revenue to purchase, assume, or refinance nontraditional and subprime mortgages, the bill would reduce the tax increment available for transfer to the Educational Revenue Augmentation Funds, as the budget trailer legislation requires.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2630**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2630 without my signature.

While the stated intent of this bill is purported to conform state special education law to changes to the federal Individuals with Disabilities Education Act, its provisions appear to expand beyond federal requirement, and therefore could expose the State to significant reimbursable state mandate costs.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2669**

Governor's Office, Sacramento

September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2669 without my signature.

This bill would create a new speeding law that would make driving 26 miles per hour over the speed limit on city streets illegal. A violation of this provision would carry a two-point assessment to the driver's record and would also be reportable for a seven-year period.

There is no question that exceeding the posted speed limit is a dangerous and risky driving behavior. Driving in excess of the speed limit is already a violation of the law—the California Vehicle Code includes over 38 sections addressing speed violations. Moreover, a two-point violation should be reserved for the more egregious violations such as a DUI, reckless driving, and hit and run.

I applaud the efforts to curtail speeding on metropolitan roads and streets. Nevertheless, it is my belief that enacting another speeding law is unnecessary. I recommend that local authorities explore alternate traffic measures to decrease the likelihood of speeding on city streets.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2671**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2671 without my signature.

This bill is unnecessary, as the California Department of Corrections and Rehabilitation (CDCR) is already finalizing a prerelease process for incarcerated veterans, as would be required under this bill. In addition, the CDCR already asks inmates about their veteran status upon intake into prison. Therefore, this bill is not needed in order to ensure that incarcerated veterans are identified and that their benefits needs are met.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2696**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2696 without my signature.

This bill would impose additional costs and workload on the Department of Justice (DOJ) during a time of limited state resources. Funds for this purpose have not been included in the 2008–09 fiscal plan, and adding requirements to DOJ while also seeking programmatic reductions due to the state of the General Fund is inappropriate. In addition, this bill potentially creates a reimbursable mandate, which could lead to even more General Fund pressure and costs.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2704**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2704 without my signature.

This bill authorizes schools to provide free tap water for students in the food service area during the school day. Nothing under current law prohibits a school from providing free tap water to its students. This bill also prohibits a district from entering into contracts that prohibit the availability of free tap water. This bill essentially seeks to regulate a perceived lack of common sense amongst California's school

administrators, implying that they are not acting in the best interest of our students, by denying kids access to free tap water. I do not believe this particular bill is necessary.

Instead of signing this bill, I would much rather work with the Legislature on finding more positive and constructive ways to promote the accessibility and consumption of clean water in our schools.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2733**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2733 without my signature.

This bill is unnecessary as current law already requires sellers of real property to notify buyers of the presence of environmentally hazardous substances, materials or products that are on the property, if the seller has knowledge of such contamination. Current law provides adequate protection for buyers and sellers of real property. This bill would make it even more difficult for people to sell property in the State, and is inappropriate in light of the stagnant real estate market currently being experienced in California.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2757**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2757 without my signature.

As drafted, this bill is overly broad and would usurp the State Board of Education's (SBE) authority to approve the proposed regulations. Without SBE oversight and approval, I am concerned that this bill would allow additional data elements and reporting requirements on both public and private schools not currently required by the education code, and thus create local mandates.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2806**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2806 without my signature.

This bill would mandate that current homeowner association (HOA) board members and candidates running for a seat on a HOA board to provide information to the board indicating whether he or she has completed an educational course on the law of common interest developments. The bill would also require the HOA to include this

information in the ballot materials for the board member election along with any other relevant education or qualifications the candidate wishes to make known.

While it is important to know a candidate's credentials and qualifications to sit on a HOA board, existing law already allows for such, making this bill unnecessary. The Davis Stirling Act requires that any HOA board candidate be given access to a HOA's media, newsletters or internet web site during an election cycle to provide opinions relevant to the running of the HOA and information about his or her qualifications. This bill creates an unnecessary redundancy.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2818**

Governor's Office, Sacramento  
September 28, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2818 without my signature.

This bill would prohibit a local housing authority from disposing of certain types of subsidized public housing unless the housing authority meets certain state mandated conditions, including the full replacement of disposed of housing units.

The restrictions that this bill would add are unnecessary and over burdensome to local housing authorities. The federal government has been reducing subsidy funding for public housing, but the demand for public housing is not declining. Local housing authorities must have the flexibility to dispose of financially unsupportable housing in an efficient and timely manner that minimizes the loss of housing units. This bill would impose new notice requirements and other restrictions and limitations that would limit too severely that vital flexibility.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2854**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2854 without my signature.

During my Administration, I have been committed to assisting small businesses and seeking ways for them to access valuable state resources. However, this bill does not offer any additional significant information to these businesses that is not already provided on the existing Small Business Advocate website. The Small Business Advocate currently consults with all parties required in this bill, and as such the bill is redundant and unnecessary.

Additionally, the report mandate in this bill would create additional workload that would result in a General Fund cost pressure that is unsustainable during our current budget situation.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2874 without my signature.

Existing law already allows victims whose actual damages exceed \$150,000 to go straight to court without compromising the amount of their claim in a proceeding before the Fair Employment and Housing Commission. In addition, it is likely this bill would result in additional General Fund costs that are not currently funded.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2994**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2994 without my signature.

This bill is substantively similar to a bill I vetoed in 2006. I continue to believe that schools should maintain the flexibility to develop their own procedures to ensure compliance with existing state and federal laws.

For this reason, I am not signing this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3084**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3084 without my signature.

While I respect the author’s intent to recognize the role of Filipinos who fought courageously in World War II, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 28th day of September at 1:37 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1057, 1112, 1129, 1366, 1502, 1605, 1754, 1816, 1821, 1863, 1872, 1884, 1917, 2000, 2019, 2034, 2064, 2097, 2135, 2138, 2167, 2189, 2214, 2259, 2295, 2315, 2346, 2438, 2442, 2443, 2468, 2529, 2543, 2550, 2594, 2630, 2669, 2671, 2696, 2704, 2733, 2757, 2806, 2818, 2854, 2874, 2994, and 3084.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 317**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 317 without my signature.

This bill is unnecessary and may result in unnecessary General Fund expenditures. The Department of Health Care Services already works administratively on a case-by-case basis to help adult day health facilities receive appropriate reimbursement when there is a declared state-of-emergency.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 354**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 354 without my signature.

This bill fails to identify oversight and regulation of the proper handling and disposal of adulterated medical devices. Current law requires pacemakers to be considered medical waste upon removal from a body, requiring proper handling and shipping to medical waste treatment facilities. Additionally, possession, shipment and transfer of adulterated medical devices are specifically prohibited by state and federal law.

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

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 357**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 357 without my signature.

While I am supportive of efforts to ensure that school districts have instructional materials available for their students on a timely basis, this bill is unnecessary. Districts may enter into contractual agreements with publishers and can negotiate any level of penalty based on a variety of contract terms, even without statutory mandate.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 360**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 360 without my signature.

This bill would allow counties to establish restorative justice programs. While I am open to prevention and treatment programs which are proven effective, the principles stated in this bill appear to emphasize alternatives to incarceration, without ensuring public safety. It is also unclear whether the restorative justice program, as proposed in this bill, is limited to first or second-time, nonviolent offenders.

I urge the Legislature to give further attention to these important issues that help shape the juvenile justice system.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 531**

Governor’s Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 531 without my signature.

While I respect the author’s intent to recognize the role that the *Mendez v. Westminster School District* case played in the civil rights movement, I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 759**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 759 without my signature.

While I appreciate the author's intent, this bill could place a significant economic impact on small residential care providers. Inadequate housing for the elderly, especially those with disabilities, is already a significant problem. This bill may result in fewer facilities being able to serve this vulnerable population and force some residents to relocate to more restrictive or costly living arrangements.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 865**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 865 without my signature.

This bill would require specified state agencies to answer incoming telephone calls on their main public lines with a live customer service agent within ten rings.

Good customer service is an essential part of good state government. My Administration strives to ensure that our constituents receive the best customer service possible, even in tight fiscal times such as these. To that end, each Agency impacted by this bill has practices in place to address the needs of its particular constituents. The inflexible mandate proposed by this bill is not only unnecessary but places fiscal burdens on the state at the most inopportune of times.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 599**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 599 without my signature.

While this bill attempts to simplify an overly complex education finance system, this bill has several technical concerns in the way it was drafted. I am concerned that the consolidated "add-on" may not be revenue neutral, as the author intended, since various factors could result in unanticipated General Fund costs or savings in future years. Furthermore, the bill as crafted may diminish the incentives for districts to offer longer instructional time.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1405 without my signature.

This bill would discourage complete and honest testimony in judicial proceedings by forbidding a prosecutor from using a minor's prior statements to demonstrate that he or she is misleading the court.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2105**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning AB 2105 without my signature.

This bill would expand the list of mandated reporters of suspected financial elder and dependent adult abuse to include all financial lending institutions and their employees engaged in lending or servicing activities. The bill would also add courses to detect signs of financial and elder abuse and reporting requirements to the list of consumer protection courses or programs required for real estate license renewal.

While my Administration is committed to the prompt investigation of suspected financial elder and dependent adult abuse, the current fiscal crisis does not allow me to support legislation which creates an additional workload for already-overburdened programs. County adult protective services agencies, which would need to provide training and guidance to finance lenders in their new reporting duties, are already stretched thin.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2252**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2252 without my signature.

I agree that youth offer a unique and thoughtful perspective on issues that affect California. However, this bill is duplicative of efforts currently underway by the Child Welfare Council established under the Child Welfare Leadership and Performance Accountability Act of 2006 and the State Youth Council. Furthermore, the Administration and the Legislature already have the authority to create councils to advise them, rendering this bill unnecessary.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2844**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2844 without my signature.

This bill would require significant state General Fund expenditures when our state's fiscal situation remains uncertain. Due to the immediate cost of implementing the provisions of this bill and our budget crisis, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 239**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 239 without my signature.

It is unacceptable to create a two-tier classification for drug and alcohol counselors in this state. Individuals seeking treatment for an addiction problem should not be subject to different standards based on their ability to pay.

I am directing my Department of Alcohol and Drug Programs and Department of Consumer Affairs to work with stakeholders to craft a uniform standard for all alcohol and drug counselors so individuals seeking treatment are offered the same quality care across all sectors, whether in a public or private facility.

I look forward to supporting a bill that provides consistent, high quality standards for all alcohol and drug counselors.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 371**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 371 without my signature.

This bill would require all general acute care hospitals applying for financing from the issuance of tax-exempt bonds to have a "safe patient handling" policy in their Injury and Illness Prevention Plan.

This bill is yet another attempt to impose inflexible patient handling policies upon all acute care hospitals. I have vetoed several bills attempting to impose so-called "zero-lift" policies on hospitals, including a measure this year. As I have said before, hospitals are the best judges of what type of safe patient handling policy is appropriate for their care setting given their resources.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1755 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2244**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2244 without my signature.

Current law already requires hospitals to have written staffing plans for nursing staff. In addition, hospitals must determine the staffing needs for “non-licensed” classifications using the hospital's individual patient care requirements and their system of delivering care. To target a requirement specifically at the five University of California hospitals is both unnecessary and ineffective. All hospitals are currently licensed and held accountable using the same criteria—this makes good policy sense and creates an environment that protects all patients equally, regardless of the type of hospital.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2269**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2269 without my signature.

This bill would authorize a public utility to receive solar incentives authorized by the SB 1 (Murray).

When I embarked on creating the Million Solar Roofs Plan, the goal was to get 3,000 megawatts of customer-generated solar power in an effort to encourage distributed generation to sustain our electrical grid and build a robust and commercially viable solar industry in California.

This bill undermines those goals by awarding solar incentives directly to the utility rather than to their customers. Although this bill is narrowly tailored, signing it would open the door from other utilities throughout the state that would seek similar treatment. If we wish to maintain this program, this cannot occur. I will not sign any bill that undermines this program by shifting the rebates it offers from customers to a publicly- or investor-owned utility.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2309**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2309 without my signature.

This bill is unnecessary as it would require the California Public Utilities Commission to determine whether to require corporations to provide owner-requested energy efficiency audits and make recommendations to the owner on cost-effective measures that would increase a building's energy efficiency.

Although I am supportive of efforts to increase energy efficiency, utilities and private entities already conduct energy audits when requested by building owners. Home audits are already included in each utility's portfolio of programs and upon completion of audits, the utilities offer residential owners recommendations for achieving increased energy efficiency.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2540 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2706 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2968**

Governor's Office, Sacramento  
September 28, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2968 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 28th day of September at 1:41 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 317, 354, 357, 360, 531, 759, 865, 599, 1405, 2105, 2252, 2844, 239, 371, 1755, 2244, 2269, 2309, 2540, 2706, and 2968.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

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

Governor's Office, Sacramento  
September 29, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2032 without my signature.

This bill would authorize the Administrator of the Office of Spill Prevention and Response (OSPR) to increase the per barrel oil fee on oil delivered to a marine terminal or transported into the state by a pipeline through marine waters from the current 5 cents per barrel up to 8 cents per barrel.

The per-barrel fee was increased in 2002, and OSPR is currently using those increased funds to implement a number of strategies to improve preparedness and operations that will not result in costs above what is included in the 2008 Budget Bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2547**

Governor's Office, Sacramento  
September 29, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2547 without my signature.

In addition to many other activities which are already being undertaken by the Office of Spill Prevention and Response (OSPR), this bill seeks to establish a new grant program to evaluate new oil spill response technologies. This is unnecessary as OSPR already maintains partnerships with the United States Coast Guard and the Minerals Management Service to monitor and evaluate new response technologies.

Additionally, the funding stream for this new program is problematic. The bill proposes to fund the new grant program using the Oil Spill Response Trust Fund. This is problematic because Trust Fund monies are set aside to fund oil spill response activities. Using this money for an ongoing program depletes the fund and sets a bad precedent that undermines its purpose: to ensure that there are always funds available for expedient response to an oil spill in the marine waters of the state.

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

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 29th day of September at 4:10 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2032 and 2547.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2 without my signature.

The state's high risk pool was enacted in response to the failure of the health insurance market to provide coverage to individuals with pre-existing medical conditions, even if they could afford to pay higher premiums. California has subsidized this coverage for thousands of individuals since the inception of the program. Unfortunately, creating a mandate and assessing a fee based on covered lives in the individual market is not the answer.

Mandates such as this only serve to make health care more expensive for those who can least afford it. Most uninsured Californians cannot obtain coverage because they cannot afford the premiums, no matter whether they are high-risk or not. This bill would allow health insurance companies to pass the fee onto their enrollees, making it more expensive. This population is the most sensitive to price. Many must bear the entire cost of their coverage because they are self-employed or their employers do not offer coverage—a bill such as this only exacerbates their burden.



Comprehensive health care reform that guarantees issuance of coverage to all individuals, along with an individual mandate, cost-containment, prevention and shared responsibility is the only solution for our health care crisis.

I cannot support this bill because it provides a limited solution without addressing a much larger problem. Californians demand and deserve a solution to solve the broader challenge facing us all.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 16**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 16 without my signature. The addition of a new mandate, no matter how small, will only serve to increase the overall cost of health care.

California currently has 44 mandates on its health care service plans and health insurance policies. While these mandates are well-intentioned, the costs associated with guaranteed coverage means that these costs are passed through to the purchaser and consumer. These mandates are a significant driver of cost. Every day, a growing number of employers and individuals are struggling to pay for their health care. We cannot afford to increase these costs without enacting other measures that improve efforts aimed at prevention, address affordability of care and share responsibility between individuals, providers, employers and government.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 30**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 30 without my signature.

The addition of a new mandate, no matter how small, will only serve to increase the overall cost of health care. California currently has 44 mandates on its health care service plans and health insurance policies. While these mandates are well-intentioned, the costs associated with guaranteed coverage for a specific condition or treatment means that these costs are passed through to the purchaser and consumer. These mandates are a significant driver of cost. Every day, a growing number of employers and individuals are struggling to pay for their health care. We cannot afford to increase these costs without enacting other measures that improve efforts aimed at prevention, address affordability of care and share responsibility between individuals, providers, employers and government.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 368**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 368 without my signature.

This bill is similar to measures I vetoed in 2004 and 2006. The addition of a new mandate, no matter how small, will only serve to increase the overall cost of health care. Increasing the cost of coverage by mandating benefits, may ultimately leave more children without any coverage.

I would urge the Legislature to work with me next year on a comprehensive health care reform solution that provides no-cost or low-cost comprehensive coverage to all children below 300% of the federal poverty level, regardless of their documentation status.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1806 without my signature.

This bill would require the Department of Fish and Game (Department) to develop a set of protocols to evaluate the need for fish rescue and relocation plans within the Sacramento-San Joaquin Delta. This bill would also specify that all references in law to the Sacramento-San Joaquin Delta shall always be capitalized, whether or not "Sacramento-San Joaquin" is included in the reference.

This bill is unnecessary and duplicates authority already conferred to the Department by existing laws and regulations for mitigation for fish and wildlife impacts and coordination between federal, state and local agencies. Additionally, the burdensome process that this bill would create could potentially inhibit restoration activities initiated in association with flood control projects.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1887**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1887 without my signature.

This bill is similar to a measure I vetoed last year. Without comprehensive health care reform that fully addresses prevention, affordability, cost-containment and shared responsibility, I cannot support one-sided mandates that place additional costs on our health care system. This mandate is estimated to increase health care costs for the insured population by over \$110 million annually. Mandates like these are a significant driver of cost and mean some individuals may lose their coverage and not receive health care at all.

Californians deserve better when it comes to the health care they receive. They deserve comprehensive health care reform that places a priority on prevention and wellness, provides coverage for all, promotes shared responsibility and makes health care more affordable.

I remain committed to a comprehensive solution. For these reasons, I am unable to support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1945**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1945 without my signature.

I believe that unfair rescissions are a deplorable practice. My Department of Managed Health Care has fought for—and won—significant settlements with the industry that have significantly changed the marketplace and reinstated coverage for thousands of consumers.

The Department's settlements are unprecedented and have fundamentally changed the way health plans operate in this state. The individual insurance market is fragile, and we must balance the need for strong consumer protections with the recognition that unintended consequences can tighten this market even more. Unfortunately, the provisions of this bill will only increase costs and further restrict access for over 2 million Californians that currently obtain coverage in the individual market.

My Administration proposed comprehensive legislation to address this problem. In particular, my proposal contained several strong consumer protections that this bill fails to address. My proposal established a standard application to remove any possibility of plans using different health questions to disadvantage applicants. This bill does not contain that protection. My proposal required agents and brokers to sign under penalty of perjury that they had not altered an applicant's answers. Penalties were levied if they engaged in this unscrupulous behavior. This bill does not contain that protection. My proposal clearly outlined the rules that plans and insurers had to follow when considering whether to offer a contract to an applicant. This bill does not contain that protection. My proposal didn't allow plans to rescind or cancel if a doctor failed to inform a patient of a medical condition. This bill does not contain that protection. My proposal

contained a two-year lookback protection that prevented plans from rescinding or cancelling after two years. This bill does not contain that protection. My proposal protected family members and required coverage to be continued without additional underwriting or increase in premiums. This bill does not contain that protection.

This bill was written by the attorneys that stand to benefit from its provisions. In rushing to protect a right to litigate, the proponents failed to consider the real consumer protections that are needed.

I would call on the Legislature next year to work with my Administration on real legislation that enacts important protections for consumers without increasing premiums and reducing coverage for those who need it most.

For these reasons, I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1946 without my signature.

California's current structure of water quality enforcement has systemic problems that must be addressed in a comprehensive and coordinated fashion. Last year, I asked the State Water Resources Control Board (State Board) to analyze the current structure and procedures of the state and regional water boards and develop a package of reforms that will result in improvements in the implementation and enforcement of our water quality laws. That package of reforms was delivered to the Legislature earlier this year and was never acted upon.

This bill misses the mark because increasing the frequency and severity of civil penalties via the court system is not the truest measure of our success in addressing water quality in California. The courts are an effective tool, but they are not the only tool that should be used to ensure clean water.

Greater emphasis needs to be placed on increasing the accountability, consistency, and effectiveness of the regional and state boards. Doing so ensures that we create a system that lays out a clear path to compliance with our water quality laws, without having to resort to the courts.

This is an important issue and I encourage the author and the Legislature to address it in a comprehensive fashion in the next legislative session.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1962**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1962 without my signature.

This bill is nearly identical to a measure I vetoed in 2004. My concerns with this bill remain unchanged. A mandate, no matter how small, will only serve to increase the overall cost of health care. I want to decrease the number of uninsured Californians. Increasing the cost of coverage moves in the opposite direction.

The choice is difficult—protect access to affordable health insurance when costs continue to increase for employers and individuals—or mandate that every person who pays for their own health insurance must buy coverage for maternity services.

Until the goals of prevention, affordability and the concept of shared responsibility are addressed through comprehensive health care reform, I must continue to veto one-sided mandates that only increase costs to the overall health care system.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2046**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2046 without my signature.

This bill requires local governments and public water suppliers to ascertain a very detailed level of information prior to approving new development projects that rely on groundwater.

Relying on contaminated groundwater as a water supply source for new development is problematic, especially in the instance where no foreseeable plans to clean up the groundwater exist. Nonetheless, accurate and precise computations of the amount of groundwater that can be reliably cleaned up and used in the future, as required by this bill, may be nearly impossible to produce. As a result, local governments and water suppliers would come under increased threat of litigation, due to the uncertainty inherent in calculating the status of ongoing efforts to treat or remediate contaminated groundwater.

California faces significant water challenges that require thoughtful solutions. But providing an additional basis for lawsuits and litigating water supply solutions does not result in the appropriate approach that we need to enable us to provide water for the benefit of our environment, our economy, or public health.

I encourage the author to continue working with the stakeholders and my Administration on a solution that addresses this issue, without creating another means for litigation that could be abused solely to halt development projects throughout the state.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2220**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2220 without my signature.

I applaud the author for seeking to address one of the most important consumer issues facing patients today. This bill attempts to change the market dynamic in a way that encourages contracts between health plans and providers. It is a good starting point. Unfortunately, it does not contain the comprehensive solution that patients need and deserve when it comes to addressing the disgraceful practice of balance billing.

I believe the author and Administration can work together to solve this issue next year. I look forward to our combined efforts that will take the patient out of the middle of these payment disputes.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2262**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2262 without my signature.

I have vetoed similar measures twice before and there is no new data or information to support a change in my position. California's Safe Surrender Law is carefully crafted to provide an emergency alternative to a woman in crisis while also preserving the fundamental rights of a child.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2479**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2479 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2504 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2686 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2828**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2828 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2970**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2970 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2986**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2986 without my signature.

This bill would require the State Water Resources Control Board (SWRCB) to develop a letter grading methodology for sewer systems and sewage treatment plant performance and annually issue a letter grade for facility performance. The bill also would require the SWRCB to make specified regulatory information available to the public through the internet.

While I support actions to reduce sewage spills and improve the performance of community wastewater infrastructure, this bill would result in significant annual costs while providing little real benefit. This bill would result in costs of up to \$3.5 million annually. These costs would be paid through increased fees on local agencies. These monies would be better spent by the local agencies to fund system improvements and increase system inspection and monitoring, rather than the creation of a letter grading system.

Additionally, the SWRCB recently adopted a statewide general permit requiring publicly-owned wastewater collection systems to implement detailed reporting and sewer system management plans. This program was designed to improve performance of sewage collection systems, ensure timely reporting of sanitary sewer outflows, and identify system improvements needed to prevent future accidents. We need to let these requirements be implemented and assess their success before implementing additional burdens on these local agencies.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3066**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3066 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER



## Receipt of Bills

I acknowledge receipt this 30th day of September at 1:10 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 2, 16, 30, 368, 1806, 1887, 1945, 1946, 1962, 2046, 2220, 2262, 2479, 2504, 2686, 2828, 2970, 2986, and 3066.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 100**

Governor's Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 100 without my signature.

Provisions in this bill would set an undesirable precedent by providing a retroactive increase to school district per-pupil construction grants. This provision conflicts with the full and final apportionment provision of the School Facilities Program, which requires districts to certify that the funding received is sufficient to complete the project for which the grants are intended. Furthermore, with California's current fiscal climate, it is imprudent to increase construction grants at this time, particularly considering it is uncertain when the next school bond measure may be approved by the voters.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 214**

Governor's Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 214 without my signature.

Physician health programs provide a valuable service and help ensure public safety by encouraging doctors to obtain treatment to overcome substance abuse or manage mental illness. However, separating the operation of such programs from the Medical Board of California is inappropriate. Ideally, diversion programs would always lead to success, but the reality is that not everyone succeeds in recovery. It is critical that the licensing agency be directly involved in monitoring participation in diversion programs to protect patients and enable timely enforcement actions.

Properly designed and administered programs will protect consumers, help doctors overcome their illness; and get more providers back into practice and safely treating patients. Therefore, I invite the author and stakeholder community to engage my Administration on how to design such a program.

For these reasons, I cannot support this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 376**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 376 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 524**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 524 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 733**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 733 without my signature.

This bill would unnecessarily shift the responsibility for developing a list of persons to be excluded or ejected from cardrooms from the Gambling Control Commission (Commission) to the Department of Justice. The Commission is near completion of the regulations needed to develop the list. As such, shifting responsibility for compiling the list to the Department of Justice would be inefficient and unnecessary. Further, shifting this responsibility would circumvent the Commission's authority under the Gambling Control Act to make final determinations on licensees.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 983**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 983 without my signature.

This bill would require a local public entity before entering into a design-bid-build contract, to provide full, complete, and accurate plans, specifications and estimates of cost that would enable any competent mechanic or other builder to carry them out.

This bill is premature. The California Supreme Court recently agreed to review the case, *Los Angeles Unified School District v. Great American Insurance Co., et. al.*, that involves the issues raised by this bill. I believe it is prudent for the court to rule on current law before making any unnecessary or ill-advised changes.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1021**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1021 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1391**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1391 without my signature.

This bill would require a retail seller of covered electronic devices (CED) to provide customers, at the point of sale, with the Integrated Waste Management Board's (IWMB's) website.

This bill is almost identical to AB 546, which I vetoed last year. In vetoing that bill, I stated that the provisions of the bill were redundant of existing law. The same holds true for this bill.

The Electronic Waste Recycling Act of 2003 already requires manufacturers to make information available to consumers, through the use of a toll-free number, Internet website, device labeling, and information in the packaging or accompanying the sale of a CED that describes where and how to return, recycle, and dispose of CEDs.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1565**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1565 without my signature.

Existing law provides a narrow exception to insurance law in order to protect places of religious observance from having their property insured cancelled due to a hate crime against the property. This bill would expand this law to apply to any crime committed against the property.

While hate crimes against any property cannot be condoned in any way, existing law provides adequate protections for places of religious observance subject to hate crimes. Insurance law, as governed by the provisions of the voter-approved Proposition 103, provides that rates shall not be excessive, inadequate or unfairly discriminatory. The expansion of law proposed by this measure so strictly limits how insurers may calculate premiums it is contrary to both the general spirit and application of Proposition 103.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1701**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1701 without my signature.

The existing state program saves California millions of dollars and provides appropriate care to medically-fragile children. This bill would diminish the existing savings and would likely result in costs that exceed the federal upper payment level and require additional state General Fund expenditures. Given our ongoing fiscal challenges, I cannot approve a bill that will require additional state funding at this time.

The Legislature and stakeholders should consider a solution that incorporates other alternative approaches to the pediatric rate methodology to ensure the payment aligns with services provided.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1725**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1725 without my signature.

This bill would require that the State Bar make public a judicial appointee's rating upon the Governor's appointment of that person to a trial court. Existing law already allows the State Bar to make specified information public if a trial court appointee has been found not qualified by the State Bar's Commission. Therefore, this bill is unnecessary and in fact removes some of the State Bar's discretion in the process.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1996**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1996 without my signature. In vetoing similar legislation last year, I made it clear that I support the use of drug treatment programs as a viable intervention tool for drug users. It is important to provide individuals with the correct incentive to transition from a life of crime and substance abuse to one of work and personal responsibility. However, extending food stamp eligibility to drug dealers or traffickers, upon the condition that they engage in drug treatment, will not ensure these individuals will stop selling or trafficking illegal drugs. Therefore, this bill does not provide a targeted approach to the right population and does not ensure adequate public safety protections.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2095**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2095 without my signature.

Having a diverse and qualified judiciary that can effectively serve all Californians is a goal I continue to work towards. Our hard work is reflected in the increased number of diverse judicial applicants. My appointments, of which over 23% to date are ethnic minorities, exceeds the percentages of ethnic minority applicants. The diversity of my appointments surpass that of previous governors who served eight-year terms and will continue to grow as more qualified diverse applicants seek appointment to the bench, judges retire and the Legislature authorizes appointments to correspond with the increasing demand for judges in counties within the state.

I receive information from a myriad of sources, and the only mandatory gateway to be appointed to the bench is the evaluation process done by the State Bar's Commission on Judicial Nominees

Evaluation. Potential candidates are put forward by many organizations or individuals and are thoroughly vetted before receiving an appointment. My Judicial Appointments Secretary corresponds directly with bar associations, other organizations and individuals when being apprised of a potentially outstanding candidate. The people this bill seeks to identify perform an advisory role only and a final decision about who advances in the process is exercised exclusively by the Judicial Appointments Secretary, acting on my behalf. Therefore, any contrary characterization does a disservice to the public.

The California Constitution requires me to appoint individuals to the bench who are equal to the great task of serving this state. It is a duty I take very seriously and is why receiving independent, thoughtful and honest information from numerous sources is crucial in determining an applicant's ability to perform this role. Assembly Bill 2095 would impair the availability of impartial information about prospective judicial candidates, have a chilling effect upon people willing to provide candid information, and would subject individuals to political lobbying from various sources. Ultimately, this bill would hinder my ability to most effectively carry out my constitutionally-mandated duty.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2099**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2099 without my signature.

As I stated in my veto message of a similar bill last year, this bill will result in parolees receiving services that are not currently available to the majority of the general public. For example, the Department of Motor Vehicles does not perform the function of determining whether or not members of the general public have the ability to pay applicable identification card fees. These services must be applied for through other governmental or non-profit public assistance programs.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2123**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2123 without my signature.

While financial literacy is not a cure-all for personal economic troubles, expanding educational outreach efforts to improve financial literacy can be helpful for consumers who could be better equipped to make positive financial choices. However, this bill merely duplicates existing services and resources. Many financial institutions and service providers already provide an abundance of information on financial literacy, much of which is available online and otherwise. Furthermore, it would better for the objective of this bill to be achieved administratively. I prefer to have the appropriate state agencies work collaboratively together and with private sector entities to meet the objective, within their existing resources.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2270**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2270 without my signature.

This bill would require the Department of Water Resources (DWR) to establish statewide water recycling targets every five years and would also enable local governments to control salinity input to their sewer systems, including those from water softeners.

Increasing the use of recycled water in the state is an absolutely necessary activity to increase water supply reliability for the future of our growing state. Unfortunately, this bill also includes provisions that go too far in limiting residential use of water softeners.

I recognize that excess salinity in surface and ground water is a serious water quality problem in various regions throughout the state, including the Central Valley and southern California. However, current law already includes provisions that allow local agencies to regulate water softeners. The provisions of this bill create a system that could unduly limit choices for consumers and small water systems, with potentially little positive impact given the relatively limited contribution of water softeners to our salinity problems.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2369**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2369 without my signature.

This bill would allow certain labor compliance programs (LCPs) to enforce apprenticeship requirements on public works projects.

The poor performance record of LCPs over the past four years and my desire to find new public works enforcement models, as expressed in last year's veto of SB 18, argue against further expanding the authority or role of LCPs. Instead, I am requesting that the Department of Industrial Relations (DIR) work with the stakeholders on a comprehensive reform of DIR's enforcement of public works laws this fall and return with an improved legislative proposal next year.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2379**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2379 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2413 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 2455**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2455 without my signature.

Under existing law, the State Public Works Board must approve acquisitions for the Department of Parks and Recreation. This process helps ensure that potential acquisitions are considered in an objective manner that takes into account other statewide perspectives and other long-term consequences. This process can be cumbersome and, at times, duplicative and I support efforts to improve the efficiency and integrity of the resources land acquisition process.

In 2006 I signed AB 2497 (Chapter 462, Statutes of 2006), which required the Secretary of the Resources Agency and the Department of Finance to convene a workgroup to evaluate and develop options for improving the efficiency of state resource land transactions.

The AB 2497 report was issued earlier this year and included administrative actions that would be taken to improve the acquisition process. The Department of Finance and Resources Agency are currently implementing these recommendations. We should allow the administrative changes to be addressed before additional legislation is considered on this issue.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2472**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2472 without my signature.

I vetoed a similar bill last year because it did not contain an appropriate exemption from the California Environmental Quality Act (CEQA), and my prior veto messages on this issue of the sale of surplus property still apply. I would be willing to consider this bill in the future, should it contain the appropriate CEQA exemption. Until that time, I am unable to sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2532 without my signature.

This bill would amend the existing Marine Life Management Act to authorize the Department of Fish and Game (Department) to prepare or review, and the Fish and Game Commission to adopt, fishery management framework plans.

This bill is flawed in that the concept of "co-management" is not fully developed and the definition within the bill is vague. The bill does not include any requirement for binding agreements between the

parties, nor does it provide a clear division of responsibilities, costs, and implementation obligations. As such the bill actually impairs the ability of fishery stakeholders to fully participate in co-management.

The framework envisioned in this bill, while well-intended, lacks sufficient specificity to ensure successful outcomes that further our mutual goal of sustainable fisheries management for California. Nonetheless, the development of new fishery management tools is always welcome.

I have signed SB 1690 (Wiggins) which provides funding and direction for the Department and the Ocean Protection Council to work with stakeholders to create a task force and essentially develop a “co-management” framework for California’s crab fishery. I believe this presents a good opportunity to provide a pilot project and more fully develop both the concept and the practical application of a fishery co-management framework.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2560**

Governor’s Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2560 without my signature.

This bill requires the Department of General Services (DGS) to establish criteria for ranking the environmental and energy benefits and costs resulting from procuring medium- and heavy-duty vehicles by state and local governments.

DGS is currently in the process of implementing last year’s AB 236 (Lieu) for passenger and light-duty vehicles and is in the process of implementing its new Fleet Asset Management System, which will give them important new tools to oversee the state’s fleet and gather information on fuel efficiency and emissions reductions.

This bill would impose significant costs upon DGS to develop this new program for medium- and heavy-duty vehicles, yet the bill provides no appropriation to implement its provisions. This creates a General Fund pressure which, during this fiscal crisis, would be an irresponsible action.

For these reasons, I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2567**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2567 without my signature.

I respect the author’s intent to designate May 22nd as “Harvey Milk Day” and a day of special significance for California public schools and educational institutions to honor Harvey Milk as an important community leader and public official in the city and county of San Francisco. However, I believe his contributions should continue to be recognized at the local level by those who were most impacted by his contributions.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2939**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2939 without my signature.

This bill would authorize local jurisdictions to impose more restrictive modifications to the California Green Building Standards Code for both residential and non-residential buildings.

The bill is both unnecessary and overly far reaching.

At my direction, California was the first state in the nation to enact statewide green building standards. The California Building Standards Commission (BSC) this year adopted the California Green Building Standards Code and by the end of 2010 will enhance and expand those rules to provide further benefit. Local governments currently have the authority to enact even stronger green building standards if they so choose. Throughout California, dozens of localities have already done so.

Additionally, the bill is written in such broad terms that a local jurisdiction could make wholesale changes to the state building code, even to non-green building standards. This dramatic expansion of authority is contrary to existing health and safety practices that have been in place for decades. The BSC must maintain the legal statewide authority to develop building standards utilizing an open public adoption process with expert review.

Because of my strong support of both local control and green building standards, my Administration provided amendments that clarified the local authority which the bill’s proponents sought. While agreement unfortunately was not reached this year, I encourage the Legislature to work with my Administration on future legislation that provides the absolute clarity that local governments can strengthen the state’s green building standards, while maintaining California’s rigorous uniform statewide health and safety standards.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2944**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2944 without my signature.

This bill would permit corporate directors to consider a variety of new factors other than strictly financial return when making business decisions on behalf of a corporation, including decisions relating to the acquisition or control of a corporation.

While this bill proposes a new model of corporate governance consisting of a package of many intriguing concepts, it is just that; a package of concepts that could produce unknown ramifications and the need for which have not been fully demonstrated. Corporate governance is a serious matter and changes should not be entered into without deliberate study and evaluation.

While I have concerns with the approach taken with this bill, I am interested in many of the issues raised in support of this measure. California should be at the forefront of all states in considering alternative models of corporate governance for the new millennium. This is potentially another opportunity for California to once again lead to a new era of innovation. I urge the Legislature to consider and study new styles of corporate governance that can offer alternatives to the current model, but that maintain the vital shareholder protections that have helped turn California into the economic powerhouse of the world.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2947**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2947 without my signature.

This bill is well intentioned, but it discourages the use of arbitration which is a cost effective means of resolving disputes. The use of arbitration helps to reduce the backlogs in our overburdened court system. Additionally, the increased provider costs associated with resolving all disputes with residents through litigation could ultimately be detrimental to the residents themselves, as these costs are passed on in increased rates.

State restrictions on the right to arbitrate are contrary to the Federal Arbitration Act and those restrictions would not address the intent of the bill, which is the protection of elders in Residential Care Facilities for the Elderly from abuse.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2971**

Governor's Office, Sacramento  
September 30, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2971 without my signature.

While I support efforts to address the safety needs of bicyclists and pedestrians, the Department of Transportation already has the authority to develop the guidance and criteria and is currently doing so. This bill is unnecessary.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3062**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3062 without my signature.

This bill would prohibit an employer in California from terminating an employee because that employee's wages have been subjected to garnishment for the payment of more than one judgment.

This bill would require California employers to coordinate the burdensome administrative processes and costs of processing checks to pay multiple wage garnishments for a single employee. The bill would also cause confusion for employers by creating a state requirement different than that of federal law. The Legislature should be looking to lessen the confusion surrounding California labor law, not create more.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3063**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3063 without my signature.

AB 3063 would codify in statute the prohibition for an employer to ask an applicant to disclose information concerning a criminal conviction that was judicially ordered sealed, expunged, or statutorily eradicated, or information concerning a misdemeanor conviction for which probation has been successfully completed or otherwise discharged.

Existing regulations prohibit the practices this bill seeks to address. However, by codifying into the Labor Code an existing regulatory prohibition on employment inquiries concerning "expunged" convictions, the bill may unintentionally promote legal confusion as "expungement" is a somewhat ambiguous term which has been inconsistently interpreted by the courts. Codifying this regulatory

prohibition into the Labor Code will also very likely result in new private litigation under the Private Attorneys General Act of 2004, with no demonstrated problem to actually establish a need for this new law.

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 5:00 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 100, 214, 376, 524, 733, 983, 1021, 1391, 1565, 1701, 1725, 1996, 2095, 2099, 2123, 2270, 2369, 2379, 2413, 2455, 2472, 2532, 2560, 2567, 2939, 2944, 2947, 2971, 3062, and 3063.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 1526**

Governor's Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1526 without my signature.

As the primary architect of Proposition 49, I have seen first-hand the countless benefits of after-school programs. In 2002, the voters overwhelmingly approved Proposition 49 to significantly expand access to after-school programs and this bill would contradict the will of the voters. The voters supported the \$550 million continuous appropriation that provides California's elementary and middle school children with a stable resource for tutoring, homework assistance, and educational enrichment activities, such as music, arts, and physical fitness, while providing working parents with peace of mind that their children are in a safe and nurturing environment.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1805**

Governor's Office, Sacramento

September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1805 without my signature.

I strongly support providing care to children with serious emotional disturbances, including the provision of care in whichever facility can best address their needs. While I support the intent and policy behind this bill, I cannot sign it in its current form because it will allow the open-ended reimbursement of claims, including claims submitted and denied prior to 2006–07. Given our state's ongoing fiscal challenges, I cannot support any bill that exposes the state General Fund to such a liability.

I would support legislation that clarifies and narrows state reimbursement for these important services to a specified time period and would ask the Legislature to work with my Administration in January to address this important issue.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2784 without my signature.

The 2008–09 budget contained provisions that will protect the state’s Selective Provider Contracting Program by incentivizing hospitals to enter into contracts for inpatient Medi-Cal services. Inpatient hospital rates are the fastest growing cost in the Medi-Cal program and the state must ensure it obtains the best rates while also maintaining access to critical services for beneficiaries.

This bill would diminish those contracting incentives and increase costs to the state. I would suggest that the Legislature work with the Department of Health Care Services and the California Medical Assistance Commission to craft more targeted language to address the problem of hospital access in specific rural areas.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 30th day of September at 8:55 p.m., of the following Assembly Bills without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 1526, 1805, and 2784.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 419**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 419 without my signature.

This bill would increase workers’ compensation costs to some cities and counties by requiring them to provide certain injured workers a leave of absence without loss of salary in lieu of regular temporary disability payments. While this benefit is currently conferred on some sworn peace officers, this bill would expand it to park rangers, community college police, and many others. Eligibility for this benefit is best left to locals, not the state, to determine.

Sincerely,

ARNOLD SCHWARZENEGGER



**Veto Message—Assembly Bill No. 437**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 437 without my signature.

This bill proclaims the Legislature's rejection of a recent United States Supreme Court case regarding gender pay inequity. However, instead of clarifying existing law, this measure would create uncertainty regarding the accrual of the statute of limitation for wage discrimination. This uncertainty will undoubtedly lead to unnecessary litigation. As I have stated before in vetoing similar well-intentioned but poorly crafted bills, I support the fight against gender pay inequity but cannot support legislation that will encourage more frivolous litigation against employers.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 507**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 507 without my signature.

This bill would establish an Internet website to enable any person to identify whether or not an employer is insured for workers' compensation. This is a laudable goal. However, I am concerned that the website would not be required to post the effective dates of coverage of a policy, thereby significantly diminishing the value of the information. More importantly, the bill does not contain any specified timing in which the information must be updated, potentially leading to inaccurate information on the website.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1107**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1107 without my signature.

This bill would allow workers who lost their job as a result of the drought conditions of this past June to receive weekly wages of \$200 without impacting their weekly unemployment insurance benefit amount. While I am supportive of the concept of this measure, any increase in unemployment benefit payments would negatively impact the fragile Unemployment Insurance Trust Fund. California is currently experiencing a high unemployment rate that is already stressing the Fund and any increase in unemployment benefits further contributes to Fund inadequacies. It is essential that we ensure the Fund is able to continue to provide benefits to those in need as we work to stimulate the economy and get more individuals back to work.



Further, the fact that drought conditions have led to increased unemployment in agriculture and other industries is more evidence of why California needs to enact a comprehensive water reform package immediately. California has needed water reform for decades, and the failure to address the state's needs has led us to where we are today. If we had enacted comprehensive water reform twenty, or even ten, years ago, we could have avoided the loss of jobs and disruption to business that this drought is causing. The failure to enact comprehensive water reform hurts employers and employees in agriculture and other industries, slows development and business growth, and negatively impacts the environment.

The impact of our water crisis on jobs and our economy will continue to grow unless we act immediately. Even if the current drought abates, the court-ordered restrictions on the Delta will continue to impact industries that rely heavily on a readily available water supply. I am again calling on the Legislature to work with me to place a comprehensive water bond on the ballot.

For these reasons, I am returning AB 1107 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1407**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1407 without my signature.

This bill is unnecessary in that it requires airports to place information or links to information on their Internet Web sites even though the information is readily available elsewhere including from the federal government. This bill simply creates redundant work for airport personnel whose time would be better spent on actual airport operations.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1517**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1517 without my signature.

This bill would provide for the lease of certain real property to the Sacramento Diocese for a period not to exceed 50 years.

I have signed AB 2026 (Villines) that provides for the option to purchase, lease with option to purchase, or exchange for real property, the same real property to the Sacramento Diocese. Therefore, AB 1517 is unnecessary.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1656 without my signature.

As I stated in last year's veto of a similar bill, this bill attempts to legislate in an area where the marketplace has already assigned responsibilities and liabilities that provide for the protection of consumers.

Clearly, the need to protect personal information is increasingly critical as routine commercial transactions are more and more exclusively accomplished through electronic means. However, by requiring notification even where no information was obtained improperly, this bill would likely result in significant costs to businesses and to the state. In addition, by locking in today's best practices, AB 1656 would assure that the law remains static in the face of future, unseen concerns. Moreover, this bill would create a disincentive for businesses to adhere to new, more comprehensive, industry standards.

Existing law already contains a comprehensive penalty scheme for identity theft that details with great particularity the numerous ways in which it can occur, and imposes criminal sanctions. These provisions cover both identity thieves and retailers who are complicit in their crimes. If existing penalties are inadequate to properly deter would-be identity thieves, the proper response would be to enhance these penalties.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 1906**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1906 without my signature.

While I remain concerned about the prevalence of identity theft in California, this bill is unnecessary. Existing law gives full regulatory authority to the California Department of Insurance over insurers, agents and brokers, and even out-of-state companies selling identity theft insurance in California.

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

Sincerely,

ARNOLD SCHWARZENEGGER

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

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 1997 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2081**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California Assembly:*

I am returning Assembly Bill 2081 without my signature.

This bill would impose a burden of proof standard and a reporting requirement on employers when the employer wishes to exclude employees from workers' compensation coverage because of the employees' status as officers or directors of a corporation. The bill also adds new disclosure requirements and prohibitions on rebates and similar inducements in the utilization review process to the Labor Code.

The laudable goal of reducing misclassification of employees as exempt shareholder officers does not warrant abandoning the usual burden of proof of preponderance of the evidence. There is no other workers' compensation statute that uses this heightened burden of proof. Enforcement action specifically targeting unscrupulous practices is a more appropriate way of addressing the problem than establishing a "clear and convincing" burden of proof.

The bill's provisions relating to prohibited payments by claims administrators in relation to utilization review are deficient as they apply only to entities defined as claims administrators and not to natural persons who are claims adjusters. Additionally, the requirement to file annual reports regarding denials of treatment will impose heavy administrative and economic burdens on utilization review entities.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2265**

Governor's Office, Sacramento  
September 30, 2008

*To Members of the California State Assembly:*

I am returning Assembly Bill 2265 without my signature.

This bill would allow the State to sell or lease specific real property in the City of Sacramento. I vetoed a similar bill last year, AB 1219, because it lacked the appropriate California Environmental Quality Act (CEQA) exemption.

While I support the intent of the bill, the author once again failed to include acceptable language in this measure that provides the standard

CEQA exemption to the State. Fortunately, I am signing AB 2026 (Villines) that provides the same authorities for the sale or exchange of the property to the City of Sacramento, so that the city can effectuate the needed transaction.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2279**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2279 without my signature.

This bill attempts to shield qualified medical marijuana patients employed in non safety-sensitive positions from employment discrimination. However, I am concerned with interference in employment decisions as they relate to marijuana use. Employment protection was not a goal of the initiative as passed by voters in 1996.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2308**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2308 without my signature.

This bill is unnecessary, as current law already requires that, where a job applicant lacks a diploma but believes that he or she can perform the essential duties of a position, he or she may ask for a waiver of the diploma requirement as a reasonable accommodation of his or her disability. California promotes employment of persons with disabilities and in April 2008, my Administration established an open state-wide classification for individuals with disabilities. The classification does not require a high school diploma. The state Department of Developmental Services is offering all state departments the use of this list to facilitate the employment of persons with developmental and other intellectual disabilities. I strongly support efforts to offer employment to this population and believe we can continue to demonstrate progress in this area.

Departments are best suited to engage in the first-line of review of possible accommodation requests by applicants. The State Personnel Board, in turn, is designed to serve as an appellate body. This bill would put the Board in the inappropriate role of making both the initial determination and appellate review of the matter.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2447**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2447 without my signature.

Although this bill has some meritorious components, it creates a new program that would potentially mandate the Department of Forestry and Fire Protection (CAL FIRE) to be directly involved with costly and time-consuming project-by-project verification for subdivisions located in State Responsibility Areas (SRAs) throughout the state. CAL FIRE should not be in the position of having to act as a local land use agency. Rather, that responsibility rests with California local governments and elected officials.

Additionally, this bill places CAL FIRE in the unenviable position of having to make written verifications as to whether or not a subdivision has "sufficient structural fire protection." Because the bill does not define this term, competing interpretations between local government, their local fire services, and the State would certainly ensue.

CAL FIRE's role, put simply, is to protect life, property and watersheds from the threat of fire in our state. This responsibility requires them to work cooperatively with local governments and their local fire services. I cannot compromise those important relationships by placing CAL FIRE in the inappropriate role of arbiter between local governments and their local fire services as to whether the prescribed fire protection standard is being met.

Nonetheless, the need for comprehensive fire safety protection within our state is vitally important. I look forward to working with the Legislature in the next session to pursue solutions that increase fire protection for Californians in ways that do not inappropriately combine or confuse the legitimate roles and responsibilities of the state and local governments.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2498**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2498 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2825**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2825 without my signature.

The bill is essentially similar to a bill I vetoed last year. The provisions in this measure are duplicative of existing law and therefore unnecessary. Requiring automotive repair dealers to provide additional paperwork is unnecessarily burdensome and would increase expenses that could be passed on to the consumer, with no additional benefit.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2918**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2918 without my signature.

This bill would prohibit the use of consumer credit reports for employment purposes unless the information is either substantially job related, as defined, or required by law to be disclosed to or obtained by the user of the report.

This bill would significantly increase businesses' exposure to civil actions over the use of credit checks. Further, the bill would increase administrative costs to those employers who must legitimately use credit reports as a screening tool by requiring that the employer first abide by its onerous requirements. California employers and businesses have inherent needs to obtain information about applicants for employment. The bill would become a new employer obstacle to the use of available information needed to make hiring decisions.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2950**

Governor's Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2950 without my signature.

In 2005, the Federal Communications Commission adopted rules that prohibit sending unwanted commercial e-mail messages to wireless devices without prior permission. In addition, California's anti-spam laws are among the toughest in the nation. Given these circumstances, AB 2950 appears to be unnecessary and may possibly invite excessive litigation for a nuisance that does not result in any damages or losses.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 2969**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2969 without my signature.

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

Sincerely,

ARNOLD SCHWARZENEGGER

**Veto Message—Assembly Bill No. 3021**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 3021 without my signature.

The historic delay in passing the 2008–2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

ARNOLD SCHWARZENEGGER

**Receipt of Bills**

I acknowledge receipt this 30th day of September at 9:01 p.m., of the following Assembly Bills without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 419, 437, 507, 1107, 1407, 1517, 1656, 1906, 1997, 2081, 2265, 2279, 2308, 2447, 2498, 2825, 2918, 2950, 2969, and 3021.

LAWRENCE A. MURMAN  
Assistant Chief Clerk of the Assembly

**Veto Message—Assembly Bill No. 2386**

Governor’s Office, Sacramento  
September 30, 2008

*To the Members of the California State Assembly:*

I am returning Assembly Bill 2386 without my signature.

In 1975, the historical Agricultural Labor Relations Act (ALRA) was passed by the California Legislature in order “to ensure peace in the agricultural fields by guaranteeing justice for all agricultural workers and stability in labor relations.” The ALRA allowed for a secret ballot election and provided protections so that an agricultural worker could decide privately without fear of retaliation or intimidation whether or not to be represented by a union.

AB 2386 creates a new and unique process for how agricultural workers choose or decline union representation. I am concerned that aspects of AB 2386’s novel process weaken workers’ existing privacy

rights and protections under the ALRA. Specifically, I am concerned that authorizing the union seeking to represent workers to receive and distribute election ballots from the Agricultural Labor Relations Board (Board), complete information on the ballot envelopes, and return the workers' ballots to the Board unnecessarily compromises the workers' right to privacy protected by the existing secret ballot process.

However, as I indicated last year in my veto of SB 180, I remain committed to ensuring that agricultural workers receive all the workplace protections that our labor laws afford. To that end, I am calling for the creation of a dedicated funding source to facilitate enhanced oversight and education in the agricultural industry. I am directing my Labor and Workforce Development Agency to work with the proponents of this bill and all stakeholders to develop a proposal which will create such a program in a fiscally responsible way, for the ultimate benefit of both agricultural employees and employers.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 30th day of September at 9:10 p.m., of the following Assembly Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bill No. 2386.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

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(NOTE: The veto message for Assembly Bill No. 36 in the Third Extraordinary Session is in the Third Extraordinary Session Journal, page 219.)

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KAREN BASS, Speaker

SUE PARKER, Minute Clerk