

CALIFORNIA LEGISLATURE

2009–10 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 33

FINAL RECESS

Assembly Chamber, Sacramento
Monday, October 25, 2010

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2009–10 Regular Session was printed while the Assembly was in Final Recess.

COMMUNICATIONS

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

October 19, 2010

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

Dear Dotson: Please be advised that I have appointed Assemblymember Steve Bradford to the Select Committee on Workforce Development with the Developmental Disabilities Community for the 2009–10 Regular Session.

Sincerely,

JOHN A. PÉREZ
Speaker of the Assembly

MESSAGES FROM THE GOVERNOR

The following item veto message from the Governor was received and ordered printed in the Journal and the item ordered to the unfinished business file:

Item Veto Message—Assembly Bill No. 1610

Governor’s Office, Sacramento
October 19, 2010

To the Members of the California State Assembly:

I am signing AB 1610 with the following objections.

I am deleting specific appropriations for the California community colleges contained in subdivisions (d) and (e) of Section 31 of this bill.

I am deleting the appropriation in subdivision (d) of Section 31 of this bill, which provides \$25,000,000 Proposition 98 General Fund for the community college Economic Development and Workforce Development Program. While I support economic development activities, this reduction is necessary to limit program expansion, to bring ongoing expenditures in line with existing resources, and to help maintain a prudent reserve. With this reduction, the Budget Act of 2010 still provides the Economic Development categorical program with \$22.9 million for workforce training and development efforts.

I am deleting the appropriation in subdivision (e) of Section 31 of this bill, which provides \$35,000,000 Proposition 98 General Fund for various community college categorical programs. This appropriation is intended to backfill various categorical programs that received one-time State Fiscal Stabilization Funds in 2009–10. This federal funding was intended to soften the transition to reduced funding levels that are necessary to bring ongoing expenditures in line with existing resources. Restoring this funding would be counterproductive to the tremendous effort that has been invested to align ongoing expenditures with expected revenues.

Sincerely,

ARNOLD SCHWARZENEGGER

Receipt of Bills

I acknowledge receipt this 19th day of October at 6:25 p.m. of the Governor's statement of the line item veto from Assembly Bill 1610 delivered to me personally by Jacque Roberts.

SUE PARKER

Assistant Chief Clerk of the Assembly

SPECIAL COMMITTEE MEETINGS

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

Veterans Affairs to convene jointly with the Senate Committee on Veterans Affairs, Thursday, November 4, 2010, at 9:30 a.m., in Room 4203.

Budget Subcommittee No. 1 on Health and Human Services, Monday, November 8, 2010, at 1 p.m.

Aging and Long-Term Care to convene jointly with the Committee on Labor and Employment, Tuesday, November 9, 2010, at 1 p.m., in Room 126.

REPORTS

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

California State Auditor

2010-104
October 21, 2010

*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 its audit report on how the nutritional needs of charter schools students are met, so the Legislature can make future decisions regarding the health and education of California's children.

This report concludes that the California Department of Education (Education) databases are not reliable enough for it to accurately identify all California charter schools that participate in the federal School Breakfast program (breakfast program) or the National School Lunch Program (lunch program). Moreover, Education cannot determine the number of students at either traditional or charter schools who qualify for or who participate in these programs. Despite the limitations of Education's data, we were able to identify 815 charter schools active in California as of April 2010. Charter schools are exempt from many of the laws that apply to school districts. In particular, they are exempt from California law that requires schools to provide each needy student with one nutritionally adequate free or reduced-price meal during each school day. Further, as is true for school districts, participation by charter schools in both the breakfast and lunch programs is voluntary.

According to Education's data, 451 charter schools were participating in the breakfast or lunch program and an additional 151 were providing instruction to their students outside the classroom either online or independently, and thus do not provide meals. We surveyed the remaining 213 charter schools to identify those that provide an alternative meal program and those that do not provide meals to their students. Of the 133 responses we received, 46 charter schools stated that they offer their students an alternative meal program, 39 stated that they do not provide meals to their students, and 41 stated that they were in fact participating in the programs. The remaining seven do not provide meals either because their students receive instruction outside the classroom or their students are age 18 or older and are not eligible to participate in the programs.

The 46 charter schools that reported they provide an alternative meal program cited varying methods of providing meals, ranges of costs for those meals, and reasons for offering such meals. For example, most of

these schools either have staff prepare and deliver the meals or hire contractors to do so. Some of these charter schools stated that they provide meals that meet or exceed the U.S. Department of Agriculture's nutritional standards. Generally, the charter schools that reported they provide meals to their students believe that the nutritional needs of their students, including their low-income students, are being met. The 39 charter schools that did not provide meals to their students cited various reasons including lack of a kitchen, cafeteria, or other facility to prepare and deliver meals to their students. Another reason commonly cited was a lack of funding and staffing to operate an alternative meal program or participate in the breakfast and lunch programs.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Education.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk

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