

CALIFORNIA LEGISLATURE

1999–2000 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 15

FINAL RECESS

Assembly Chamber, Sacramento
Monday, October 2, 2000

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 1999–2000 Regular Session was printed while the Assembly was in Final Recess:

COMMUNICATIONS

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

Explanation of Absence—Balance of the Day August 30, 2000

September 15, 2000

*The Honorable Speaker Hertzberg
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker:

Re: August 30th, 2000.

Please reflect in the Legislative records that I was excused from Session after approximately noon on August 30, 2000, due to illness.

Sincerely,

GEORGE NAKANO, Assembly Member
Fifty-third District

September 1, 2000

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

RE: Appointment of Assemblymember Darrell Steinberg to the Judicial Council of California

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Darrell Steinberg to the Judicial Council of

California. This is a pleasure appointment starting September 1, 2000. Assemblymember Steinberg will be replacing Assemblymember Sheila Kuehl.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

September 11, 2000

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

RE: Appointment of Assemblymember John Dutra to
California Transportation Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember John Dutra to the California Transportation Commission. This is a pleasure appointment starting September 11, 2000. Assemblymember Dutra will be replacing Assemblymember Tom Torlakson.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

September 15, 2000

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

Dear Dotson: Please be advised that I have created the Select Committee on Health Access and have appointed Assemblymember Martin Gallegos as chair, effective September 16, 2000.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

September 18, 2000

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

Dear Dotson: This letter is to advise you that I am terminating the Select Committee on the Office of the Insurance Commissioner effective today.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

September 19, 2000

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

RE: Appointment of Karen Hill-Scott to
California Children and Families First Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Karen H. Hill-Scott to the California Children and Families First Commission. This is a term appointment starting September 19, 2000 and the expiration date is December 12, 2002. Ms. Hill-Scott is replacing Patricia Siegel.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

September 22, 2000

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

RE: Appointment of Assemblymember Helen Thomson to
the Sacramento-San Joaquin Delta Protection
Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Helen Thomson to the Sacramento-San Joaquin Delta Protection Commission. This is a term appointment starting immediately and expiring January 1, 2003. Assemblymember Thomson will be replacing Assemblymember Tom Torlakson.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

September 22, 2000

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

RE: Reappointment of Andrea Zinder to the Board of Pharmacy

Dear Mr. Wilson: Please be advised I have reappointed Ms. Andrea Zinder to the Board of Pharmacy. This is a term appointment starting immediately and expiring June 1, 2004.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

September 22, 2000

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

RE: Appointment of Assemblymember Darrell Steinberg to the State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Darrell Steinberg to the State Allocation Board. This is a pleasure appointment starting immediately. Assemblymember Steinberg will be replacing Assemblymember Scott Wildman.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

September 25, 2000

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

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Education Equity:

Assemblymember Elaine Alquist
Assemblymember Bob Margett
Assemblymember Virginia Strom-Martin
Assemblymember Charlene Zettel

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

REPORTS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

California State Auditor

August 24, 2000

Investigative Report I2000-2

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

Members of the Assembly: Pursuant to the California Whistleblower Protection Act, the Bureau of State Audits presents its investigative report summarizing investigations of improper governmental activity completed from January through June 2000.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting the following, in accordance with Elections Code Sections 9050, 9051, 9092, 13280, 13281, and 13247 and Government Code Sections 88002–88003:

**Revised Copy of the Ballot Title and Summary for Proposition 36:
Drugs. Probation and Treatment Program.
Initiative Statute**

Referred by the Speaker to the Committees on Public Safety and Elections, Reapportionment and Constitutional Amendments.

**Revised Ballot Title and Summary, and Revised Ballot Label for
Proposition 35: Public Works Projects.
Use of Private Contractors for Engineering and Architectural Services.
Initiative Constitutional Amendment and Statute**

Referred by the Speaker to the Committees on Consumer Protection, Governmental Efficiency and Economic Development and Elections, Reapportionment and Constitutional Amendments; and

**Title, Summary and Text of Proposed Initiative
Peace Officer and Firefighter Property Tax Exemption.
Initiative Constitutional Amendment.
File No. SA2000RF0024**

(Pursuant to Elections Code Section 9007)

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

REPORTS

The following reports were presented by the Chief Clerk:

**California's Abandoned Mines—
A Report on the Magnitude and Scope of the Issue in the State
Volumes I and II**

Above transmitted report, together with letter of transmittal from Glenn Stober, Assistant Director, Department of Conservation, Office of Mine Reclamation, dated August 1, 2000, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Summary of Actions Taken Regarding Chapter 689, Statutes of 1998
(Pursuant to Government Code Section 11017.5)**

Above transmitted report, together with letter of transmittal from Julie Bornstein, Director, Department of Housing and Community Development, dated August 10, 2000, referred by the Speaker to the Committee on Housing and Community Development.

**Disabled Veteran Business Enterprise Participation
Contracting Report**

Above transmitted report, together with letter of transmittal from Jeanette Kellogg, Business Service Officer, Office of Real Estate Appraisers, dated July 12, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**California Farmland Conservancy Program
(Pursuant to Supplemental Report of the 1999 Budget Act)**

Above transmitted report, together with letter of transmittal from Darryl Young, Director, Department of Conservation, dated August 11, 2000, referred by the Speaker to the Committee on Budget.

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

Above transmitted report, together with letter of transmittal from C.A. Terhune, Director, Department of Corrections, dated September 8, 2000, referred by the Speaker to the Committee on Public Safety.

**Department of Education's
Consultant Services Contracts Annual Report
(July 1, 1999–June 30, 2000)
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, Government Affairs Branch, Department of Education, dated August 18, 2000, referred by the Speaker to the Committee on Education.

**Report on Multitrack Year Round Education
Operation Grant Program
(Pursuant to Education Code Section 42269)**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, External Affairs Branch, Department of Education, dated August 17, 2000, referred by the Speaker to the Committee on Education.

Disabled Veteran Business Enterprise Participation Contracting Report

Above transmitted report, together with letter of transmittal from James E. Speed, Executive Director, Board of Equalization, dated August 16, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**Quarterly Progress Report on Program Evaluations
Office of Criminal Justice Planning
(Pursuant to Fiscal Year 1998–99 Supplemental Budget Language
Item 8100-01-0001)**

Above transmitted report, together with letter of transmittal from Frank Grimes, Executive Director, Office of Criminal Justice Planning, dated July 31, 2000, referred by the Speaker to the Committee on Budget.

**Report to the Legislature, Fourth Quarter 1999–2000
Adoption of Public Health Goals for
Primary Drinking Water Standards, Budget Item 3980-001-0001**

Above transmitted report, together with letter of transmittal from Joan E. Denton, Ph.D., Director, Office of Environmental Health Hazard Assessment, dated August 14, 2000, referred by the Speaker to the Committee on Budget.

**Annual Railroad Local Safety Hazard Report to
the California Legislature, July 1, 2000
(Pursuant to Public Utilities Code Sections 765.5(b), 7711 and 7712)**

Above transmitted report, together with letter of transmittal from Kenneth L. Koss, Director, Rail Safety and Carriers Division, Public Utilities Commission, dated June 30, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**Child Care Facilities Financing Program Annual Report
(Pursuant to Education Code Sections 8277.5 and 8277.6)**

Above transmitted report, together with letter of transmittal from Julie Bornstein, Director, Department of Housing and Community Development, dated September 18, 2000, referred by the Speaker to the Committee on Human Services.

Annual Report of Railroad Accidents Occurring in California

Above transmitted report, together with letter of transmittal from Rosa Munoz, Rail Crossings Projects Section, Railroad & Safety Carriers Division, dated September 7, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Report to the Legislature on the Cal-Vet Insurance Plans
(Pursuant to Military and Veteran Code Section 987.2 and 989.7)**

Above transmitted report, together with letter of transmittal from Bruce Thiesen, Interim Secretary, Department of Veterans Affairs, dated September 1, 2000, referred by the Speaker to the Committee on Insurance.

**The California Commission on
Health and Safety and Workers' Compensation
1999–2000 Annual Report
(Pursuant to Labor Code Section 77(a))**

Above transmitted report, together with letter of transmittal from Stephen J. Smith, Director, Department of Industrial Relations, dated September 12, 2000, referred by the Speaker to the Committee on Insurance.

**Study of the Effect of the Ten Dollar (10\$) Payment on
Obtaining Voluntary Declarations of Paternity
(Pursuant to Family Code Section 7571(g))**

Above transmitted report, together with letter of transmittal from Curtis L. Child, Director, Department of Child Support Services, referred by the Speaker to the Committee on Human Services.

**California State Lottery
Fiscal Year 1999–2000, Contracts Over \$100,000
(Pursuant to Government Code Section 8880.56(b)(5))**

Above transmitted report, together with letter of transmittal from Joan Wilson, Director, California Lottery, dated September 12, 2000, referred by the Speaker to the Committee on Governmental Organization.

**Consulting Services Contract Report
Fiscal Year 1999–2000
(Pursuant to California Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Michael S. Bernick, Director, Employment Development Department, dated August 30, 2000, referred by the Speaker to the Committee on Labor and Employment.

**Department of Pesticide Regulation's Mid-Year Report
(Pursuant to Supplemental Report of the 1999 Budget Act)**

Above transmitted report, together with letter of transmittal from Paul E. Helliker, dated June 30, 2000, referred by the Speaker to the Committee on Budget.

**1999 California Workers' Compensation Losses and Expenses
(Pursuant to California Insurance Code Sections 11759.1)**

Above transmitted report, together with letter of transmittal from David M. Bellusci, Senior Vice President and Chief Actuary, Workers Compensation Insurance Rating Bureau, dated June 30, 2000, referred by the Speaker to the Committee on Insurance.

**Report of Consultant Contracts for Fiscal Year 1998-99
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Diana M. Bonta, R.N., Dr.P.H., Director, Department of Health Services, dated July 5, 2000, referred by the Speaker to the Committee on Health.

**Healthy Families Program's Enrollment Report
(Pursuant to 1999-00 Budget Act, Item 4280-101-0001)**

Above transmitted report, together with letter of transmittal from Sandra Shewry, Executive Director, The California Managed Risk Medical Insurance Board, dated July 7, 2000, referred by the Speaker to the Committee on Budget.

**2000-01 Tax Expenditure Report
(Pursuant to Government Code Section 13305)**

Above transmitted report, together with letter of transmittal from B. Timothy Gage, Director, Department of Finance, dated July 12, 2000, referred by the Speaker to the Committee on Revenue and Taxation.

**Independent Evaluation of the High School Exit Examination
(Pursuant to Education Code Section 60855(4)(d))**

Above transmitted report, together with letter of transmittal from Paul Warren, Deputy Superintendent, Accountability Branch, Department of Education, dated July 3, 2000, referred by the Speaker to the Committee on Education.

**High School Exit Examination (HSEE):
Year 1 Evaluation Report
(Pursuant to Education Code Section 60855(4)(d))**

Above transmitted report, together with letter of transmittal from Paul Warren, Deputy Superintendent, Accountability Branch, Department of Education, dated July 3, 2000, referred by the Speaker to the Committee on Education.

**Judicial Disability Retirement Report
(Pursuant to Government Code Section 75060.3)**

Above transmitted report, together with letter of transmittal from Victoria B. Henley, Director-Chief Counsel, Commission on Judicial Performance, dated July 7, 2000, referred by the Speaker to the Committee on Public Employment, Retirement and Social Security.

**Farm Labor Vehicle Report, July 1, 2000
(Pursuant to Chapter 557, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, dated July 12, 2000, referred by the Speaker to the Committee on Transportation.

**Red Imported Fire Ant: Report to the Legislature
(Pursuant to Chapter 1010, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Daniel E. Webb, Deputy Secretary, Department of Food and Agriculture, dated July 17, 2000, referred by the Speaker to the Committee on Agriculture.

**1999 Annual Progress Report, Office of Traffic Safety
(Pursuant to Vehicle Code Section 2905)**

Above transmitted report, together with letter of transmittal from Teresa Becher, Interim Director, Office of Traffic Safety, Business, Transportation and Housing Agency, dated July 18, 2000, referred by the Speaker to the Committee on Transportation.

**Family PACT Program Evaluation Report
(Pursuant to Welfare and Institutions Code Section 24021)**

Above transmitted report, together with letter of transmittal from Diana M. Bonta, R.N., Dr.P.H., Director, Department of Health Services, dated July 19, 2000, referred by the Speaker to the Committee on Health.

**Report to the Legislature and the Governor
on Improving Demand Responsiveness of Small Consumers
(Pursuant to Chapter 1021 Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, dated July 20, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**California Energy Commission's
Quarterly Report Concerning the Renewable Energy Program
(Pursuant to Public Utilities Code Section 445(g))**

Above transmitted report, together with letter of transmittal from Michal C. Moore, Commissioner and Presiding Member, Electricity and Natural Gas Committee, and Arthur Rosenfeld, Commissioner and Associate Member, Electricity and Natural Gas Committee, dated July 15, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**California Uniform Construction Cost Accounting Commission—
Annual Report to the California State Legislature**

Above transmitted report, together with letter of transmittal from Henry Rodriguez, Chairman, California Uniform Construction Cost Accounting Commission, dated July 6, 2000, referred by the Speaker to the Committee on Budget.

**California Department of Justice
Report to the Legislature Pursuant to Penal Code Section 13023—
Hate Crime in California, 1999
(Pursuant to Penal Code Section 13023)**

Above transmitted report, together with letter of transmittal from Chris Janzen, Director, dated July 27, 2000, referred by the Speaker to the Committee on Public Safety.

**California Training Benefits and Training Extension Claims
Annual Program Report, State Fiscal Year 1997–1998
(Pursuant to Unemployment Insurance Code Section 15079(a))**

Above transmitted report, together with letter of transmittal from Michael S. Bernick, Director, Employment Development Department, dated July 27, 2000, referred by the Speaker to the Committee on Insurance.

**2000 Office of Administrative Law Determination No. 14
(Pursuant to Government Code Section 11340.5(c))**

Above transmitted report, together with letter of transmittal from David B. Judson, Deputy Director/Chief Counsel, Office of

Administrative Law, dated July 28, 2000, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**California Energy Commission's
Quarterly Report Concerning the Public Interest Energy Research Program
(Pursuant to Public Resources Code Section 25620.5(h))**

Above transmitted report, together with letter of transmittal from Robert A. Laurie, Commissioner and Presiding Member, Research, Development and Demonstration Committee, and Arthur H. Rosenfeld, Commissioner and Associate Member, Research, Development and Demonstration Committee, Public Utilities Commission, dated July 24, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**California Lottery Small Businesses,
Socially and Economically Disadvantaged Businesses
and California Businesses (SB/DBE/CB)
Contracts Awarded for Fiscal Year 1999–2000
(Pursuant to Section 8880.56(b)(4) of the Lottery Act)**

Above transmitted report, together with letter of transmittal from Terri Fontenette, Director, Business and Employee Assistance Office, California Lottery, dated July 27, 2000, referred by the Speaker to the Committee on Governmental Organization.

**May 2000 Unemployment Insurance Fund Forecast
(Pursuant to Unemployment Insurance Code Section 995)**

Above transmitted report, together with letter of transmittal from Michael S. Bernick, Director, Employment Development Department, dated July 27, 2000, referred by the Speaker to the Committee on Insurance.

**1999–2000 Year-End Report
Child Care Facilities Revolving Fund Program
(Pursuant to Education Code Section 8278.3(c))**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, External Affairs Branch, dated July 31, 2000, referred by the Speaker to the Committee on Budget.

**Quarterly Report to the California Legislature on
the Air Resources Board's Fine Particulate Matter Program
(Pursuant to Supplemental Report of the 1999 Budget Act)**

Above transmitted report, together with letter of transmittal from Alan C. Lloyd, Ph.D., Chairman, Air Resources Board, dated September 14, 2000, referred by the Speaker to the Committee on Natural Resources.

**September 1, 2000 Updated Status Report on
Off-Site Interim Status Facilities
Pursuant to Assembly Bill 901 (1994)**

Above transmitted report, together with letter of transmittal from Edwin F. Lowry, Department of Toxic Substances Control, dated September 21, 2000, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**California Department of Justice
Report to the Legislature—California Sex Offender Information
July 2000
(Pursuant to Penal Code Section 290.4(j))**

Above transmitted report, together with letter of transmittal from Chris Janzen, Director, Department of Justice, dated September 20, 2000, referred by the Speaker to the Committee on Public Safety.

**Wastewater Operator Certification Report
(Pursuant to Government Code Section 15378)**

Above transmitted report, together with letter of transmittal from Edward C. Anton, Acting Executive Director, State Water Resource Control Board, dated September 15, 2000, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**MTBE Contamination Actions, Fourth Quarterly Report
(Pursuant to Supplemental Report of the 1999 Budget Act:
Item 3940-001-0001)**

Above transmitted report, together with letter of transmittal from Edward C. Anton, Acting Director, State Water Resources Control Board, dated September 15, 2000, referred by the Speaker to the Committee on Budget.

**Consultant Services Contract Report
(Pursuant to Government Code Section 9795)**

Above transmitted report, together with letter of transmittal from C.A. Terhune, Director, Department of Corrections, dated September 5, 2000, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Management of the California State Water Project
Appendix D
Costs of Recreation and Fish and Wildlife Enhancement**

Above transmitted report, together with letter of transmittal from Thomas M. Hannigan, Director, Department of Water Resources, dated September 5, 2000, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**The Merced County Attendance Project (MerCAP)
Year 2 Impact and Process Study**

Above transmitted report, together with letter of transmittal from Rita Saenz, Director, Department of Social Services, referred by the Speaker to the Committee on Human Services.

**Independent Evaluation of the High School Exit Examination
Supplemental Year Evaluation Report
(Pursuant to Education Code Section 60855(4)(d))**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, Government Affairs Branch, Department of Education, dated September 5, 2000, referred by the Speaker to the Committee on Education.

**Report to the Legislature: Elementary Makes the Grade!
California's New Standards-Based Reform Document for
Elementary Educators**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, Government Affairs Branch,

Department of Education, dated September 5, 2000, referred by the Speaker to the Committee on Education.

**California Environmental Protection Agency's
Innovation Initiative Environmental Management System
Project Report to the Legislature: Third Quarterly Update
(Pursuant to Public Resources Code Section 71045)**

Above transmitted report, together with letter of transmittal from Winston H. Hickox, Agency Secretary, California Environmental Protection Agency, dated August 23, 2000, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**2000 Annual Report to the State Legislature
on Surplus Proprietary Lands
(Pursuant to Government Code Section 11011)**

Above transmitted report, together with letter of transmittal from Barry D. Keene, Director, Department of General Services, dated August 25, 2000, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Franchise Tax Board:
Daily Compound Interest Rate Table from
January 1, 2001 through June 30, 2001
(Pursuant to Revenue and Taxation Code Section 19521)**

Above transmitted report, together with letter of transmittal from George Ramsey, Manager, Statistical Research Section, Economic and Statistical Research Bureau, Franchise Tax Board, dated August 17, 2000, referred by the Speaker to the Committee on Revenue and Taxation.

**The Fiscal Impact on the Disability Insurance Fund of
Extending Disability Benefits to Individuals Granted Family Leave**

Above transmitted report, together with letter of transmittal from Michael S. Bernick, Director, Employment Development Department, dated August 23, 2000, referred by the Speaker to the Committee on Insurance.

**California's Job Agent Program
(Pursuant to Unemployment Insurance Code Section 9614(a)(2))**

Above transmitted report, together with letter of transmittal from Michael S. Bernick, Director, Employment Development Department, dated August 30, 2000, referred by the Speaker to the Committee on Labor and Employment.

ENROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 1, 2000

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

Assembly Bill No. 505

Assembly Bill No. 1838

Assembly Bill No. 2330

And reports the same correctly enrolled, and presented to the Governor on the 1st day of September, 2000, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 1, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 48 | Assembly Bill No. 1811 |
| Assembly Bill No. 1098 | Assembly Bill No. 2086 |
| Assembly Bill No. 1470 | Assembly Bill No. 2518 |
| Assembly Bill No. 1727 | |

And reports the same correctly enrolled, and presented to the Governor on the 1st day of September, 2000, at 12:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 1, 2000

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

- Assembly Bill No. 2827

And reports the same correctly enrolled, and presented to the Governor on the 1st day of September, 2000, at 1:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 1, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1843 | Assembly Bill No. 2580 |
| Assembly Bill No. 1881 | Assembly Bill No. 2594 |
| Assembly Bill No. 1958 | Assembly Bill No. 2595 |
| Assembly Bill No. 2041 | Assembly Bill No. 2698 |
| Assembly Bill No. 2060 | Assembly Bill No. 2725 |
| Assembly Bill No. 2079 | Assembly Bill No. 2735 |
| Assembly Bill No. 2377 | Assembly Bill No. 2762 |
| Assembly Bill No. 2484 | Assembly Bill No. 2808 |
| Assembly Bill No. 2510 | Assembly Bill No. 2863 |
| Assembly Bill No. 2546 | Assembly Bill No. 2891 |

And reports the same correctly enrolled, and presented to the Governor on the 1st day of September, 2000, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 5, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 29 | Assembly Bill No. 1348 |
| Assembly Bill No. 93 | Assembly Bill No. 1625 |
| Assembly Bill No. 860 | Assembly Bill No. 1775 |
| Assembly Bill No. 970 | Assembly Bill No. 1810 |
| Assembly Bill No. 1016 | Assembly Bill No. 1855 |
| Assembly Bill No. 1087 | Assembly Bill No. 1895 |
| Assembly Bill No. 1123 | Assembly Bill No. 1897 |
| Assembly Bill No. 1129 | Assembly Bill No. 1950 |
| Assembly Bill No. 1173 | Assembly Bill No. 1962 |
| Assembly Bill No. 1178 | Assembly Bill No. 1975 |

And reports the same correctly enrolled, and presented to the Governor on the 5th day of September, 2000, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 5, 2000

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

Assembly Bill No. 439	Assembly Bill No. 2304
Assembly Bill No. 525	Assembly Bill No. 2482
Assembly Bill No. 649	Assembly Bill No. 2506
Assembly Bill No. 726	Assembly Bill No. 2538
Assembly Bill No. 1366	Assembly Bill No. 2548
Assembly Bill No. 1989	Assembly Bill No. 2573
Assembly Bill No. 2119	Assembly Bill No. 2622
Assembly Bill No. 2152	Assembly Bill No. 2629
Assembly Bill No. 2239	Assembly Bill No. 2630
Assembly Bill No. 2283	Assembly Bill No. 2704

And reports the same correctly enrolled, and presented to the Governor on the 5th day of September, 2000, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 5, 2000

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

Assembly Concurrent Resolution No. 135
 Assembly Concurrent Resolution No. 145
 Assembly Concurrent Resolution No. 165
 Assembly Concurrent Resolution No. 172
 Assembly Concurrent Resolution No. 181
 Assembly Joint Resolution No. 56
 Assembly Joint Resolution No. 57
 Assembly Joint Resolution No. 67

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of September, 2000, at 2:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 6, 2000

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

Assembly Bill No. 185	Assembly Bill No. 2008
Assembly Bill No. 1096	Assembly Bill No. 2021
Assembly Bill No. 1331	Assembly Bill No. 2043
Assembly Bill No. 1761	Assembly Bill No. 2071
Assembly Bill No. 1767	Assembly Bill No. 2166
Assembly Bill No. 1768	Assembly Bill No. 2167
Assembly Bill No. 1840	Assembly Bill No. 2840
Assembly Bill No. 1916	Assembly Bill No. 2886
Assembly Bill No. 1941	Assembly Bill No. 2892
Assembly Bill No. 1954	Assembly Bill No. 2895

And reports the same correctly enrolled, and presented to the Governor on the 6th day of September, 2000, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 6, 2000

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

Assembly Bill No. 333	Assembly Bill No. 2463
Assembly Bill No. 697	Assembly Bill No. 2479
Assembly Bill No. 1597	Assembly Bill No. 2513
Assembly Bill No. 1628	Assembly Bill No. 2520
Assembly Bill No. 1648	Assembly Bill No. 2684
Assembly Bill No. 1782	Assembly Bill No. 2749
Assembly Bill No. 1920	Assembly Bill No. 2783
Assembly Bill No. 1961	Assembly Bill No. 2821
Assembly Bill No. 2075	Assembly Bill No. 2889
Assembly Bill No. 2384	Assembly Bill No. 2912

And reports the same correctly enrolled, and presented to the Governor on the 6th day of September, 2000, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 6, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 83 | Assembly Bill No. 1755 |
| Assembly Bill No. 321 | Assembly Bill No. 1784 |
| Assembly Bill No. 536 | Assembly Bill No. 1779 |
| Assembly Bill No. 642 | Assembly Bill No. 1807 |
| Assembly Bill No. 701 | Assembly Bill No. 1820 |
| Assembly Bill No. 750 | Assembly Bill No. 1879 |
| Assembly Bill No. 1220 | Assembly Bill No. 1896 |
| Assembly Bill No. 1390 | Assembly Bill No. 1927 |
| Assembly Bill No. 1398 | Assembly Bill No. 1931 |
| Assembly Bill No. 1704 | Assembly Bill No. 1945 |

And reports the same correctly enrolled, and presented to the Governor on the 6th day of September, 2000, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 132 | Assembly Bill No. 2317 |
| Assembly Bill No. 675 | Assembly Bill No. 2338 |
| Assembly Bill No. 820 | Assembly Bill No. 2471 |
| Assembly Bill No. 1382 | Assembly Bill No. 2569 |
| Assembly Bill No. 1858 | Assembly Bill No. 2631 |
| Assembly Bill No. 2054 | Assembly Bill No. 2670 |
| Assembly Bill No. 2068 | Assembly Bill No. 2723 |
| Assembly Bill No. 2088 | Assembly Bill No. 2786 |
| Assembly Bill No. 2092 | Assembly Bill No. 2913 |
| Assembly Bill No. 2294 | Assembly Bill No. 2941 |

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2000, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1963 | Assembly Bill No. 2536 |
| Assembly Bill No. 2069 | Assembly Bill No. 2562 |
| Assembly Bill No. 2212 | Assembly Bill No. 2612 |
| Assembly Bill No. 2246 | Assembly Bill No. 2639 |
| Assembly Bill No. 2254 | Assembly Bill No. 2685 |
| Assembly Bill No. 2259 | Assembly Bill No. 2714 |
| Assembly Bill No. 2421 | Assembly Bill No. 2746 |
| Assembly Bill No. 2458 | Assembly Bill No. 2753 |
| Assembly Bill No. 2481 | Assembly Bill No. 2799 |
| Assembly Bill No. 2519 | Assembly Bill No. 2848 |

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2000, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 278 | Assembly Bill No. 2161 |
| Assembly Bill No. 317 | Assembly Bill No. 2219 |
| Assembly Bill No. 1758 | Assembly Bill No. 2286 |
| Assembly Bill No. 1969 | Assembly Bill No. 2415 |
| Assembly Bill No. 2011 | Assembly Bill No. 2409 |
| Assembly Bill No. 2076 | Assembly Bill No. 2553 |
| Assembly Bill No. 2098 | Assembly Bill No. 2558 |
| Assembly Bill No. 2101 | Assembly Bill No. 2683 |
| Assembly Bill No. 2107 | Assembly Bill No. 2778 |
| Assembly Bill No. 2109 | Assembly Bill No. 2800 |

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2000, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2000

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

Assembly Bill No. 94
 Assembly Bill No. 398
 Assembly Bill No. 2264

Assembly Bill No. 2275
 Assembly Bill No. 2312

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2000, at 10:45 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 11, 2000

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

Assembly Bill No. 25
 Assembly Bill No. 50
 Assembly Bill No. 238
 Assembly Bill No. 330
 Assembly Bill No. 609
 Assembly Bill No. 752
 Assembly Bill No. 816
 Assembly Bill No. 1094
 Assembly Bill No. 1602
 Assembly Bill No. 1825

Assembly Bill No. 2034
 Assembly Bill No. 2168
 Assembly Bill No. 2177
 Assembly Bill No. 2405
 Assembly Bill No. 2644
 Assembly Bill No. 2732
 Assembly Bill No. 2834
 Assembly Bill No. 2860
 Assembly Bill No. 2909
 Assembly Bill No. 2919

And reports the same correctly enrolled, and presented to the Governor on the 11th day of September, 2000, at 9:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 12, 2000

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

Assembly Bill No. 522
 Assembly Bill No. 801
 Assembly Bill No. 865
 Assembly Bill No. 878
 Assembly Bill No. 1944
 Assembly Bill No. 1979
 Assembly Bill No. 2061
 Assembly Bill No. 2078
 Assembly Bill No. 2103
 Assembly Bill No. 2236

Assembly Bill No. 2276
 Assembly Bill No. 2297
 Assembly Bill No. 2315
 Assembly Bill No. 2326
 Assembly Bill No. 2412
 Assembly Bill No. 2599
 Assembly Bill No. 2888
 Assembly Bill No. 2902
 Assembly Bill No. 2930
 Assembly Bill No. 2939

And reports the same correctly enrolled, and presented to the Governor on the 12th day of September, 2000, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 12, 2000

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

Assembly Bill No. 862
 Assembly Bill No. 996
 Assembly Bill No. 1032
 Assembly Bill No. 1042
 Assembly Bill No. 1422
 Assembly Bill No. 1445
 Assembly Bill No. 1654
 Assembly Bill No. 1846
 Assembly Bill No. 1862
 Assembly Bill No. 1889

Assembly Bill No. 1890
 Assembly Bill No. 2501
 Assembly Bill No. 2523
 Assembly Bill No. 2559
 Assembly Bill No. 2585
 Assembly Bill No. 2597
 Assembly Bill No. 2614
 Assembly Bill No. 2665
 Assembly Bill No. 2691
 Assembly Bill No. 2935

And reports the same correctly enrolled, and presented to the Governor on the 12th day of September, 2000, at 11:45 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 12, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 52 | Assembly Bill No. 1835 |
| Assembly Bill No. 244 | Assembly Bill No. 1922 |
| Assembly Bill No. 715 | Assembly Bill No. 1935 |
| Assembly Bill No. 1233 | Assembly Bill No. 2111 |
| Assembly Bill No. 1496 | Assembly Bill No. 2486 |
| Assembly Bill No. 1524 | Assembly Bill No. 2497 |
| Assembly Bill No. 1651 | Assembly Bill No. 2701 |
| Assembly Bill No. 1735 | Assembly Bill No. 2752 |
| Assembly Bill No. 1739 | Assembly Bill No. 2803 |
| Assembly Bill No. 1791 | Assembly Bill No. 2817 |

And reports the same correctly enrolled, and presented to the Governor on the 12th day of September, 2000, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 12, 2000

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

Assembly Bill No. 2894

And reports the same correctly enrolled, and presented to the Governor on the 12th day of September, 2000, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 175 | Assembly Bill No. 2227 |
| Assembly Bill No. 212 | Assembly Bill No. 2321 |
| Assembly Bill No. 383 | Assembly Bill No. 2323 |
| Assembly Bill No. 441 | Assembly Bill No. 2365 |
| Assembly Bill No. 502 | Assembly Bill No. 2381 |
| Assembly Bill No. 1241 | Assembly Bill No. 2509 |
| Assembly Bill No. 1463 | Assembly Bill No. 2511 |
| Assembly Bill No. 1822 | Assembly Bill No. 2544 |
| Assembly Bill No. 1903 | Assembly Bill No. 2547 |
| Assembly Bill No. 1912 | Assembly Bill No. 2899 |

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2000, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 36 | Assembly Bill No. 2013 |
| Assembly Bill No. 788 | Assembly Bill No. 2194 |
| Assembly Bill No. 885 | Assembly Bill No. 2234 |
| Assembly Bill No. 918 | Assembly Bill No. 2247 |
| Assembly Bill No. 943 | Assembly Bill No. 2375 |
| Assembly Bill No. 1608 | Assembly Bill No. 2531 |
| Assembly Bill No. 1746 | Assembly Bill No. 2557 |
| Assembly Bill No. 1773 | Assembly Bill No. 2659 |
| Assembly Bill No. 1902 | Assembly Bill No. 2831 |
| Assembly Bill No. 1949 | Assembly Bill No. 2847 |

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2000, at 12:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2000

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

Assembly Bill No. 484	Assembly Bill No. 998
Assembly Bill No. 707	Assembly Bill No. 1002
Assembly Bill No. 786	Assembly Bill No. 1015
Assembly Bill No. 821	Assembly Bill No. 1257
Assembly Bill No. 849	Assembly Bill No. 1263
Assembly Bill No. 886	Assembly Bill No. 1594
Assembly Bill No. 908	Assembly Bill No. 1940
Assembly Bill No. 950	Assembly Bill No. 1948
Assembly Bill No. 954	Assembly Bill No. 1960
Assembly Bill No. 958	Assembly Bill No. 1974

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2000, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2000

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

Assembly Bill No. 303	Assembly Bill No. 1197
Assembly Bill No. 429	Assembly Bill No. 1235
Assembly Bill No. 448	Assembly Bill No. 1307
Assembly Bill No. 481	Assembly Bill No. 1378
Assembly Bill No. 553	Assembly Bill No. 1599
Assembly Bill No. 599	Assembly Bill No. 1601
Assembly Bill No. 988	Assembly Bill No. 1733
Assembly Bill No. 1036	Assembly Bill No. 1771
Assembly Bill No. 1080	Assembly Bill No. 1785
Assembly Bill No. 1093	Assembly Bill No. 1808

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2000, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2000

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

Assembly Bill No. 1813	Assembly Bill No. 2033
Assembly Bill No. 1834	Assembly Bill No. 2036
Assembly Bill No. 1870	Assembly Bill No. 2055
Assembly Bill No. 1877	Assembly Bill No. 2074
Assembly Bill No. 1951	Assembly Bill No. 2091
Assembly Bill No. 1955	Assembly Bill No. 2102
Assembly Bill No. 1995	Assembly Bill No. 2135
Assembly Bill No. 2000	Assembly Bill No. 2137
Assembly Bill No. 2014	Assembly Bill No. 2140
Assembly Bill No. 2018	Assembly Bill No. 2156

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2000, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2000

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

Assembly Bill No. 96	Assembly Bill No. 1909
Assembly Bill No. 172	Assembly Bill No. 1933
Assembly Bill No. 280	Assembly Bill No. 1999
Assembly Bill No. 556	Assembly Bill No. 2015
Assembly Bill No. 803	Assembly Bill No. 2087
Assembly Bill No. 1613	Assembly Bill No. 2115
Assembly Bill No. 1728	Assembly Bill No. 2117
Assembly Bill No. 1789	Assembly Bill No. 2130
Assembly Bill No. 1799	Assembly Bill No. 2159
Assembly Bill No. 1861	

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2000, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 2207 | Assembly Bill No. 2316 |
| Assembly Bill No. 2210 | Assembly Bill No. 2351 |
| Assembly Bill No. 2229 | Assembly Bill No. 2352 |
| Assembly Bill No. 2232 | Assembly Bill No. 2394 |
| Assembly Bill No. 2265 | Assembly Bill No. 2408 |
| Assembly Bill No. 2273 | Assembly Bill No. 2410 |
| Assembly Bill No. 2296 | Assembly Bill No. 2416 |
| Assembly Bill No. 2300 | Assembly Bill No. 2427 |
| Assembly Bill No. 2307 | Assembly Bill No. 2433 |
| Assembly Bill No. 2313 | Assembly Bill No. 2869 |

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2000, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 77 | Assembly Bill No. 1346 |
| Assembly Bill No. 108 | Assembly Bill No. 1396 |
| Assembly Bill No. 581 | Assembly Bill No. 1416 |
| Assembly Bill No. 659 | Assembly Bill No. 1419 |
| Assembly Bill No. 680 | Assembly Bill No. 1458 |
| Assembly Bill No. 779 | Assembly Bill No. 1684 |
| Assembly Bill No. 1066 | Assembly Bill No. 1703 |
| Assembly Bill No. 1068 | Assembly Bill No. 1722 |
| Assembly Bill No. 1226 | Assembly Bill No. 1748 |
| Assembly Bill No. 1302 | Assembly Bill No. 1792 |

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2000, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1873 | Assembly Bill No. 2339 |
| Assembly Bill No. 1892 | Assembly Bill No. 2357 |
| Assembly Bill No. 2012 | Assembly Bill No. 2383 |
| Assembly Bill No. 2016 | Assembly Bill No. 2402 |
| Assembly Bill No. 2037 | Assembly Bill No. 2414 |
| Assembly Bill No. 2114 | Assembly Bill No. 2425 |
| Assembly Bill No. 2199 | Assembly Bill No. 2429 |
| Assembly Bill No. 2230 | Assembly Bill No. 2431 |
| Assembly Bill No. 2331 | Assembly Bill No. 2467 |
| Assembly Bill No. 2337 | Assembly Bill No. 2472 |

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2000, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2000

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 686 | Assembly Bill No. 2565 |
| Assembly Bill No. 1455 | Assembly Bill No. 2581 |
| Assembly Bill No. 2160 | Assembly Bill No. 2583 |
| Assembly Bill No. 2260 | Assembly Bill No. 2608 |
| Assembly Bill No. 2387 | Assembly Bill No. 2611 |
| Assembly Bill No. 2391 | Assembly Bill No. 2613 |
| Assembly Bill No. 2477 | Assembly Bill No. 2616 |
| Assembly Bill No. 2494 | Assembly Bill No. 2621 |
| Assembly Bill No. 2522 | Assembly Bill No. 2642 |
| Assembly Bill No. 2551 | Assembly Bill No. 2689 |

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2000, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2000

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

Assembly Bill No. 674	Assembly Bill No. 2205
Assembly Bill No. 688	Assembly Bill No. 2369
Assembly Bill No. 757	Assembly Bill No. 2705
Assembly Bill No. 877	Assembly Bill No. 2733
Assembly Bill No. 945	Assembly Bill No. 2777
Assembly Bill No. 1338	Assembly Bill No. 2794
Assembly Bill No. 1781	Assembly Bill No. 2837
Assembly Bill No. 1819	Assembly Bill No. 2862
Assembly Bill No. 1851	Assembly Bill No. 2900
Assembly Bill No. 1901	Assembly Bill No. 2933

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2000, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2000

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

Assembly Bill No. 309	Assembly Bill No. 2638
Assembly Bill No. 1449	Assembly Bill No. 2710
Assembly Bill No. 1515	Assembly Bill No. 2711
Assembly Bill No. 1614	Assembly Bill No. 2720
Assembly Bill No. 1730	Assembly Bill No. 2727
Assembly Bill No. 2007	Assembly Bill No. 2729
Assembly Bill No. 2222	Assembly Bill No. 2805
Assembly Bill No. 2392	Assembly Bill No. 2825
Assembly Bill No. 2456	Assembly Bill No. 2849
Assembly Bill No. 2623	Assembly Bill No. 2911

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2000, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2000

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

Assembly Bill No. 499	Assembly Bill No. 2668
Assembly Bill No. 1147	Assembly Bill No. 2754
Assembly Bill No. 1495	Assembly Bill No. 2759
Assembly Bill No. 1669	Assembly Bill No. 2809
Assembly Bill No. 2175	Assembly Bill No. 2812
Assembly Bill No. 2309	Assembly Bill No. 2814
Assembly Bill No. 2388	Assembly Bill No. 2898
Assembly Bill No. 2397	Assembly Bill No. 2908
Assembly Bill No. 2514	

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2000, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2000

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

Assembly Concurrent Resolution No. 8
 Assembly Concurrent Resolution No. 156
 Assembly Concurrent Resolution No. 160
 Assembly Concurrent Resolution No. 162
 Assembly Concurrent Resolution No. 173
 Assembly Concurrent Resolution No. 174
 Assembly Concurrent Resolution No. 175
 Assembly Concurrent Resolution No. 177
 Assembly Concurrent Resolution No. 179
 Assembly Concurrent Resolution No. 180
 Assembly Concurrent Resolution No. 183
 Assembly Concurrent Resolution No. 184
 Assembly Concurrent Resolution No. 185
 Assembly Joint Resolution No. 49
 Assembly Joint Resolution No. 69
 Assembly Joint Resolution No. 77

And reports the same correctly enrolled, and presented to the Secretary of State on the 18th day of September, 2000, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2000

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

Assembly Bill No. 1340	Assembly Bill No. 2700
Assembly Bill No. 1358	Assembly Bill No. 2760
Assembly Bill No. 1646	Assembly Bill No. 2838
Assembly Bill No. 1836	Assembly Bill No. 2903
Assembly Bill No. 1987	Assembly Bill No. 2907
Assembly Bill No. 2284	Assembly Bill No. 2921
Assembly Bill No. 2491	

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2000, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE GOVERNOR

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

Veto Message—Assembly Bill No. 1847

Governor's Office, Sacramento
 September 4, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1847 without my signature.

This bill would establish a task force to create, by October 1, 2002, a Cardiovascular Disease and Stroke Prevention and Treatment State Master Plan. The authority for this Task Force would sunset on January 1, 2006.

AB 1847, however, does not provide the funding necessary to hire staff and to complete the required report.

In addition, the provisions of this measure overlap with the responsibilities of the Department of Health Services, Cardiovascular Disease Outreach, Resources and Epidemiology (CORE) Program. The CORE Program, which is completely federally funded, engages in public education, epidemiologic research, primary prevention services,

and statewide coordination efforts. While I support the intent of this legislation, I believe this issue should be considered along with other worthy projects during the fiscal year 2001–2002 budget process.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2258

Governor's Office, Sacramento
September 4, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2258 without my signature.

This bill would require the California Department of Social Services to study the licensing of crisis nurseries as a separate category of care. Additionally, this bill would require the Department of Developmental Services to consult with operators of crisis nurseries, and with parents who have used the services of crisis nurseries. Notwithstanding the merits of this proposal, it would result in General Fund costs for which funding was not included in the Budget Act of 2000. This proposal should compete with the many other good proposals that will be suggested next year for adoption in Budget Act of 2001.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2475

Governor's Office, Sacramento
September 6, 2000

To the Members of the Assembly:

I am returning Assembly Bill 2475 without my signature.

This bill exempts the Museum of Flying from sales and use tax. Although I recognize that the revenue losses from this bill are minor, I am vetoing the bill based on my concern about the continued erosion of the sales and use tax base through the expansion of exemptions.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2645

Governor's Office, Sacramento
September 6, 2000

To Members of the Assembly:

I am returning Assembly Bill No. 2645 without my signature.

This bill would authorize school districts to use instructional materials funds for the purchase of English language curricula for English language learners and pupils enrolled in structured English immersion programs. This authority would expire on June 30, 2002.

At its June 8, 2000 meeting, the State Board of Education extended its existing policy through June 30, 2002, to accomplish this identical goal. While I fully support the provision of appropriate instructional materials for English language learners, this bill is unnecessary given the State Board's action.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 7th day of September 2000 at 3:30 p.m., of Assembly Bills Nos. 1847, 2258, 2475 and 2645 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 8

Governor's Office, Sacramento

September 7, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 8 without my signature.

This bill would require the Board of Trustees of the Los Angeles Community College District to establish seven trustee areas in the district, and would require members of the governing board to be elected by trustee area.

The decision to create single-member trustee areas is best made at the local level, not by the state. Furthermore, current law allows registered voters residing in the Los Angeles Community College District to petition for the creation of trustee areas.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 252

Governor's Office, Sacramento

September 7, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 252 without my signature.

This bill would appropriate \$50,000 General Fund to the Student Aid Commission to prepare a report on the need for financial aid incentives to encourage students to attend higher education institutions during summer session.

The 2000 Budget Act includes \$33.7 million to enable both the University of California and the California State University to reduce summer session fees to the same level as other academic terms. This fee reduction will eliminate one of the most significant barriers to increasing student attendance during the summer session. I believe that it is premature to conduct a study of student financial aid until the campuses have an opportunity to evaluate enrollment changes due to the fee reduction.

Furthermore, the recently revamped Cal Grant Program will double the grants to thousands of financially needy students who have demonstrated academic merit. These grants can also be used to attend summer session.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 754

Governor's Office, Sacramento
September 7, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 754 without my signature.

This bill would require the Department of Health Services (the Department) to provide Medi-Cal managed care plans in Two-Plan Model Counties with final approved contract rates at least 60 days before each new contract period. If plans did not receive final rates by the specified time, these Medi-Cal managed care plans could then choose to accept their preliminary rates as final rates. Finally, AB 754 would eliminate the current requirement that the Department and these health plans enter into a Memorandum of Understanding regarding the methodology and schedule for establishing the final contract rates.

AB 754's intent is to assure that Medi-Cal managed care plans will have final contract rates in time to effectively negotiate provider rate payments. Although my administration and the Department fully agree with the intent of this bill, it contains provisions which could jeopardize millions of dollars of federal financial participation to our Medi-Cal program. Federal laws and regulations require that the Department assure that aggregate payments to Medi-Cal managed care plans do not exceed the amount that would have been paid for these services in the Medi-Cal fee-for-service program. Determining accurate, fully compliant plan contract rates is an exacting and time-consuming process that must take into account not only previous years of plan experience, but also annual budgeted changes in Medi-Cal benefits and provider rates. These changes are not available to the Department until California's budget is signed each year in late June, which makes the development of accurate final contract rates by August 1 very difficult.

AB 754's provision that would allow plans to choose their preliminary rates as their final rates when final rates are not received on time would have the effect of allowing plans to establish their own contract rates. I cannot approve legislation which literally delegates contract rate-setting to Medi-Cal managed care plans in certain situations. California would be out of compliance with federal law that requires a single state agency to oversee our Medi-Cal program.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1780

Governor's Office, Sacramento
September 7, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1780 without my signature.

This bill would delete the exemption from classified service for part-time playground positions.

While I appreciate this bill's effort to provide better benefits for part-time playground monitors, this bill would mandate substantial increased costs to school districts. I am concerned that requiring school districts to designate all part-time playground monitors as classified

employees would usurp the ability of local school districts to set personnel policies that best meet their individual needs.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1879

Governor's Office, Sacramento
September 7, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1879 without my signature.

While I recognize the importance of preventing brain and spinal cord injuries, I am unable to support this measure. Assembly Bill 1879 would circumvent the normal processes for developing, reviewing, and approving the adoption of academic content standards, curriculum frameworks, and instructional materials. The existing process of curriculum framework development and review allows for significant public input into the form and content of the included material.

Furthermore, this proposal circumvents the budget process, wherein meritorious projects can compete with each other.

Finally, I would note that governing boards of local educational agencies already have the authority to adopt curriculum in any subject matter area they deem appropriate or a priority within their jurisdiction. For these reasons, I am returning this measure without my signature.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2330

Governor's Office, Sacramento
September 7, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2330 without my signature.

This bill would provide grants to non-profit aquariums, ocean institutes, and other marine science education programs to fund general marine science education programs for pre-kindergarten, kindergarten and grades 1 to 12, in coordination with local school districts.

This bill would also appropriate \$1.5 million from the General Fund, funding not included in the 2000 Budget. While this proposal has merit, it should compete with other meritorious proposals in the annual budget process.

While I support educating California's students about the environmental and economic importance of marine science and the Pacific Ocean, I believe that this bill is unnecessary. In addition to the life and earth science courses taught in schools throughout the State, there are state-funded environmental education programs already in existence. The Environmental License Plate Fund supports grants to state and local environmental education programs, including those geared towards marine science. Current law also allows district governing boards to conduct programs and classes in outdoor science education and conservation education.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 8th day of September 2000 at 4:10 p.m., of Assembly Bills Nos. 8, 252, 754, 1780, 1879 and 2330 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

RALPH ROMO

Chief Assistant Clerk of the Assembly

Veto Message—Assembly Bill No. 1096

Governor's Office, Sacramento

September 10, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1096 without my signature.

This bill would repeal the existing private certification program for interior designers and instead would establish a new state program, the Board of Interior Design, to administer a title act that would limit the use of the term "registered interior designer."

This bill creates a new regulatory program for an industry where there is no demonstrated consumer harm. The creation of a new regulatory program and new state agency at a time when the Legislature is eliminating licensing boards and streamlining regulatory programs is inappropriate.

Additionally, this bill does not provide for adequate start-up funding and is unclear as to what, if any, consumer protection would be served. Government intervention in a marketplace should be reserved for cases where there is consumer harm.

For these reasons, I cannot sign AB 1096.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1597

Governor's Office, Sacramento

September 10, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1597 without my signature.

This legislation would require the Department of Corrections to ensure that the standard of hospice care for female inmates at the Central California Woman's Facility be equivalent to the level of care provided to male inmate hospice patients at the California Medical Facility. Additionally, the bill would state legislative intent to encourage the University of California and the Department of Corrections to establish a medical residency program at the California Medical Facility.

As indicated in my veto message of a similar bill, this bill is unnecessary because as of July 1, 2000, the California Department of Corrections began operating a hospice facility for the critically and terminally ill women in prison. This program, as the author correctly intends, will be equivalent to the services provided for the male prison inmates at the California Medical Facility.

I believe that the provision stating legislative intent to establish a University of California and Department of Corrections medical residency program at the California Medical facility would create fiscal pressure to fund a \$2 million to \$3 million program. Funding for such a

program should be considered during the annual budget process when the costs and merits of the program may be evaluated among other competing funding priorities.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1759

Governor's Office, Sacramento

September 10, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1759 without my signature.

This bill would require all State agencies to post on their Internet sites a list of all of its reports and studies that are subject to disclosure under the Public Records Act (PRA). The bill would require that the list must be continuously updated to include every report within 10 days after its initiation or completion.

The legislation is not clear and fails to indicate if the reports and studies to be posted would be those completed on or after date of enactment, or how the public is to access the reports. Consumers would have great difficulty, even those with extensive knowledge of the Internet, finding a list without links or clear instructions to make this effort worthwhile. As written, the bill would only provide information in a highly inefficient and confusing form. A stand-alone list of reports and studies does not seem to meet the stated intent of the Public Records Act.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1962

Governor's Office, Sacramento

September 10, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1962 without my signature.

This bill would eliminate the sunset date on the current rate structure for escrow agents' annual license fees, would change the annual license fee, would reduce the frequency for routine examinations of escrow agencies, and would eliminate a special assessment provision designed to prevent the program from operating at a deficit.

This bill will not provide the Department of Corporations with adequate funding to meet its existing regulatory responsibilities with respect to the escrow industry. In addition, doubling the length of the routine audit cycle from two to four years may jeopardize consumer protections. I am willing to consider legislation next year, which ensures adequate funding while addressing industry concerns about the cost of issuing licenses.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2124

Governor's Office, Sacramento
September 10, 2000

To Members of the California State Assembly:

I am returning Assembly Bill No. 2124 without my signature.

This bill would create the Integrated Justice Information System Task Force which would be required to establish a California integrated justice information system plan to be used for the purpose of maximizing standardization of data elements and communications technology, reducing unnecessary duplication of data collection, storage, or entry, and to formulate recommendations regarding the establishment of a permanent planning or development process.

While this bill's intent is to assist in the creation of efficiencies in the transmission of information between various law enforcement agencies, I have concerns that this bill would create a significant pressure on the General Fund, likely in the tens of millions of dollars to implement recommendations made by the bill's task force. The 2000 Budget Act includes \$34.4 million to assist in implementation of the Judicial Technology Initiative and \$75 million one-time funding to local law enforcement agencies for the purchase of high-technology equipment. Thus, it is not clear to me that the proposed task force and plan are necessary at this time.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2424

Governor's Office, Sacramento
September 8, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2424 without my signature.

This legislation provides for the licensure of private duty nursing agencies. AB 2424 permits Residential Care Facilities for the Elderly (RCFE's) to provide incidental medical care services through a private nursing agency when certain conditions are met. The bill specifies that Early Periodic Screening Diagnosis and Treatment and home and community based waiver recipients would be eligible for continuous nursing services provided by a private duty nursing agency, subject to federal approval and federal financial participation.

Notwithstanding the merits of this proposal, it would result in General Fund costs for which funding was not included in the Budget Act of 2000. This proposal should compete with the many other good proposals that will be suggested next year for adoption in Budget Act of 2001.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2595

Governor's Office, Sacramento
September 10, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2595 without my signature.

I recognize the risk that bail agents face when their clients are deported or flee to another jurisdiction. However, I am mindful that these sureties, when entering a contract with a defendant, recognize these risks and therefore build in a margin which would cover the cost of these infrequent forfeitures. These sureties are in a better position to determine the immigration status of the defendant than the courts and as such when entering a contract with a defendant, they can build in a margin which would cover the cost of these infrequent forfeitures. Flight, as well as deportation, are inherent risks in this type of business.

In addition, the provision of this measure which provides that when a defendant is held in custody in a domestic jurisdiction or a foreign jurisdiction that has an extradition agreement with the United States and the prosecutor fails to seek extradition, despite the ability to do so, bail forfeiture shall be vacated shifts the cost burden from the surety to the state or locals by mandating that they incur the cost of extradition or they lose the forfeiture bail.

Reasonable protections have been enacted in the past. I do not believe further expansion appropriate at this time.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2725

Governor's Office, Sacramento
September 8, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2725 without my signature. This bill would have regulated the conduct of "going out of business" sales.

Clearly, I do not condone fraudulent activities. However, this bill is unduly restrictive.

I would be supportive of legislation the primary focus of which is to prevent the dissemination of misleading information to the consumer.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2786

Governor's Office, Sacramento
September 10, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2786 without my signature.

This bill would redirect unclaimed funds to the State. These monies do not belong to the State. Unclaimed property belongs to the estate of the deceased person. The Controller should make every effort to return these monies to the rightful heirs.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2832

Governor's Office, Sacramento
September 8, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2832 without my signature.

AB 2832 would exempt from manufacturer licensing any person who manufactures a medical device intended for investigational use outside of the United States if the medical device is manufactured and used in compliance with all applicable federal laws and regulations and the law of the host country.

It is reasonable to exempt from state licensing manufacturers of medical devices intended solely for investigational use in other countries if the medical devices are manufactured and used in compliance with applicable federal requirements and the requirements of the importing country. But in providing such an exemption there must be assurance that the medical devices will not be distributed domestically or reimported into California except in accordance with state and federal laws governing investigational device use. Companies claiming such an exemption should also be identified so that the California Department of Health Services (DHS) can verify compliance with the conditions of exemption as needed to protect the public health. AB 2832 does not provide these safeguards.

Existing law authorizes DHS to write regulations exempting a class of manufacturers from licensing when the public health is not endangered. I encourage the sponsors of AB 2832 and the medical device industry to work with DHS to develop regulations that provide an appropriate exemption for manufacturers of medical devices intended solely for investigational use in other countries without compromising existing public health protections in California.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 11th day of September 2000 at 4:21 p.m., of Assembly Bills Nos. 1096, 1597, 1759, 1962, 2124, 2424, 2595, 2725, 2786, and 2832 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 536

Governor's Office, Sacramento
September 11, 2000

To Members of the California Assembly:

I am returning Assembly Bill 536 without my signature.

This bill would provide blood testing and human leukocyte antigen typing to individuals who volunteer to participate in the federal National Marrow Donor Program.

The 2000–01 Budget, as signed, did not include funds for this purpose. While this program has merit, it should compete with the many

other good proposals that will be suggested next year for adoption in the Budget Act of 2001.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1390

Governor's Office, Sacramento
September 11, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1390 without my signature.

This bill would establish the Bullying Prevention Program, to be implemented through a competitive grant process by school districts maintaining grades 5 and 6. This bill would appropriate \$150,000 General Fund to provide the grants.

The effort to enhance school safety and provide awareness to students and teachers should be part of ongoing school safety efforts. Teachers, administrators, and playground attendants should, as a course of normal responsibilities, be aware of what the children are doing, including bullying, without the need for specialized programs, training, and counseling. Furthermore, the current budget provides \$425 million to school districts for locally determined priorities, including school safety needs, which can be used to implement bullying prevention programs, should this be locally determined to be a need.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1704

Governor's Office, Sacramento
September 11, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1704 without my signature.

This bill would appropriate \$149,000 General Fund to the Department of Social Services (DSS) for allocation to the Trabajadores de La Raza/Chicano Youth Center and members of the Central Valley Youth Consortium to conduct a study regarding the provision of services to youth residing in the Central Valley Region. The 2000–01 Budget did not include funds for this purpose. While this study has merit, it should compete with the many other good proposals that will be suggested next year for adoption in the Budget Act of 2001. It would also be appropriate to seek funding for this study through existing CalWORKs county performance incentive funding.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1758

Governor's Office, Sacramento
September 11, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1758 without my signature.

This bill would establish a statutory process whereby species previously thought extinct, but rediscovered, may be granted protected

status until such time that the Fish and Game Commission can act on a formal endangered species petition for the species.

This bill is redundant of existing provisions that create a process for the adoption for emergency regulations, including those for the protection of species in jeopardy. Furthermore this bill would waive the public notice and participation requirements in existing law, possibly disenfranchising those most affected by the adoption of these heightened provisions. This is inconsistent with our State's Administrative Procedures Act and would constitute an unfortunate precedent for the conduct of State business behind closed doors.

Existing law has not been shown defective, in fact, the species which prompted this bill, the San Fernando Spineflower, is the subject of a petition that has successfully navigated the existing process and is currently in its candidacy phase.

Therefore, I am vetoing AB 1758.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2704

Governor's Office, Sacramento
September 11, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2704 without my signature.

It is not clear that there is a need for this bill since no evidence has been presented that the current private system is not working. Moreover, this bill does not provide any additional consumer protections against the receipt of unsolicited e-mail advertisements but merely expands government.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 12th day of September, 2000 at 1:45 p.m., of Assembly Bills Nos. 536, 1390, 1704, 1758, and 2704 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 675

Governor's Office, Sacramento
September 12, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 675 without my signature.

This bill would require the Department of Health Services to conduct unannounced surveys of all accredited general acute care hospitals every three years for the purpose of reviewing the patient classification system, or staffing requirements.

While this bill may have merit, this measure includes a provision that requires the Department of Health Services to make federal Medicare and Medicaid certification documents available to the public. This provision places the Department in conflict with federal guidelines

which state that DHS has no authority or jurisdiction to provide these documents to the public. Federal certification documents can only be obtained from the federal government under the Freedom of Information Act. However, every health facility's survey and inspection reports are available to the public for inspection.

Additionally, Assembly Bill 675 contains no appropriation for the increased staffing and associated costs to the Department to conduct additional unannounced surveys of hospitals.

For the reasons stated above, I am unable to sign AB 675.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1986

Governor's Office, Sacramento
September 12, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1986 without my signature.

This bill would require the State Department of Education to certify state-subsidized child care programs that meet prescribed performance standards, and provide technical assistance to programs not meeting those standards.

The Superintendent of Public Instruction already has authority to develop standards for the implementation of quality programs. The Department could revise the indicators by which it assesses program quality without the prescriptive revisions proposed by this bill to current law.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2631

Governor's Office, Sacramento
September 12, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2631 without my signature.

This bill would require the State Department of Education to administer competitive start-up or expansion grants to governmental agencies and nonprofit organizations that meet specified criteria to participate in the Summer Food Service Program or to provide after school snacks pursuant to the Child and Adult Care Food Program.

While this program may have merit, it will cost an additional \$1.2 million currently not appropriated in the 2000 Budget Act. This program should compete with other meritorious programs in next year's budget.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 13th day of September 2000 at 4 p.m., of Assembly Bills Nos. 675, 1986 and 2631 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1625

Governor's Office, Sacramento

September 13, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1625 without my signature.

This bill would unnecessarily restrict the business of assisting the public in recovering property escheated to the state to licensed private investigators, attorneys, public accountants, and licensed persons owing a fiduciary duty to a property owner.

This bill raises the issue of restraint of livelihood for existing non-licensed businesses that recover unclaimed property. Experience and education requirements for private investigators, accountants, and attorneys are excessive for entities whose business is limited to searching public records and using the mail and Internet to locate owners of unclaimed property.

This bill would reduce competition and consumer choice in the business of asset recovery services. With fewer companies providing this service, fewer consumers will be served and recover property of which they would otherwise be unaware. Additionally, the bill would reduce forces that keep fees charged to consumers competitive and encourage good service to consumers.

There are, however, some legitimate consumer abuses addressed by this bill that I would be willing to consider in separate legislation.

For these reasons I am returning this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1648

Governor's Office, Sacramento

September 13, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1648 without my signature.

This bill would state the intent of the Legislature that the Institute for Transportation Studies at the University of California conduct a review of the Metropolitan Transportation Commission's (MTC's) compliance with state and federal regulations.

Under existing federal law, designated metropolitan planning organizations are required to develop transportation plans. Federal law also specifies the structure of these organizations, such as the MTC in the San Francisco Bay Area. This bill would require UC Regents to seek input from stakeholders concerned with public transportation in the region.

While there is merit to this study, the estimated \$250,000 cost should compete with other priorities through the budget process.

For this reason I am returning this bill.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 14th day of September 2000 at 3:55 p.m., of Assembly Bills Nos. 1625 and 1648, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1969

Governor's Office, Sacramento

September 14, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1969 without my signature.

This bill would require a long-term care mental health working group to develop a specific plan for the development of certain long-term care facilities.

The 2000–01 Budget, as signed, did not include funds for this purpose. While this working group may have merit, it should compete with the many other good proposals that will be suggested next year for adoption in the Budget Act of 2001.

This bill also duplicates existing law, which already requires the Department of Mental Health to conduct an independent evaluation of Mental Health Rehabilitation Centers and develop a state-level plan for a streamlined and consolidated evaluation and monitoring program for the review of MHRCs and Skilled Nursing Facilities with special treatment programs for mentally ill patients.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2013

Governor's Office, Sacramento

September 14, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2013 without my signature.

This bill would require (a) project charters for regional immunization registries, (b) local and regional immunization registry adherence to statewide guidelines, and (c) health care provider participation in immunization registries. While these provisions have the potential to help ensure successful implementation of a statewide system of immunization registries, it is premature at this time to legislate a requirement that health care providers participate in immunization registries in California since health care provider capacity for such participation is still evolving.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2501

Governor's Office, Sacramento
September 14, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2501 without my signature.

This bill would require the Department of Alcohol and Drug Programs to implement a three-year demonstration project to make grants to alcohol and other drug integrated treatment services networks in specified counties, using federal monies already allocated to the department.

I am supportive of efforts that will help communities provide prevention and treatment services to their residents with alcohol and other drug problems, particularly persons who are poor and uninsured. However, the funding included in AB 2501 for the proposed three-year Community Network Service Provider Demonstration Project is not in compliance with the federal statutory provisions governing the use of the Substance Abuse Prevention and Treatment block grant funds and is at the expense of other needy alcohol and other drug prevention/treatment service providers. Moreover, the funding mechanism undermines the state/county partnership that the department and counties have worked hard to develop.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 15th day of September 2000 at 4 p.m., of Assembly Bills Nos. 1969, 2013, and 2501 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2166

Governor's Office, Sacramento
September 16, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2166 without my signature.

This bill would change State domestic violence grant requirements to extend the period, from 18 months to 24 months, that a transitional housing program could provide services such as housing, job training and placement, and case management to a domestic violence victim.

While proponents are well intentioned, this bill would create General Fund pressure, in the millions of dollars, to lengthen the time periods for providing services. The State cannot afford to finance indefinitely every program.

The Budget Act of 2000 provides \$39 million General Fund to support the development and operation of emergency shelters. These funds could be used to provide up to 24 months of transitional housing for domestic violence victims and their families.

I am also concerned that extending the time period would prevent new victims from obtaining services. However, I would be willing to

consider legislation that provides continued supportive services to domestic violence victims in exceptional situations, but not across the board.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2608

Governor's Office, Sacramento
September 16, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2608 without my signature.

This bill would require local governments to reimburse prosecutors and public defenders for relocation expenses when a credible threat is made against the prosecutor/public defender or his/her family.

As I stated in my veto of AB 792 of 1999, this is an inappropriate response to the hazards that good men and women except as part of their responsibilities as members of the criminal justice system. There is no guarantee that relocating all the people identified in this bill removes the hazards they must unfortunately cope with as valued members of society. These reasons still exist today.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2689

Governor's Office, Sacramento
September 15, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2689 without my signature.

This bill would require the State Department of Education to conduct a study regarding a variety of items involving pupil support, defined as school counselors, school psychologists, and school social workers, and the services and programs offered by those personnel.

The Budget Act of 2000 contains over \$71 million for the Carl Washington School Safety and Violence Prevention Act that is available for schools to use to increase the number of pupil support personnel as defined in this bill. In addition, the Budget Act of 2000 contains \$1.8 billion in discretionary funding that individual districts could use to meet their unique pupil support needs. The decision as to the appropriate level and type of student services provided at any given school district or schoolsite should be a local decision.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 18th day of September 2000 at 12:55 p.m., of Assembly Bills Nos. 2166, 2608, and 2689 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1851

Governor's Office, Sacramento
September 18, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1851 without my signature.

This bill permits a person born in California who has undergone a sex change operation to petition the court in his or her county of birth for the issuance of a new birth certificate. The bill would also establish procedures for the issuance of a certificate of change of sex to persons who do not have a California birth certificate.

The procedures established by AB 1851 would require the State Registrar to issue the certificate of change of sex upon order of the court. This requirement is inconsistent with the State Registrar's statutory responsibility (1) to register vital events, and (2) to register only those vital events that occur in California. It is also inconsistent with the intent of existing law to maintain the confidentiality of persons who have undergone surgical procedures to alter their sexual characteristics, since the certificate of change of sex does not result in the sealing of the person's original birth certificate or in the issuance of a new birth certificate.

The author proposes that the Certificate of Change of Sex is needed as a legal document in order for California residents who have undergone gender reassignment to obtain a new driver's license or a U.S. passport. This bill is unnecessary since a court order for a name change based on a change of sex is already available to the public, and a driver's license or U.S. passport is obtainable without a certificate of change of sex.

Finally, it is unreasonable to require a person to go through an unnecessary court proceeding for a certificate that will not provide them with any more benefits than a court order already provides.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1920

Governor's Office, Sacramento
September 18, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1920 without my signature.

The day that two people are married should be one of the happiest days of their lives. As I said last year, the State of California can reasonably assume that people entering into marriage are fully cognizant of their contractual rights and responsibilities.

I believe it is presumptuous and in very bad taste, to require the County Clerk, on the eve of someone's marriage, to offer a couple a document detailing all of the problems and costs associated with the dissolution of that marriage.

For these reasons, I must veto this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1960

Governor's Office, Sacramento
September 18, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1960 without my signature.

This bill would require the State to pay, subject to appropriation, 75% of the costs incurred by Local Agency Formation Commissions (LAFCOs) in preparing a city incorporation environmental impact report (EIR), if the incorporation fails. Counties, which provide the entire LAFCO budget through general fund appropriations, would absorb the remaining 25% of the EIR preparation costs.

Historically, LAFCO application processing fees have been borne by those advocating a change of organization. EIR's, where required by the California Environmental Quality Act (CEQA) and the individual LAFCO, have also been the financial responsibility of applicants, not the general taxpayers. This bill seeks to have the State and County governments pay 100% of the cost of an EIR prepared as part of an incorporation proposal.

For the reasons cited above, I am returning this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2011

Governor's Office, Sacramento
September 18, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2011 without my signature.

This bill would revise the requirements for site visits to licensed family day care homes by requiring that such visits be unannounced and conducted within every two-year period, and as often as necessary to ensure compliance. The 2000–01 Budget, as signed, did not include funds for this purpose. While this proposal has merit, it should compete with the many other good proposals that will be suggested next year for adoption in the Budget Act of 2001.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2259

Governor's Office, Sacramento
September 18, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2259 without my signature.

This bill would establish the Building Rehabilitation Code Advisory Council to advise the California Building Standards Commission on the possible adoption of a Building Rehabilitation Guideline.

A specific law is not needed to create an advisory council if the Commission deems one to be necessary. The Commission's 2000 Code Partnership has already undertaken an extensive review of recently published codes. Their recommendations will be incorporated into

existing building codes by the Commission during the upcoming code adoption cycles.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2834

Governor's Office, Sacramento
September 18, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2834 without my signature.

This bill would establish two new programs for the purpose of increasing the number of physicians who specialize in geriatric medicine. The 2000–01 Budget, however, did not include funds for this purpose and it is not clear that the proposal will improve upon other effective programs like the Song-Brown Family Physician Training Program that also increase the supply of physicians to serve seniors.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 19th day of September 2000 at 4 p.m., of Assembly Bills Nos. 1851, 1920, 1960, 2011, 2259, and 2834, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

HUGH R. SLAYDEN
Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 865

Governor's Office, Sacramento
September 15, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 865 without my signature.

This bill would specify that the State employer should compensate the California Highway Patrol's (CHP) communications operators in an amount equal to the estimated average compensation of communications operators for the police departments in the jurisdictions of Los Angeles, Oakland, San Diego, San Jose, and the City and County of San Francisco. Also, when determining compensation for CHP communications operators, the State may consider the compensation for communications operators in comparable positions in the aforementioned police departments.

Because the Ralph C. Dills Act requires that any change in compensation for represented employees must be collectively bargained between representatives of the State and the Union, this bill would conflict with that requirement by mandating a statutory formula. Additionally, since April 1, 1999, communications operators have received salary increases totaling 13.5 percent plus a \$300 monthly recruitment and retention incentive differential for communication

operators employed at the Golden Gate Communication Center and the Los Angeles Communication Center.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1594

Governor's Office, Sacramento
September 17, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1594 without my signature.

This bill would require immunization against Hepatitis A for kindergarten and childcare facility entry, effective July 2003.

Hepatitis A is not yet licensed for use in children under two years, so that it cannot yet be incorporated into the routine infant/toddler immunization schedule.

Further, Hepatitis A vaccine is not yet available for children in a combined preparation with other vaccines.

Widespread community acceptance is needed for school/childcare entry requirements to be effective. For Hepatitis A vaccine, such acceptance needs more time to develop, and 2003 may be too soon for this to happen.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1614

Governor's Office, Sacramento
September 17, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1614 without my signature.

Existing law provides the court with discretion to modify or terminate a support order at any time the court deems appropriate. Therefore, expressly specifying the applicability of current statute to an incarcerated population appears unnecessary.

While the author's actions are well-intended, I question whether it is good public policy to automatically relieve child support obligors of their responsibility while they are in prison. I believe a child should receive the benefit of the doubt and every effort to collect their child support should be made.

In addition, by requiring the county sheriff to provide each inmate a simplified form to request a modification of support, and by requiring the local child support agency to review the motion or order to show cause to modify support submitted by an incarcerated support obligor, this bill would create a reimburseable state-mandated program. Any increased local costs associated with implementing these provisions would be borne entirely by the General Fund and have not been included in the Budget Act of 2000.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1725

Governor's Office, Sacramento
September 17, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1725 without my signature.

This bill would require the Child Health and Disability Prevention (CHDP) program to refer for diagnosis and treatment when needed, all children eligible for the California Children's Services (CCS) program. In addition, the bill would require the Department of Health Services (DHS) to adopt regulations to establish, as part of CHDP health screenings, screening for acanthosis nigricans, and to authorize the use of the fasting blood glucose test when required.

This bill is not necessary. The CHDP program screens for Type 2 diabetes and makes referrals for children to receive a fasting blood glucose test. This bill would shift, from counties to the State, the cost of providing the fasting blood glucose test to uninsured children. In addition, the medical awareness of and testing of children for acanthosis nigricans could be accomplished administratively through DHS and the counties, rather than being mandated through legislation. Also, the CHDP program already determines eligibility and refers children to the CCS program for treatment. Finally, the 2000–01 Budget Act did not include funds for this purpose.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1935

Governor's Office, Sacramento
September 15, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1935 without my signature.

This bill would require the California State University (CSU) to prepare a detailed report with specified information about CSU's auxiliary organizations.

It is my understanding that the author of the bill has already requested CSU to provide the report required by this bill, and that CSU has agreed to comply with the request. Therefore, there is no need for legislation to accomplish the purposes of this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2068

Governor's Office, Sacramento
September 17, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2068 without my signature.

This bill would encourage the Regents of the University of California to convene, to the extent that sufficient funds are provided for this purpose, a panel of experts, consisting of representatives from specified entities to develop guidelines and recommendations for the identification and treatment of childhood mental disorders and related issues.

Notwithstanding the merits of this study, it would imply a future commitment for funding. While the author has indicated an interest in seeking private funds for this purpose, this fund source should be identified in the bill. It should otherwise compete with the many other good proposals that will be suggested next year for adoption in the Budget Act of 2001.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2458

Governor's Office, Sacramento
September 11, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2458 without my signature.

This bill would allow specified classifications of the Department of Justice currently in the State Miscellaneous retirement category to transfer to the State Safety retirement category and exempt those positions from Social Security coverage on a prospective basis.

This bill would increase State employer retirement contributions by \$1 million annually. Employees in the seven classifications included in this bill do not meet the State's criteria of inclusion in the State Safety retirement category. Additionally, through collective bargaining in 1999, the employees in these classifications were provided an enhanced disability benefit in lieu of the opportunity to transfer to the State Safety retirement category. This bill would circumvent the collective bargaining process by mandating employee retirement benefit increases.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2809

Governor's Office, Sacramento
September 17, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2809 without my signature.

AB 2809 would require prenatal health care providers to offer testing and counseling for perinatally transmitted communicable diseases, to be identified by the Department of Health Services (DHS). The bill would further require the DHS to adopt a form to be used by health care providers, that documents the offer of testing, counseling and patient consent.

The requirements of this bill exceed current federal Centers for Disease Control and Prevention (CDC) recommendations for communicable disease screening and goes beyond professional medical guidelines for care which recommend screening all patients for HIV, syphilis and hepatitis B and testing only for patients at risk for other diseases. The state's standard of medical practice is consistent with that of the CDC.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2815

Governor's Office, Sacramento
September 11, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2815 without my signature.

This bill would permit the State of California, the trustees of the California State University and the Joint Rules Committee of the Legislature to elect to become employers whose employees are eligible for payment of disability benefits from the Unemployment Compensation Disability Fund. The election would have to be the result of a negotiated agreement with recognized employee organizations. The bill also would allow the State the choice to provide coverage to management and confidential employees, and employees who are not part of an employee organization.

To the best of my knowledge, this bill conveys no new rights or benefits to employees. Whether or not this bill becomes law, employees have the very same rights to negotiate at the bargaining table for these benefits.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 19th day of September 2000 at 4 p.m., of Assembly Bills Nos. 865, 1594, 1614, 1725, 1935, 2068, 2458, 2809, and 2815 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 383

Governor's Office, Sacramento
September 22, 2000

To the Members of the Assembly:

I am returning Assembly Bill 383 without my signature.

This bill requires that a uniform salary schedule be adopted for a part-time faculty. All community college districts now have a salary schedule that is developed either through collective bargaining or the meet and confer process. This bill mandates part-time salary requirements that are items negotiated through the collective bargaining process. This bill would limit the ability of districts to negotiate for the compensation of their employees, particularly those part-time faculty who have skills in high-demand fields.

For this reason I cannot support this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 609

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 609 without my signature.

This bill would require that Braille instruction provided to a functionally blind pupil to enable the pupil to communicate with the same level of proficiency expected of fully sighted students of comparable ability and grade level. The bill would require the Individualized Educational Program (IEP) for a functionally blind pupil with the potential to read to specify when and how Braille instruction shall be provided, if it is appropriate.

Although I fully support efforts to accommodate students with exceptional needs, this measure would no longer require assessments for determination of appropriate reading programs be provided for low vision individuals. By no longer assessing these students, services will likely be reduced. This bill also conflicts with current state and federal laws that require services to be provided based upon individual need.

Additionally, this bill goes well beyond aligning state and federal law, placing significant and costly mandates on schools and publishers. Funds for this purpose were not included in the 2000 Budget Act.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1235

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1235 without my signature.

This bill would increase the infant supplement rate for an infant placed with a minor parent in a foster family home, a certified home of a foster family agency, or a group home.

The 2000–01 Budget Act included a 2.96% cost-of-living adjustment for infant care supplemental rates. This bill would provide an additional rate increase of at least 9%. While this proposal may have merit, it should compete with the many other good proposals that will be suggested next year for adoption in the Budget Act of 2001.

In addition, this measure would provide that the state assume the county share of cost of the proposed rate increase, in addition to the state share of cost for the program specified in statute. The provision of General Fund for what historically has been a county share of the cost could set an undesirable precedent for future General Fund support in other areas

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1445

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1445 without my signature.

AB 1445 makes several changes to the training requirements for direct care staff in facilities serving persons with developmental disabilities including elimination of the existing requirement that direct care staff who do not pass a competency test may not continue to provide direct care.

Those who care for developmentally disabled persons are performing an extraordinarily valuable service to our society, and I salute their hard work and commitment. I believe, however, that we will do persons with developmental disabilities a disservice by allowing direct care staff to provide services to them even though they fail to pass the basic competency test.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1746

Governor's Office, Sacramento
September 22, 2000

To the Members of the Assembly:

I am returning Assembly Bill No. 1746 without my signature.

Current law authorizes the establishment of Indian Education Centers to act as educational resource centers in American Indian communities. This bill would expand the services that could be provided by these centers to include transportation, on-site professional mathematics and literacy teachers, and recovery programs for pupils who have dropped out of comprehensive schools. However, AB 1746 contains no additional funding to pay for these services. Costs to fund these expanded services could reach as much as \$8 million General Fund annually.

Many of the expanded services proposed by this bill are duplicative of programs that were significantly expanded in the Budget Act of 2000, including remedial education, reading and mathematics instruction and education technology, in addition to other categorical programs. For these reasons, I am unable to support this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1922

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1922 without my signature.

This bill would require the Chancellor of the California Community Colleges to report to the Legislature regarding changes in the diversity makeup of the faculty and the progress made in meeting district and systemwide goals.

While I strongly support having a diverse workplace, this bill is unnecessary and duplicative. Current law already provides that all

community college districts report demographic data on their employees. This information is available to the public and the state Legislature and is regularly used by community college administrators and faculty.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1940

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1940 without my signature.

This bill would require the Superintendent of Public Instruction to develop, and the State Board of Education to adopt, performance goals and indicators for individuals with exceptional needs. In addition, this bill would require inclusion of individuals with exceptional needs, with necessary accommodations, in general statewide and districtwide assessment programs. This bill also would require local educational agencies to provide reports annually on the participation in these assessments.

This bill is unnecessary because it largely restates federal law. The state is already obliged to and, in fact does, obey federal law.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2012

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2012 without my signature.

This bill would expand the authority to operate Foster Youth Services programs and establish new program standards and requirements. I already included \$7.6 million for this excellent program in my 2000–01 budget. Moreover, the Budget Conference Committee specifically rejected this further expansion as a matter of priority.

I believe the expansion of this meritorious program should be considered through the regular budget process with all other programs in the 2001–02 budget.

For these reasons, I cannot support this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2247

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2247 without my signature.

This bill would relieve certain school districts from financial penalties owed due to their non-compliance with instructional time requirements under current law. Specifically, the bill would retroactively extend the 1999 deadline for applications for a waiver of the requirements, and would also deem that the Ducor Union

Elementary School District had been in compliance with the minimum instructional time requirements for the 1997–1998 fiscal year.

The Hughes-Hart Educational Reform Act and the Instructional Time and Staff Development Reform Program both advanced the objective of increasing the amount of instructional time provided to California's students. By releasing school districts from penalties for noncompliance with these laws, this bill sets an undesirable precedent. Furthermore, the Administration has increased discretionary funding for school districts by nearly 11 percent for the 2000–01 school year, which should help mitigate any financial burden these districts may experience in the repayment of funds.

For these reasons I cannot sign AB 2247.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2339

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2339 without my signature.

This bill would impose significant state-mandated costs upon county offices of education by requiring the implementation of a new system to track certificated staff assignments. Funding for other provisions of this bill were not part of the 2000–01 budget and would be more appropriately reviewed in next year's budget.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 24th day of September 2000 at 4:48 p.m., of Assembly Bills Nos. 383, 609, 1235, 1445, 1746, 1922, 1940, 2012, 2247, and 2339, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2412

Governor's Office, Sacramento
September 23, 2000

To the Members of the Assembly:

I am returning Assembly Bill 2412 without my signature.

This bill would impose sales tax collection obligations on retailers who process orders electronically, by fax, telephone, the Internet, or other electronic ordering process, if the retailer is engaged in business in this state.

In order for the Internet to reach its full potential as a marketing medium and job creator it must be given time to mature. At present, it is less than 10 years old. Imposing sales taxes on Internet transactions at this point in its young life would send the wrong signal about California's international role as the incubator of the dot-com community.

Moreover, the Internet must be subject to a stable and non-discriminatory legal environment, particularly in the area of taxation. Unfortunately, AB 2412 does not provide such a stable environment: it singles out companies that are conducting transactions electronically and attempts to impose tax collection obligations on them to which, according to California courts, they are not subject. Furthermore, AB 2412 re-enacts provisions that the Legislature has recently repealed due to court decisions.

In the next 3 to 5 years, however, I believe we should review this matter. Therefore I am signing SB 1933, which creates the California Commission on Tax Policy in the New Economy. The Commission will examine sales tax issues in relation to technology and consumer behavior and make recommendations.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 24th day of September 2000 at 4:45 p.m., of Assembly Bill No. 2412, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 356

Governor's Office, Sacramento

September 23, 2000

To the Members of the Assembly:

I am returning Assembly Bill 356 without my signature.

This bill would require the Trade and Commerce Agency to designate a geographical area within one city in Los Angeles County as a new enterprise zone.

In order to maximize the effectiveness of economic development zones, I believe that the number of zones must be limited and the areas chosen on a statewide, competitive basis. This bill, however, bypasses that process and would establish a new enterprise zone—without the traditional statewide, competitive process.

To help economically stressed communities like the intended beneficiary of AB 356, I have signed SB 511, which allows the Trade and Commerce Agency to award bonus points based on economic need but maintains the competitive process for the creation of future enterprise zones.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 581

Governor's Office, Sacramento

September 23, 2000

To Members of the California Assembly:

I am returning Assembly Bill 581 without my signature.

This bill would initiate a survey and inventory of all existing state-owned information technology infrastructure and network assets for the purpose of maximizing public access to those assets. It is my

view that this bill is too broad and also that it raises significant concerns about the security and confidentiality of state information technology assets.

This bill calls for a survey and inventory of all existing “information technology infrastructure”. This definition is broad and could include all computing equipment, network infrastructure, and wiring. It is unclear for what purpose the collected information would be used.

Given the broad nature of the proposed survey, the bill provides neither enough time for the completion of the survey, nor adequate funding. Additionally, it is my view that policies relevant to the protection of state data and assets must be completed prior to the implementation of activities required by this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1220

Governor’s Office, Sacramento

September 23, 2000

To the Members of the Assembly:

I am returning Assembly Bill No. 1220 without my signature.

This bill would require corporate taxpayers that claim specified tax credits to provide the Franchise Tax Board with specified information regarding those credits for each economic development area in which they are doing business and for the state as a whole.

I am concerned about the significant administrative costs for the Franchise Tax Board that would be required by this approach. The Franchise Tax Board estimates that this bill would require 27 personnel years and increase General Fund costs in the range of \$1.2 million to \$1.7 million annually.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2711

Governor’s Office, Sacramento

September 23, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2711 without my signature.

This bill would require the Trade and Commerce Agency to provide free office space and support within the City of Sacramento for foreign trade representatives.

I am vetoing this bill because it would require a significant redirection of resources away from existing programs with demonstrated benefits to a program that may not materially enhance California’s relationships or trade with foreign countries. This bill fails to require that such office space be provided only to foreign staff here primarily to promote their countries’ trade with California, and the proposed first-come, first-served basis of resource distribution does not relate either to the State’s need to build relationships with specific countries or to their office requirements.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 24th day of September 2000 at 4:46 p.m., of Assembly Bills Nos. 356, 581, 1220, and 2711 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2392

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2392 without my signature.

This bill would expand the list of persons authorized to request assessments of pupils for special education services, give preference to foster parents over surrogate parents in making education decisions for children, and authorize the court to limit the rights of parents or guardians under specified circumstances.

While I support most of this bill's provisions affecting foster parents, the bill is once again overly broad. It unduly expands the range of individuals who can refer a child under the jurisdiction of the court for special education assessment to include adults designated by the parent or guardian or a person acting in place of a parent or person legally responsible for the child, as well as foster parents. Moreover, this bill would infringe upon the legitimate rights of parents and guardians to make educational decisions for their children. Finally, this bill imposes a reimbursable state mandate on courts.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2467

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2467 without my signature.

This bill would deem schools in five school districts to be eligible for necessary small school funding without meeting the statutory requirements for that funding. It would be inequitable to provide additional funding to these five school districts without providing similar funding to all other school districts that have similarly situated schools. This bill, therefore, may establish an inappropriate precedent to provide funding augmentations in cases where statutory requirements are not met. In addition, school districts received a record increase of nearly \$2 billion in on going discretionary funding this year that should provide these school districts with the flexibility needed to sustain existing schools, or open new schools if that is a local priority.

For these reasons I cannot support this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2471

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2471 without my signature.

This bill would require the Office of Planning and Research to provide additional information in its State Environmental Goals and Policy Report. The Report would be required to present data, by state region, concerning specified topics such as total population, threatened and endangered species, emissions of air pollutants and particles, impaired water bodies, drinking water usage and testing, total per capita vehicle miles of travel, and toxic sites.

I am committed to improving environmental quality in California. However, I am vetoing this bill because it would involve significant costs not included in the Budget Act of 2000. This effort should be considered in the normal budget process.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2585

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2585 without my signature.

This bill would require certain local educational agencies to annually provide a significant amount of information to the state Department of Education regarding individual pupils' English proficiency, their placement in English courses as a result of the English Language Development (ELD) assessment, and the academic achievement of English language learners (ELLs).

My school accountability program already holds districts accountable for the progress of all pupils, including ELLs, by requiring their inclusion in the state assessment program; therefore, the need for this bill is unclear.

Additionally, districts report the number of ELL pupils to the State Department of Education as part of the annual Language Census, and the number of reclassification pupils is reported as part of claims for student reclassification funding. Outcome data on the English language development test can be obtained from the publisher, once that test becomes available.

Finally, this bill would generate additional costs in the tens of millions without providing any additional instruction for ELL students.

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

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2597

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2597 without my signature.

AB 2597 would modify loan terms, interest rates and other specific requirements in the Child Care and Development Facilities Direct Loan Program.

I am vetoing this bill as changing the program seems premature. Although the loan program was slow to start up, I recently signed a budget including \$150,000 for an expanded marketing program to improve public and industry awareness of the program. Relaxing loan limits as proposed by this bill may be unnecessary once the expanded marketing effort generates the expected interest in the program, and actually could reduce the total number of child care providers participating in the program if each loan is for a larger amount. It makes more sense to assess the results of the expanded marketing efforts before modifying the program requirements.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2613

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2613 without my signature.

This bill would establish the Honors Grant Program (HGP) to increase the capacity of up to 400 high schools to offer honors courses, beginning in the 2000–01 fiscal year. Additionally, this bill would reappropriate unexpended Proposition 98 funds from the 1998–99 and 1999–00 fiscal years for the International Baccalaureate program.

This bill would create a new program with a cost of approximately \$3.2 million for three years that is not included in the 2000 Budget Act. My priority is for all schools in the state to provide access to advanced placement courses and, to that end, the current budget provides \$16.5 million for Advanced Placement Challenge Grants to schools to expand advanced placement courses. This bill would create another grant program very similar to the Advanced Placement Challenge Grant program, resulting in competing curriculum development priorities for high schools, and diversion from the goal of improving access to advanced placement courses.

I do support the International Baccalaureate program and will consider necessary funding to the 2001–02 budget.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2670

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2670 without my signature.

This bill would require the appointment of a committee to conduct a three-year study regarding school nurse availability and student health related issues. The results of the study are due to the Legislature on or before July 1, 2005.

The study authorized by this measure is not funded in the Budget Act. This bill would require the committee established by the bill to recommend to the Legislature an amount sufficient to carry out the study, which may result in estimated costs of more than \$500,000 over three years. Should studying school nurses be a local priority, the current budget provides school districts with historic increases in discretionary funding (nearly \$2 billion) which can be used to support pupil health services, including studying school nurses.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2831

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2831 without my signature.

This bill would establish a commission to review funding issues related to K–12 public education and report them to the Joint Committee to Develop a Master Plan for Education. It would re-appropriate \$200,000 to the Secretary for Education to staff the Commission in the 2000–01 fiscal year. Given that the Joint Committee has the ability to study this issue, if it so chooses, I do not see the need for having another commission duplicate its powers. Moreover, I believe that the \$200,000 has been appropriated for priority projects in the 2000 Budget Act, and should not be redirected to staff this commission.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 24th day of September 2000 at 4:49 p.m., of Assembly Bills Nos. 2392, 2467, 2471, 2585, 2597, 2613, 2670, and 2831, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 132

Governor's Office, Sacramento
September 24, 2000

To Members of the California Assembly:

I am returning Assembly Bill 132 without my signature.

This bill would require a plan for the development of an education and training program to prepare mid-career correctional managers for leadership roles in the state correctional system. It would also direct the Youth and Adult Correctional Agency (YACA) to prepare a report for the fiscal and relevant policy committees of the Legislature by March 31, 2001, on a plan to improve the education and future training of leaders within the California Department of Corrections (CDC) and the Department of the Youth Authority (YA).

This bill additionally directs YACA to consult with the University of California (UC), California State University (CSU), and other entities of higher education in designing this program and preparing the report. This bill also requests that these institutions cooperate with YACA in the development of this program, directs the staff of the Board of Corrections (BOC) to assist YACA in preparing this report, and authorizes CDC and YA to transfer funding from their budgets to the BOC for support costs if the chair of the BOC requests that they do so.

This bill has costs that are not included in the 2000–01 Budget Act. In addition, CDC began the development of a Professional Development Project in July 2000 that includes the evaluation of existing training programs for supervisors and managers. In regards to CDC, this measure seems duplicative and unnecessary.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 788

Governor's Office, Sacramento
September 24, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 788 without my signature.

This bill would revise the basic principles of juvenile justice in California to emphasize rehabilitative treatment programs and to specifically delete references to "punishment".

I am open to prevention and treatment programs which are proven effective. However, the principles stated in this bill appear to emphasize alternatives to incarceration, without specifying that such programs be proven, effective means of ensuring public safety. I am therefore returning this bill without my signature.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1093

Governor's Office, Sacramento
September 24, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1093 without my signature.

This bill would create the Short Line Railroad Improvement Account in the State Transportation Fund, to be administered by Caltrans. The

bill would authorize Caltrans to approve grants to privately owned short line railroads for capital costs and related uses.

Neither the Budget Act of 2000 nor the Transportation Congestion Relief Act appropriated funds for the purposes outlined in this bill. Furthermore, because this bill would exclude use of Public Transportation Account and Article XIX funds for these grants, the result would be a greater demand on the general fund.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1654

Governor's Office, Sacramento
September 24, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1654 without my signature.

This bill would require the Transitional Case Management Program, which is designed to provide transitional mental health services to seriously mentally disordered parolees, to provide one year of community services prior to transitioning fiscal responsibility for these services to county mental health resources.

I vetoed a similar augmentation in the 2000 Budget Act which would have extended state fiscal responsibility for the entire length of parole. While I appreciate the author's attempts to reach a compromise solution with the Administration, this bill would still have the effect of committing the state to a significantly more costly program.

The Budget Act of 2000 contains \$2.6 million to provide up to 90 days treatment for severely mentally ill parolees to provide a period of transition during which time they can be moved to the caseload of local mental health providers. In addition, the Budget Act also contains \$50 million for Mentally Ill Offender Crime Reduction grants for award to local governments to expand or establish programs that reduce crime and criminal justice costs related to mentally ill offenders. Because of this, and the fact that this bill would result in additional significant General Fund costs that have not been included in the 2000 Budget Act, I am vetoing this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1995

Governor's Office, Sacramento
September 24, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1995 without my signature.

This bill would require the Department of Child Support Services to offer a one-time child support amnesty program, allowing child support obligors who owe \$5,000 or more in back child support an opportunity to have all or a portion of the arrearage forgiven under certain circumstances.

While it eventually might produce increased collections sufficient to offset the cumulative costs of the program, this measure would result in immediate General Fund costs upon its implementation while any offsetting savings would be both longer term and more speculative. Additionally, there is a lack of data to support the likelihood that an

amnesty program would bring more noncustodial parents back into the lives of their children and increase the amount of child support currently collected for children who rely on the State's child support program to meet their basic needs. Because of this uncertain net fiscal effect and the lack of documented evidence of successful outcomes of such an amnesty program, I must return this bill without my signature.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2402

Governor's Office, Sacramento

September 24, 2000

To Members of the California State Assembly:

I am returning Assembly Bill 2402 without my signature.

This bill would reduce San Bernardino County's fine and penalty remittance to the Trial Court Trust Fund by \$348,000, consistent with the same relief provided in the Budget Act of 2000 in Provision 11 of Budget Item 0450-101-0932. This bill would also reduce Del Norte County's maintenance of effort (MOE) requirements to Trial Court Funding by \$318,292.

I am vetoing this bill because it would result in a loss of funding which supports the operation of the trial courts and the public's access to justice, and because it would not be consistent with the Budget Act of 2000. Specifically, the bill's provision that would provide a relief to Del Norte County for an accounting error without making a corresponding adjustment to keep the fiscal impact revenue neutral is the source of my concern. As such, the bill would then result in an annual revenue loss to the Trial Court Trust Fund not included in the 2000 Budget Act nor offset by another revenue source and would detrimentally impact State trial court operations. This bill is unnecessary because I am signing SB 815 which will address the problem this bill is intending to address in a manner that is fiscally neutral rather than at the expense of funding for the Trial Court Program.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2421

Governor's Office, Sacramento

September 24, 2000

To the Members of the Assembly:

I am returning Assembly Bill 2421 without my signature.

I signed legislation last year to establish the procedures for the registration of domestic partnership in California. That bill provided hospital visits for same sex couples who registered as Domestic Partners. It also extended that privilege to heterosexual couples each of whom are over 62.

This bill would expand that legislation by allowing persons of opposite sexes, one of whom is 62 years of age and meets eligibility

criteria under the Social Security Act and one who is less than 62, to establish a domestic partnership.

I am not willing to make any changes to this Act at this time.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 26th day of September 2000 at 2:48 p.m., of Assembly Bills Nos. 132, 788, 1093, 1654, 1995, 2402, and 2421, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 317

Governor's Office, Sacramento

September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 317 without my signature.

This bill would expand gambling in California by authorizing the game twenty-one, or blackjack.

The State Supreme Court found, in a 1999 decision, that Nevada style games, such as blackjack, are unconstitutional. Legislation cannot properly authorize card clubs to offer this game legally.

Even if I supported this policy, which I do not, a statute would not be sufficient to permit this form of gaming. Rather, a constitutional amendment approved by the voters would be required for such a change.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1066

Governor's Office, Sacramento

September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1066 without my signature.

This bill would authorize Caltrans to contract with the Shingle Springs Band of Miwoks Indians to facilitate construction of improvements to Highway 50, benefiting the reservation. Until the second to the last day of the legislative session, this bill related to the display of slot machines at trade shows. I have previously expressed my dislike for bills substantially amended during the waning hours of the legislative session without the benefit of public input.

Furthermore, while the contractual arrangement specified in this bill may have merit, I believe it is imperative that the greater community be given the opportunity to participate in the issues surrounding the proposed highway improvements.

For these reasons, I am returning the bill unsigned.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2752

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2752 without my signature.

This bill would nullify a countywide vote which amended the San Diego County General Plan and Zoning Ordinance and designated Gregory Canyon as a landfill site. Specifically, this bill would grant jurisdiction to the Native American Heritage Commission over a proposed landfill within one mile of a sacred site of importance to a tribe. The legislation presently affects one site, Gregory Canyon, which is in private ownership.

While I am sensitive to the concerns raised by the tribe in this case, I am also sensitive to the fact that San Diego County voters approved the siting of this landfill, as Proposition C, by a 68% county-wide vote in 1994. In no Senate or Assembly district did the measure receive less than 60% support from voters. The Trial Court and 4th District Court of Appeals upheld Proposition C in 1997. In the same year the State Supreme Court denied a petition for review.

The proposed landfill will be subjected to an extensive EIR/EIS process which includes review by the State Water Quality Control Board, the San Diego Water Authority, and nine other Federal, State, and local agencies. Project opponents may have some valid concerns, but they will have ample opportunity to have their concerns addressed during the current Environmental Review process.

I am a firm believer in following an established process. Landfill proponents placed an initiative before the voters of San Diego County nearly 6 years ago. The voters responded with more than two thirds supporting the designation of Gregory Canyon as a landfill site. The courts have refused to nullify that decision. I am loath to overturn a vote of the electorate and the decision of two courts of law.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 26th day of September 2000 at 4:05 p.m., of Assembly Bills Nos. 317, 1066, and 2752, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 175

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 175 without my signature.

This bill would require the Trade and Commerce Agency to provide for all reasonable relocation expenses incurred when an overseas trade office director is appointed or dismissed, or is appointed to another Agency trade office.

I agree with the author that an overseas trade office director who has served the State well should not be left high and dry in a foreign

location. However, I would like to consider a policy for the provision of relocation expenses within the context of the budget process to ensure that appropriate safeguards and conditions are put in place under such a policy.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 441

Governor's Office, Sacramento

September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 441 without my signature.

This bill would forgive a \$162,635 loan plus interest made to Tomales Village Community Services District from the State Water Resources Control Board (SWRCB) State Water Quality Control Fund.

AB 441 would result in a revenue loss of \$218,684 in principal and interest that would reduce the SWRCB's ability to match a federal capitalization grant draw by \$1.1 million. This would reduce the lending capacity for subsidized loans to local communities. If other communities followed the lead of the Tomales Community Services District, the potential loss of federal matching funds could approach \$18 million.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 757

Governor's Office, Sacramento

September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 757 without my signature.

This bill, an urgency measure would appropriate \$100,000 General Fund to the Department of Health Services (DHS) for the purpose of funding an in-home, high-risk infant follow-up program in the San Gabriel Valley area.

This bill is unnecessary and duplicative of the DHS administered Medically Vulnerable Infant Program (MVIP). The 2000 Budget Act provided \$3.4 million for the MVIP to award grants to in-home, high-risk infant follow-up programs. In a competitive grant process, three other local programs that serve the San Gabriel Valley were selected and will receive funding in 2000–01 to provide these valuable services.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 786

Governor's Office, Sacramento

September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill AB 786 without my signature.

This bill would require school district employees, who apply pesticides as part of their regular duties, to receive training in the safe use of pesticides. The bill would also require the Department of

Pesticide Regulation (DPR) to distribute training materials on the safe handling of pesticides to all schools.

AB 786 is unnecessary. The California Code of Regulations (Title 3, Section 6724) already requires pesticide safety training of all employees who handle pesticides in their work setting.

The training materials required by the bill are currently available to schools either by request or by accessing the DPR web site. By imposing additional duties on local entities, this bill would impose a state-mandated local program.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1042

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1042 without my signature.

AB 1042 would eliminate the First Year Law Students Examination (Baby Bar) requirement for unaccredited law school students as a condition of attorney licensure after January 1, 2003.

The Baby Bar was established in 1935 by the State Bar to protect those individuals ill-suited for a legal career from expending further time, money, and effort, and to provide others with the opportunity to measure the quality of the education from unaccredited law schools. The California Supreme Court has agreed that there is a legitimate state interest in requiring this examination because the Baby Bar protects students by informing them about their ability to practice law, and the results of the examination indicate to the student the quality of the legal education the student is receiving.

For these reasons, I cannot sign this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1524

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1524 without my signature.

This bill would authorize the Director of the Office of Emergency Services (OES) to acquire, retrofit, and assign to the California Department of Forestry (CDF) and local government entities as deemed necessary, any type helicopter appropriate for use in response to any fire, flood, earthquake or other form of disaster. The bill contains an indemnity clause to not impede CDF or other government or political entity from maintaining or operating helicopters.

When I first heard about the preventative grounding of CDF helicopters for replacement of a potentially defective part, I was immediately concerned and called on the National Guard for assistance. I learned soon after that CDF secured the necessary mast replacement parts for the helicopters and the safety of the state was not compromised.

This bill is well intended; however, it is duplicative. It would authorize OES to fulfill a function that CDF currently performs. CDF

already provides helicopters to county governments through cooperation with the US Forest Service Federal Excess Property Program (FEPP). CDF also currently has the infrastructure to support such an endeavor. If an increase in helicopters were deemed needed to better protect the state, then a more practical response would be to provide the authority and finances for CDF to expand its fleet by placing additional helicopters in strategic locations around the state.

This bill could also impose substantial costs to the state for retrofitting and to local governments for training, maintenance and staff of helicopter crews. Cost to the state of retrofitting helicopters for firefighting is at least \$770,000 each. Costs to local government would also be high. An average helicopter flies about 400 hours per year. Operation and maintenance costs are estimated to be about \$660 per hour or \$264,000 per year, per helicopter. Staff costs are approximately (per pilot) \$100,000 per year; two pilots, minimum, is needed. Training costs run around \$20,000 per year, per pilot. The cost of storage averages \$1,000 per month, per aircraft. Should the local governments be unable to cover the costs, the state would have to assume costs or return the aircraft.

For the reasons stated above I am vetoing this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1835

Governor's Office, Sacramento

September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1835 without my signature.

This bill would establish a 50-50 matching grant program for public local agencies, administered by the State Water Resources Control Board (SWRCB), to pay for the diversion of dry weather storm sewer flows to a publicly-owned treatment works rather than releasing the discharge on public beaches. The bill would provide a total General Fund appropriation of \$6,990,000 for a statewide grant program.

While I agree that reducing beach contamination would help address human health risks and economic hardship associated with contaminated beaches, AB 1835 is not the appropriate measure to accomplish these goals. This bill focuses on a temporary, seasonal fix and does not provide for identification and elimination of the sources of contamination.

In addition, I have committed considerable funds to help address beach contamination. The 2000–01 Budget makes a major \$50 million investment in identifying and correcting water pollution problems for various water quality, coastal protection, and urban runoff programs. In addition, Proposition 13 provides \$90 million for coastal nonpoint source pollution projects, with \$4 million specifically allocated for Orange County. We should give these programs a chance to produce results.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1909

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill AB 1909 without my signature.

This bill would require the State Water Resources Control Board to contract for a pilot street runoff reduction program in three counties, if funding is appropriated for this purpose, and to submit a report to the Legislature on the outcome of the program.

I strongly support the efforts of local communities to protect our beaches, streams and rivers by reducing street runoff. In the fiscal year 2000–01 state budget, I approved over \$50 million of General Fund augmentations for various water quality, coastal protection and urban runoff programs. Additionally, the passage of Proposition 13 by the voters earlier this year provides funding for numerous nonpoint source water pollution projects, including urban runoff activities.

This bill is unnecessary, and the pilot program should be pursued through the existing administrative process. To the extent counties wish to seek state funding for street runoff projects, they should do so within existing funding opportunities, including competing through the normal application, review, and selection process at the State Water Resources Control Board.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2309

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2309 without my signature.

This bill would extend the sunset, until January 1, 2002, on both the facility fee rate reduction for large offsite hazardous waste treatment facilities and the disposal fee rate reduction set by SB 660, Chapter 870, Statutes of 1997.

The Department of Toxic Substances Control (DTSC) has been meeting with an informal Fee Advisory Panel to form a complete fee reform package. The DTSC has invested time and resources negotiating with stakeholders to forge a consensus for fee modifications, while this bill would counter this process by predetermining a single part of the overall fee package. AB 2309 represents a special interest, “piece meal” approach to fee reform. I would ask the stakeholders to work with DTSC next year to find an equitable fee reform package that adequately funds the important programs administered by the DTSC.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2381

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2381 without my signature.

This bill would require the Department of Health Services to conduct a study to evaluate the risks associated with pathogenic bacteria in fluid dispensing devices, including dental office waterlines, by December 1, 2001.

The public health risk from dental office waterlines has already been studied. Indeed, the federal Centers for Disease Control and Prevention found the risk to be minimal and has published guidelines to safeguard public health by using simple disinfecting control practices. These guidelines are already incorporated into the California Dental Board regulations. This measure is unnecessary and little public health benefit could be gained by one more study.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 27th day of September 2000 at 11:12 a.m., of Assembly Bills Nos. 175, 441, 757, 786, 1042, 1524, 1835, 1909, 2309, and 2381, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2490

Governor's Office, Sacramento
September 25, 2000

To the Members of the Assembly:

I am returning Assembly Bill 2490 without my signature.

This bill would require employers to notify their employees that they may be eligible for the Federal Earned Income Tax Credit (EITC). This bill is similar to AB 1370, which I vetoed in September 1999. As I noted in my veto message at that time, given that the EITC is federal law, it is primarily the responsibility of the federal government to educate taxpayers on its availability and it would be inappropriate for the State to impose this responsibility on businesses. I continue to stand by that assessment.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2553

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2553 without my signature.

This bill would require the State Department of Education, in consultation with the California Integrated Waste Management Board and Department of Conservation, to establish a program to award grants

and provide incentives to school districts and county offices of education to implement source reduction and recycling programs.

I support the important concept of promoting environmental education of California's children. Through education our current and future waste generators will learn to respect and conserve natural resources by making informed environmental choices.

However, I cannot sign this measure. It appropriates \$3 million in unbudgeted funds. The source reduction and recycling program created by this bill should be considered as part of the budget process to compete with other meritorious projects.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2568

Governor's Office, Sacramento
September 25, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2568 without my signature.

This bill would direct the Department of General Services to transfer, without cost, the title of Preston Castle to the Preston Castle Foundation.

While we would all like to see the Preston Castle restored, it is inappropriate for the state to transfer ownership and control of this asset to a private foundation, noting that this property is directly adjacent to a California Youth Authority (CYA) facility. By relinquishing ownership and control, it creates a situation where potential use and security concerns would arise. I would be amenable to a solution that provides for a long-term lease to the Foundation, whereby the state would retain oversight to ensure the security and integrity of the ongoing mission performed by the CYA in Ione. This approach would allow greater flexibility to all interested parties and would ensure the uses of the Castle were not contrary to the ongoing mission of the CYA.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 27th day of September 2000 at 11:13 a.m., of Assembly Bills Nos. 2490, 2553, and 2568, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 108

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 108 without my signature.

This bill would place in statute three additional subject matter areas for inclusion in the California Subject Matter Projects as well as add the Superintendent of Public Instruction and a representative of the California Postsecondary Education Commission to the Subject Matter Project's Concurrence Committee.

The University of California currently provides support for the arts, foreign language, and physical education projects. I believe that the highest priority for the use of State funds should be to support the existing subject matter projects aimed at improving student academic performance in English, mathematics, science and the social sciences.

In addition, I believe that the existing representation on the Concurrence Committee is appropriate, and does not need to be augmented.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 172

Governor's Office, Sacramento

September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 172 without my signature.

This bill would appropriate \$126,500 to the California State University for the establishment of an international study program with California's strategic global partners, Mexico, Japan, Canada, and South Korea. While I am supportive of expanding student exchanges with our trading partners, the purposes of this bill can be accomplished under existing law. Presently, the California State University sponsors a number of student and faculty exchanges within their existing administrative budget. In addition, under current law, local community college districts can also waive the nonresident tuition of up to ten percent of the nonresident foreign students attending a community college district.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 309

Governor's Office, Sacramento

September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 309 without my signature.

This bill would authorize a school district, county office of education, or regionally accredited college or university to sponsor an alternative certification program in administrative services.

I am concerned that this bill does not define with more specificity the type of training that persons participating in alternative certification programs for school administrators would be required to receive.

In addition, while this bill would require that priority for grants be afforded to school districts that demonstrate a high need for principals to serve in low-performing schools, the bill neither defines what constitutes a "high need", nor specifies who would be responsible for making this determination.

Therefore, I am unable to sign AB 309.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 998

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 998 without my signature.

This bill would authorize funds allocated in the Budget Acts of 1999 and 2000 for the California Museum of Latino History, Art, and Culture to be used for museum operations. Provisional language in both related budget acts specifically identify those funds, totaling \$1.8 million to cover capital outlay costs, including developing preliminary plans, drawings, construction, and initial equipment.

This bill would set an unacceptable precedent by allowing dollars specifically allocated for one purpose to now be used for museum operations.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1226

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1226 without my signature.

This bill would continuously appropriate \$12 million from the Veterans Home Fund to the Department of Veteran's Affairs to construct a veterans home in Lancaster.

At this time, the need for a new veterans home in California has not been established. Currently, the 400-bed veterans' home in Barstow is at 67% capacity and the 400-bed home in Chula Vista is only at 10% capacity. The federal government, which must provide up to 65% of the funding for a new veterans home, has dropped the Lancaster site from Priority 1 to Priority 3, greatly decreasing the chances of near term federal participation. Consequently, the \$12 million appropriation in this bill is premature.

Furthermore, in December 1999, I appointed the Blue Ribbon Task Force to review and make recommendations on ways to improve the quality of health care provided in our veterans homes. Their final report is due out later this fall. In addition, in April of this year members were appointed to the Governor's Commission on Veterans Homes. I look forward to their recommendations on the establishment of future veterans homes.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1378

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1378 without my signature.

This bill would allow the State Allocation Board to develop a demonstration program in as many as four districts to construct small-size schools that jointly utilize specified centralized non-classroom facilities.

Other than requiring a report from the Legislative Analyst's Office, this bill does nothing that could not be done under existing law. There is no reason a school district could not currently configure a school construction project consistent with the pilot projects described in the bill. In that sense this bill is unnecessary.

Furthermore, the School Facilities Act was intended to simplify and streamline the state school construction process, as well as increase the flexibility of school districts in the area of school construction. This bill is counter to that intent.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1495

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1495 without my signature.

This bill would declare the intent of the Legislature that revenue neutrality agreements for new city incorporations be implemented through a predictable and rational process. The bill would also require the Governor's Office of Planning and Research to convene a task force of local government representatives for the purpose of establishing advisory guidelines for Local Agency Formation Commissions to follow when reviewing incorporation proposals.

I support both principles and would encourage a bill next year limited to achieving those goals. However, it is unfortunate that this bill also contains legislative intent that any savings that would accrue to any affected agency, *including the state*, as a result of a transfer of services due to an incorporation would be directed to the newly incorporated city. I believe every new city formed should have a full range of tools available to insure its financial success. However, it should not be an obligation of the state to transfer revenue to a newly incorporated city to underwrite the cost of municipal services.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1602

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1602 without my signature.

This bill would make significant changes to the existing school safety plan requirements, including a requirement that policies for hate violence, threats, intimidation, harassment and sexual harassment be included in the school safety plan, and that local law enforcement be included in the writing, development, and implementation of the school safety plans. These provisions would create a reimbursable state mandated local program.

While it is essential to provide a safe environment for our school children, this bill is unnecessary. School site councils are currently required to consult with local law enforcement on school safety plans. This provides the local councils with some discretion on how to best

meet the needs of their pupils. I intend to keep the discretion at the school site council level and continue the consultation of local law enforcement rather than providing additional mandates.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1747

Governor's Office, Sacramento
September 26, 2000

To the Members of the Assembly:

I am returning Assembly Bill No. 1747 without my signature.

There are many inspiring passages from the Declaration of Independence and the Constitution of the United States of America which are and should be a part of the school curriculum.

However, for generations, American schoolchildren have started their day with the Pledge of Allegiance to the United States of America.

Over the last two centuries, hundreds of thousands of men and women have fought and died to preserve the flag of this nation.

Pledging allegiance to the flag is a tradition worthy of this great nation. I see no reason to depart from that time-honored tradition.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1755

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1755 without my signature.

This bill would require the State Allocation Board (SAB) to apportion Proposition 1A Bond funds to school districts to encourage school districts to pay for lease costs if the district uses facilities or property for school sites that is leased from a governmental agency. This is an inappropriate, and possibly illegal, use of bond funds. The bill would also require the SAB to make determinations regarding the use of lease revenues by governmental agencies that lease land or facilities to school districts. This is an inappropriate function for the SAB.

For these reasons I cannot support this measure.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 27th day of September 2000 at 11:15 a.m., of Assembly Bills Nos. 108, 172, 309, 998, 1226, 1378, 1495, 1602, 1747, and 1755, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1861

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1861 without my signature.

This bill would request the University of California and require the California State University to develop and maintain articulation agreements for 20 high-demand majors and all lower division course requirements with all California Community Colleges. This bill would also require California Community Colleges to participate in the articulation process.

I support the development of articulation agreements between the State's four year institutions and the Community Colleges. Accordingly, the Four Year Partnership Agreement with higher education promotes these requirements. However, requiring California Community Colleges to participate in the articulation process as specified in this bill would impose a state-mandated local program with annual reimbursable Proposition 98 General Fund costs of up to \$12 million.

Because of these additional unbudgeted costs, I am unable to sign this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1892

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1892 without my signature.

This bill would create the California New Administrator Support Program, through which experienced schoolsite administrators would provide first and second-year schoolsite administrators with one-on-one mentoring and support.

This bill could result in General Fund costs of as much as \$2.7 million in 2000–01, and \$11 million in 2001–02 with the annual inflation factor provided for in the bill.

Assembly Bill 1892 has costs that are not included in the 2000 Budget Act. While this legislation may have merit, the appropriation for the program should compete with other priorities during the annual budget process next year.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1916

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1916 without my signature.

This bill would require all business entities providing architectural services to have an architect in responsible control over those architectural services and would require such entities to register with

the Board. In addition, the bill would require the Board to establish a database of registered firms for use in enforcement actions, which would be accessible to the public on the Board's Internet website.

Existing regulatory authority over licensed architects and cite and fine authority over unlicensed individuals should be sufficient to enable the board to take action against violations by business entities.

Dual regulation through licensure and registration is excessive, places unnecessary regulatory burdens on individual licenses and small businesses and may result in increased fees.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2007

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2007 without my signature.

This bill would exempt any joint-use facility at Antelope Valley College, in conjunction with the California State University, Bakersfield, from Field Act provisions. In addition, this bill would appropriate \$1 million from the General Fund to San Mateo Community College District to develop a branch of San Francisco State University at Cañada College.

I strongly support the Field Act, which provides important earthquake protections for California schools. An exemption would be inconsistent with the State's policy of ensuring structural safety.

Regarding the separate and distinct provision of this bill concerning Cañada College, I believe that this proposal is an innovative instructional program that could cost-effectively meet student needs, improve transfers and meet areas of high employment demand. If this was a stand alone bill, I would sign it.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2014

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2014 without my signature.

This bill is unnecessary because the study it would require can be done without a legislative mandate. This bill would require the California State Library Research Bureau to conduct an evaluation of joint-use projects funded pursuant to the California Reading Literacy Improvement and Public Library Construction and Renovation Act of 2000. The purpose of the Library Research Bureau is to provide nonpartisan analytical research on major state issues for both houses of the Legislature, the Governor's office and other constitutional officers.

The 2000 Budget Act includes an augmentation of \$500,000 and six positions to deal with increased demand for the Bureau's services, so they should have resources to deal with this study.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2055

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2055 without my signature.

This bill would protect necessary small special education local plan areas (SELPA) from a reduction in funding because of a decline in enrollment.

This bill is technically flawed and would not accomplish the intended goal. It would provide necessary small SELPAs that experience a decline in enrollment with the same funding that they received in the year before the decline, regardless of how many years or how much the enrollment declined. In addition, the bill does not provide for a corresponding adjustment in funding if enrollment increases, so the SELPA would continue to receive the higher level of funding in addition to growth funding. The bill also references the wrong Education Code section for purposes of defining a necessary small SELPA.

I would be receptive to a bill next year that addresses these concerns and is not technically deficient.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2074

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2074 without my signature.

This bill would require the State Department of Education (SDE) to select five applicant school districts or charter schools maintaining any of grades 4 to 6, inclusive, to establish pilot projects to implement supplementary intervention programs.

This bill is well-intended, but premature. The Gevirtz Research Center at the University of California, Santa Barbara is in the process of researching three supplemental programs in the Santa Barbara District, the research should be completed and an evaluation made available for review prior to implementation of any new pilot projects.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2075

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill AB 2075 without my signature.

This bill would prohibit cities, counties, and redevelopment agencies from refusing to issue a permit to change the face of a sign. The bill further declares that local governments and redevelopment agencies may require removal of a non-conforming on premises sign through a lawfully enacted amortization program, and without compensation.

The intent of this legislation was to provide certainty to business owners that the mere changing of a sign face would not require that a non-conforming sign be replaced. The bill also was intended to provide

clarification to local governments that amortization is a permissible method of removing non-conforming signs. The sign industry, League of CA. Cities, CA. State Association of Counties, and the American Institute of Architects supported this bill based upon that understanding. However, subsequent to passage of this bill, the author had a letter printed in the Assembly Journal which in part states: “. . . It was never my intention to create new substantive rights or to confer upon local government legislative sanction or authorization for amortization of signage.”

In as much as this letter to the Assembly Journal contravenes Section 4 of this bill, I am returning it without my signature.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2115

Governor’s Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2115 without my signature.

This bill is well intended but casts too large a net. I am asking the Department of General Services and the State Fire Marshal to make recommendations to me as to what, if any, additional precautions should be taken to protect children from fire as they attend school. I am asking that they report to me by July 1, 2001.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2684

Governor’s Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2684 without my signature.

This bill would establish a pilot program to allow local agencies that achieve savings in either of two specified local mandate programs to retain up to one third of the realized savings.

While the State should reimburse local agencies for mandated costs, these agencies are expected to operate programs with efficiency. It should not be necessary to reward local agencies for spending the taxpayers’ money wisely.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 27th day of September 2000 at 11:16 a.m., of Assembly Bills Nos. 1861, 1892, 1916, 2007, 2014, 2055, 2074, 2075, 2115, and 2684 without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1902

Governor's Office, Sacramento
September 27, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1902 without my signature.

This bill would authorize the California Horse Racing Board to enter into an interstate licensing compact, which would preclude owners, trainers, and other racetrack personnel from having to be separately licensed in each state in which they conduct business.

California law sets high standards for those who would participate in the horse racing industry. The intent of this bill is to provide for, in effect, multi-state licenses that will permit owners, trainers, and other racetrack personnel from having to be separately licensed in each state in which they race.

I have no objection to the Board conducting discussions with the governing associations in other states to see what a multi-state license would require. I am not prepared, however, to write a blank check to the Board. To do so could undermine the integrity of the sport.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2341

Governor's Office, Sacramento
September 27, 2000

To Members of the Assembly:

I am returning Assembly Bill 2341 without my signature.

This bill promotes an expansion of gaming in California by allowing the California Horse Racing Board to authorize the participation of additional types of horses in quarter horse racing.

I do not favor gambling and will not support this expansion.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2344

Governor's Office, Sacramento
September 27, 2000

To Members of the Assembly:

I am returning Assembly Bill 2344 without my signature.

This bill would expand gambling by allowing wagering on an increased number of horse races.

I made clear last year that I do not personally favor gambling, and I certainly do not encourage others to gamble. Therefore, I am not generally inclined to support measures that allow more than a modest expansion of gaming.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2352

Governor's Office, Sacramento
September 27, 2000

To Members of the Assembly:

I am returning Assembly Bill 2352 without my signature.

I see no problem in permitting the State Fair to conduct horse racing during its entire meet. I do, however, object to the proposed reduction in license fees paid to the state on out-of-state wagers by quarter horse and harness racing associations.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2569

Governor's Office, Sacramento
September 27, 2000

To Members of the Assembly:

I am returning Assembly Bill 2569 without my signature.

This bill would allow a licensed harness racing association to accept wagers on two additional major races when the association is conducting a live racing meeting.

As indicated last year when I vetoed an identical bill, Senate Bill 354, I do not personally favor gambling, and I certainly do not encourage others to gamble. Therefore, I am not generally inclined to support measures that allow more than a modest expansion of gambling.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2753

Governor's Office, Sacramento
September 27, 2000

To Members of the Assembly:

I am returning Assembly Bill 2753 without my signature.

This bill promotes an unacceptable expansion of gambling in California by permitting proposition wagering on any live horse race, instead of just quarter horse races as permitted under current law. Moreover, it deletes the requirement that a wager be placed within seven days of the transmission of a race. I think that this is a reasonable limitation and see no reason to change it.

I do not favor gambling and will not support this expansion.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2847

Governor's Office, Sacramento
September 27, 2000

To Members of the California Assembly:

I am joining Attorney General Lockyer in my opposition to Assembly Bill 2847 and am returning the bill without my signature because it permits an unacceptable expansion of gambling in California.

Among other provisions, this bill would have repealed the existing authority of the Gambling Control Commission to adopt regulations

governing aspects of gambling transactions. Specifically, the bill would eliminate the requirement for owner licensees to report and keep records of transactions involving credit.

These credit transactions should not be exempt from the Gambling Control Act's reporting requirements or from other regulation by the Commission. This inappropriate removal of credit transactions from regulation would disrupt the regulatory balance struck in the original Gambling Control Act by inviting inappropriate extensions of credit and "loan sharking".

For these reasons, I am vetoing this measure.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 27th day of September 2000 at 4:25 p.m., of Assembly Bills Nos. 1902, 2341, 2344, 2352, 2569, 2753, and 2847, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 93

Governor's Office, Sacramento

September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 93 without my signature.

Existing law requires certain Medi-Cal beneficiaries to undergo annual redeterminations of eligibility and at other times as specified by the Department of Health Services (DHS). AB 93 would eliminate the authority of DHS to require additional redeterminations of eligibility. In addition, the bill mandates that DHS eliminate the requirement that Medi-Cal beneficiaries file quarterly status reports.

This bill would, in effect, result in continuous eligibility for every Medi-Cal beneficiary for a minimum of one year from the date that eligibility is established. This bill would go beyond the expansion of Medi-Cal eligibility agreed upon as part of the Budget Act of 2000 and could result in benefits for persons no longer in need of Medi-Cal.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 680

Governor's Office, Sacramento

September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 680 without my signature.

This bill would revise the penalties for oil spills in the inland waters of the state.

This bill inappropriately revises the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act—an act intended to address the threat of oil spills to California's coastal waters. This bill diverts the

original focus and intent of the Act and creates a confusing web of overlapping enforcement authority that could impede enforcement actions by state and local agencies that otherwise could pursue their own causes of action.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 726

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 726 without my signature.

This bill would provide to the Managed Risk Medical Insurance Program all monies set aside for charitable health care purposes when nonprofit health care plans convert to for-profit status. This program provides reduced cost medical insurance for persons who insurers consider medically uninsurable due to their current or past medical conditions.

This bill is inconsistent with the 2000–01 Budget Act which indicated that the Legislature and insurance industry should work together to develop market-based solutions to provide coverage for this population. It is also inappropriate to direct to one program all of the potential funding generated by nonprofit plan conversions and currently provided to multiple programs serving a range of health care needs. Furthermore, a large, one-time infusion of funds to this program, which is currently funded from tobacco taxes, would not be particularly useful in resolving any ongoing funding needs for this program.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 752

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 752 without my signature.

This bill would authorize the Commission on Teacher Credentialing (CTC) to create an emphasis credential in theatre and dance to holders of English and physical education credentials, respectively.

Current law however, authorizes the CTC to provide a special authorization to teach theatre or dance to English or physical education credential holders. This existing authority should be sufficient to meet the need for quality dance and theatre instructors.

In addition, reducing barriers to the teaching profession is directly related to alleviating teacher shortages. State policy has been to encourage credentialing in subject areas with vacancies that are hard to fill. Dance and theatre are not among the shortage areas school districts commonly identify.

For these reasons, I cannot support this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 945

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 945 without my signature.

This bill would authorize the Marian Medical Center (MMC), a hospital operated by Catholic Healthcare West in Santa Maria, to receive an expedited process for restoring the license of a closed facility purchased by MMC. This would allow MMC, as early as December 2000, to begin providing inpatient care in a presently closed hospital facility purchased from another owner.

This bill may have merit but unfortunately it did not undergo appropriate legislative review and opportunity for public input.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1722

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1722 without my signature.

This bill would exempt all assets, other than income, from Medi-Cal eligibility determinations under the 1931 (b) program, beginning January 1, 2001. This bill is inconsistent with the eligibility rules agreed upon as part of the Budget Act of 1999 and related budget trailer bill legislation.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1735

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1735 without my signature.

This bill would require each school district and county superintendent of schools to include information on how to request Medi-Cal Program and Healthy Families Program information in each application for free and reduced-price meals provided to parents. This bill would also require the governing board of each school district and county superintendent of schools to determine whether the requests for information would be returned to the school and forwarded to the Department of Health Services (DHS) or returned directly to the DHS.

While I support the inclusion of schools in Healthy Families and Medi-Cal outreach, this bill would result in ten to fifteen million dollars in state-mandated and unbudgeted costs to school districts and county offices of education to organize and administer the proposed program. These costs are not included in the 2000–01 budget. I am instead directing the Department of Health Services and Managed Risk Medical Insurance Board to include in their outreach proposal for next year their recommendations on school-based outreach.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1791

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1791 without my signature.

This bill would authorize school districts to procure and provide epinephrine auto-injectors to school nurses and lay school personnel. School lay personnel would be authorized to make the medical judgement to provide emergency medical aid to school children suffering from anaphylactic reaction by administering epinephrine. The Superintendent of Public Instruction in consultation with the Department of Health Services would be required to establish minimum standards of training for administration of epinephrine auto-injectors by lay school personnel.

The administration of epinephrine auto-injectors by medically trained personnel such as school nurses could in certain instances be life saving. However, the shortage of school nurses with the knowledge necessary to administer medications would assure that the bulk of school personnel administering epinephrine in emergencies would be lay personnel. While there are training programs for non-licensed persons that must administer medications conducted by schools of nursing, medical schools, and schools that train physicians assistants, such programs require weeks for matriculation and cannot safely be compressed into a few hours. Lay persons cannot receive the necessary background in a limited training program that would provide the essential medical judgement skills required to administer medication in an emergency situation.

In addition, the administration of epinephrine auto-injectors to children suffering anaphylactic reaction by inadequately trained lay persons can result in life-threatening adverse reactions to the medication that can only be safely addressed by trained medical personnel. The risk associated with these adverse reactions may outweigh the potential benefit of the administration of the medication.

This bill does not require school districts to meet the same level of safety standards that would be required of any other provider of medical services, and thus, may compromise the safety of California public school students.

Moreover, this proposal would result in ongoing costs of between seven and eight million dollars. These costs were not included in the budget process.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1896

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1896 without my signature.

This bill would require the California Department of Aging (CDA), in cooperation with other state departments and contingent upon a Budget Act appropriation, to establish a Long-Term Care Options Pilot Project. Under this pilot project, grants would be made to three general acute care hospitals to establish long-term care options resource centers that

would provide enhanced discharge planning services, including information and assessments to assist discharged patients in making long-term care decisions.

This bill would take effect only if funding were provided in future Budget Acts, creating pressure for significant General Fund augmentations in 2001–02 and later years. Costs to the General Fund over the program’s 42-month duration would exceed \$2.5 million. While this program has merit, it should compete with the many other good proposals that will be suggested next year for adoption in the Budget Act of 2001.

In addition, the Budget Act of 2000 includes \$14.8 million one-time General Fund with expected additional private funding to establish the Long-Term Care Innovation Grant (LTCI) program which will fund community-based projects as alternatives to nursing homes. I would encourage the proponents of this measure to apply for funding through that process.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1974

Governor’s Office, Sacramento

September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1974 without my signature.

This bill would require the Managed Risk Medical Insurance Board (MRMIB), in collaboration with the Employment Development Department (EDD) and Department of Health Services (DHS) to pursue Healthy Families Program (HFP) and Medi-Cal outreach activities targeted to all California employees. Employers would be required to distribute, to all employees, information about HFP and Medi-Cal.

This bill mandates a new cost on employers and could lead to “crowd-out” by encouraging them to replace existing employer-based coverage with publicly funded health coverage. In addition, these activities target a broad audience and are not strategically designed to target the harder-to-reach and under-enrolled populations or focus only on employers that do not provide health coverage to dependents. Finally, the use of employer outreach for the Healthy Families and Medi-Cal programs need to be more carefully examined in the light of any expansion of the Healthy Families program to include adults. Moreover, this bill would incur \$1.3 million in new ongoing costs not included in the Budget Act.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 28th day of September 2000 at 1:10 p.m., of Assembly Bills Nos. 93, 680, 726, 752, 945, 1722, 1735, 1791, 1896, and 1974, without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2091

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2091 without my signature.

This bill would authorize Orange County Transportation Authority (OCTA) and the Riverside County Transportation Commission (RCTC) to recommend to the Legislature, the California Transportation Commission (CTC), and the Governor, by November 1, 2000, an independent appraiser to appraise the fair market value of the State Route 91 toll lanes—a privately funded facility. The bill would provide that, if the recommendation has not been made by November 1, 2000, the CTC would be required to make the recommendation not later than December 1, 2000.

Regardless of how the recommendation is made, the CTC would be responsible for appointing the appraiser by November 6, 2000, if the recommendation is made by OCTA/RCTC or by December 4, 2000, if the recommendation is made by the CTC. The bill would require the appraiser to complete the appraisal at the earliest possible time. The bill, an urgency measure, would appropriate \$500,000 to Caltrans from the State Highway Account for allocation to the appraiser. The bill would prohibit the use of local funds to pay for the cost of the appraisal.

I am returning this bill to the Legislature unsigned for several reasons, most notably, that the State does not need statutory authority to make these resources available. I am, therefore, prepared to make up to \$250,000 available to OCTA and RCTC to conduct a valuation of the franchise for the State Route 91 toll facility at such a time that they mutually agree upon a party to perform such services for them.

The State has a contractual relationship with the owners of the franchise for the SR 91 toll facility. Any participation by the State in abrogating our responsibilities under that agreement makes the State vulnerable to legal action by the franchisees. I applaud local interests and Members of the Legislature who wish to generate a body of knowledge which can be used to determine their potential courses of action with regard to the future of transportation services in this corridor.

The bill would also prohibit the use of local funds to pay for the cost of the study. I see no reason to limit, by law, local interests' ability to use their resources to compile the most beneficial and responsible information for their use. Finally, I am concerned about the time limits imposed by the bill. I see no reason to impose upon local and regional governments a deadline which restricts their ability to obtain the most valuable information by a mutually agreed upon and reputable party.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2102

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2102 without my signature.

This bill would appropriate \$500,000 General Fund for a program of supplemental Medi-Cal payments to critical access hospitals, as federally defined.

The Budget Act of 2000 includes, at my request, \$2 million to double the funding of the existing program of supplemental payments to small and rural hospitals, many of which are the same hospitals intended to benefit from that augmentation and from the appropriation in this bill.

The 2000–01 Budget, as signed, did not include funds for this purpose. While this program has merit, it should compete with the many other good proposals that will be suggested next year for adoption in the Budget Act of 2001.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2137

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2137 without my signature.

This bill would waive the fees charged for criminal background checks conducted by the Department of Justice for up to 50,000 low-income recipients of services under the In-Home Supportive Services program each year from January 1, 2001 to January 1, 2003.

Ensuring that workers who care for the sick and elderly do not have a criminal background is very important, and the motivation behind this fee waiver for low-income families is worthy. However it would be inappropriate to waive the fee for families who rely on In-Home Support Service workers and not for low-income workers who have to pay the same cost for a background check when they work in state-subsidized child care facilities, community care facilities or nursing homes.

Additionally, while the Department of Justice indicates the resulting loss of fees to the Fingerprint Fee Account under this proposal, which would be in excess of \$1.0 million annually, could possibly be absorbed, expanding the waiver to these other categories would likely jeopardize the solvency of this account.

Under these circumstances, I cannot sign this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2160

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2160 without my signature.

This bill would authorize the State Department to increase Standard Reimbursement Rates (SRR) to support compensation increases at state contracted child care centers operating in areas where the Regional Market Rate is higher than the SRR, if the centers can demonstrate that their costs are sufficiently high to justify reimbursement at the higher rate.

The 2000 Budget Act addresses compensation issues for the childcare workforce. The budget appropriated \$33 million to increase the SRR beyond the standard cost of living increase, which should significantly reduce disparities between Regional Market Rates and the Standard Reimbursement Rates in all areas. Additionally, I signed AB 212 (Aroner), which made \$15 million in new funds available to create local responses to childcare workforce issues.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2175

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2175 without my signature.

This bill would provide an exception to California's over 40-foot vehicle length limit for house cars (a.k.a. motorhomes) up to 45 feet, under certain conditions, including a requirement that the driver of a 40-foot plus motorhome possess an enhanced Class C drivers license (including a driver skills test and medical certification).

California drivers face some of the most stringent drivers license testing in the nation. With enhanced drivers license testing, we may be able to ensure California drivers can competently operate extra-long motorhomes. We cannot, however, ensure that out-of-state drivers meet similar testing requirements for driver competency.

This bill would allow an out-of-state driver to operate a 45-foot motorhome with only minimum license requirements and I will not subject California motorists to the hazards that could result. For this reason, I am returning the bill unsigned.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2199

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2199 without my signature.

This bill would require the County of Sacramento, in consultation with the Sacramento Area Council of Governments (SACOG) and Caltrans, to conduct a study of Route 99 between Grant Line Road in Elk Grove and the City of Sacramento.

The bill is unnecessary. Caltrans and the Sacramento Council of Governments routinely work together to study this corridor as well as other corridors throughout the region.

For these reasons, I am returning the bill unsigned.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2210

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2210 without my signature.

This bill intends to give relatives of foster children priority for placement but could unintentionally delay adoptions for months or even years. This bill inadvertently will actually delay adoptions by withholding from prospective adoptive parents important health and personal information until after the family reunification process has failed.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2531

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2531 without my signature.

This bill would establish, under the Department of Health Service (DHS), a program to train and certify as "developmental assistants" (CDAs) direct care staff employed in intermediate care facilities for the developmentally disabled (ICF-DDs). The new program would be modeled after an existing DHS program which certifies nurse assistants employed in skilled nursing facilities, and would authorize facilities to pay a 20 cent per hour wage differential to employees successful in becoming "certified developmental assistants."

The Budget Act of 2000 already includes \$7.4 million General Fund for a 7.5 percent wage increase for Medi-Cal-supported direct care workers in ICF-DDs and \$13.4 million General Fund for an average 8.9 percent increase in the rate of payment to the facilities to cover all costs of care. These increases already assist facilities to address recognized retention, recruitment and training problems.

AB 2531 could also result in a more than \$2 million General Fund Medi-Cal cost increase in cost-based rates of payment for services to the developmentally disabled. The 2000–01 Budget, as signed, did not include funds for this purpose.

This bill also inappropriately establishes a weaker criminal background clearance process for the proposed CDA classification than exists for other direct care staff such as certified nursing assistants (CNA) and home health aides (HHA). Instead of automatic disqualification for employment for more than 50 specified criminal offenses that apply to CNA's and HHA's, this bill makes the disqualification optional for CDA's and establishes a new due process procedure during which time they may continue to care for persons with

developmental disabilities. Although the concept of professionalizing additional direct care staff in these settings has merit, I cannot support a bill that lowers the criminal background clearance for certified personnel caring for our most vulnerable populations.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2821

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2821 without my signature.

This bill would require the California Highway Patrol (CHP) to report annually to the Legislature the extent to which a sufficient staffing level of the CHP is being attained; seek a minimum of 300 additional officers per year for five years, and update the CHP staffing study done in 1990 and submit the results to the Legislature.

Our California Highway Patrol and the officers that serve comprise one of the elite law enforcement agencies in the world, providing the highest level of safety. As our population increases and more vehicles drive more miles each year, an annual assessment of the number of patrol officers must be made, and funds budgeted for those officers. The 2000–01 budget I signed included 165 additional CHP officers. More officers may be needed in the future.

However, this measure would arbitrarily determine that 1,500 patrol officers will be needed over a five year period with no assessment upon which to base that determination. And a significant increase in motor vehicle registration fees would be required to fund the addition of 1,500 officers. Staffing levels, workload and funding issues are more appropriately considered through the budget process.

Therefore, I am returning this bill without my signature.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 28th day of September 2000 at 1:11 p.m., of Assembly Bills Nos. 2091, 2102, 2137, 2160, 2175, 2199, 2210, 2531, and 2821, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 278

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 278 without my signature.

This bill authorizes the Board of Supervisors of Fresno County (a 1937 Act County) to adopt a 2.5 percent at age 50 formula for safety members and a 2.5 percent at age 55 formula for general members in that county. The 2.5 percent at age 55 formula for general members is substantially greater than what is available to State employees and

would result in pressure on the State to provide similar benefits. I believe that this will create a domino effect that will ultimately drive up retirement costs for both the State and other public agencies throughout the state.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 502

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 502 without my signature.

Last year I vetoed a similar bill, AB 240. In that message I said that it is not appropriate to require managerial and supervisory personnel to pay an agency shop fee. Collective bargaining depends on vigorous negotiations by both management and labor. Requiring managers and supervisors to pay fees to the union could undermine the process.

Despite vigorous efforts during this legislative session to develop language that would resolve the concerns expressed in the AB 240 message, no solution was found. In its final version, AB 502 is virtually identical to AB 240 and contains the very same problems.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1257

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1257 without my signature.

This bill is intended to establish a uniform statutory procedure and process, as mandated by the case of *In re Hop* (1981), for admitted persons with developmental disabilities to state developmental center.

While I support the efforts to address this complex issue, I believe more time is needed to develop a more measured approach that places less of a burden on the families of persons in developmental centers.

This bill also includes costs in excess of \$10.9 million to the General Fund in the form of a state mandate and administrative costs. The 2000–01 Budget, as signed, did not include funds for this purpose. While this program has merit, it should compete with the many other good proposals that will be suggested next year for adoption in the Budget Act of 2001.

Therefore, I am returning this bill without my signature.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1904

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1904 without my signature.

This bill would require the Employment Development Department (EDD) to publish a semi-annual forecast of the expected

deposits to and disbursements from the State Disability Insurance (SDI) Fund. Each forecast must include the information used to calculate the SDI contribution rate.

While I support the principles of disclosure, this bill would require the EDD to issue two additional forecast reports that provide information contained in reports already mandated by State law. This bill also intends to increase the level of public scrutiny of the SDI rate setting process by requiring the EDD Director to publicly disclose all of the information used in forecasting the fund balance and contribution rates. However, the formula for establishing the SDI contribution rate is set forth in the California Unemployment Insurance Code (CUIC).

Because the bill requires two additional reports that are duplicative of reports already prepared by the EDD and, therefore, unnecessary, and because the formula by which the SDI contribution rate is calculated and determined is proscribed by current law, I cannot support AB 1904.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2326

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2326 without my signature.

This bill would require the Department of Health Services (DHS) to seek any necessary federal waivers to provide supportive and rehabilitative Medi-Cal services to eligible functionally impaired adult survivors, and makes implementation subject to approval of the waivers.

While this legislation has merit, this proposal should compete with other priorities during the annual budget process next year. Moreover, the Administration first needs to examine the costs and administrative hurdles with collapsing services provided by other departments under one program. I intend to revisit this issue in preparation of the next budget.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2338

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2338 without my signature.

This bill provides a new, substantially higher, optional retirement formula for local miscellaneous members of one CalPERS covered agency. Only last year retirement benefits for State and School members were increased in recognition of the fact that most public agencies were providing a similar retirement formula. This was necessary to recruit and retain a highly qualified workforce in a very competitive market. This bill would raise the benefit bar further and will result in pressure to increase benefits further. I am not aware of any business or policy basis

that would justify providing retirement benefits for miscellaneous members that is equivalent to those of local safety members.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2431

Governor's Office, Sacramento

September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2431 without my signature.

This bill would not allow persons convicted of serious crimes like torture, carjacking and unlawfully using a loaded firearm on the grounds of a childcare center to be licensed to operate or employed in a child care facility for 25 years. This, however, is not tough enough. An administration-sponsored measure, Senate Bill 1992, which I have signed today, contains a lifetime ban for such crimes and extends this ban to additional types of facilities which serve vulnerable populations.

The bill would also require a child day care facility to allow a parent or any member of the public to view documentation provided by the department regarding whether a licensee or staff person has a passed their criminal record clearance or has been granted a criminal record exemption (without disclosing of the nature of the crime). To grant such an exemption, the Department of Social Services must have substantial and convincing evidence that the person does not represent a threat to clients. The Department reviews the persons RAP sheet for the nature, recency and number of conviction, plus looks at the proof of rehabilitation provided by the person. The Department may not grant an exemption for crimes for which there is a statutory ban on employment.

While I am supportive of a parent's right to know the history of licensure violations and other pertinent information about a child care provider, a child care provider or employee does not automatically lose his or her right to privacy by obtaining a child care license or employment. It is very likely that the disclosure of the fact that a child care provider has a criminal record exemption without access to the basis under which the exemption was granted will not satisfy the parent's desire to know the specific details of the care providers criminal history. The parents or the public may also assume the worst about the child care provider, creating a significant danger for misuse of the information.

The California Constitution protects a person's right to privacy unless there is a compelling reason for information to be disclosed. This bill provides the state with no legal authority to disclose a care provider's criminal conviction or mitigating circumstances. In the absence of such, this provision of the bill could cause more harm than good.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2477

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2477 without my signature.

This bill would change a fundamental component of California's unemployment insurance program for determining benefit eligibility. The proposed change would expand benefit eligibility by permitting unemployed individuals to use an alternate base period to meet certain eligibility requirements for collecting unemployment insurance benefits.

The proposed alternate base period would require benefit eligibility to be determined on a claim-by-claim basis, which is a very labor intensive and time consuming process to administer. As a result, this bill would impose additional and substantial administrative costs on both the State and employers. Furthermore, the bill would only provide a relatively small benefit increase to a limited number of workers. The small benefit increase does not provide a reasonable justification for incurring substantial administrative costs needed to administer the changes proposed by this legislation.

For these reasons I cannot support this legislation.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2497

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2497 without my signature.

This bill would make the State of California subject to individual private actions to enforce the Fair Labor Standards Act (FLSA). This bill would prohibit state agencies from claiming immunity pursuant to the Eleventh Amendment in any action brought by an individual under the FLSA.

Individual employees who believe that their rights under the federal FLSA have been violated may pursue their claims through the federal Department of Labor (DOL). The DOL is an effective advocate for employees with legitimate claims and a much more cost-effective alternative for the State employer. As such, this bill is not necessary and is not in the best interest of the public.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2519

Governor's Office, Sacramento
September 28, 2000

To the Members of the Assembly:

I am returning Assembly Bill 2519 without my signature. This bill would establish an Internet Voting Pilot Program in three counties to test the viability of a system allowing voters to cast their ballots via the Internet in general elections to be held before July 1, 2003.

While I am a strong supporter of increasing both the number of registered voters and voter participation in the state's elections, this bill is premature for several reasons.

Before Internet voting can be successfully implemented, security measures to protect against fraud and abuse must be more fully developed. Other states are experimenting with online voting with varying degrees of success. I am not convinced the necessary safeguards are in place to begin this experiment in California.

Accordingly, I am returning AB 2519 without my signature.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 29th day of September 2000 at 12:32 p.m., of Assembly Bills Nos. 278, 502, 1257, 1904, 2326, 2338, 2431, 2477, 2497, and 2519, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2578

Governor's Office, Sacramento

September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2578 without my signature.

This bill would require school and community college districts to give 60 days' advance notice of layoff to classified employees who are being terminated as a result of expiration of specially funded programs or elimination of service for lack of work when the termination date is other than June 30.

I cannot support this measure because it would require school or community college districts to foresee their personnel needs 60 days in advance, which is not always possible. Many districts are not notified until the final weeks of the fiscal year of programs that will continue to be funded for the next fiscal year.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2783

Governor's Office, Sacramento

September 28, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. AB 2783 without my signature.

This bill authorizes awarding bodies to release certified copies of payroll records for public works projects to joint labor-management committees established pursuant to the federal Labor Management Cooperation Act of 1978. Additionally, this bill permits a joint labor-management committee to commence a civil action against a contractor when a review of certified payroll records indicates that one or more employees have not been paid prevailing wages on the public works project that has come under a committee's scrutiny.

While granting this authority to joint labor-management committees is expected to further the cause of enforcing California's public works laws, I have a number of concerns about certain aspects of this bill. First, the expressed Congressional intent in enacting legislation that authorized the establishment of joint labor-management committees was to provide a forum in which the representatives of both management and labor could work together cooperatively to ameliorate or eliminate mutual problems. The enforcement of labor law does not appear to be a task that falls within the purview of joint labor-management committees.

Second, cooperative efforts between the office of the Labor Commissioner and the joint-labor management committees is critical to effective enforcement of the law. This bill may continue this cooperation.

Finally, this bill creates a quasi-law enforcement status for joint-labor management committees that is intermediate between that afforded the general public and the State. The bill contains no provisions that limit the uses to which joint labor management committees may put the personal information with which they are entrusted. As provided by this bill, the release of personal information to a joint labor-management committee requires neither the knowledge nor the consent of affected employees. Although the obvious intent of this legislation is that the information be utilized solely for the purpose of detecting the underpayment of workers on public works projects, joint labor-management committees are not bound to adhere to this goal, and the privacy of the affected employees is in no way assured. This is not the case with the public agencies charged with the enforcement of California's labor laws.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 29th day of September 2000 at 12:33 p.m., of Assembly Bills Nos. 2578 and 2783, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1156

Governor's Office, Sacramento

September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1156 without my signature.

This bill creates a Ratepayer Relief Fund in the General Fund, with \$150 million to be disbursed by the Public Utilities Commission (PUC) in 2003 to moderate the potential for large electric bill increases in San Diego resulting from the rate stabilization legislation I approved earlier this month, AB 265 (Davis). I am fully committed to protecting the residents and businesses of San Diego from the unconscionable prices they faced earlier this summer for electric service.

This legislation is premature, sets a troubling precedent, and encourages merchant generators and energy traders to continue to act irresponsibly.

The challenges presented to California by electrical deregulation are significant but can be met over time. This will require cooperation and responsible action by consumers, the utilities, the state, the Federal Energy Regulatory Commission, and most of all, the merchant generators and energy traders who are unconscionably profiteering in the deregulated marketplace.

At my urging, the Independent System Operator (ISO) has imposed \$250 wholesale price caps on wholesale energy purchased in the state. Today I am urging the FERC to lower the current bid and price caps below \$250, at least by half. The current path of unconscionable wholesale energy prices are unacceptable for ratepayers and California utilities. California's consumers have a legitimate need for California's utilities to remain solvent and the state must be committed toward that end. Without financially healthy utilities, no California-based entity will exist that will be sufficiently solvent to invest in the new electrical generation and transmission facilities necessary to solve our energy problems. California needs FERC to act this fall in order for California to have the time necessary to develop new market power mitigation measures and more permanent market reforms.

I have taken executive action and sponsored legislation to accelerate the development of new supplies of electricity in California. But in the short-term, electricity rates can only be moderated by reducing the unprecedented and unconscionable wholesale prices that prevail in California's energy market.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 29th day of September 2000 at 2:20 p.m., of Assembly Bill No. 1156, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2862

Governor's Office, Sacramento

September 29, 2000

To the Members of the Assembly:

I am returning Assembly Bill 2862 without my signature.

I regret that I am unable to sign this legislation. A great deal of effort went into drafting this bill and many parties who often disagree came to the table in an honest attempt to address a complicated and long-fought issue.

However, this legislation would impose criminal penalties for wage violations on one industry and one industry only. Whereas other industries in this state who commit wage and hour violations are subject only to civil penalties—even when the violations are more serious than those addressed in this bill.

I have the greatest respect for farmworkers. They do some of the most backbreaking work there is, and the fruits of their labor are vital to our economy. I also believe that most employers are responsible and law-abiding. And for those employers who ignore our laws or knowingly use contractors to avoid compliance with those laws, I believe in imposing the stiffest possible sanctions.

But I cannot support singling out one industry for unequal treatment under the law, even when I find the violations totally repugnant. Civil penalties properly applied can be just as effective in deterring violations.

I will be happy to sign legislation next year that incorporates all of the provisions in this bill, but with stiff civil penalties in place of criminal sanctions for employers or farm contractors who knowingly violate the law.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 29th day of September 2000 at 4:01 p.m., of Assembly Bill No. 2862, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2000

Governor's Office, Sacramento

September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2000 without my signature.

This bill establishes a 13-member Commission on Human Relations to make, among other things, policy recommendations to the Governor and the Legislature on the resources necessary to improve human relations in the state. This bill may be well intentioned, however, it is unnecessary and duplicative of powers and duties already granted to the Fair Employment and Housing Commission.

The Fair Employment and Housing Commission is authorized to provide financial or technical assistance to any advisory agencies and conciliation councils, local or otherwise and, to empower them to study the problems of discrimination in all fields of human relationships. The Commission is also empowered to "foster, through community effort or otherwise, goodwill, cooperation, and conciliation among the groups and elements of the population of the state" who then may take recommendations to the Commission "for development of policies and procedures in general." To this extent, the Human Relations Commission's proposed duties overlap the existing functions and duties of the Fair Employment and Housing Commission.

Furthermore, the creation of the California Commission on Human Relations may generate unnecessary confusion between the Fair Employment and Housing Commission (FEHC) and the California Commission on Human Relations (CCHR) as a result of the overlapping duties and functions.

Finally, this measure will require \$300,000 in annual costs which have not been included in the budget.

For the above reasons, I cannot sign this measure.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 29th day of September 2000 at 5:15 p.m., of Assembly Bill No. 2000 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1124

Governor's Office, Sacramento

September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1124 without my signature.

This bill would extend the leave-of-absence benefit *in lieu of* workers' compensation temporary disability to injured Los Angeles County custody assistants.

In California, benefits mandated by statute (Labor Code §4850) are relatively more generous than benefits provided to other employees; as a result, compensation for public safety employees constitutes a large portion of the workers' compensation budget of public employers (primarily counties in California). A 1991 study of the financial impact of "4850" benefits indicated that statewide costs for calendar year 1991 alone was \$24,976,070. This included \$10,529,670 of what would have been paid for workers' compensation benefits and \$14,446,400 of additional costs. Average lost days per "4850" claim were twice as high as for other workers' compensation claims (90.2 versus 44.27 days). This data has not been updated since 1991.

Since there are no "hard" statistics available to gauge the costs, the Commission on Health, Safety and Workers' Compensation has undertaken a study of "4850" benefits not only to determine and assess the fiscal impact, but because this benefit has been greatly expanded since 1991, to also ascertain which employee classifications are now entitled to this benefit. It is anticipated that the Commission's study will be available by Fall of 2000.

While the intent of AB 1124 is certainly laudable, it is one of three such proposals this year that would further expand this benefit by extending it to additional classifications of safety personnel. I believe that this extraordinary benefit should be limited to sworn peace officers.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1825

Governor's Office, Sacramento

September 29, 2000

I am returning Assembly Bill 1825 without my signature.

This bill expands the California High-Cost fund program to fund a grant program within the California Public Utilities Commission for

rural telecommunications infrastructure. It provides grants to community-based organizations to construct telecommunications infrastructure in rural areas that are currently not served by a telecommunications carrier. The bill sunsets the grant program on January 1, 2006.

For public safety, health, and convenience reasons, all Californians should have access to reliable local telephone service. Regrettably, topography and fiscal concerns prohibit providing telephone service to every Californian.

The intent of AB 1825 is good. It seeks to provide telephone service to remote, low-income communities. Unfortunately, it has the potential to hurt all high-cost areas of the state. By diverting up to \$10 million a year from the California High Cost Funds, it could cause other rural ratepayers to see increases in their telephone bills. The High Cost Funds provide subsidies to small and mid-sized telephone companies to keep telephone rates affordable for rural telephone consumers. If funds are diverted to pay for a new grant program, existing payments could be jeopardized.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2614

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2614 without my signature.

This bill would allow Placer and Contra Costa counties to accept digital images from businesses in specified fields using a provider that has been approved by the Attorney General. This bill would require the Attorney General to submit a report to the Legislature within a specified time frame.

I am vetoing this bill because it would result in substantial unbudgeted costs to the Attorney General's office. It is not clear that the potential benefits to counties justify these new costs.

Further, this bill fails to limit acceptance of digitized images or electronic records to entities that would enable law enforcement agencies to ensure the integrity of those records.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2701

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2701 without my signature.

While some provisions in this bill provide useful protections for employees, others inhibit the employer's ability to make reasonable and legitimate inquiries into the mental or physical ability of an employee to perform his or her job. To the extent that employee protections are

needed, they can be negotiated under the procedures set forth in the Ralph C. Dills Act.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2757

Governor's Office, Sacramento
September 29, 2000

To the Members of the Assembly:

I am returning AB 2757 without my signature.

This measure would expand funding for telecommunications programs aimed at providing toll-free access and operational costs for the establishment of telephonic reading systems for individuals who are visually impaired.

I am concerned that implementation of this program could negatively affect funding for other important activities within the Deaf and Disabled Telecommunications Program (DDTP). In addition, spending caps within the DDTP could be impacted by the implementation of a telephonic reading system, particularly when there are no complete estimates of the level of use anticipated for these systems. I believe it is premature to enact this measure without the data sufficient to estimate the impact of the program.

I do, however, support actions that enhance the quality of life for blind Californians. Last year, my budget included more than \$70,000 for recreational therapists, \$200,000 for three additional teachers and provided \$200,000 for Braille transcription at the California Special School for the Blind. I also signed a bill last year that allowed for publishers of instructional materials to provide software for transcription into Braille.

I would be open to a bill next year that would allow the Public Utilities Commission (PUC) to determine, after appropriate review, how the blind could be further accommodated by this fund.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 29th day of September 2000 at 9:16 p.m., of Assembly Bills Nos. 1124, 1825, 2614, 2701, and 2757, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1463

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1463 without my signature.

This bill would repeal the requirement that every application for issuance or renewal of a driver's license or identification card (I.D.) contain the applicant's social security number. This bill would also require the Department of Motor Vehicles (DMV) to issue a driver's

license or identification card for a duration of 3 years provided the applicant is in the process of obtaining lawful immigration status in this country. The legislation would give the DMV the added responsibility of determining the authenticity of an Immigration and Naturalization Service (INS) petition for lawful status.

Requiring the DMV to issue a driver's license or I.D. card merely on the basis of the applicant providing a "receipt" from the INS that an application or petition for lawful immigration status has been initiated is an invitation for fraud. Moreover, the states of Arizona, Florida, New Mexico, and Texas all require that a social security number be provided to their Department of Motor Vehicles. California should not embrace a weaker standard than those imposed by other southern border states.

While I applaud the public safety concerns this bill seeks to address, it ignores the fact that California has made substantial efforts to make the driver's license a more secure form of identification. There is no question that a driver's license is often the key document used to acquire other documentation and to qualify for various services.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1601

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1601 without my signature.

This bill would require the Department of Motor Vehicles (DMV) to accept an E, H, or L visa as proof of legal presence for the purpose of issuing a California driver's license.

While I sympathize with foreign citizens who experience problems acquiring a California driver's license in a timely manner because of backlogs at the Immigration and Naturalization Services, this should be addressed through federal legislation. Using documents that are easy to counterfeit and impossible to verify to establish a legal presence for DMV's purposes may lead to an increase in the number of individuals that receive driver's licenses fraudulently.

Moreover, the contents of this bill were not presented in the appropriate policy committee. Amendments were drafted and inserted into the bill during the last days of the session, and the legislation was presented on the Assembly floor without any analysis. I have previously expressed my concern about receiving legislation that has not been subjected to public review and proper analysis.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2294

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2294 without my signature.

This bill would impose specific requirements on dietary supplements containing ephedrine alkaloids including labels listing the quantity of ephedrine alkaloids in the form of herbal extracts, warnings, and a toll-free number for consumers to report adverse effects to the

manufacturer. This bill also requires that the Department of Health Services adopt regulations before requesting copies of reports of adverse effects received by manufacturers or distributors.

Ephedrine is a stimulant subject to strict sales restrictions when contained in over-the-counter medicines. And while regulation and labeling of dietary supplements containing ephedrine would seem prudent and in the interest of public safety, this is a matter of interstate commerce and clearly the responsibility of Congress to regulate, which they have thus far neglected to do.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 30th day of September 2000 at 11:55 a.m., of Assembly Bills Nos. 1463, 1601, and 2294, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 424

Governor's Office, Sacramento

September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 424 without my signature.

This bill would allow school districts to use a design-build contract for school projects greater than \$10,000,000 under specified criteria based on qualifications, bidding procedures, and seismic safety standards. In addition, the bill provides that the retention proceeds withheld by the school district shall not exceed five percent of the contract amount. It precludes the school district from withholding any retention proceeds from the design-build entity for the actual costs incurred and billed for design services, construction management services, or operations and maintenance services.

I am supportive of the design-build process. But as I stated in my veto of AB 470 last year, I continue to have concerns with the provisions which take away the discretion of a school district to withhold retention funds in excess of 5%. State law requires State entities to withhold at least 5% and gives them the discretion to withhold more. Because this bill could put public funds at risk, I cannot support this measure; however, I am directing the Department of General Services to draft legislation with the appropriate retention provisions to allow schools to use the design-build process.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 849

Governor's Office, Sacramento

September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 849 without my signature.

The bill would require the Santa Ana Regional Water Quality Control Board (Regional Board) to undertake a bioassay and bioaccumulation

studies within Newport Bay and to report to the Legislature by June 30, 2002 on its findings.

The Regional Board has not identified a need for additional bioassay and bioaccumulation studies at Newport Bay in order to evaluate the dredging project for maintenance of private boat slips. In addition, meeting the requirements for approval of permits by the California Coastal Commission is a local responsibility, and not one typically funded by the state.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1197

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1197 without my signature.

This bill would exempt any person who has filed a petition for lawful immigration status and meets other specified criteria, from paying non-resident fees for attending the California Community Colleges, the California State University, or the University of California.

Pursuant to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), undocumented aliens are ineligible to receive postsecondary education benefits based on state residence unless a citizen or national of the United States would be eligible for the same benefits without regard to their residence (Title VIII, Section 1623).

In order for undocumented students to be exempt from paying non-resident tuition charges as called for in this legislation, IIRIRA would require that all out-of-state legal residents be eligible for this same benefit. Based on Fall 1998 enrollment figures at the University of California and the California State University alone, this legislation could result in a revenue loss of over \$63.7 million to the State.

For the reasons outlined above, I cannot support AB 1197. I believe the State's priorities and funding must be focused on higher education attainment for California legal residents, both present and future.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1458

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1458 without my signature.

This bill would require the California Board of Corrections to establish its own Sexually Violent Predator (SVP) treatment program, separate from the existing SVP program operated by the Department of Mental Health (DMH), and expand the definition of SVP. Expanding the definition of SVP would increase the number of SVP patients treated by Department of Mental Health and civilly committed by counties. This bill would result in increased costs of a minimum of \$5.6 million General Fund and \$11.2 million General Fund annually thereafter.

Treatment is currently provided to many sex offenders both while incarcerated and while on parole. Seriously mentally ill prison inmates,

regardless of commitment offense, are provided treatment that ranges from individual and group counseling to medication and inpatient treatment. Mental Health treatment is also provided to these individuals. In addition, the Department of Corrections is expanding in the current fiscal year a program to provide intensive supervision and treatment for sex offender parolees that are deemed to be a high risk to re-offend.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1779

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1779 without my signature.

This bill would establish the California Historic Cemetery Commission with specified membership and duties related to historic cemeteries. This bill would authorize a commission without identifying a mechanism to support the activities necessary to carry out the functions of that commission. Accordingly, I am returning this bill without my signature.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1963

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 1963 without my signature.

While this bill is well intentioned, it cast too broad a net by requiring detailed information to a vast number of consumers who are not minimum payers, thus, adding extra cost to consumers' credit. In fact, more than 30% of cardholders routinely pay the entire balance every month.

The underlying intent of the bill, to provide minimum payers notice of how much their credit costs and how long it will take to pay off is laudable. It is sound public policy to disclose to consumers the amount of debt they can incur. Therefore, I will support a bill that would target these consumers and invite a bill that provides California consumers with at least the following:

1. A toll free 1-800 number for customers to call a "live" customer service representative to obtain individualized minimum payment information about their account.
2. A "minimum payment warning" to be printed on the customer's statement.
3. A disclosure on the first or second page of the customers' statement which provides 3 generic examples which would include amounts of credit at \$1,000., \$2,500., and \$5,000., an APR (17%), the cost to pay off the debt if only the minimum payment is made and the number of years and months to pay the debt off if only the minimum payment is made.

4. A monitoring system for customers who pay the minimum payment for 6 consecutive months which would alert the company and trigger a written warning procedure whereby the company will provide written individualized information and referrals to credit counseling services.

I am committed to providing the consumers of California with legislation that is both reasonable and effective.

For these reasons, I am vetoing AB 1963, but will sign legislation that addresses the above consumer protections next year.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2058

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2058 without my signature.

This bill would authorize the extension of the Year of Manufacture license plate program to vehicles 1973 or older, conflicts with the intent of laws that require license plate reflectorization. License plate reflectorization enhances public safety and assists police officers and citizens in identifying vehicles that are involved in unlawful activities.

The purpose of the vehicle license plate is for identification and registration purposes only. The issuance of vehicle license plates is not to enhance the beauty or value of a vehicle.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2087

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2087 without my signature.

This bill would establish a task force to assess and report short-term and long-range recommendations for improving career technical education and allows a student to fulfill the high school graduation requirement of one course in visual or performing arts or foreign language by completing one course of "career technical education."

First, the creation of two separate committees by this bill is duplicative and inefficient. For example, the existing School-to-Career (STC) Advisory Council is also charged with developing measures for inclusion into University of California/CSU entrance requirements.

Second, I have seen no justification that would warrant the substitution of a course in career technical education as satisfaction of the visual or performing arts or foreign language high school graduation requirement. While I believe career technical education is a critical component of the economic future of California and its companies, this provision is inconsistent with the State's efforts to encourage pupils to

take the rigorous academic coursework needed for pursuing higher education.

For these reasons, I cannot support this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2088

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2088 without my signature.

This bill would unnecessarily extend the time frame, from 180 days to two years, in which the Labor Commissioner may file a suit to recover wages and penalties from contractors that fail to pay prevailing wages on a public works project. It is neither fair nor reasonable to expect a contractor on a public works project to wait such a long period of time before learning whether the Labor Commissioner will file a court action to recover underpaid wages and/or penalties.

While I am supportive of the concept of this bill, allowing more time for the Labor Commissioner to recover monies for workers who were not paid prevailing wages, increasing the time frame in which a civil suit may be filed will not ensure that workers will eventually recover unpaid wages.

In 1997, AB 1328 was enacted extending the time frame for filing a case in court from 90 days to 180 days. In my opinion, this is a sufficient amount of time in which the Labor Commissioner has in conducting an investigation and filing a court suit to recover unpaid wages. Additionally, the Labor Commissioner has been allocated more staff in order to process prevailing wage cases.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2111

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2111 without my signature.

This bill would appropriate \$5 million General Fund to the Department of Food and Agriculture to augment the red imported fire ant eradication program. While this is a serious issue, a multi-year action plan is currently in place for the eradication of the red imported fire ant in California, and significant funding has already been provided for this purpose. Most recently, \$7.4 million was included in the 2000–01 Budget Act for statewide eradication efforts. The need for any additional funding should be determined through the annual budget process.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 30th day of September 2000 at 11:56 a.m., of Assembly Bills Nos. 424, 849, 1197, 1458, 1779, 1963, 2058, 2087, 2088, and 2111, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2315

Governor's Office, Sacramento
September 29, 2000

To the Members of the Assembly:

I am returning Assembly Bill No. 2315 without my signature.

This bill would establish the "Children of Incarcerated Parents Act of 2000" which would require: (1) the Attorney General to convene a study group in order to develop a model protocol that addresses how to care for children of incarcerated parents, and (2) requires probation officers to include in their presentencing report to the court, a discussion of whether or not a defendant has children and what child care arrangements exist for the care of those children.

This bill has costs that are not included in the 2000–01 Budget Act. While this legislation may have merit, the appropriation for the study should compete with other priorities during the annual budget process.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2494

Governor's Office, Sacramento
September 29, 2000

To the Members of the California Assembly:

I am returning Assembly Bill 2494 without my signature.

AB 2494 would make it the policy of the state, in selecting locations to lease, construct, or purchase buildings for the conduct of state business, to give priority to sites within mixed-use or commercial districts that have the greatest number of various specified characteristics.

While the planning goals outlined in this bill are laudable, some of the specified characteristics may be inconsistent with one another and there may be unintended consequences, including expensive frivolous litigation that would slow down appropriate developments. Currently, the Department of General Services works closely with state agency clients, local officials and others to select appropriate sites, utilizing criteria substantially similar to that set forth in this bill. This includes minimizing the cost to the State and meeting community goals, such as revitalizing inner cities and renovating historic buildings, where appropriate. Many such efforts are underway or have recently been completed. Recent examples include DGS-managed State building projects located in downtown Los Angeles, San Francisco Oakland and

Sacramento that are providing a real boost to the revitalization efforts in those cities.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2548

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2548 without my signature.

This bill would permit a board of a municipal utility district (MUD) to procure supplies and materials in excess of \$50,000 on the basis of "best value at lowest cost" criteria rather than selecting the lowest bid.

This bill replaces the current objective standard with a subjective standard that could result in increased costs to the ratepayers. Therefore, I am vetoing it.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2565

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2565 without my signature.

Regarding the section of the bill concerning lottery monies, nearly \$4 billion is available through the general apportionment, Partnership for Excellence and one-time block grant that the colleges can use at their discretion to fund local technology and telecommunication needs. Therefore this section is unnecessary.

This bill also exempts the Board of Governors of the California Community Colleges from the Department of Information Technology (DOIT) review and approval process. I am opposed to exempting the Board of Governors from DOIT oversight. The DOIT process ensures that the State's investments in technology are appropriate, cost-beneficial and an effective use of taxpayer dollars.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2710

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2710 without my signature.

This bill would prohibit the sale of any milk product that could be used to produce dairy products, unless to a licensed entity. AB 2710 would also require investigation of food-related illness as the result of improper processing, producing, or manufacturing of dairy products.

However, as I proposed, the 2000 Budget Act provided additional funding of \$1.5 million to the Department of Food and Agriculture for increased investigations of the processing, producing, and manufacturing of illegal dairy products. At this time, I believe the

additional funding provided in the 2000 Budget Act is sufficient to address problems in this area and accordingly, I am returning this bill without my signature.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2732

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2732 without my signature.

This bill would delete provisions of existing law that act to equalize revenue limit funding for juvenile court and community school programs operated by county offices of education. It is my understanding that significant differences in funding for these programs still exist. Therefore, it would be premature to delete the equalization mechanism specified in current statute until its goal has been achieved.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2911

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2911 without my signature.

This bill would allow judges participating in the Judges' Retirement System II (JRS II), with other service under the California Public Employees' Retirement System (CalPERS), to concurrently retire under both systems using the higher compensation earned under either system for computing final compensation. This bill also would allow judges who are members of the Judges' Retirement System or JRS II to participate in the Supplemental Contributions Program.

This bill could result in substantial costs to CalPERS' smaller public agency employers since the provisions of this bill which would allow a JRS II member to concurrently retire from two systems could significantly increase the retirement plan liabilities and the retirement contribution rates of those employers.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 30th day of September 2000 at 11:57 a.m., of Assembly Bills Nos. 2315, 2494, 2548, 2565, 2710, 2732, and 2911, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 481

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 481 without my signature.

This bill requires the Insurance Commissioner to give policyholder concerns first priority in settlement agreements and allows for remediation or payment to policyholders in order to ensure compliance with all laws applicable to insurance transactions. The bill also allows the Commissioner to use settlement funds for education or research related to any of the alleged violations, pursuant to the Budget Act.

Much of this bill is positive. However, this bill confers on the Department of Insurance a power previously reserved to the judiciary, namely to remediate and resolve disputes arising from claims by individual policy holders. The Department of Insurance under both Commissioners Kelso and Low has expressed reservations about this new power.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 30th day of September 2000 at 11:11 p.m., of Assembly Bill No. 481, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 678

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 678 without my signature.

This bill would allow the Alameda County Emergency Services agency to authorize an immunization program overseen by the Alameda County Health Care Services Agency, using emergency Medical Services Technicians (EMTs) to provide immunizations. It would also authorize up to three similar programs as pilot projects elsewhere in the state.

While the desire to make immunization services even more widely available to the public is understandable, AB 678 has serious problems. This bill is not necessary because immunization services are already available in multiple public and private medical settings with no significant shortage of personnel to provide immunizations.

The Alameda County Paramedic Immunization Pilot Project in 1999 succeeded in immunizing only one child in its stated primary target age group of children aged two years and younger, with most immunizations being given to children entering or already in school, where immunization rates already exceed 90 percent.

The Pilot Project clinics were very costly because, in addition to needing a Registered Nurse supervisor at each site, the clinics had to pay the EMTs at their overtime rate. Such programs fragment medical care

delivery, working against the widely accepted goal of having children immunized in their “medical homes.”

The complex technical aspects of immunization practice, and as a result the AB 678 language, require substantial and continuing training for EMTs, as well as registered nurse supervisors on-site at the clinics. Thus, the available empirical evidence indicates that the programs proposed by this bill represent an ineffective and cost-inefficient use of taxpayer’s dollars.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 688

Governor’s Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 688 without my signature.

I share the concern of State employee unions that rapidly escalating health care costs must be contained. I also agree that the State should bear a large share of the burden of the premium increases in the CalPERS health plans. This bill, however, does not accomplish these goals in a responsible manner.

It would require that the State bare the entire cost of the increase, I believe the cost should be shared. Contrary to current policy it provides more money to employees who select more expensive plans. This could discourage some people from being prudent in selecting a health provider. It would provide an infinite number of differing contributions to employees based on plan selection changes and would thus be almost impossible to administer.

The Department of Personnel Administration offered the employee organizations a program that would reduce employee contributions and increase the State’s contribution. This proposal would have resulted in a 2.5 percent increase in the health care premiums rather than the 9.2 percent employees are currently facing. It would have also increased employee co-payments by \$5 for active employees, a cost that the State would have mitigated for chronically ill or lower paid employees.

I am directing DPA, working cooperatively with CalPERS, to go back to the bargaining table. It is my expectation that we will be able to negotiate a fair and equitable agreement with State employee unions.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 697

Governor’s Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 697 without my signature.

This bill would require school districts to keep records of denials of student requests to electronically record classroom activities. Additionally, this bill would prohibit the use of such recording, obtained after a denial, in any judicial, administrative or legislative action related to certified employee discipline or dismissal.

While I would normally sign this bill, it is at least theoretically possible that a recording would be made of crime or other outrageous

activity. In those admittedly rare cases, I believe the decision on whether to admit or not the recording in an administrative or judicial hearing should be made by an appropriate hearing officer or judge.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1082

Governor's Office, Sacramento
September 30, 2000

To Members of the Assembly:

I am returning Assembly Bill 1082 without my signature.

This measure permits telephone companies that are regulated under a "price cap" regulatory structure to issue stock or debt unless the California Public Utilities Commission (PUC) can prove that such an issuance would not be in the public interest. Current law requires telephone companies to obtain PUC approval before issuing stock or long-term debt with a maturity date of more than 12 months.

AB 1082 duplicates existing PUC procedures that allow the PUC to exempt telephone companies on a case-by-case basis from regulatory review of their financing proposals.

It also places ratepayers at risk if local telephone companies make bad financial decisions and must seek additional forms of revenue to offset the losses. It is important that local telephone companies obtain state review before issuing stock or debt so the public can be protected from imprudent corporate finance decisions.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1307

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1307 without my signature.

This bill fails to address concerns I raised during the 1999 Legislative session with AB 1485. This bill does not address my concerns with those who currently hold a driver certificate as it continues to allow any existing certificate holder who has previously been convicted of a serious or violent felony to retain their certificate. Additionally, this bill does not address the loophole whereby an applicant for an original certificate or an applicant for a renewal of a certificate could obtain a driver certificate during an "interim" period when, after committing a violent or serious felony, the person awaits for his/her case to be adjudicated within the court system.

Any individual who has committed a serious or violent felony, including those associated with driving, regardless of how long ago the crime occurred, should not be employed by a school district. While this bill would prevent an original applicant, having a felonious criminal history, from obtaining a Special Driver Certificate, I cannot support a bill that would permit school aged children and disabled persons to be subjected to the risk of becoming a possible victim of an employee having a violent criminal past who currently holds a certificate. Allowing this would contradict the very purpose of the bill which is to protect our children.

Moreover, even the prospective application this bill intended will not work because the bill inadvertently repeals a code section of the Department of Motor Vehicles to refrain from issuing the certificate to people convicted for moral turpitude.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1903

Governor's Office, Sacramento

September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1903 without my signature.

This bill would allow the State low-income housing credit to be distributed among partners pursuant to a partnership agreement, even if the allocation of that credit to the partner under that agreement does not have substantial economic effect.

Although I am aware this bill could increase the value of the low-income housing credits by allowing the credit to be targeted to those entities that can use it, I am concerned about the possible abuses that may arise. Specifically, since this bill would allow a credit to be severed from the economic interest each partner has in the profits and losses of the project, it could lead to allocations for tax shelter purposes.

For example, under this bill, investors would be able to "buy" rights to low-income housing credits through the purchase of a partnership share. When they had utilized all of the credits (which could exceed the cost of their investment), they could walk away from the partnership investment and have a negative basis in the investment. This would allow them to write off the amount of the negative basis against other income. Thus, the investor would benefit twice from the arrangement—the use of the credit and the negative basis.

I am committed to expanding housing opportunities for all Californians. The 2000 Budget Act includes over \$580 million General Fund in support for housing, with almost 50% of this amount dedicated toward low- and moderate-income housing. For the reasons stated above, I am returning AB 1903 unsigned.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1949

Governor's Office, Sacramento

September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 1949 without my signature.

This bill would establish a three-year pilot project consisting of Regional Identity Theft Units in one or two regions of the State, and would appropriate \$3 million to the Department of Justice for the purpose of administering, assisting, and evaluating the pilot project.

This bill has costs that are not included in the 2000–01 Budget Act. While this legislation may have merit, the appropriation for the program

should compete with other priorities during the annual budget process next year.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2032

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2032 without my signature.

This bill would exempt from qualification under the Corporate Securities Law of 1968 security offerings by limited liability companies pursuant to a purchase or option plan or agreement, if certain conditions are met.

I have already signed a bill that makes the exact same changes to this law as AB 2032. A few days ago I signed Senate Bill 1837 (Chapter 705, Statutes of 2000). I therefore find this bill to be duplicative and unnecessary.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2101

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2101 without my signature.

This bill would allow the news media virtually unlimited access to convicted felons incarcerated in California state prisons. This measure would also permit the news media to receive confidential correspondence from a prisoner.

Under present law, journalists have ample opportunities to interview convicts: 1) during regular visiting hours on the same basis as family and friends; 2) by accepting collect phone calls from the prisoner; 3) by written correspondence; and 4) by unlimited access to the prisoner's lawyer.

This bill is inconsistent with the national trend to reduce, not expand, rights of prisoners (e.g., prohibiting them from profiting from their crimes by selling their "stories" via book, television, or movie rights).

Furthermore, according to correctional authorities, its implementation would disrupt the orderly administration of prisons and interfere with the ability of inmate families to visit their loved ones.

The purposes of incarceration is punishment and deterrence; it is not to provide additional celebrity to convicts, many of whose criminal acts were brutal and violent, thereby causing further pain to the victims and their loved ones.

AB 2101 is based on the false premise that press interviews with inmates are banned. The press can either visit inmates during regular visiting periods, or receive collect calls from inmates. These are the same rights provided to the inmate's family and friends.

This bill guarantees the press preferred access greater than that accorded family members and close friends. The regulations currently in force are properly balanced to achieve legitimate objectives.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2136

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2136 without my signature.

This bill would require the Long-Term Care Council to: 1) Establish a uniform definition of respite care for future legislative change; 2) Develop a minimum data set of information on family caregiver programs that provide caregiver support; and 3) Improve service coordination between existing programs. This information would be included in the California Health and Human Services Agency Long-Term Council's 2001 report to the Legislature.

AB 2136 does not fund the workload required of the California Health and Human Services Agency, and members of its Long-Term Care Council. The data collection component of the bill alone could result in significant local and State costs. This legislation also establishes a priority for the Long-Term Care Council prior to the Council being able to develop its own planning and prioritization process.

While I support the intent of this legislation, I believe this issue should be considered along with other worthy projects during the fiscal year 2001–2002 budget process.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 30th day of September 2000 at 11:12 p.m., of Assembly Bills Nos. 678, 688, 697, 1082, 1307, 1903, 1949, 2032, 2101, and 2136, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2205

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2205 without my signature.

This bill authorizes county offices of education to operate community day schools to serve pupils within the county's jurisdiction that should be served by school districts.

The community day school program was established to provide school districts with an alternative method to educate pupils who have been expelled and can no longer attend their designated area school. It was not the intent of the implementing legislation to create yet another county office of education program to serve difficult pupils.

Additionally, I am concerned about the increased Proposition 98 General Fund cost imposed by this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2375

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2375 without my signature.

This bill would encourage court personnel to make the presumption that every juvenile before the court may be educationally disabled. Additionally, this bill would void statutory safeguards to balance the need to assess and provide educational interventions, with the need to ensure that students involved in the juvenile system are not too easily segregated and have access to the least restrictive environment.

This bill would result in significant increased state and local costs to process unnecessary referrals for assessment.

For this reason, I cannot support this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2384

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2384 without my signature.

Despite the bill's technical and clarifying changes to the Education Code and the Public Contract Code, I have over-riding concerns with this measure.

Assembly Bill 2384 would exempt the Board of Governors of the California Community Colleges from existing competitive bidding provisions related to procurement, which would likely lead to higher costs for some services. I am unable to find a compelling rationale to exempt the California Community Colleges from the competitive bidding provisions of the Public Contract Code. To do so could result in higher procurement costs that would have to be supported from Proposition 98 resources.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2388

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2388 without my signature.

While I recognize that the Chancellor and the Board of Governors of the California Community Colleges have engaged in a significant effort to comprehensively review and revise the Education Code pertaining to the community colleges, I am concerned that this bill may inadvertently cause significant state-mandated costs. While this bill includes many proposed changes that can improve the operation of the community

college system, there are a number of fiscal and policy matters that should be reconsidered before being included in legislation. Therefore, I am directing the Office of the Secretary for Education and the Department of Finance to work together with the Chancellor to further examine these issues with the objective of reaching resolution during the next legislative session.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2391

Governor's Office, Sacramento
September 30, 2000

To the Members of the Assembly:

I am returning Assembly Bill 2391 without my signature.

This bill would provide \$5 million to repair, upgrade, and expand existing conservation education facilities that are not owned by government entities. The facilities are used for environmental education programs for K–12 public students who pay a fee for the programs. These facilities are also used by private groups, religious organizations and the public. It is inappropriate for state funds to be used to improve non-government owned facilities that are used, and in some cases owned by private individuals. In addition, the \$5 million would address the needed improvements and maintenance at only a very limited number of these facilities. This bill would result in pressure to fund the rest of the needed improvements which would be far in excess of \$25 million.

For these reasons, I cannot support this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2486

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2486 without my signature.

This bill would appropriate \$2.5 million to the State Librarian from the General Fund to authorize the State Library to award grants on a competitive basis to local libraries. The grants would be used for the establishment of youth development and resource programs through tutoring, mentoring, and other informational services.

Funding for this program is not included in the 2000 Budget Act. Moreover, the Budget already provides for programs with objectives similar to those proposed by this bill. Education and student safety are my top priorities, which is why the Budget includes \$71 million for the Carl Washington School Safety and Violence Prevention Act, and \$87.8 million for the After School Learning and Safe Neighborhoods Partnership Program.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2518

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2518 without my signature.

This bill would establish the California Drug Endangered Child Protection Program, a five-year pilot project providing funding to specified counties. The bill would appropriate \$10,000,000 General Fund to the Office of Criminal Justice Planning to fund the continued coordination of multi-agency drug endangered child response teams in seven counties.

The Bureau of Justice Assistance has provided \$4,747,307 for the existing Drug Endangered Children Program since 1997, and the program goals are commendable. However, before I would consider committing state General Fund dollars to replace the lost federal Byrne Grant funds, an evaluation to assess performance of the program should be conducted.

Furthermore, this bill would result in a significant General Fund expenditure not included in the 2000 Budget Act.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2551

Governor's Office, Sacramento
September 30, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2551 without my signature.

This bill would increase the cap on the value of promotional gifts alcoholic beverage licensees may give to the public and retailers.

This bill was drastically changed during the last week of the legislative session and there was no opportunity for public comment in both houses. I have repeatedly expressed my disinclination to sign bills, barring an emergency, that would deny the public an opportunity to participate.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2642

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill 2642 without my signature.

This bill would allow public agencies that contract with the Public Employees' Retirement System that have excess retirement assets the opportunity to provide two retirement formulas for non-safety employees that are currently applicable only to safety members. While I support the collective bargaining process, I am not aware of a business or policy need to provide a new, higher level of retirement benefits for non-safety public employees.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2760

Governor's Office, Sacramento
September 30, 2000

To the Members of the Assembly:

I am returning Assembly Bill 2760 without my signature.

This bill would amend current statute to allow Internet and telephone wagering on horse races and add various provisions to govern those activities. The bill would also provide new protections for racetrack "backstretch" employees including badly needed standards for living conditions such as housing, establishment of a health and welfare fund, and the right to organize for collective bargaining purposes.

If this bill contained only the backstretch provisions, I would sign it. However, I cannot support the provisions lifting the State ban on Internet and telephone wagering.

Changing State law to allow wagering via the Internet and telephone would be a major change in the status quo and, I believe, a significant expansion of gambling in California.

- It would create State-sanctioned Internet and telephone betting. This would expand the opportunities for horse race wagering by making gambling legally available through the Internet and telephone.
- It would expand the scope of gambling by allowing Internet and telephone betting on out-of-state and out-of-country horse races.
- It would open the door to children and teenagers placing bets using their parents' accounts over the Internet.
- And it would allow continual betting through commercial betting systems without being limited by the racing season of any particular racing association.

If the Legislature sends me a bill to protect backstretch employees from being subjected to dismal living and working conditions, I will sign it.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 30th day of September 2000 at 11:13 p.m., of Assembly Bills Nos. 2205, 2375, 2384, 2388, 2391, 2486, 2518, 2551, 2642, and 2760, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2803

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am returning Assembly Bill No. 2803 without my signature.

This bill would establish the Pilot Project for School Athletics Safety that would provide grants to three private, non-profit organizations

located, one each, in Southern California, Northern California and the Central Valley to conduct pilot athletic safety programs.

Existing law provides for safety in school athletics. Under current law, every member of a public school team must have medical insurance. If a student does not have private insurance, he or she can purchase insurance through the school district. If a student cannot afford to purchase insurance, his or her fees can be covered by district funds or student body funds. Furthermore, school districts are required to provide medical, ambulance and hospital services for students injured while participating in athletic activities.

The 2000 Budget Act includes \$1 million for the High School Coaching Education and Training Program. This program addresses many of the same issues addressed by this bill, including funding for instruction in proper training, fitness and nutrition, as well as issues not covered by this bill such as physiology, sport psychology, risk and team management, gender equity, and discrimination. I believe that current law and the Budget provide adequate protection and service delivery in this area.

Finally, the expenditure proposed by this bill was not included in the 2000 Budget Act. It should compete with other meritorious proposals in next year's budget process.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 2837

Governor's Office, Sacramento
September 30, 2000

To the Members of the Assembly:

I am returning AB 2837 without my signature.

This bill authorizes local public agencies responsible for providing a public safety answering system to establish a local non-emergency telephone system. It would designate "311" as the primary non-emergency telephone number for that system. It requires the Department of General Services to establish operational standards, set rates, and administer this service. The measure further provides for local funding of each regional 311 service.

While the concept for a separate non-emergency telephone system is a good one, the potential costs for this program are unknown at this time. Without pilot projects to provide the data necessary to estimate costs for this program, it would be premature to approve this measure.

Use of specific numbering resources falls primarily within the Federal Communications Commission (FCC)'s jurisdiction. The California Public Utilities Commission (PUC) manages California's valuable numbering resources in compliance with those federal rules and is currently coordinating with the FCC to implement 211 and 511, respectively, for other uses. I am directing the PUC to look at the provision of 311 services in concert with their existing 211 and 511 proceedings.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 30th day of September 2000 at 11:14 p.m., of Assembly Bills Nos. 2803 and 2837 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

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

Item Veto—Assembly Bill No. 398

Governor's Office, Sacramento

September 8, 2000

To Members of the California State Assembly:

I am signing Assembly Bill 398, which establishes the San Francisco Baylands Restoration Program Account in the State Wildlife Restoration Fund and appropriates General Fund revenues to the Account for the purpose of acquiring and restoring San Francisco Bay wetlands and habitat which may include the Cargill Salt property.

However, in signing this measure, I am reducing the appropriation from \$30 million to \$25 million. I feel that this appropriation is sufficient to show the State's good faith in working with the federal government to make a joint purchase of these historic wetlands upon completion of an independent appraisal.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 11th day of September 2000 at 4:20 p.m., of the Governor's statement of the items of appropriation reduced or eliminated from Assembly Bill No. 398 delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Item Veto—Assembly Bill No. 649

Governor's Office, Sacramento

September 11, 2000

To Members of the California State Assembly:

On this date I have signed Assembly Bill 649 with a reduction.

This bill would appropriate funding for various programs agreed to during collective bargaining. However, the appropriation in this bill for the special fund deficiency is in excess of the amount needed to fund the employee compensation increases agreed to through collective bargaining. Therefore, I am reducing the special fund appropriation

contained in this bill by \$17,000,000 to reflect the actual amount needed to fund the employee compensation increases. The revised appropriation shall be \$30,600,000.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 12th day of September 2000 at 1:46 p.m., of the Governor's statement of the items of appropriation reduced or eliminated from Assembly Bill No. 649 delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Item Veto—Assembly Bill No. 2558

Governor's Office, Sacramento
September 22, 2000

To Members of the California Assembly:

On this date I signed Assembly Bill 2558 with a reduction.

AB 2558 would establish a 3-year neighborhood-based pilot program administered by the California Commission on Improving Life through Services (CILTS), to promote the involvement of senior volunteers in working with children and school staff

While I am supportive of incorporating senior volunteerism into state volunteer efforts coordinated by CILTS, the program outlined in this bill merits further study. Therefore, I am directing CILTS to (1) prepare a review of existing programs that engage seniors in service, (2) identify new and promising entrepreneurial strategies that take advantage of the unique characteristics of this new generation of seniors, (3) identify priorities which a senior volunteer force can best impact, and (4) propose a structure for investment of any future financial resources which maximizes public and private funding and social impact. I expect this study to be completed within six months. Therefore, I am reducing the appropriation contained in the bill by \$900,000 to reflect the amount needed to conduct this review. The revised appropriation shall be \$100,000.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 24th day of September 2000 at 4:47 p.m., of Governor's statement of the items of appropriation reduced from Assembly Bill No. 2558 delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Item Veto—Assembly Bill No. 877

Governor's Office, Sacramento
September 25, 2000

To Members of the California State Assembly:

On this date I have signed Assembly Bill No. 877 with a reduction.

This bill would make specified changes to the requirements governing the issuance of a California teaching credential to teachers who have been trained in other states, and the issuance of a professional services credential to school administrators who have been trained in other states. It would also authorize the Commission on Teacher Credentialing to contract for studies of teacher and administrator training requirements in other states.

The appropriation in this bill, however, is in excess of the amount needed for these studies. Therefore, I am reducing the appropriation contained in this bill by \$150,000 to reflect the actual amount needed to conduct the studies of teacher and administrator training requirements in other states. The revised appropriation shall be \$350,000.

Sincerely,

GRAY DAVIS

Item Veto—Assembly Bill No. 2016

Governor's Office, Sacramento
September 25, 2000

To Members of the California State Assembly:

On this date I have signed Assembly Bill No. 2016 with a reduction.

This bill would appropriate funding to the Humboldt Bay Harbor district to be used for navigation improvement and safety projects. Normally I oppose such local expenditures, however, the northern region of the state is experiencing unique economic difficulties. This bill would provide one-time economic relief for one of the major regions of the state with an economy that is not thriving. Therefore, I am signing this measure and reducing the appropriation to \$580,000.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 27th day of September 2000 at 11:11 a.m., of the Governor's statement of the items of appropriation reduced from Assembly Bills Nos. 877 and 2016 delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Item Veto—Assembly Bill No. 886

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

On this date I have signed Assembly Bill No. 886 with a reduction.

This bill would appropriate \$600,000 to fund reading training programs: \$500,000 for the Oakland Unified School District and \$100,000 for the Lakeside Union Elementary School District.

However, there are three school districts in California with the name "Lakeside Union Elementary School District," and it is unclear which of these districts would receive the funding. I am therefore deleting the \$100,000 appropriation from the bill.

Sincerely,

GRAY DAVIS

Item Veto—Assembly Bill No. 2337

Governor's Office, Sacramento
September 26, 2000

To Members of the California State Assembly:

On this date I have signed Assembly Bill 2337 with a deletion.

This bill would appropriate \$5,407,000 Proposition 98 General Fund to the Board of Governors of the California Community Colleges for Apprenticeship programs and to augment the Part-Time Faculty Office Hours Program.

However, I am deleting the augmentation of \$2.1 million for the Part-Time Faculty Office Hours Program. As indicated in the Budget Act, I am not supportive of the reduced local match requirement contained in Chapter 71, Statutes of 2000. I am willing to consider additional funding for this program only if the matching requirement is restored to a 1:1 ratio.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 27th day of September 2000 at 11:14 a.m., of the Governor's statement of the items of appropriation reduced or eliminated from Assembly Bills Nos. 886 and 2337 delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Item Veto—Assembly Bill No. 2036

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am signing Assembly Bill No. 2036. However, I am deleting the \$1 million General Fund appropriation to the State Department of Education to administer the grant program proposed by this bill.

This bill would establish a grant program, to be administered by the Superintendent of Public Instruction, that would provide training to school administrators to assist them in evaluating the performance of certificated school employees.

The cost of the grant program was not included in the 2000 Budget Act. I will consider an appropriation to fund the grant program among competing priorities during the annual budget process.

Sincerely,

GRAY DAVIS

Item Veto—Assembly Bill No. 2491

Governor's Office, Sacramento
September 29, 2000

To Members of the California Assembly:

I am reducing the appropriation from the Restitution Fund in Section 13 of Assembly Bill No. 2491 from \$2.45 million to \$1 million to the California Victim Compensation and Government Claims Board, formerly known as the Board of Control, to enter into an interagency agreement with the University of California, San Francisco, to establish a victims recovery center at San Francisco General Hospital. This will allow for an evaluation of the victims recovery center prior to the provision of additional resources to fully fund this four year pilot project.

I am very supportive of the expansion of benefits to victims of crime pursuant to the remaining provisions of this bill. This bill will provide approximately \$9 million of payments to victims on an annual basis.

Sincerely,

GRAY DAVIS

Item Veto—Assembly Bill No. 2514

Governor's Office, Sacramento
September 30, 2000

To Members of the California State Assembly:

I have signed Assembly Bill 2514 with a reduction.

This bill would create a \$10 million account administered by the Department of Food and Agriculture to provide incentives for businesses that use rice straw for agricultural biomass projects. I have reduced the appropriation from \$10 million to \$2 million.

This measure will help California utilize agricultural biomass as a means of avoiding landfill use, preventing air pollution, and enhancing environmental quality. It will help to create hundreds of direct and indirect jobs in Northern California communities with historically high levels of unemployment. AB 2514 will foster alternative uses for rice straw and create new markets for recycled rice straw products.

Sincerely,

GRAY DAVIS

Item Veto—Assembly Bill No. 2907

Governor's Office, Sacramento
September 30, 2000

To Members of the California State Assembly:

I am signing Assembly Bill 2907. However, I am reducing certain specified appropriations to maintain my actions taken regarding SB 1667 (Chapter 71/2000), and because I have specific concerns with the additional project proposed to be added pursuant to paragraph 56 of subdivision (a). The language below conforms to my action regarding SB 1667, and also makes this additional reduction:

I am reducing the appropriation made by Section 42 of Chapter 71 of the Statutes of 2000, as proposed to be amended by this Section 129 of this bill, from \$33,352,000 to \$15,761,000. The specific reductions are as follows:

I am reducing the appropriation in Section 42 by eliminating paragraph (6) of subdivision (a), which allocates \$300,000 to the San Francisco Unified School District for expansion of arts education in grades K–5. Grants for this purpose are available on a competitive basis through the Department of Education, and I am therefore deleting this appropriation to fund higher competing priorities.

I am reducing the appropriation in Section 42 by reducing paragraph (7) of subdivision (a) from \$500,000 to \$400,000, to the Culver City Unified School District to repair the track at Culver City High School, in order to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (8) of subdivision (a), which allocates \$10,000 to the Los Angeles Unified School District for a school-based/school-linked health program at the Maclay Middle School. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (9) of subdivision (a), which allocates \$10,000 to the Los Angeles Unified School District for a school-based/school-linked health program at the Pacoima Middle School. I am reducing this appropriation in order to fund competing higher priorities. I am reducing the appropriation in Section 42 by eliminating paragraph (11) of subdivision (a), which allocates \$20,000 to the Manhattan Beach Unified School District for the purchase of equipment for teaching aids to reduce diversity intensity and increase cultural awareness at Mira Costa High School, to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (15) of subdivision (a), which allocates \$100,000 to Ligget Elementary for establishment of a Parent Education Center. Grants are already available for this purpose through the Department of Education, pursuant to the Parental Involvement Program established pursuant to Chapter 734 of the Statutes of 1999. Additional, support for this purpose should be provided from local resources.

I am reducing the appropriation in Section 42 by eliminating paragraph (18) of subdivision (a), which allocates \$200,000 to the Sunnyvale Elementary School District for Project H.E.L.P. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (19) of subdivision (a), which allocates \$250,000 to the Lamont Elementary School District for portable classrooms. Funding for this purpose should be sought through the State Allocation Board process.

I am reducing the appropriation in Section 42 by eliminating paragraph (22) of subdivision (a), which allocates \$450,000 to the Los Angeles Unified School District for the San Fernando High School Health Clinic. I am reducing this appropriation in order to fund competing higher priorities.

I am sustaining the appropriation of \$500,000 in paragraph (23) of subdivision (a) of Section 42 for the Baldwin Park Unified School District's Drama, Reading, English, and Mathematics (DREAM)

project, on a one-time basis only, thus any future support for this project should be provided from local resources.

I am reducing the appropriation in Section 42 by reducing paragraph (24) of subdivision (a) from \$500,000 to \$200,000, to the Montebello Unified School District for natural gas powered delivery trucks, in order to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (25) of subdivision (a), which allocates \$150,000 to the Elk Grove Unified School District for a Japanese language academy. I am deleting this appropriation to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (26) of subdivision (a), which allocates \$500,000 to the Oakland Unified School District for a reading training program. The Budget Bill already includes significant funding for reading staff development, reading programs, and remedial instruction in reading, and I am therefore unable to support this request.

I am reducing the appropriation in Section 42 by reducing the amount in paragraph (27) of subdivision (a), from \$350,000 to \$200,000 for allocation to the Burbank Unified School District to continue a literacy program on a one-time basis only, thus any future support for this project should be provided from local resources.

I am sustaining the appropriation of \$300,000 in paragraph (28) of subdivision (a) of Section 42 for the Temple City Unified School District's Arts Academy, on a one-time basis only, future support for this project should be provided from local resources.

I am reducing the appropriation in Section 42 by eliminating paragraph (29) of subdivision (a), which allocates \$400,000 to the Alum Rock Union Elementary School District for a mathematics/science center that would provide training and science/mathematics supplies to teachers. The 2000-01 Budget already contains \$246 million for the Staff Development Day Buy-Out program and \$108 million for a variety of Professional Development Institutes, including institutes in elementary mathematics and algebra, to help improve teacher's skills and expertise in classroom instruction.

I am reducing the appropriation in Section 42 by eliminating paragraph (30) of subdivision (a), which allocates \$50,000 to the Santa Monica Malibu Unified School District for an after school youth program at Malibu High School. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (32) of subdivision (a), which allocates \$200,000 to the Tahoe-Truckee Unified School District for the North Tahoe Youth Center. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (34) of subdivision (a), which allocates \$675,000 to the Los Alamitos Unified School District for reimbursement for class size reduction costs. Funding for this purpose should be sought through the class size reduction facilities program.

I am reducing the appropriation in Section 42 by reducing the amount in paragraph (35) of subdivision (a), from \$10,000,000 to \$5,000,000 for allocation to the Alvord Unified School District for construction costs associated with the Center for Primary Education. The balance of

funding required for this project should be sought through the School Facilities Program or from local resources.

I am reducing the appropriation in Section 42 by eliminating paragraph (36) of subdivision (a), which allocates \$900,000 to the Riverside County Office of Education for the purpose of screening and diagnosing pupils for Scotopic Sensitivity Syndrome, to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (37) of subdivision (a), which allocates \$500,000 to the Saugus Union Elementary School District for costs associated with testing air quality in portable classrooms. As indoor air quality in portable classrooms is an important issue, the Budget provides \$1 million to the Air Resources Board and the State Department of Health Services for purposes of conducting a comprehensive study and review of the environmental health conditions, including air quality, in portable classrooms.

I am reducing the appropriation in Section 42 by eliminating paragraph (38) of subdivision (a), which allocates \$275,000 to the Inyo County Office of Education for facilities costs. Funding for this project may be available through the School Facilities Program.

I am reducing the appropriation in Section 42 by eliminating paragraph (39) of subdivision (a), which allocates \$500,000 to the Calaveras Unified School District for swimming pool renovations, in order to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (40) of subdivision (a), which allocates \$27,000 to the Alta-Dutch Flat Union Elementary School District for Afternoon Transportation Services, in order to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (43) of subdivision (a), which allocates \$469,000 to the Mariposa Unified School District for declining ADA. As current law provides sufficient provisions to cushion the loss of ADA for school districts, I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by reducing the amount in paragraph (44) of subdivision (a), from \$568,000 to \$285,000 for the Chatom Union Elementary School District. The original augmentation included funding for declining ADA and for the purchase of school buses. As current law provides sufficient provisions to cushion the loss of ADA for school districts, I am reducing this appropriation maintaining only the funding for the purchase of school buses. I am reducing the appropriation in Section 42 by eliminating paragraph (45) of subdivision (a), which allocates \$3,700,000 to the Clovis Unified School District from the Central Valley Applied Agriculture and Technology Center. I am deleting this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (47) of subdivision (a), which allocates \$112,000 to the Alameda County Office of Education for the Smart Kids, Safe Kids program. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (52) of subdivision (a), which allocates \$160,000 to the Soledad Enrichment Charter School for Operation Y.E.S. I am reducing this appropriation in order to fund competing higher priorities.

I am reducing the appropriation in Section 42 by reducing the amount in paragraph (55) of subdivision (a), from \$5,000,000 to \$3,700,000 for the Clovis and Fresno Unified School Districts for the Center for Advanced Research and Technology. I am reducing this appropriation to fund higher competing priorities.

I am reducing the appropriation in Section 42 by eliminating paragraph (56) of subdivision (a), which allocates \$500,000 to the Los Angeles Unified School District for the renovation of the San Fernando Middle School auditorium. I am reducing this appropriation because available information indicates the bill incorrectly identifies the intended recipient of these funds. Resources for this purpose should be provided on a priority basis by the appropriate local entities.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 30th day of September 2000 at 11:10 p.m., of the Governor's statement of the items of appropriation reduced or eliminated from Assembly Bills Nos. 2036, 2491, 2514, and 2907 delivered to me personally by Mary Ann McMullin.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Governor's Office, Sacramento
September 2, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2827, which appropriates \$500,000 from the General Fund to establish the Jobs for California Graduates Program to assist at-risk youth in enrolling in postsecondary education or successfully transitioning into the workforce.

Notwithstanding the bill's stated intent that annual Budget Acts include funding for this program in future years, I intend to consider future funding in the annual budget process, based on the availability of funds.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 2, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2306, which will require state departments to complete additional surveys, reports, and plans regarding housing and health care for farmworkers and create a new farmworker family wellness program.

This year I signed a state budget authorizing \$46.5 million for development of farmworker housing (including \$5 million for the Joe Serna, Jr. Farmworker Family Wellness Program established by this

bill), and over \$7 million each for farmworker health programs and the renovation and operation of migrant housing centers.

I am sympathetic to the special needs of farmworkers and their families. I expect that the additional plans completed pursuant to this bill will identify innovative solutions to leverage the state's funding with other public and private resources, including the efforts of organized labor and the agri-business community, to address the identified needs of farmworkers and their families.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 6, 2000

To the Members of the California State Assembly:

Today I have signed Assembly Bill 970, which will help expedite the approval of new powerplants, reduce demand for electricity, and improve the electrical transmission and distribution system.

This bill is an important step in developing the means to ensure adequate supplies of energy in the future for all Californians.

The bill also authorizes the Energy Resources Conservation and Development Commission to spend up to 3 percent of the funds for program administration. It is my intent that the Director of Finance approve a plan for the use of any of the funds for administration prior to expenditure, and that the plan include only those expenditures absolutely essential to administer the grant funds.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 7, 2000

To the Members of the Assembly:

I am signing Assembly Bill No. 48, which expands the definition of cancer to include various nonmalignant brain and central nervous system tumors not currently tracked by the California Cancer Registry (Registry). In addition, the bill would rename the Registry as the Ken Maddy California Cancer Registry. This measure, in conjunction with the \$3.5 million Proposition 99 augmentation provided in the Budget Act of 2000, will allow the Registry to provide vital data that is used in the prevention and treatment of cancer. Any additional administrative costs incurred by the Department of Health Services, as a result of this bill, should be absorbed from within existing resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 7, 2000

To the Members of the Assembly:

I am signing Assembly Bill No. 615, which would establish a five year Pilot Project for Categorical Education Program Flexibility. This program would allow up to 75 school districts to consolidate state categorical funding into local block grants for school improvement and

staff development, alternative education and compensatory services, and school district improvement.

Notwithstanding the provisions of this bill, it is my hope that the focus of the funding is on improved student achievement.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 8, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2045, which requires the State Department of Boating and Waterways to approve boating safety courses and to develop a voluntary personal watercraft education course, which shall be made available on the Department's website. The bill further requires that a person who is convicted of one moving violation while operating a boat complete and pass a boating safety course.

U.S. Coast Guard data show that personal watercrafts are involved in a disproportionately high number of boating accidents in California. National Transportation Safety Board data show that a large portion of individuals involved in fatal boating accidents were operating vessels in an unsafe manner.

While I continue to oppose a general requirement that all persons operating a boat take a mandatory course, I feel that this measure contains reasonable requirements that will promote boating safety. The bill does not require that a course be taken unless a moving violation occurs while operating a boat, in which case a person would be required to take an approved course.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 8, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2283, which requires the California Air Resources Board to appoint an advisory committee to assist in preparing a report to the Legislature by 2002 on emission controls for seasonal pollution sources in the San Joaquin Valley.

I am directing the Board to implement the provisions of the bill using existing staff resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 8, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2538, which requires that any person who is being towed behind a vessel, who is using a personal watercraft, or who is 11 years of age or younger and who is on a boat to wear a U.S. Coast Guard-approved life jacket.

Statistics show that if a person involved in these activities is not wearing a life jacket and is involved in an injury accident, his or her chances for survival are drastically reduced. Generally, 85% of all

boating fatalities could have been prevented if the person had been wearing a life jacket. In addition, studies have shown that children under age 12 do not have the maturity to act appropriately in emergency situations; therefore, raising the age limit requirement from 6 to 11 years is warranted.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 12, 2000

To the Members of the Assembly:

I am signing AB 1753, which would establish additional training and disclosure requirements for residential care facilities for the elderly that "promote or advertise" special care, special programming or special environments for persons with dementia. The Department of Social Services will implement this bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 15, 2000

To the Members of the Assembly:

I am signing Assembly Bill No. 1123, which establishes the California Distance Learning Policy and requires the California Postsecondary Education Commission to convene an intersegmental working group to determine state funding priorities for this policy that are consistent with the institutional missions of the systems of higher education.

I am signing the bill, however, with the understanding that the recommendations of the intersegmental working group are to be considered suggested programmatic priorities for the use of distance learning technology, and that any funding decisions will be made through the annual budget process. Recommendations of a work group should not be interpreted as a constraint on the authority of the Governor and the Legislature to determine funding priorities through this process.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 18, 2000

To the Members of the Assembly:

I am signing AB 1199, which would allow the California Department of Aging (CDA) to reprocure Multipurpose Senior Services Program (MSSP) sites if CDA deems such reprocurement to be in the state's best interest.

The Department of General Services has granted a waiver to CDA since 1994 from the annual MSSP rebidding process which they term as a "costly, complicated and unnecessary formality with mundane and predictable outcomes". Based upon this recommendation and with the

knowledge that the CDA can request a competitive bid whenever they so require, I am signing this bill.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 18, 2000

To the Members of the Assembly:

I am signing AB 2041.

This bill poses a close question. There is legitimate concern that it could result in attempts by some communities to shirk their responsibilities to build low and moderate income housing. However, this bill will expand the overall low and moderate income housing stock in California. On balance, because of the significant shortage of this type of housing, I choose to allow local agencies the use of this tool.

The practical reality of today's expensive real estate markets in the state argues for availing ourselves of every opportunity to add as many affordable housing units as possible to our inventory.

One of the main purposes of the community redevelopment law is to expand the number of low and moderate housing units in California. This bill enhances the ability of local jurisdictions to meet that goal by allowing them to pool low and moderate income housing funds through the use of joint powers of authorities with contiguous agencies located within adjoining cities.

Many jurisdictions have small amounts of low and moderate income housing funds. By pooling their funds, they might be able to build housing that otherwise would not be built. In fact, of the \$1.3 billion of low income housing money set aside statewide as required by law, over \$580 million is unspent and unencumbered. Agencies have been slow to actually build this much needed housing. Pooling can provide flexibility to get housing built.

There are also some safeguards in the bill: the jurisdictions must be contiguous, the Department of Housing and Community Development is required to evaluate and approve each proposed use of pooled funds, and the law sunsets in 2010.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 22, 2000

To the Members of the Assembly:

I am signing AB 1599, which will allow the Department of Industrial Relations (DIR) to create a statewide young worker health and safety resource network and would allow DIR to enter into a contractual or interagency agreement for costs associated with legal services to enforce Cal-OSHA sections of the law.

I am directing the Department of Industrial Relations to implement this bill within the existing 2000-01 Governor's State Budget.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 23, 2000

To the Members of the Assembly:

I am signing AB 1784 even though it cannot become law because its enactment is contingent upon enactment of AB 2412, which I vetoed. This bill adds a three-year moratorium on Internet access taxes which will both prevent a patchwork of local Internet access taxes in this state and send an important signal to the federal government as it negotiates legislation to extend the Federal Internet Tax Freedom Act.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 24, 2000

To the Members of the Assembly:

I am signing AB 1961.

This bill clarifies the definition of machinegun by conforming State law to Federal law. Accordingly, this bill is not inconsistent with the Administration's moratorium on significant firearm legislation.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 24, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2425.

I fully support increased penalties for stalking. What, if any, changes should be made in current parole policies, will be the subject of debate in next year's budget process.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 24, 2000

To the Members of the Assembly:

I am signing AB 2663, which states legislative intent that sustainable agricultural programs at the University of California be adequately funded and incorporated into appropriate State of California programs to ensure that farmers and ranchers will have access to that information.

The University of California already directs substantial state funds for research into agricultural sustainability and the timely dissemination of this valuable information to growers across the state. In addition, the state investments leverage millions of dollars from federal and private sources for research by University scientists into sustainable agricultural practices and the reduction of pesticide and chemical use.

I would like to make it clear that any future increases in state funding for research by the University of California into agricultural sustainability should be considered only as a part of the normal budget process and will be contingent upon the availability of state funds.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 25, 2000

To the Members of the Assembly:

I am signing AB 1032, which allows federally recognized California American Indian tribal governments to pay subscriber contributions on behalf of a member of a tribe for the Major Risk Medical Insurance Program and the Access for Infants and Mothers program.

I am directing the Managed Risk Medical Insurance Board to implement this bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 25, 2000

To the Members of the Assembly:

I am signing Assembly Bill 1807, which amends the California Environmental Quality Act (CEQA) to require a lead agency, which determines that an Environmental Impact Report (EIR) is required, to also send notice to the Office of Planning and Research (OPR). The bill would also require transportation information resulting from a reporting or monitoring program, currently submitted to a regional transportation planning agency, to also be submitted to the Department of Transportation (Caltrans).

In signing this measure, I am also directing OPR and Caltrans to implement the bill using existing staff resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 25, 2000

To the Members of the Assembly:

I am signing Assembly Bill 1948, which requires the Secretary of Resources to compile a report detailing major funding sources made available for watershed projects within the State since 1995. The report will include information on funding, performance measures, and management and administration of funds.

In signing this measure, I am directing the Resources Agency to implement the provisions of the bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 25, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2317, which creates the California Border Environmental and Public Health Protection Fund, administered by the Secretary of the California Environmental Protection Agency, to assist local governments in the implementation of projects to identify and address environmental and health threats due to the transmission of pollutants and toxins across the California-Mexico Border.

In the Budget Act of 2000, I approved \$2.7 million for efforts to assess and correct border pollution problems. I am not yet persuaded

that additional state funds are needed at this time. However, I would be open to redirecting existing monies to this new Fund, and would encourage securing federal, private and other funds for this program.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 26, 2000

To Members of the California Assembly:

I am signing Assembly Bill 1608.

The author has fully complied with the intent of my veto message last year. Accordingly, I am signing this bill.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 26, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2307, which expands specified community colleges' foster care education programs to provide relative caregivers with specialized information on support services and caregiver responsibilities. My signing is with the understanding from the Chancellor's Office that the costs of the measure will be fully funded by the additional augmentation of \$6.6 million provided in the Budget Act of 2000 for foster care training.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 28, 2000

To the Members of the Assembly:

I am signing Assembly Bill 1703, which would extend the sunset date of the California High-Speed Rail Authority.

This bill would allow for the reconstituting of the Authority's membership by providing discretion to the Governor, as well as the other appointing powers, to either replace or reappoint existing members. This provision will bring more accountability to the state agency that will be responsible for implementing a statewide high-speed train network in California. I believe it is critical that the Authority balance the extraordinary cost of this system with the long-term commitment of the State to fund other vital transportation projects.

I will seek legislation next session that will authorize the Governor to appoint the Secretary for the Business, Transportation and Housing Agency and the Director of the State Department of Transportation as voting, ex-officio members of the Authority.

Extending the sunset date of the Authority will provide the necessary continuity and resources to complete the first phase of the statewide program environmental impact report that will study high-speed train technology alternatives. The state budget includes \$5 million for this purpose.

AB 1703 would restore Caltrans' responsibility for overseeing the operation of intercity rail passenger trains with speeds up to 125 miles

per hour. This provision will allow Caltrans to pursue capital and operational improvements to state-funded intercity rail passenger service that allow these trains to achieve higher speeds, thereby increasing frequency and ridership.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 28, 2000

To Members of the California Assembly:

I am signing Assembly Bill 1873 but with a reduction in the appropriation from \$5 million General Fund to \$2 million General Fund.

This bill would appropriate \$5 million from the General Fund to award local School-to-Career partnerships through a competitive grant process.

This program, while meritorious, should appropriately be shouldered by the non-profit and private sectors. I expect the non-profit and private sectors to exceed this amount in matching funds between now and June 30, 2001. If they do not, I will not continue allocating funds toward this program.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 28, 2000

To the Members of the Assembly:

I am signing Assembly Bill 2599.

This bill would require the Department of Health Services to conduct a Cervical Cancer Awareness Campaign to (1) provide awareness, assistance and information regarding cervical cancer, (2) to promote the availability of preventive treatment for cervical cancer, (3) perform other activities related to cervical cancer.

Cancer of the cervix is almost entirely preventable and nearly all of the estimated 490 deaths in California from cervical cancer during 2000 could have been avoided if the cancer had been detected early when treatment was relatively simple. A successful outreach campaign should reduce the number of preventable deaths due to this disease. This bill would restrict implementation of the campaign to the appropriation of funds in the annual Budget and this program should compete with other priorities during the annual budget process next year.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 28, 2000

To the Members of the California Assembly:

I am signing Assembly Bill 522 which provides technical clarifications to the Administration's recently adopted Natural Heritage Preservation Tax Credit administered by the Wildlife Conservation Board. Additionally, this bill requires entities that have accepted property to minimize the impacts of public access on neighboring

agriculture or timber operations. The bill also would allow a city or county to submit a request to the Department of Finance to deny acceptance of a proposed property.

Although I am signing this measure, I do not agree with the provision in the bill that places the Department of Finance in the role of denying a proposed project. The Department of Finance already serves as one of the three voting members on the Wildlife Conservation Board; therefore, this would be an inappropriate and duplicate role. The Wildlife Conservation Board customarily seeks local input and considers all issues pertaining to an acquisition prior to making a decision.

In signing this measure, I am directing the Resources Agency to prepare legislation to correct this problem.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 28, 2000

To Members of the Senate and the Assembly:

I am signing Senate Bill 28 and Assembly Bill 1094.

Senate Bill 28 implements a "modified" closed primary system that permits voters not affiliated with a political party to participate in a primary election if authorized by that party's rules. Assembly Bill 1094 allows persons to register to vote 15 days prior to an election instead of the 29 days currently required.

Like the voters of California who have twice expressed their opinion at the ballot box, I support allowing all registered voters, regardless of their party affiliation, to join in primary elections. I believe wider choice for voters leads to greater participation in elections and results in greater moral authority for the election process. That's why I sponsored this bill.

I opposed both the Democratic and Republican parties before the United States Supreme Court on this issue and believe the Court made a mistake in overturning California's law. While this bill will not fully reinstate the open primary, it will ensure broader participation in primary elections than voters would otherwise enjoy. I'm pleased that the League of Women Voters, California Common Cause, Rock the Vote and CalPIRG all were strong supporters of this measure.

I am not unmindful of the concerns expressed by many of the officials who will have to implement Assembly Bill 1094, the 15-day registration provision that the Legislature joined with this the open primary bill. I, too, am concerned that the measure will strain the election systems in many counties. But if this bill likewise opens elections to more participants, then its strengths outweigh its potential weaknesses.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To the Members of the California Legislature:

I am signing AB 2544, which would modify the membership and voting requirements of the San Gabriel Valley Water Authority and make various other changes affecting the Authority.

This measure will ensure that the residents of San Gabriel Valley have a safe, reliable water supply at the least possible cost. I am directing the State Water Resources Control Board to implement AB 2544 within existing resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To the Members of the California Assembly:

I am signing Assembly Bill No. 2463.

This bill would permit state annuitants and their survivors and beneficiaries to enroll in health benefit coverage provided by the Public Employees' Medical and Hospital Care Act at the time of retirement or during any open enrollment period. It would also permit survivors and beneficiaries of eligible annuitants to enroll in health benefit coverage within 60 days of the annuitant's death or any open enrollment period, and would establish a new local agency contract option to permit coverage of family members who were eligible for dependent coverage upon the employee's death.

Unlike last year, CalPERS now has a reliable estimate as to the range of costs for this legislation. These costs are relatively modest.

Moreover, I am urging the administration of CalPERS to require documentation of eligibility for this new benefit.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To the Members of the California Legislature:

I am signing Assembly Bill 994, which requires the Public Utilities Commission (PUC) to draft consumer protection rules to discourage companies from placing unauthorized charges on consumers' telephone bills; extends the statutory surcharge authority for the California High Cost Fund program from January 1, 2001, until January 1, 2005; and requires the PUC, on or before January 1, 2002, to report to the Governor and Legislature regarding the feasibility of establishing rural telephone cooperatives or other alternative service configurations to promote rural telephone service.

AB 994 provides a myriad of benefits to telecommunications consumers throughout California. It continues an existing program that ensures basic telephone rates in rural and high-cost areas of the state are kept at an affordable level. It ensures that telecommunications consumers have protections in place to prevent unscrupulous companies from placing unauthorized charges on their telephone bills, and it requires the PUC to investigate the feasibility of several options of bringing telephone service to unserved, rural areas of the state. This measure will ensure Californians will have access to basic telephone service and protect them from fraudulent charges.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To the Members of the California Assembly:

I am signing Assembly Bill 1002.

This bill is a basic tax equity measure. AB1002 has the effect of reducing public purpose natural gas surcharges for more than eleven million California customers, producing, on average, a \$5 reduction annual in their natural gas bills.

This measure will end the free ride for twelve large companies who purchase natural gas from interstate pipelines, companies who have previously made no contribution to these public purpose programs. This bill requires these large companies to now pay their fair share.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To the Members of the California Assembly:

I am signing Assembly Bill 1233, a bill that would allow implementation of the CalWORKs wage-based community service program.

California is on the right path in promoting work over welfare and providing recipients with the educational and job skills necessary to become independent, productive citizens. This bill furthers those goals by allowing parents to meet their 32 hour per week work requirement by applying their cash grant toward a wage-based job in the public or private non-profit sector.

Other states and cities that have operated wage-based community service programs have shown remarkable success in moving individuals once considered to be unemployable into unsubsidized, steady employment.

Wage-based community service jobs allow welfare recipients to participate in their own transition from welfare to work. It provides job training and skills development in a genuine work environment. These are real jobs with a real paycheck and real responsibility. Participants have to show up for work on time and pay taxes on their paycheck just like everyone else. In fact, CalWORKs recipients who choose to participate in this welfare-to-work program voluntarily accept less money than their cash grant would provide because of the taxes deducted from their paycheck.

California taxpayers will benefit from the success of this program in reduced welfare costs and a stronger economy, but the real benefit will be to the individuals who gain the skills and confidence they need to become self-sufficient, productive members of society.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To Members of the California Legislature:

I am signing Assembly Bill 2076. I am not convinced that California has the capability of creating its own strategic fuel reserve given our

refinery capacity limitations. However, I do not want to preclude any creative suggestions that may come out of this study to enhance our current gas supply.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To the Members of the California Legislature:

I am signing Assembly Bill 2433 because protection of children is my first goal and I believe this bill addresses some technical problems in California law that have created undue delays and hardships for some adoptive parents.

However, one of the provisions of the bill could be construed to allow individuals to bring children into this country through independent adoptions without complying with the existing intercountry adoption process. The United States is currently reviewing the adoption of the Hague Convention on Intercountry Adoptions that would establish uniform standards and procedures governing international adoptions. If this treaty is adopted by the United States, I am directing the Department of Social Services to work the Legislature to align our laws with the treaty.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To the Members of the Assembly:

I am signing AB 2688, which authorizes the Secretary of the State Department of Food and Agriculture, in consultation with the State Department of General Services, to develop alternative expenditure reporting procedures than those required in the State Administrative Manual (SAM) for district agricultural associations and county and citrus fairs with annual reportable expenditures of not more than \$1 million.

I am signing the bill, with the understanding that any and all costs associated with the development of this new reporting procedure shall be absorbed by the Department(s) within existing resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 29, 2000

To the Members of the California Assembly:

I am signing Assembly Bill No. 2794, which would reauthorize the Economic Development Program of the California Community Colleges (CCC) until January 1, 2003, shift language from the Government Code to Education Code, and make numerous revisions, both technical and substantive to the mission, operation, clientele, and reporting of the program.

I am supportive of the Economic Development Program, as demonstrated by the \$11 million augmentation provided in the

Budget Act of 2000. I also believe that it is important to expand this program's mission to include industry sectors such as information technology and e-trade/e-commerce as strategic priority areas, as well as the proposed expansion of the Job Incentive Training Program to include more categories of participants.

It is my intent in signing this measure that the Chancellor's Office of the California Community College accomplish its objectives within existing resources, and coordinate its activities closely with the Trade and Commerce Agency's Economic Development Division.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 30, 2000

To the Members of the California Legislature:

I am signing Assembly Bill 505, which enacts the Small Business Regulatory Reform Act of 2000.

The vast majority of businesses in California are small businesses that have been and will continue to be critical to the State's dynamic economy. This bill will help grow this vital part of California's economy by streamlining regulations that are unreasonably burdensome and by requiring state agencies, in concert with the Office of the Small Business Advocate, to be readily responsive to small business concerns.

Given that numerous state agencies exist in good part to help facilitate business in California, I am directing that the provisions in this bill be implemented by the affected state agencies and departments by redirecting existing resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 30, 2000

To the Members of the Senate and Assembly:

I am signing Senate Bill 1194 and Assembly Bill 995 into law.

These measures enact the Reliable Electric Service Investments Act, which ensures that electricity customers will continue to receive safe, affordable, and reliable electric service through cost-effective investments in the electrical distribution system. The bills also extend until January 1, 2012, the system benefits component of electric utility bills to fund cost-effective energy efficiency, renewable energy, and research and development to improve system reliability.

These bills cap the amount currently paid by electric customers for these programs. The bills further ensure that those costs will be reduced as electricity demand grows in the future.

These measures will assist in addressing the current electricity problems California faces. According to reviews conducted by the Public Utilities Commission, the Energy Commission and the Rand Corporation, these measures will help preserve the existing 4,000 megawatts of renewable energy sources supported by the program and has the potential to provide an additional 500 megawatts per year in clean renewable electricity generation.

With growing uncertainty over fossil fuel prices and continued instability in the wholesale energy markets, the continuation of these

measures are necessary to ensure the reliability of California's electricity system at reasonable prices.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 30, 2000

To the Members of the Assembly:

I am signing Assembly Bill 1416.

This legislation will extend a moratorium on the licensing of any new card clubs in California through January 1, 2007, and will enhance the Department of Justice's ability to regulate licensed card rooms and so-called "proposition players".

Without this legislation the existing moratorium on licensing of new card clubs would expire in 49 counties on January 1, 2001, and in all counties on January 1, 2003. This extension will continue the ban on new licenses through January 1, 2007, ensuring that there will be no expansion during that period. According to the Attorney General, without such a moratorium, "The result would almost certainly be a significant expansion of gambling throughout our state beginning early next year."

The legislation also provides additional enforcement authority for the Department of Justice Division of Gambling Control by specifically authorizing background investigation and licensure of proposition players.

Finally, the bill clarifies the statutory definition of what is known as a "banking game" in order to strengthen the prohibition against such games. However, the bill includes language that may be inconsistent with authoritative decisional law and, according to the Attorney General, will require further clean-up legislation to ensure it cannot be interpreted incorrectly. I have been assured by the author of this bill that such clean-up legislation will be introduced early in the next session.

Sincerely,

GRAY DAVIS

MESSAGES FROM THE ACTING GOVERNOR

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

PROCLAMATION***Proclaiming September 20, 2000 as
Census Appreciation Day***

WHEREAS, The United States Department of Commerce issued the final 2000 Census response rates yesterday, announcing that California achieved a 70% response rate—three points higher than the national average; and

WHEREAS, California led the nation in reversing the decades-long decrease in returning Census forms, becoming one of only five states in the nation to meet the Census Bureau's "90 plus 5" challenge issued to governmental units across the country to increase their 1990 Census response rates by at least five percentage points; and

WHEREAS, Out of America's 15 most populous cities, the three cities with the highest response rates were all in California—San Jose (74%), San Diego (73%) and San Francisco (68%); and

WHEREAS, Five of the 10 cities with the greatest change in response rates between 1990 and 2000 are California cities, including Santa Ana (+14%), Anaheim (+11%), Oakland (+8%), Riverside (+8%), and Huntington Beach (+7%); and

WHEREAS, Through the Complete Count Campaign, California spent an unprecedented \$24.7 million to ensure that every community in the state was aware of and participated in the Census; and

WHEREAS, Thousands of individuals, community-based organizations, schools and churches tirelessly worked with the Complete Count Committee and the United States Census Bureau to successfully reach out to the communities that are most difficult to count; and

WHEREAS, California's united efforts and commitment to achieving full Census participation can now serve as a model for future Census counts; now, therefore be it

RESOLVED, That I, Cruz M. Bustamante, Acting Governor of the State of California, do hereby declare Wednesday, September 20, 2000 as Census Appreciation Day in the State of California, and urge all Californians to join me in recognizing the accomplishments of the entire state for participating so successfully in Census 2000 efforts.

IN WITNESS WHEREOF, I hereunto set my hand and have caused the Great Seal of the State of California to be affixed this Twentieth Day of September of the Year Two Thousand.

CRUZ M. BUSTAMANTE, Acting Governor

[SEAL]

ATTEST:

BILL JONES, Secretary of State

Oct. 2, 2000

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ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

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