

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 13

INTERIM STUDY RECESS

Assembly Chamber, Sacramento
Sunday, October 9, 2011

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2011–12 Regular Session was printed while the Assembly was in Interim Study Recess.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

September 26, 2011

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

RE: Appointment of Deborah Doty to California Earthquake Insurance Authority Governing Board and Advisory Panel

Dear Mr. Wilson: Please be advised I have appointed Ms. Deborah Doty to the California Earthquake Insurance Authority Governing Board and Advisory Panel. This is a pleasure appointment starting September 26, 2011. Ms. Doty will be replacing Pedro Reyes.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Accountability and Administrative Review, on Tuesday, September 27, 2011, in Room 444.

Business, Professions and Consumer Protection, to convene jointly with the Select Committee on Community Colleges, on Tuesday, September 27, 2011, at 10 a.m., in Room 447.

Public Safety, on Tuesday, September 27, 2011, at 10 a.m., in Room 126.

Water, Parks and Wildlife, on Tuesday, October 11, 2011, at 9 a.m., in Room 437.

Select Committee on Revitalization of the Los Angeles River and Pacoima Wash, on Wednesday, October 12, 2011, at 1 p.m., at CBS Studio Center, Studio City.

Select Committee on Job Creation for the New Economy, on Monday, October 17, 2011, at 9 a.m., at California State University, Los Angeles.

Jobs, Economic Development, and the Economy, on Tuesday, October 18, 2011, at 1 p.m., at Calexico City Hall.

Budget Subcommittee No. 3 on Resources and Transportation, on Tuesday, October 18, 2011, at 10 a.m., in Room 437.

Budget Subcommittee No. 3 on Resources and Transportation, to convene jointly with the Committee on Water, Parks and Wildlife, on Wednesday, October 19, 2011, at 9 a.m., in Room 437.

Arts, Entertainment, Sports, Tourism, and Internet Media, on Wednesday, October 19, 2011, at 10 a.m., at the Directors of America's National Headquarters in Los Angeles.

Joint Legislative Committee on Emergency Management, to convene jointly with the Select Committee on Regional Approaches to Addressing the State's Water Crisis, on Wednesday, October 19, 2011, at 2 p.m., at the Metropolitan Water District of Southern California, Los Angeles.

Select Committee on Domestic Violence, on Thursday, October 20, 2011, at 10 a.m., in San Jose.

Select Committee on the Renewable Energy Economy in Rural California, on Monday, October 24, 2011, at 1 p.m., in the City of Fresno Council Chamber.

Utilities and Commerce, to convene jointly with the Joint Legislative Committee on Emergency Management, on Wednesday, October 26, 2011, at 3:30 p.m., at the San Diego County Administration Building.

Select Committee on Domestic Violence, on Thursday, October 27, 2011, at 1 p.m.

Select Committee on San Diego Trade, Tourism, and Job Creation, on Thursday, October 27, 2011, in San Diego.

Water, Parks and Wildlife, on Tuesday, November 1, 2011, at 9 a.m., in Room 437.

Health, on Wednesday, November 9, 2011, at 1:30 p.m., in Room 4202.

Arts, Entertainment, Sports, Tourism, and Internet Media, on Thursday, November 17, 2011, at the Alfred E. Alquist Office Building.

Jobs, Economic Development, and the Economy, on Friday, November 18, 2011, at San Jose City Hall.

Budget Subcommittee No. 3 on Resources and Transportation, on Monday, November 28, 2011, at 1 p.m., at the North Shore Beach Community Center, Mecca.

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2010-121
September 29, 2011

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

Members of the Assembly:

As requested by the Joint Legislative Audit Committee, the California State Auditor presents this audit report concerning the Department of Social Services' (Social Services) administration of the Foster Family Home and Small Family Home Insurance Fund (insurance fund). In September 1986 the Legislature established the insurance fund to pay, on behalf of foster family homes and small family homes (licensed homes), the claims of foster children, their parents, or their guardians stemming from an accident that results in bodily injury or personal injury neither expected nor intended by the foster parent.

This report concludes that almost 90 percent of the foster parents running licensed homes who responded to our survey were unaware of the insurance fund's existence. In addition, approximately a third of these foster parents reported that the possibility of liability claims against them made them less likely to continue as foster parents in the future. Expanding the insurance fund's coverage to homes that are certified by foster family agencies (FFAs), which are organizations that recruit, certify, and train parents who provide foster family homes not licensed by the State, may be costly. If the Legislature desires to expand the insurance fund's coverage to include the FFAs' certified homes, it will have to make statutory amendments to expressly permit the insurance fund to pay claims on behalf of certified homes. Based on our survey results and the insurance fund's claims history, our consultant estimated that expanding the insurance fund's coverage to the FFAs' certified homes could potentially cost the State a minimum of \$967,500 each year. Further, if the Legislature desires to enable the insurance fund to cover legal guardians participating in the Kinship Guardianship Assistance Payment (Kin-GAP) program, it will have to amend the pertinent statutes to expressly provide coverage for these guardians. Due to limitations in obtaining readily available and pertinent data, we were unable to survey the Kin-GAP families and project the financial impact of adding them to the insurance fund.

This report also concludes that Social Services did not ensure that the Department of General Services (General Services), its designated contract agency, approved or rejected claims filed against the insurance fund within the 180-day time frame state law mandates. Social Services also failed to obtain key information from General Services, and as a result, Social Services has been unable to accurately project the insurance fund's budget needs. As of December 31, 2010, the insurance fund had a balance of roughly \$5.4 million, which is significantly higher than the \$1 million amount we estimate it needs to maintain as a reserve. Should the Legislature choose to expand the insurance fund's coverage to include certified homes and Kin-GAP families, Social Services will need to reevaluate this reserve amount.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Human Services.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 13, 2011

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

Assembly Bill No. 6	Assembly Bill No. 468
Assembly Bill No. 28	Assembly Bill No. 486
Assembly Bill No. 129	Assembly Bill No. 512
Assembly Bill No. 131	Assembly Bill No. 514
Assembly Bill No. 267	Assembly Bill No. 529
Assembly Bill No. 300	Assembly Bill No. 574
Assembly Bill No. 353	Assembly Bill No. 597
Assembly Bill No. 450	Assembly Bill No. 684

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2011, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 13, 2011

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

Assembly Bill No. 716	Assembly Bill No. 930
Assembly Bill No. 735	Assembly Bill No. 938
Assembly Bill No. 740	Assembly Bill No. 1055
Assembly Bill No. 751	Assembly Bill No. 1076
Assembly Bill No. 849	Assembly Bill No. 1116
Assembly Bill No. 887	Assembly Bill No. 1143
Assembly Bill No. 905	Assembly Bill No. 1215

And reports the same correctly enrolled, and presented to the Governor on the 13th day of September, 2011, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2011

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

Assembly Bill No. 9	Assembly Bill No. 155
Assembly Bill No. 25	Assembly Bill No. 156
Assembly Bill No. 42	Assembly Bill No. 165
Assembly Bill No. 47	Assembly Bill No. 187
Assembly Bill No. 69	Assembly Bill No. 189
Assembly Bill No. 124	Assembly Bill No. 194
Assembly Bill No. 126	Assembly Bill No. 200
Assembly Bill No. 138	Assembly Bill No. 202

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2011, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2011

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

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 210 | Assembly Bill No. 376 |
| Assembly Bill No. 220 | Assembly Bill No. 387 |
| Assembly Bill No. 250 | Assembly Bill No. 408 |
| Assembly Bill No. 258 | Assembly Bill No. 420 |
| Assembly Bill No. 288 | Assembly Bill No. 501 |
| Assembly Bill No. 301 | Assembly Bill No. 532 |
| Assembly Bill No. 320 | Assembly Bill No. 536 |
| Assembly Bill No. 322 | Assembly Bill No. 584 |

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2011, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 14, 2011

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

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 646 | Assembly Bill No. 678 |
| Assembly Bill No. 650 | Assembly Bill No. 680 |
| Assembly Bill No. 656 | Assembly Bill No. 696 |
| Assembly Bill No. 668 | Assembly Bill No. 700 |
| Assembly Bill No. 673 | |

And reports the same correctly enrolled, and presented to the Governor on the 14th day of September, 2011, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2011

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

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 135 | Assembly Bill No. 1025 |
| Assembly Bill No. 332 | Assembly Bill No. 1041 |
| Assembly Bill No. 359 | Assembly Bill No. 1097 |
| Assembly Bill No. 766 | Assembly Bill No. 1102 |
| Assembly Bill No. 768 | Assembly Bill No. 1114 |
| Assembly Bill No. 973 | Assembly Bill No. 1151 |
| Assembly Bill No. 982 | Assembly Bill No. 1168 |
| Assembly Bill No. 989 | Assembly Bill No. 1194 |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2011, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2011

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1236 | Assembly Bill No. 1369 |
| Assembly Bill No. 1292 | Assembly Bill No. 1382 |
| Assembly Bill No. 1298 | Assembly Bill No. 1394 |
| Assembly Bill No. 1314 | Assembly Bill No. 1416 |
| Assembly Bill No. 1319 | Assembly Bill No. 1429 |
| Assembly Bill No. 1358 | |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2011, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 2011

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

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 212 | Assembly Bill No. 620 |
| Assembly Bill No. 243 | Assembly Bill No. 624 |
| Assembly Bill No. 410 | Assembly Bill No. 651 |
| Assembly Bill No. 431 | Assembly Bill No. 717 |
| Assembly Bill No. 469 | Assembly Bill No. 743 |
| Assembly Bill No. 551 | Assembly Bill No. 790 |
| Assembly Bill No. 563 | Assembly Bill No. 853 |
| Assembly Bill No. 581 | Assembly Bill No. 862 |

And reports the same correctly enrolled, and presented to the Governor on the 19th day of September, 2011, at 1:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 2011

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

Assembly Bill No. 882	Assembly Bill No. 1211
Assembly Bill No. 898	Assembly Bill No. 1221
Assembly Bill No. 901	Assembly Bill No. 1310
Assembly Bill No. 952	Assembly Bill No. 1388
Assembly Bill No. 1016	Assembly Bill No. 1407
Assembly Bill No. 1056	

And reports the same correctly enrolled, and presented to the Governor on the 19th day of September, 2011, at 1:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 20, 2011

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

Assembly Bill No. 29	Assembly Bill No. 622
Assembly Bill No. 239	Assembly Bill No. 628
Assembly Bill No. 291	Assembly Bill No. 634
Assembly Bill No. 306	Assembly Bill No. 664
Assembly Bill No. 341	Assembly Bill No. 712
Assembly Bill No. 509	Assembly Bill No. 767
Assembly Bill No. 565	Assembly Bill No. 894
Assembly Bill No. 592	Assembly Bill No. 900

And reports the same correctly enrolled, and presented to the Governor on the 20th day of September, 2011, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 20, 2011

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

Assembly Bill No. 922	Assembly Bill No. 1150
Assembly Bill No. 1088	Assembly Bill No. 1352

And reports the same correctly enrolled, and presented to the Governor on the 20th day of September, 2011, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 21, 2011

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

Assembly Bill No. 687	Assembly Bill No. 913
Assembly Bill No. 706	Assembly Bill No. 1084
Assembly Bill No. 750	Assembly Bill No. 1136
Assembly Bill No. 873	Assembly Bill No. 1423

And reports the same correctly enrolled, and presented to the Governor on the 21st day of September, 2011, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 21, 2011

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

Assembly Bill No. 54	Assembly Bill No. 186
Assembly Bill No. 65	Assembly Bill No. 221
Assembly Bill No. 86	Assembly Bill No. 228
Assembly Bill No. 89	Assembly Bill No. 319
Assembly Bill No. 144	Assembly Bill No. 358
Assembly Bill No. 152	Assembly Bill No. 366
Assembly Bill No. 180	Assembly Bill No. 585
Assembly Bill No. 183	Assembly Bill No. 641

And reports the same correctly enrolled, and presented to the Governor on the 21st day of September, 2011, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 22, 2011

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1220 | Assembly Bill No. 1389 |
| Assembly Bill No. 1296 | Assembly Bill No. 1398 |
| Assembly Bill No. 1297 | Assembly Bill No. 1403 |
| Assembly Bill No. 1329 | Assembly Bill No. 1414 |
| Assembly Bill No. 1330 | Assembly Bill No. 1420 |
| Assembly Bill No. 1344 | Assembly Bill No. 1425 |
| Assembly Bill No. 1379 | |

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of September, 2011, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 22, 2011

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 947 | Assembly Bill No. 1053 |
| Assembly Bill No. 957 | Assembly Bill No. 1112 |
| Assembly Bill No. 959 | Assembly Bill No. 1122 |
| Assembly Bill No. 981 | Assembly Bill No. 1149 |
| Assembly Bill No. 1021 | Assembly Bill No. 1156 |
| Assembly Bill No. 1024 | Assembly Bill No. 1164 |
| Assembly Bill No. 1028 | Assembly Bill No. 1210 |
| Assembly Bill No. 1034 | Assembly Bill No. 1219 |

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of September, 2011, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 22, 2011

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

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 22 | Assembly Bill No. 418 |
| Assembly Bill No. 74 | Assembly Bill No. 438 |
| Assembly Bill No. 136 | Assembly Bill No. 520 |
| Assembly Bill No. 270 | Assembly Bill No. 525 |
| Assembly Bill No. 325 | Assembly Bill No. 615 |
| Assembly Bill No. 335 | Assembly Bill No. 665 |
| Assembly Bill No. 396 | Assembly Bill No. 681 |
| Assembly Bill No. 415 | Assembly Bill No. 809 |

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of September, 2011, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 23, 2011

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

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 56 | Assembly Bill No. 506 |
| Assembly Bill No. 172 | Assembly Bill No. 604 |
| Assembly Bill No. 203 | Assembly Bill No. 621 |
| Assembly Bill No. 238 | Assembly Bill No. 688 |
| Assembly Bill No. 242 | Assembly Bill No. 732 |
| Assembly Bill No. 378 | Assembly Bill No. 815 |
| Assembly Bill No. 436 | Assembly Bill No. 946 |
| Assembly Bill No. 456 | Assembly Bill No. 983 |

And reports the same correctly enrolled, and presented to the Governor on the 23rd day of September, 2011, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 23, 2011

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

Assembly Bill No. 1059	Assembly Bill No. 1307
Assembly Bill No. 1069	Assembly Bill No. 1392
Assembly Bill No. 1121	Assembly Bill No. 1417
Assembly Bill No. 1155	Assembly Bill No. 1418
Assembly Bill No. 1182	Assembly Bill No. 1424
Assembly Bill No. 1222	Assembly Bill No. 1426

And reports the same correctly enrolled, and presented to the Governor on the 23rd day of September, 2011, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 26, 2011

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

Assembly Bill No. 101

And reports the same correctly enrolled, and presented to the Governor on the 26th day of September, 2011, at 3:45 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 22, 2011

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

Assembly Concurrent Resolution No. 27
 Assembly Concurrent Resolution No. 66
 Assembly Concurrent Resolution No. 81

And reports the same correctly enrolled, and presented to the Secretary of State on the 22nd day of September, 2011, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 28, 2011

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

Assembly Concurrent Resolution No. 13
 Assembly Concurrent Resolution No. 26
 Assembly Concurrent Resolution No. 35
 Assembly Concurrent Resolution No. 43
 Assembly Concurrent Resolution No. 52
 Assembly Concurrent Resolution No. 56
 Assembly Concurrent Resolution No. 58
 Assembly Concurrent Resolution No. 67
 Assembly Concurrent Resolution No. 70
 Assembly Concurrent Resolution No. 71
 Assembly Concurrent Resolution No. 72
 Assembly Concurrent Resolution No. 74
 Assembly Concurrent Resolution No. 75
 Assembly Concurrent Resolution No. 76
 Assembly Concurrent Resolution No. 77
 Assembly Concurrent Resolution No. 78

And reports the same correctly enrolled, and presented to the Secretary of State on the 28th day of September, 2011, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 28, 2011

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

Assembly Concurrent Resolution No. 79
 Assembly Concurrent Resolution No. 80
 Assembly Concurrent Resolution No. 82
 Assembly Concurrent Resolution No. 83
 Assembly Joint Resolution No. 8
 Assembly Joint Resolution No. 15
 Assembly Joint Resolution No. 16
 Assembly Joint Resolution No. 17
 Assembly Joint Resolution No. 18

And reports the same correctly enrolled, and presented to the Secretary of State on the 28th day of September, 2011, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, September 14, 2011

Mr. Speaker: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Bill No. 699

GREGORY P. SCHMIDT, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

MESSAGES FROM THE GOVERNOR

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

Governor’s Message—Assembly Bill No. 94

Governor’s Office, Sacramento
May 9, 2011

To the Members of the California State Assembly:

I am signing Assembly Bill 94 because it is an important component of my overall strategy to realign public safety. This bill will provide an easier pathway for counties to access the AB 900 Jail Financing Program provided in existing law. In implementing this bill, I expect that the Corrections Standards Authority will structure the competitive process for projects in a way that fairly balances the preferences specified in the bill and existing law and allows small, medium, and large counties to compete for project financing. Additionally, I acknowledge that my Administration will seek future legislation to adjust the appropriations for the two phases of the AB 900 Jail Financing Program once it is known which counties relinquish Phase 1 awards to compete in Phase 2.

Sincerely,

EDMUND G. BROWN JR.

Governor’s Message—Assembly Bill No. 873

Governor’s Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

Assembly Bill 873 expands restrictions on post-governmental employment activities by board members and staff at CalPERS and CalSTRS.

While I have signed this bill, I note that what’s good for the goose, should be good for the gander.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 743

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am signing Assembly Bill 743 with the understanding that because of the state's severe budget problems there will be no state funds available for this program. I encourage the Chancellor to seek federal or private funds to pay for the common assessment program envisioned by this bill.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 1112

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am signing Assembly Bill 1112 with the direction to the Department of Fish and Game to increase the non-tank vessel fee and reduce continued program expenditures in order to address the structural imbalance of the Oil Spill and Administration Fund.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 366

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am signing Assembly Bill 366 to improve the safety of staff at the Department of Mental Health.

This year, the Legislature passed two bills addressing the issue of when a person could be involuntarily medicated when involved with the criminal justice system: Assembly Bill 1114 and this measure.

Both measures will improve the way in which persons needing medication are treated and also protect the safety of workers at state facilities. However, while Assembly Bill 1114 streamlines the process for persons housed by the Department of Corrections and Rehabilitation, this measure will add a costly and unnecessary hearing process for persons housed by the Department of Mental Health.

Given that both measures improve the existing processes, I am signing both measures.

However, I encourage the Legislature to pass additional legislation next year to streamline the process created by this measure.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 506

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am signing Assembly Bill 506 because it puts in place reasonable steps for local governments to take before filing bankruptcy. I applaud the author's efforts to tackle this complex issue with a balanced approach.

Let's be clear, this bill does not prevent a municipality from declaring bankruptcy or even throw roadblocks in its path. It simply requires local governments to do either of the following: declare a fiscal emergency or negotiate with creditors before filing bankruptcy. The goal is to find alternative, less drastic solutions whenever possible.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 29

Governor's Office, Sacramento
October 5, 2011

To the Members of the California State Assembly:

Assembly Bill 29 establishes the Governor's Office of Business and Economic Development (GO-Biz) to help the state create jobs and promote economic recovery.

I am directing GO-Biz and the following other state entities to work with my Senior Advisor for Jobs and Economic Development to better focus the state's multiple economic-development efforts:

The Small Business Loan Guarantee Program,
The Employment Training Panel,
The California Workforce Investment Board,
The Employment Development Department,
The Infrastructure Bank,
The Tourism Commission, and
The Film Commission.

Executive Order S-05-10, which established the Governor's Office of Economic Development, is hereby rescinded and this rescission is effective on the date GO-Biz becomes operational.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 809

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am signing Assembly Bill 809.

This measure would require the California Department of Justice to treat the information used to process the sales of long guns the same as the information currently retained for sales of handguns.

Anytime someone purchases a firearm in California, whether a long gun or handgun, their personal information is sent to the Department of Justice for a criminal background check. While purchaser information on handguns is retained, purchaser information on long guns is destroyed.

Since the state already retains handgun purchaser information, I see no reason why the state should not also retain information pertaining to the sales of long guns.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 1417

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am signing AB 1417 to appropriate \$9.1 million from the Indian Gaming Special Distribution Fund for purposes of local mitigation.

I do this reluctantly because although this money is necessary to maintain commitments made to local governments, the Indian Gaming Special Distribution Fund is quickly approaching insolvency.

Prior to approving any additional appropriations from the Indian Gaming Special Distribution Fund, everyone affected—the Governor's Office, the Legislature, tribes and local entities—should engage in frank discussions about the Fund and its long term future.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 604

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am signing Assembly Bill 604, which allows qualified entities to apply directly to the Department of Public Health to provide hypodermic needle and syringe exchanges where rapid spread of HIV and other diseases is likely. The legislation authorizes the department to approve applicants, only after holding a public comment period, consulting with local public health and local law enforcement officers, and carefully balancing both concerns and benefits.

The Department of Public Health will issue regulations to clarify the application process and criteria. I am directing the department to administer AB 604 in a constrained way, working closely not only with local health officers and police chiefs, but with neighborhood associations as well. I believe that AB 604 can reduce the spread of communicable diseases and the suffering they cause and, at the same time, respect public safety and local preference.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 135

Governor's Office, Sacramento
September 26, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 135 without my signature.

This bill requires that one member of the governing board of the California Air Resources Board (CARB) be an owner of a small business, as defined, within the past five years.

I agree that persons with business experience should be on the Air Board. In fact, four sitting members have such experience.

But, whether the Air Board should have one member, as provided in this bill, or four, is best left to the discretion of the Governor.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 559

Governor's Office, Sacramento
September 26, 2011

To the Members of the California State Assembly:

This measure would reverse a California Supreme Court decision allowing judges, in cases filed under the Fair Employment and Housing Act, to deny the recovery of lawyer fees to parties who fail to use established procedures that reduce litigation costs.

In this case, I think the Supreme Court got it right. Judges are in the best position to decide whether to award or deny fees in these instances.

I am returning Assembly Bill 559 without my signature.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 650

Governor's Office, Sacramento
September 26, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 650 without my signature.

This bill would mandate yet another “blue ribbon” task force: in this case to prepare a report on public transportation at a cost of at least \$750,000.

This is a matter well within the jurisdiction and competence of the Assembly and Senate Transportation Committees. Moreover, Caltrans and the California Transportation Commission are also equipped to probe into these matters.

Rather than creating a new entity, let's use the resources we have.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 750

Governor's Office, Sacramento
September 26, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 750 without my signature.

This bill would mandate yet another “blue ribbon” task force: in this case to examine whether California should establish a state bank.

This is a matter well within the jurisdiction and competence of the Assembly and Senate Banking Committees.

Rather than creating a new entity, let's use the resources we have.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 26th day of September, 2011 at 11:55 a.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi: Assembly Bills Nos. 135, 559, 650, and 750.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 129

Governor's Office, Sacramento
October 2, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 129 without my signature.

At a time when property owners are struggling to pay their mortgages, this bill would weaken the due process requirements for local building departments to obtain property liens.

Local governments already have a fair process in place, and I see no reason to change it.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 952

Governor's Office, Sacramento
October 2, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 952 without my signature.

This bill creates special gift and revolving door rules for the High-Speed Rail Authority.

The Authority is already regulated under the Political Reform Act (PRA) by the Fair Political Practices Commission (FPPC). In fact, last January the FPPC concluded an investigation of a complaint that Authority personnel violated the PRA's gift limits and disclosure rules. The FPPC found no violations.

The existing gift and revolving door laws work well and apply uniformly to nearly all departments. There is no reason to add complexity to this area of regulation by creating a different set of rules for the Authority.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1147

Governor's Office, Sacramento
October 2, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1147 without my signature.

No one can question the desirability of minor parents in foster care receiving whatever help they need to become good parents, but this bill won't further that goal.

By law, social workers are required to submit updated case plans to the juvenile court every six months. These lengthy and detailed plans chronicle every aspect of the foster child's life, including whatever is needed to become a good parent.

Placing in statute one more specific plan element, as this bill does, just adds to the bureaucratic complexity without really assisting the foster youth to live a better life.

The more time adults in the foster care system spend writing and reading reports, the less time they have for the guidance and human caring that make the real difference.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 3rd day of October, 2011 at 9:04 a.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts: Assembly Bills Nos. 129, 952, and 1147.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 91

Governor's Office, Sacramento
October 3, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 91 without my signature.

This bill orders the Chancellor of the Community Colleges to set up a pilot program at local campuses to figure out how to motivate their students to apply for financial aid.

This is a matter that each community college can handle on its own.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 656

Governor's Office, Sacramento
October 3, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 656 without my signature.

This bill delegates solely to a legislative committee decisions on whether and for how long certain state commissions should exist. I don't think this is the best way to eliminate boards and commissions. I will work with the author to fashion a better process.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 3rd day of October, 2011 at 3:50 p.m., of Assembly Bills 91 and 656 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 101

Governor's Office, Sacramento
October 4, 2011

To the Members of the California State Assembly:

Maintaining the quality and affordability of childcare is a very important goal. So too is making sure that working conditions are decent and fair for those who take care of our children. Balancing these objectives, however, as this bill attempts to do, is not easy or free from dispute.

Today California, like the nation itself, is facing huge budget challenges. Given that reality, I am reluctant to embark on a program of this magnitude and potential cost.

I am returning Assembly Bill 101 without my signature.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1182Governor's Office, Sacramento
October 4, 2011*To the Members of the California State Assembly:*

I am returning Assembly Bill 1182 without my signature.

This bill would allow a person applying for welfare to have one car, or possibly more, of any value, rather than a maximum value of \$4,650 under current law.

In the last year, the state has been forced to make steep reductions in many programs, including the state's welfare-to-work program. As we go into the new year, we may have to make additional cuts. Until we better understand the fiscal outlook, we should not be making changes of this kind.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1429Governor's Office, Sacramento
October 4, 2011*To the Members of the California State Assembly:*

I am returning Assembly Bill 1429 without my signature.

This measure would require the state to pay 100 percent of total state eligible costs for damages sustained to Del Norte County by the March 2011 tsunami.

The state has not paid for a local government's share of disaster costs since 2006 and this measure would cost the state over \$1 million. In addition, if I sign this measure, other counties that sustain similar damages would likely request the same relief—a precedent that the state currently cannot afford.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 4th day of October, 2011 at 1:42 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi: Assembly Bills Nos. 101, 1182, and 1429.

E. DOTSON WILSON
Chief Clerk of the Assembly**Veto Message—Assembly Bill No. 200**Governor's Office, Sacramento
October 4, 2011*To the Members of the California State Assembly:*

I am returning Assembly Bill 200 without my signature.

This bill would require the State Board of Education to establish a health and fitness award program to honor a school in each of the 120 legislative districts. Health and fitness are important but let's allow our schools to design their own awards programs and leave the state out of it.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 4th day of October, 2011 at 4:35 p.m., of Assembly Bill 200 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 696

Governor's Office, Sacramento

October 5, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 696 without my signature.

This bill, among other things, requires the state Infrastructure Bank (I-Bank) to create a methodology to measure the economic development benefits of projects for both public and private applicants.

Local government applicants already must make findings that their project promotes economic development and long-term employment. Requiring the I-Bank to speculate on the project's benefits is a costly addition to the application process.

Private entities obtain approval from a bond underwriter before federal law allows the state to issue tax-free bonds using its bonding authority. The state has no financial stake or risk in these transactions. Consequently, there is no reason to incur the expense of calculating economic benefits for the transactions of private entities.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 700

Governor's Office, Sacramento

October 5, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 700 without my signature.

This bill takes the state's Infrastructure Bank (I-Bank) out of the Business, Transportation and Housing Agency and makes it a stand-alone agency reporting directly to the Governor.

I agree with the author that the I-Bank can be better situated so that it operates more effectively. Toward that end, I will propose a reorganization plan in connection with the upcoming budget that will include changes in the I-Bank. I hope to work with the author to achieve our mutual goals.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1379

Governor’s Office, Sacramento
October 5, 2011

To the Members of the California State Assembly:

AB 1379 would require any state or local pension system with assets over \$4 billion to report annually specified information relating to California investments.

Some public pension systems already track and voluntarily report the information required by this bill and for them this bill is unnecessary. For others, these new reporting requirements will cause an increase in administrative costs at a time when they can ill-afford it.

I am returning Assembly Bill 1379 without my signature.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 6th day of October, 2011 at 11:12 a.m., of the following Assembly Bills without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi: Assembly Bills Nos. 696, 700, and 1379.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 65

Governor’s Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am sympathetic to the author’s concerns that voters should understand more clearly the consequences of initiatives that dedicate revenue to a specific purpose.

But the rote disclaimer mandated by this bill won’t provide voters greater clarity.

I am returning Assembly Bill 65 without my signature.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 211

Governor’s Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 211 without my signature.

This bill represents an effort to improve benefits for workers by providing vouchers for those who need additional training in order to return to employment after permanently disabling injuries. I am, however, reluctant to enact piecemeal changes to the Workers’ Compensation system in the absence of more comprehensive reform that addresses both the cost and benefits under the system.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 584

Governor's Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 584 without my signature.

This bill would require that the physician conducting utilization review of requests for medical treatment in Workers Compensation claims be licensed in California.

This requirement of using only California-licensed physicians to conduct utilization review in Workers Compensation cases would be an abrupt change and inconsistent with the manner in which utilization review is conducted by health care service plans under the Knox-Keene Act and by those regulated by the California Department of Insurance.

I am not convinced that establishing a separate standard for Workers Compensation utilization review makes sense.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 651

Governor's Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 651 without my signature.

This bill would put a raft of new regulations, fees and potential fines on entities that pay people to gather signatures for a ballot measure petition, including annual registration, reporting and training requirements.

Initiatives are an important part of California's democracy. I am not convinced that these new requirements are needed or would improve the initiative process.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 862

Governor's Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 862 without my signature.

Among its provisions, the bill would require conflict-of-interest statements to be posted on regional center Web sites, pursuant to a regulation that the Department of Developmental Services must develop and issue.

The Department is still in the process of developing this regulation, which will identify who must file such statements. It would be appropriate to wait until the regulation is complete, before enacting related requirements by statute.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 894

Governor's Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 894 without my signature.

This bill creates the California Manufacturing Competitiveness Loan and Loan Guarantee Program to be administered by an advisory commission within the State Treasurer's Office.

The objectives of this bill are excellent. However, the loan programs it creates can be run by the state's Infrastructure Bank, which already has authority and experience lending directly to businesses.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 947

Governor's Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 947 without my signature.

This bill would extend the requirement to pay workers' compensation temporary disability payments for up to 240 weeks in cases where surgery or recovery from surgery occurs after the current 104 week temporary disability limit.

It is vital that injured workers receive adequate compensation to provide for their needs when they are unable to work due to work related injuries. Workers' compensation reforms, however, need to be addressed on a broad and balanced scale—ensuring workers receive adequate and timely benefits and treatment, while also ensuring that the costs of the system are sustainable.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1121

Governor's Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1121 without my signature.

Nothing in existing law prevents local governments from issuing puppy licenses or imposing requirements on dog sellers. In fact, some cities and counties have already adopted excellent programs of the kind envisioned by this bill.

Licensing and tracking of dogs is quintessentially a local function.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1155

Governor's Office, Sacramento
October 7, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1155 without my signature.

This bill would state that workers' compensation injury determinations shall not include consideration of race, religious creed, color, national origin, age, gender, marital status, sex, sexual orientation, or genetic characteristics.

The courts already recognize that apportioning a disability award to any of these classifications is antithetical to our states' non-discrimination policies. The courts also recognize that apportioning to an actual non-industrial condition that contributes to causing a disability is permissible and required by the principle that apportionment is based on causation.

This bill would not change existing law as interpreted by the courts to date. This bill would, however, generate new litigation over questions of whether it is intended to change existing interpretations. At best, that additional litigation would add to employers' costs for workers' compensation. At worst, this bill could disturb the appropriate interpretation of existing law that is already taking shape in the courts.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 7th day of October at 2:53 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi: Assembly Bills Nos. 65, 211, 584, 651, 862, 894, 947, 1121, and 1155.

E. DOTSON WILSON
Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 47

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 47 without my signature.

This bill modifies the eligibility criteria used to identify schools under the Open Enrollment Act which was enacted last year to provide parents with enrollment options in 1000 public schools that fail to meet defined student academic achievement criteria.

The bill increases the threshold for identifying open enrollment schools to exclude schools that score above 700 on the Academic Performance Index for two consecutive years. The California Department of Education estimates that based on the revised criteria only 150 schools would be included in the new list of schools. I believe that the proposed changes go too far and would undermine the intent of the original law.

The State Board of Education has administrative authority to exempt schools from the Open Enrollment Act that document strong student academic achievement. I expect the Board will thoughtfully exercise this authority and believe we should carefully review the implementation effects of the program before making significant changes.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 86

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 86 without my signature.

Charter schools are a small but important part of the California public school system. They vary by size, mission, governing structure and educational philosophy. Their purpose is to allow parents, teachers and other interested citizens to form public schools outside the more detailed regulatory framework of the regular school system.

They are profoundly difficult to establish and even more difficult to maintain and grow in excellence. Having started two myself, I know whereof I speak.

Notwithstanding the important contributions classified staff make to the operation of a school, this bill would unnecessarily complicate an already difficult charter school petition process.

I believe the existing law is tough enough.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 165

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 165 without my signature.

This bill responds to a lawsuit filed by the ACLU against the state, alleging that some local school districts are denying students their right to a free public education by charging improper fees for classes and extracurricular activities. Local district compliance with this right is essential, and those who fail should be held accountable. But this bill takes the wrong approach to getting there.

The bill would mandate that every single classroom in California post a detailed notice and that all 1,042 school districts and over 1,200 charter schools follow specific complaint, hearing and audit procedures, even where there have been no complaints, let alone evidence of any violation. This goes too far.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 202

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

This bill creates a new avenue for deciding the costs of state mandates which may prove to be more complicated and costly than the existing process.

Thus I am returning Assembly Bill 202 without my signature.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 203

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 203 without my signature.

This bill makes significant changes to the petition process contained in the Parent Empowerment Act of 2010.

The State Board of Education has spent the past year engaged in a lengthy, contentious process to reach consensus among a diverse group of stakeholders. The result is a set of regulations that received unanimous support and address many of the changes proposed by this bill.

I believe that these regulations should have a chance to be implemented and tested by local districts before considering any further modifications.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 288

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 288 without my signature.

Requiring every community college to follow a uniform process for evaluating a student expulsion taken by another district adds unnecessary burdens and costs that the state will have to reimburse.

I invite Chancellor Scott and the California Community Colleges Board of Governors to work with local districts to craft a more flexible and cost-effective approach to enable districts to share critical information about student expulsions.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 306

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 306 without my signature.

This bill requires the California Energy Commission to fund research on “piezoelectric transducers” out of the Public Goods Charge.

The Legislature, by requiring the funding of this specific technology, is bypassing the independent and careful process of the Energy Commission. I don't think that's a good idea.

I note that this bill—appropriating funds from the Public Good Charge—received broad bipartisan support. The legislation to authorize this funding source unfortunately did not.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 450

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 450 without my signature.

This bill targets a narrow set of contracts between the California State University campuses and their food vendors. It aims to correct a problem that may or may not exist by requiring those vendors to disclose supplier discounts and pass them on to the campuses. Since they can already do this on their own, this measure is not necessary.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 532

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

The State has recently embarked on the implementation of Common Core standards and a related assessment system which will become operational in 2014–15. This new system is expected to provide important and useful information about student achievement in math and English.

This bill would require that similar tests be developed, administered and scored for students for whom English is not their primary language. These requirements would result in major new test development and administration costs which we can ill afford. The assessments required by this bill for just one language are estimated to cost as much as \$50 million; the total costs for covering all 55 languages spoken by California students is unknown but obviously substantial.

I am returning Assembly Bill 532 without my signature.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1021

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1021 without my signature.

The additional disclosure required by this bill will add words, but not greater understanding about the financial impact of a voter initiative.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1034

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1034 without my signature.

Charter schools are established to encourage the widest possible range of innovation and creativity. Their governing charters reflect the ideas and aspirations of those willing to undertake this profoundly difficult challenge. It is critical that they have the flexibility to set admission criteria and parent involvement practices that are consistent with the school's mission.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1310

Governor's Office, Sacramento
October 8, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1310 without my signature.

This bill would require the Labor and Workforce Development Agency, in conjunction with the California Workforce Investment Board, the Office of the Chancellor of the California Community Colleges, the State Department of Education, to develop a strategic plan that connects the delivery of education and workforce development in California.

Although I heartily agree with the author's goal, I don't think a new law is needed. My Senior Advisor for Jobs and Economic Development and my Secretary of Labor are already working with educators, labor and business leaders to achieve the important objectives of this bill. I have asked them to work with the author and supporters of the bill to make sure their good ideas are acted on.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 8th day of October, 2011 at 3:35 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi: Assembly Bill Nos. 47, 86, 165, 202, 203, 288, 306, 450, 532, 1021, 1034, and 1310.

E. DOTSON WILSON
Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 239

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 239 without my signature.

This bill would require the Department of Justice Crime Laboratory Review Task Force to meet again and write another report about creating a statewide oversight body.

This same group already met, examined the issue, and provided a report. I don't think we need a second report.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 322

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 322 without my signature.

This measure would establish a new pilot program and require the Department of Justice to test all rape kits collected from 10 specified counties. These counties, however, don't wish to participate in the program.

I don't see why we would mandate counties to participate in a program they don't want, especially when the state is cutting back on so many programs that are needed and wanted.

Local officials are in the best position to determine whether to participate in such a program.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 568

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

At first blush, I was inclined to sign this bill because it certainly seems inappropriate to shackle a pregnant inmate unless absolutely necessary. However, the language of this measure goes too far, prohibiting not only shackling, but also the use of handcuffs or restraints of any kind except under ill-defined circumstances.

Let's be clear. Inmates, whether pregnant or not, need to be transported in a manner that is safe for them and others. The restrictive criteria set forth in this bill go beyond what is necessary to protect the health and dignity of pregnant inmates and will only serve to sow confusion and invite lawsuits.

I am returning Assembly Bill 568 without my signature.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1116

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1116 without my signature.

This bill would require the California Emergency Management Agency (Cal EMA) to consider multiple languages and needs of populations who have limited English language proficiency during emergency preparedness planning, response, and recovery.

This bill is unnecessary. Cal EMA already considers the needs of limited English proficiency populations when revising and preparing emergency preparedness materials. Moreover, I will direct Cal EMA to review local plans to account for populations that do not speak English when alerts for evacuation are issued or when emergency medical care is required at shelters.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1389

Governor’s Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1389 without my signature.

This measure would impose greater restrictions on local law enforcement when operating sobriety checkpoints than what is currently required by the California Supreme Court.

For example, this measure would state a preference for checkpoints to operate after dusk even though fatal driving injuries involving drug use occur between 2:00PM and 7:00PM. This measure would also require law enforcement to announce the specific location of a checkpoint, 48 hours in advance, allowing drunk drivers to avoid detection altogether.

While I understand there are concerns that some sobriety checkpoints are being operated improperly, this bill is far too restrictive on local law enforcement.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 9th day of October, 2011 at 3:40 p.m., of the following Assembly Bills without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi: Assembly Bills Nos. 239, 322, 568, 1116, and 1389.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 38

Governor’s Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 38 without my signature.

This measure would require the Department of Financial Institutions to create a list of unbanked communities and post it on their website.

I think any real change in this area should come at the local level, closer to the problem at hand. In fact, San Francisco, San Jose, Fresno, and Santa Ana have already established programs to connect low-income people to banking services. Just creating another statewide list will not solve this difficult problem.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 172

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 172 without my signature.

This bill would require information about state contracts and audits to be posted on a specific, new website. Information about state contracts can already be found at www.dgs.ca.gov/pd/programs/eprocure, and I am issuing an Executive Order to ensure that these contracts continue to be posted on this site. Audits conducted by the Bureau of State Audits can be found at www.bsa.ca.gov. Other audits are readily available as public records.

While governmental transparency is laudable, there's no need for a new law.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 267

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 267 without my signature.

This measure would prohibit employment contracts that require California employees to agree to the use of legal forums and laws of other states.

Current law prohibits California employees from being subjected to laws or forums that substantially diminish their rights under our laws and I have not seen convincing evidence that these protections are insufficient to protect employees in California.

Finally, I would note that imposing this burden could deter out of state companies from hiring Californians—something we can ill afford at this time of high unemployment.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 325

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 325 without my signature.

Granting bereavement leave when a close family member dies is the moral and decent thing to do and I believe that the vast majority of employers voluntarily make such an accommodation for the loss of a loved one.

I am also concerned that this measure adds a more far reaching private right to sue than is contained in related statutes.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1044

Governor’s Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1044 without my signature.

This measure would require the Board of Equalization to accept registered warrants (IOUs) as payment for any tax, surcharge, or fee liability. In the unlikely event that the state is forced to issue IOUs in the future due to an unforeseen emergency cash crisis, this measure would undermine the state’s ability to make debt service and other high priority payments. While it may be unfair to expect recipients of IOUs to pay their obligations to the state while the state is unable to meet its own obligations, I am unwilling to tie the hands of future administrations should such an emergency arise.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1055

Governor’s Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

This bill prohibits the Commissioners and all employees of the California Public Utilities Commission (CPUC) from soliciting any charitable, political, or other contribution from entities the Commission regulates.

Public officials should be held to the highest ethical standards. But the CPUC Commissioners and high-level employees are already subject to extensive ethics, conflicts and reporting rules and imposing an absolute ban on all employees goes too far.

I am returning Assembly Bill 1055 without my signature.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1220

Governor’s Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1220 without my signature.

This bill increases the statute of limitations from 90 days to 3 years for a citizen to file a Notice of Deficiency in a locally adopted housing element.

While I understand the value of using the courts to compel compliance with state housing goals, there should be a balance between a local government’s planning authority and citizen oversight. This bill tilts that balance and creates too much uncertainty.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 9th day of October, 2011 at 10:11 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi: Assembly Bills Nos. 38, 172, 267, 325, 1044, 1055, and 1220.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 275

Governor's Office, Sacramento

October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 275 without my signature.

This measure seeks to adopt an interim standard for rainwater capture outside the established Building Standards Commission process.

Without some urgency or a more compelling reason, I think it is better to stick with the process and follow existing California law.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 767

Governor's Office, Sacramento

October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 767 without my signature.

This bill establishes the State Capitol Sustainability Task Force to develop and implement a State Capitol Sustainability Initiative.

I strongly support sustainability efforts, but creating a specific task force to work on these goals is not necessary. The interested parties—including my office, the Lieutenant Governor, the Senate and the Assembly—can work cooperatively to improve energy efficiency, water conservation and recycling without codifying a task force.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1210

Governor's Office, Sacramento
October 9, 2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1210 without my signature.

This bill would exempt licensed civil engineers from training requirements related to the preparation of Storm Water Pollution Prevention Plans.

Many of these storm plans are found to be deficient and those preparing them need a much better understanding of the necessary elements of a solid plan. It is not feasible to inspect every plan or every construction site but it is essential to have some process in place to ensure compliance in preparing complete and sound storm water plans.

The current process depends on a training education program for all professionals who prepare storm plans—engineers, geologists, hydrologists, and landscape architects. This bill, a piecemeal approach, exempts only one profession, the civil engineers. A more comprehensive solution would be better.

I am directing the State Water Board to review the entire program and evaluate compliance alternatives that are more efficient and workable for all professionals.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 9th day of October, 2011 at 11:46 p.m., of the following Assembly Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Rebekah Kharrazi: Assembly Bills Nos. 275, 767, and 1210.

SUE PARKER

Assistant Chief Clerk of the Assembly

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JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk