

CALIFORNIA LEGISLATURE

2005–06 REGULAR SESSION

SENATE JOURNAL

IN RECESS

Senate Chamber, Sacramento
Wednesday, October 4, 2006

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, September 1, 2006

Mr. President: The Committee on Rules has examined:

SB 53	SB 276	SB 503	SB 849
SB 59	SB 293	SB 562	SB 983
SB 156	SB 357	SB 611	SB 988
SB 187	SB 361	SB 667	SB 1126
SB 204	SB 368	SB 676	SB 1703
SB 246	SB 420	SB 683	
SB 263	SB 470	SB 729	

And reports that the same have been correctly enrolled, and presented to the Governor on the 1st day of September, 2006, at 1 p.m.

PERATA, Chair

Senate Chamber, September 1, 2006

Mr. President: The Committee on Rules has examined:

SB 1134	SB 1249	SB 1383	SB 1451
SB 1135	SB 1278	SB 1384	SB 1453
SB 1209	SB 1288	SB 1423	SB 1465
SB 1212	SB 1311	SB 1427	SB 1469
SB 1220	SB 1341	SB 1435	SB 1474
SB 1223	SB 1359	SB 1437	

And reports that the same have been correctly enrolled, and presented to the Governor on the 1st day of September, 2006, at 4 p.m.

PERATA, Chair

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Senate Chamber, September 5, 2006

Mr. President: The Committee on Rules has examined:

SB 437

SB 1206

And reports that the same have been correctly enrolled, and presented to the Governor on the 5th day of September, 2006, at 2:30 p.m.

PERATA, Chair

Senate Chamber, September 6, 2006

Mr. President: The Committee on Rules has examined:

SB 258	SB 1505	SB 1552	SB 1704
SB 560	SB 1510	SB 1557	SB 1725
SB 1281	SB 1519	SB 1575	SB 1726
SB 1442	SB 1528	SB 1598	SB 1818
SB 1485	SB 1533	SB 1610	SB 1827
SB 1488	SB 1535	SB 1638	SB 1847
SB 1490	SB 1548	SB 1650	SB 1849

And reports that the same have been correctly enrolled, and presented to the Governor on the 6th day of September, 2006, at 1 p.m.

PERATA, Chair

Senate Chamber, September 7, 2006

Mr. President: The Committee on Rules has examined:

SB 257	SB 968	SB 1349	SB 1641
SB 351	SB 1116	SB 1353	SB 1660
SB 354	SB 1207	SB 1373	SB 1680
SB 369	SB 1235	SB 1398	SB 1737
SB 403	SB 1270	SB 1454	SB 1755
SB 603	SB 1283	SB 1513	SB 1822
SB 750	SB 1309	SB 1523	SB 1845
SB 768	SB 1339	SB 1538	
SB 814	SB 1347	SB 1569	

And reports that the same have been correctly enrolled, and presented to the Governor on the 7th day of September, 2006, at 3:30 p.m.

PERATA, Chair

Senate Chamber, September 8, 2006

Mr. President: The Committee on Rules has examined:

SB 497	SB 696	SB 1237	SB 1574
SB 668	SB 757	SB 1542	SB 1614
SB 678	SB 1133	SB 1563	

And reports that the same have been correctly enrolled, and presented to the Governor on the 8th day of September, 2006, at 2 p.m.

PERATA, Chair



Senate Chamber, September 8, 2006

Mr. President: The Committee on Rules has examined:

SCR 37	SCR 75	SCR 114
SCR 120	SCR 124	SJR 3

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 8th day of September, 2006, at 4:45 p.m.

PERATA, Chair

Senate Chamber, September 11, 2006

Mr. President: The Committee on Rules has examined:

SB 1208	SB 1317	SB 1430	SB 1500
SB 1210	SB 1393	SB 1446	SB 1524
SB 1245	SB 1396	SB 1472	SB 1541
SB 1260	SB 1414	SB 1483	SB 1543
SB 1299	SB 1428	SB 1489	

And reports that the same have been correctly enrolled, and presented to the Governor on the 11th day of September, 2006, at 11 a.m.

PERATA, Chair

Senate Chamber, September 12, 2006

Mr. President: The Committee on Rules has examined:

SB 51	SB 475	SB 974	SB 1204
SB 148	SB 486	SB 1059	SB 1224
SB 171	SB 506	SB 1062	SB 1395
SB 202	SB 524	SB 1136	SB 1471
SB 247	SB 559	SB 1168	
SB 423	SB 746	SB 1178	
SB 463	SB 795	SB 1200	

And reports that the same have been correctly enrolled, and presented to the Governor on the 12th day of September, 2006, at 10 a.m.

PERATA, Chair

Senate Chamber, September 12, 2006

Mr. President: The Committee on Rules has examined:

SB 1520	SB 1640	SB 1716	SB 1758
SB 1555	SB 1670	SB 1719	SB 1769
SB 1562	SB 1687	SB 1729	SB 1814
SB 1568	SB 1690	SB 1733	SB 1838
SB 1580	SB 1693	SB 1743	
SB 1589	SB 1697	SB 1745	
SB 1616	SB 1701	SB 1753	

And reports that the same have been correctly enrolled, and presented to the Governor on the 12th day of September, 2006, at 2 p.m.

PERATA, Chair



Senate Chamber, September 13, 2006

Mr. President: The Committee on Rules has examined:

SB 10	SB 267	SB 739	SB 982
SB 44	SB 440	SB 815	SB 989
SB 56	SB 472	SB 832	SB 1142
SB 145	SB 490	SB 834	SB 1193
SB 162	SB 652	SB 909	
SB 212	SB 682	SB 924	
SB 225	SB 697	SB 927	

And reports that the same have been correctly enrolled, and presented to the Governor on the 13th day of September, 2006, at 11 a.m.

PERATA, Chair

Senate Chamber, September 13, 2006

Mr. President: The Committee on Rules has examined:

SB 1230	SB 1322	SB 1587	SB 1710
SB 1231	SB 1368	SB 1596	SB 1773
SB 1250	SB 1397	SB 1613	SB 1826
SB 1301	SB 1475	SB 1661	
SB 1303	SB 1556	SB 1674	
SB 1312	SB 1578	SB 1698	

And reports that the same have been correctly enrolled, and presented to the Governor on the 13th day of September, 2006, at 4 p.m.

PERATA, Chair

Senate Chamber, September 14, 2006

Mr. President: The Committee on Rules has examined:

SB 107	SB 1320	SB 1696	SB 1759
SB 842	SB 1544	SB 1702	SB 1796
SB 1141	SB 1550	SB 1724	

And reports that the same have been correctly enrolled, and presented to the Governor on the 14th day of September, 2006, at 2 p.m.

PERATA, Chair

Senate Chamber, September 14, 2006

Mr. President: The Committee on Rules has examined:

SB 1128	SB 1379	SB 1476
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And reports that the same have been correctly enrolled, and presented to the Governor on the 14th day of September, 2006, at 4:45 p.m.

PERATA, Chair

Senate Chamber, September 15, 2006

Mr. President: The Committee on Rules has examined:

SB 638

And reports that the same has been correctly enrolled, and presented to the Governor on the 15th day of September, 2006, at 10 a.m.

PERATA, Chair

Senate Chamber, September 15, 2006

Mr. President: The Committee on Rules has examined:

SB 1466

And reports that the same has been correctly enrolled, and presented to the Governor on the 15th day of September, 2006, at 3 p.m.

PERATA, Chair

Senate Chamber, September 18, 2006

Mr. President: The Committee on Rules has examined:

SB 160

SB 840

SB 1162

And reports that the same have been correctly enrolled, and presented to the Governor on the 18th day of September, 2006, at 9 a.m.

PERATA, Chair

Senate Chamber, September 21, 2006

Mr. President: The Committee on Rules has examined:

SB 1852

And reports that the same has been correctly enrolled, and presented to the Governor on the 21st day of September, 2006, at 11:30 a.m.

PERATA, Chair

Senate Chamber, September 27, 2006

Mr. President: The Committee on Rules has examined:

SB 1534

And reports that the same has been correctly enrolled, and presented to the Governor on the 27th day of September, 2006, at 10 a.m.

PERATA, Chair

State Capitol, October 2, 2006

Mr. President: The Senate Rules Committee has appointed Senator Dunn as Chair of the Select Committee on the Integrity of Elections to replace Senator Bowen as Chair. Senator Bowen will remain a member of the select committee.

PERATA, Chair

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

September 5, 2006

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and



consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

James D. Aschwanden, Executive Director of the California Agricultural Teachers' Association; and former Department Chair and Agricultural Instructor at Galt High School. Appointed 08/31/06. Effective 09/05/06.

Member, State Board of Education vice Glee Johnson, resigned, term ending 01/15/08.

Chad G. Charton, undergraduate, California State University, Northridge; and Marketing Representative, FMS Financial Partners. Appointed 08/17/06. Effective 08/28/06.

Member, Student Aid Commission vice Nhung T. Ngo, term expired, term ending 06/01/07.

William C. De La Pena, M.D., Physician and Owner of De La Pena Eye Clinic; and former Director, Department of Ophthalmology for Santa Marta Hospital and Doctors' Hospital of Santa Ana. Appointed 08/18/06. Effective 08/31/06.

Member, The Regents of The University of California vice David S. Lee, term expired, term ending 03/01/18.

Andrew D. Estep, student, Serrano High School, and Director, Youth Action Summit of California. Appointed 08/16/06. Effective 09/01/06.

Member, State Board of Education vice Paul G. Gardner, III, term expired, term ending 07/31/07.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol

September 15, 2006

To the Senate of the State of California:

I hereby respectfully withdraw from consideration the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Therese M. Delgadillo,

Chief Deputy Director,

Department of Developmental Services

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

Governor's Office, State Capitol

September 15, 2006

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and



consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

James E. Tilton, former Acting Secretary, Department of Corrections and Rehabilitation; former Program Budget Manager for the unit responsible for the Department of Corrections and Rehabilitation, State and Consumer Services Agency, Criminal Justice, Judiciary, Labor and General Government and former Assistant Program Budget Manager for the Capitol Outlay Unit. Appointed 09/13/06. Effective 09/14/06.

Secretary, Department of Corrections and Rehabilitation vice Roderick Q. Hickman, resigned, term ending at the Pleasure of the Governor.

Therese M. Delgadillo, former Interim Director and Chief Deputy Director, Department of Developmental Services; former Deputy Secretary, Program and Fiscal Affairs, California Health and Human Services Agency; former Deputy Director, Department of Health Services; former Acting Undersecretary and Deputy Secretary, California Youth and Adult Correctional Agency. Appointed 09/01/06. Effective 09/01/06.

Director of Developmental Services vice Clifford L. Allenby, re-assigned, term ending at the Pleasure of the Governor.

John L. Ingrassia, Captain of Detentions, George Bailey Detention Facility, San Diego County Sheriffs Department. Appointed 08/28/06. Effective 09/06/06.

Member, Corrections Standards Authority, newly created, term ending 07/01/08.

William A. Powers, Supervisor, County of Plumas; and former Lead Teacher and Principal, Jim Beckworth Continuation High School. Appointed 08/28/06. Effective 09/05/06.

Member, Corrections Standards Authority, newly created, term ending 07/01/07.

John F. Monday, former Acting Executive Director and Chief Deputy Director, Board of Parole Hearings; former Executive Officer, Youthful Offender Parole Board; former Deputy Commissioner, Hearing Operations and Chief Deputy Commissioner, Board of Prison Terms; and Deputy Secretary, Youth and Adult Correctional Agency. Appointed 08/21/06. Effective 08/31/06.

Executive Director, Board of Parole Hearings vice Dennis Kenneally, re-assigned, term ending at the Pleasure of the Governor.



Frank L. Russell, former Senior Care Manager for MHN; and Administrator for Golden State Therapy Centers. Appointed 08/28/06. Effective 08/28/06.

Director, Division of Vocation, Education and Offender Programs, Department of Corrections and Rehabilitation vice Patrick J. Boyd, resigned, term ending at the Pleasure of the Governor.

Peter S. Reinke, Director of Civic Purpose at Head Royce School; former Director of Finance and Teacher Training, Heads Up Program, Head Royce School; and former Legislative Correspondent, Deputy Floor Coordinator and Deputy Field Manager for United States Senator John Chafee. Appointed 08/28/06. Effective 09/05/06.

Member of the Teachers' Retirement Board vice David G. Crane, not confirmed, term ending 12/31/06.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol
September 21, 2006

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Sandra Perez, former Director, California Executive Fellowship Program, Center of California Studies, California State University, Sacramento; and former Principal Consultant, Perez Consulting Services. Appointed 09/01/06. Effective 09/18/06.

Patient Advocate, Department of Managed Health Care vice Martin Gallegos, resigned, term ending at the Pleasure of the Governor.

Lillian T. Perry, tenured teacher, Fontana Middle School; and former teacher, Miles Avenue School, Los Angeles Unified School District. Appointed 09/11/06. Effective 09/13/06.

Member, Commission on Teacher Credentialing vice Beth M. Hauk, resigned, term ending 11/20/08.

Loretta L. Whitson, Director, Student Support Services, Monrovia Unified School District; and former Executive Director, California Association of School Counselors. Appointed 09/12/06. Effective 09/13/06.

Member, Commission on Teacher Credentialing vice Lucinda A. Dodge, resigned, term ending 11/20/08.



Darlene Ayers-Johnson, Principal, Ayers-Johnson & Associates; and former Vice President, Board of Oakland's Port Commissioners. Appointed 09/13/06. Effective 09/19/06.

Member, Commission on the Status of Women vice Rita Cameron-Wedding, Ph.D., term expired, term ending 07/01/10.

Elaine E. Suranie, Critical Care Respiratory Therapist, Glendale Memorial Hospital and Reliable Health Care Services. Appointed 09/13/06. Effective 09/18/06.

Member, Commission on the Status of Women vice Cheryl D. Kendrick, term expired, term ending 07/01/10.

Karen M. Roye, Director, San Francisco Department of Child Support Services; and former Budget Analyst, Mayor of San Francisco's Office of Fiscal and Legislative Affairs. Appointed 09/06/06. Effective 09/18/06.

Member, Board of Behavioral Sciences, Department of Consumer Affairs vice Catherine A. Kay, term expired, term expired 06/01/09.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol

September 28, 2006

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment heretofore made by me to an office which by law is to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

D'Karla D. Leach, Outreach Coordinator, Education Abroad Center, University of California, Davis; and former Coordinator, Math, Engineering and Science Achievement, College of Engineering, University of California, Davis. Appointed 09/05/06. Effective 09/27/06.

Member, Board of Behavioral Sciences, Department of Consumer Affairs vice Glynis A. Morrow, term expired, term ending 06/01/09.

Above appointment referred to the Committee on Rules.

SIGNING MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

September 26, 2006

To the Members of the Senate:

I strongly support screening women for cervical cancer on a regular basis and included funding in my budget to ensure uninsured women can access these preventive services. Given my strong belief in the power of prevention and early detection of diseases, I am signing Senate Bill 1245.



This bill clarifies existing law to ensure women have access to comprehensive cervical cancer screenings that include Human papillomavirus (HPV) testing, as currently required.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 26, 2006

To the Members of the Senate:

I am a strong supporter of stem cell research. California is recognized as a national and worldwide leader for its commitment to the advancement of this important science. Stem cell research has great potential to save millions of lives, but it must occur in a context that reflects the right balance between supporting this cutting edge research and avoiding potential harm to women's health. Accordingly, I am signing Senate Bill 1260.

As I stated in my veto message for SB 18 (Ortiz), which attempted to amend statutory provisions enacted by the voters in direct conflict with the Stem Cell Research and Cures Act (Proposition 71), I support measures to ensure women are fully informed of the risks involved with medical procedures for egg donation, to prohibit the sale of eggs and embryos for valuable consideration, and to protect against the exploitation of women by placing appropriate restrictions on financial reimbursement.

Some stem cell supporters maintain that limiting compensation to direct expenses for women choosing to donate eggs for research is inconsistent with protocols in other areas and may have an unintended chilling effect on this important scientific field. I ask the Department of Health Services to work with the Legislature, the research community, women's health advocates, and the California Institute of Regenerative Medicine to monitor this policy closely as stem cell research continues to evolve in California.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 27, 2006

To the Members of the Senate:

I am signing Senate Bill 1550 because I believe that it is important to protect California's vulnerable population from the financial abuse of unscrupulous professional fiduciaries that seek to do intentional harm.

However, clean-up legislation will be necessary in the next legislative session because of the way the author structured the bill. This bill establishes an unnecessary and complicated mechanism of transferring the responsibilities and jurisdiction of the newly created Professional Fiduciaries Bureau (Bureau) to a newly created Professional Fiduciaries Advisory Committee, which would then be established as a board within the Department of Consumer Affairs, after July 1, 2011. The creation of this arrangement is not justified and will leave consumers and the general



public more confused by this regulatory scheme. Moreover, there is no rational, analytical justification to assume that in five years the Bureau would even need to be reconstituted as a full board. I would rather have a future Legislature evaluate that need at the time of the sunset review, instead of establishing the presumption now.

Therefore, my Administration will work with the Legislature to eventually clean up this bill so that the public can have faith that its State government is open, transparent, and easy to understand while protecting the interests of all Californians, especially its most vulnerable citizens.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 29, 2006

To the Members of the Senate:

I am signing Senate Bill 1292 because I understand that the intent of this measure was to clarify that vocational and adult education teachers have access to training that will lead to certification in specially designed content instruction delivered in English aimed at improving instruction to English language learners.

However, as currently drafted, this bill would likely be interpreted to allow persons with either a designated subject teaching credential or a service credential with a special class authorization to teach English language learners only if the teacher has completed or is enrolled in the specified professional development proposed in this measure. Thus, I am concerned that this bill would exclude qualified vocational and adult education teachers from teaching English language learner students.

Therefore, I am signing this measure with the understanding that the author will introduce cleanup legislation in the next session.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 29, 2006

To the Members of the Senate:

Senate Bill 1758 will increase accountability for adoption facilitators in California and better protect children and families by increasing required surety bonds, creating an online registry of adoption facilitators who meet specific requirements, and authorizing the Department of Social Services to conduct criminal background checks for these individuals.

While this bill is a good start to improve adoption facilitator services in California, I am directing the Department of Social Services to work with the Department of Justice and the Legislature on legislation next year to



ensure the background check provisions of the bill are technically improved and provide clear standards to expedite implementation.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 29, 2006

To the Members of the Senate:

Restoring direct access in order to increase competition and lower prices to retail electricity customers is a cornerstone of my Energy Action Plan. I have supported several legislative attempts to address this issue during my tenure.

Senate Bill 423 restores direct access—only if the energy service provider gives the electricity away. While I commend the legislature for recognizing the merits of direct access and acting upon them, this narrow exemption exemplifies the challenges of implementing meaningful energy policy reform in California.

I strongly encourage the Legislature to pass legislation that reinstates direct access and increases consumer choice in California.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 29, 2006

To the Members of the Senate:

Improving water quality in California has been a cornerstone of my Environmental Action Plan. Consistent with this commitment, this year's budget included an additional \$8.5 million to enhance water quality monitoring. Senate Bill 1070 will help advance this goal by requiring the development of a comprehensive water monitoring program across state agencies. As we develop this Interagency Memorandum of Understanding and move towards implementation, we must be cognizant of developing a sound program in a cost effective and consistent manner. We should be working within the parameters of these enhanced financial resources and not increase fees on Californians.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 29, 2006

To the Members of the Senate:

I am signing Senate Bill 257, which will enhance the ability of the California Housing Finance Authority (CalHFA) to make loans and issue revenue bonds to finance affordable housing for the mentally and physically disabled. This measure also gives the California Housing Finance Authority the ability to better manage its bond financing and



ensure a favorable bond issuer credit rating by exercising salary setting authority for key investment personnel.

I am signing this measure because it is essential for CalHFA to move forward in 2007 with efforts to finance special needs housing. However, in signing this bill, I instruct CalHFA to work closely with the Department of Personnel Administration to develop and implement an appropriate salary setting methodology that will improve CalHFA's ability to recruit and retain qualified investment professionals while maintaining salary levels comparable with other state and local housing finance entities. In addition, I would support legislation next year to limit salaries for top administrative personnel in the same way that salaries for other exempt employees are now limited.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 30, 2006

To the Members of the Senate:

Protecting the health and safety of Californians is my highest priority. For that reason, I am proud to sign Senate Bill 1759 into law.

This bill is an important component of my Administration's efforts to better protect California's patients and consumers of services provided by close to half a million facilities and professionals, including child care providers, nursing homes, certified nurse assistants, and hospitals, licensed by departments within the Health and Human Services Agency. SB 1759 will provide licensing programs additional tools to increase accountability, improve data sharing and enhance public safety protections by conducting criminal background checks before specified providers can work with vulnerable populations. These actions are part of a multi-year, comprehensive reform effort to increase health and safety protections, modernize licensing business systems and maximize the use of program resources.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 30, 2006

To the Members of the Senate:

I am signing SB 1380 because in the wine industry and to wine consumers the name Sonoma transcends a county name, and has become nearly a brand name synonymous with quality wine produced by some of the greatest vintners in the world. This bill will help ensure that consumers are not misled by labeling. Sonoma is a premier appellation known around the world and consumers expect that the wine they purchase with that storied name on the label actually comes from Sonoma. Consumers and producers of Sonoma wine are deserved of the same protections under the



federal laws that were recently upheld by the United States Supreme Court. This bill is consistent with those laws.

While I am convinced of the merits of this measure, I am concerned about similar issues for other wine growing regions and appellations in the state. I am directing the Department of Alcoholic Beverage Control to make policy recommendations to me on the issues presented in this bill, taking into consideration federal laws and regulations, consumer confidence, and existing brands and labels.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 30, 2006

To the Members of the Senate:

I fully support efforts to improve and ensure compliance with the federal Indian Child Welfare Act (ICWA). Congress enacted ICWA in 1978 to protect the best interests of Indian children and promote the security and stability of Indian families and tribes, by establishing minimum federal standards that must be followed when the removal of Indian children from their families becomes necessary. ICWA is important in helping to preserve the heritages of Indian children and maintain connections with their tribes. It is essential that children know who they are and remain connected with their families whenever possible.

However, I am concerned with the ability of the California Department of Social Services and counties to fully implement a piece of legislation that is this complex by January 1, 2007. It is my understanding that the parties negotiating the bill agreed upon an effective date for the bill of July 1, 2007, although the final version of the bill inadvertently failed to provide that implementation timeframe. It also is my understanding that the author is submitting a letter to the Senate Daily Journal to clarify her understanding that implementation will likely require a longer time frame than the bill would otherwise provide.

I am signing Senate Bill 678 with the understanding that state and county agencies be given sufficient time to ensure full and appropriate implementation of this important legislation.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 30, 2006

To the Members of the Senate:

I am signing Senate Bill 1309, because I continue to be supportive of efforts to expand and strengthen nursing programs to address critical shortages in this occupational area.

However, I want to work with the author of this measure on clean-up legislation in the next session to resolve certain drafting errors contained in the bill regarding the loan assumption program for recruitment of state



nurses and to make the number of new awards provided under this program subject to an appropriation in the annual Budget Act.

Additionally, it is my understanding that the author submitted a letter to the journal that attempted to reflect agreements with my Administration on the intent language specified in sections 22 and 23 of this bill. Section 22 relates to the funding of baccalaureate students at CSU. It is my intent that these students be funded in the 2007–08 fiscal year from within the funding provided for 2.5 percent enrollment growth. Section 23 relates to the funding of baccalaureate and master’s degree nursing students at UC. It is my intent that the specified baccalaureate students be funded in the 2007–08 fiscal year from within the funding provided for 2.5 percent enrollment growth, consistent with CSU. Further, of the number of specified master’s degree nursing students, additional funding is not needed in the 2007–08 fiscal year for the 65 entry-level master’s degree students and the 20 traditional master’s degree students that were funded in the 2006 Budget Act and that funding for the remainder of the specified master’s degree students be considered as part of the annual budget process.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor’s Office, State Capitol

September 30, 2006

To the Members of the Senate:

Recreation and outdoor activities should be encouraged because they promote healthy living and family togetherness and help develop an appreciation of our environment and working landscapes. Therefore, I am signing Senate Bill 1556, creating the authority for a plan to develop the Delta Trail Corridor.

As the plan is developed and implementation considered, the appropriate funding source for the activities is Parks and Recreation Bonds. Additionally, if it is deemed necessary to acquire land we must do it from willing sellers.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor’s Office, State Capitol

September 30, 2006

To the Members of the Senate:

I am signing Senate Bill 1614 to contract for the development of a teacher database.

However, I am concerned that this bill imposes restrictions that will likely drive additional General Fund costs. By prohibiting the system from including certain information on teachers, it will result in costs to modify the databases of other state agencies to allow them to maintain individual teacher identifiers and to transmit data to the Commission on Teacher Credentialing with only the identifier. My Administration provided the



author's office with amendments to this bill that would have prohibited access and reporting of personal data elements from this new data system, which would have accomplished the same objectives with significantly less overall cost, the author's office neglected to include these amendments.

Therefore, I am signing this measure, with the expectation that the Legislature will pass cleanup legislation in the next session that addresses this issue to ensure that this database is created without the unnecessary, excessive costs identified.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 30, 2006

To the Members of the Senate:

I am signing Senate Bill 1773 to provide California communities with the ability to adequately address their local trauma and emergency center needs, including pediatric trauma centers. This measure strikes an appropriate balance by providing local discretion and requiring local governments to first demonstrate that an increase in fines will not reduce funding for other vital programs, such as victims restitution and police training, which rely on the same source of revenue.

Despite the safeguards in this bill, I am still concerned that implementation of a new penalty could reduce the overall imposition and collection of existing penalties. As a result, I am directing the Department of Finance to report annually on the amount of revenues collected as a result of this measure and any changes in the condition of the State Penalty Fund subsequent to the implementation of this fee.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 30, 2006

To the Members of the Senate:

I am signing Senate Bill 1710 because it would extend the California Indian Education Center program, which is scheduled to sunset on January 1, 2007.

However, while this bill is intended to address problems identified in a recent Bureau of State Audits report on the California Indian Education Center Program, much of the bill is unnecessary and would create new, ongoing General Fund costs at a time when the structural budget deficit has not been fully resolved. Furthermore, the bill would create Proposition 98 General Fund cost pressures to increase funding for existing California American Indian centers and expand the number of centers throughout the state.

In addition, the bill would shift substantial authority to approve new Indian Education Centers from the State Board of Education to the State



Department of Education and would authorize the State Department of Education to determine the funding level for each center without input from the Administration and Legislature during the annual budget process.

For these reasons, I am signing this bill with the expectation that the author will adopt cleanup legislation to remove all of these provisions with the exception of those which would extend the sunset date and address acceptable audit findings.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 30, 2006

To the Members of the Senate:

I am signing Senate Bill 1541. However, I am concerned that it creates different examination requirements for applicants based on whether their path to licensure is via a traditional classroom based program or a work experience pathway. I am directing the Department of Consumer Affairs to work with the Dental Board of California on legislation to address my concern.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Governor's Office, State Capitol

September 30, 2006

To the Members of the Senate:

Senate Bill 438 authorizes oral and maxillofacial surgeons (OMS), to perform elective facial cosmetic surgical procedures, as defined, under specified circumstances.

In 2004, I returned Senate Bill 1336 (Burton) without my signature in the interest of ensuring consumers that OMS were able to safely perform certain types of elective cosmetic surgery. I have received an occupational analysis of the OMS profession from my Department of Consumer Affairs which concludes the permitted standards and credentialing process



proposed in Senate Bill 438 will enable OMS to practice safely and competently.

For these reasons, I have signed SB 438.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

VETO MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

September 6, 2006

To the Members of the California Senate:

No teacher or textbook in our schools should ever intentionally demean or disparage any group in our society, including discrimination based on sexual orientation.

I am vetoing **Senate Bill 1437** because this bill attempts to offer vague protection when current law already provides clear protection against discrimination in our schools based on sexual orientation.

Education Code section 200 referring to Penal Code section 422.55 governing "hate crimes", provides that "It is the policy of the State of California to afford all persons in the public schools, equal rights and opportunities in our state educational institutions, regardless of their sex, ethnic group, race, national origin, religion, disability and sexual orientation.

Education Code section 220 expands the protection of section 200, prohibiting such discrimination in "any program or activity" conducted by an educational institution. In addition, Education Code section 60045, subdivision (a), provides that all instructional materials shall be "accurate, objective, and current and suited to the needs and comprehension of pupils at their respective grade levels."

This protection specifically covers school programs, activities, instruction and instructional materials. I and this administration are firmly committed to the vigorous enforcement of these protections.

SB 1437 deals exclusively with Education Code sections 51500, 51501, and 60044 prohibiting instruction, materials and activities that "reflect adversely" on persons. Not only is this term extremely vague, and potentially confusing, but I am not aware of any published case brought under these code sections in which individuals within the protected classes have successfully protected their rights under these statutes. But courts have confirmed that individuals in the protected classes can state a legal claim for violation of education Code section 200 and 220.

Therefore, since the Education Code already specifically protects against discrimination to groups based on their sexual orientation and includes programs, instructions and instructional materials. I am vetoing this bill because the vagueness of the term "reflects adversely" would not



strengthen this important area of legal protection from bias based on sexual orientation.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 13, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1414** without my signature.

The spiraling cost of health care is nearing the crisis point. That is why in July I convened a summit on health care affordability to bring together experts from health care, government, business, academics, and labor to discuss California's health care challenges. Numerous leaders joined me that day to identify why health care costs are rising and propose solutions to this problem.

Unfortunately, SB 1414 does nothing to address the health care challenges we face. Singling out large employers and requiring them to spend an arbitrary amount on health care does nothing to lower costs or guarantee that even one more person has health care coverage. In fact, SB 1414 will do little more than lead to expensive legal challenges. A Maryland law similar to SB 1414 was recently struck down by the courts as preempted by federal law.

Beyond its legal shortcomings, SB 1414 is not the comprehensive approach to health care reform that California needs. Without fundamental change, costs will spiral higher, more businesses will be forced to drop health care coverage, and fewer working families will find themselves with health care. This is not an option.

I encourage the Legislature to work with me in 2007 to develop a comprehensive plan to address our state's health care challenges. I am confident that working together we can achieve our shared goal of a healthier California.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 19, 2006

To the Members of the California Senate:

I am returning **Senate Bill 815** without my signature.

Since November 2003, California employers have added over 600,000 jobs to their payrolls. Nearly 37,000 jobs were added in August alone. California is now home to more than 15 million jobs, an all-time high. In



addition to job growth, personal income has increased in each of the last two years. In short, the California economy is strong and growing.

One reason for our state's economic renaissance is the workers' compensation reform enacted in 2004. Before I took office, California's workers' comp system was in crisis. The system was overwhelmed by unnecessary litigation and return-to-work rates for injured workers were the worst in the nation. Costs had increased from \$6.8 billion in 1997 to over \$21 billion in 2003. This unprecedented increase sent jobs fleeing from our state.

The reforms we enacted in 2004 have lowered costs, improved efficiencies, and reduced litigation. Rates have dropped 50 percent and employers have saved over \$11 billion in lower premiums. Those savings have translated into more jobs and higher wages. One CEO told me his company is using their work comp savings to improve health care coverage for his employees.

When the new permanent disability schedule took effect in 2005, I committed that we would monitor the impact of the new law on injured workers for 18 months, and if we found that seriously injured workers were falling through the cracks, we would fix it. That review will be completed by the end of this year, and I am committed to making any changes necessary to ensure that injured workers unfairly impacted by workers comp reform receive appropriate medical treatment and indemnity benefits.

The changes proposed by SB 815 are not based on a comprehensive analysis, and will double the cost of permanent disability benefits. As we look to build upon the economic successes of the last three years, I simply cannot support a measure that would reverse many of the economic gains now powering California's economy.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 20, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1546** without my signature.

This bill circumvents the California High School Exit Exam (CAHSEE) by allowing college districts to concurrently award AA degrees and high school diplomas, without requiring students to pass the CAHSEE. I must reject such a change in policy. If a high school diploma is to mean anything, then those who earn diplomas must demonstrate their mastery of a common core of knowledge by passing an exam explicitly designed to test that mastery: the CAHSEE.

In my education trailer bill of last year, I proposed to make it absolutely clear that community colleges do not have the authority to grant high



school diplomas without requiring students to pass the CAHSEE. This bill would move us in precisely the opposite direction.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 21, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1693** without my signature.

Under state law, if an individual or entity makes political contributions totaling \$10,000 or more in a calendar year, it is deemed to be a "major donor" committee and becomes subject to various reporting requirements. By raising the major donor threshold to \$30,000, this bill would effectively reduce the level of disclosure of campaign finance information. That is something I cannot support.

While I am sympathetic to the burden imposed on major donors to file their reports, full and timely disclosure is a critical safeguard against abuse and corruption in the political process.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 22, 2006

To the Members of the California Senate:

I am returning **Senate Bill 927** without my signature.

Improving the quality of life for all Californian's through congestion relief and environmental improvement has been one of my top priorities as evidenced by the introduction of my Strategic Growth Plan resulting in the enactment of Senate Bill 1266.

Senate Bill 1266 (Chapter 25, 2006) is the largest transportation and air quality bond in the history of the United States. It provides \$1 billion in new funding to improve air quality in California which will directly benefit the communities in and around the Los Angeles and Long Beach Ports. Senate Bill 1266 also provides \$1 billion to address port mitigation issues, \$2.1 billion for trade infrastructure and \$100 million in port security funding. This is in addition to the \$140 million annually for air quality mitigation contained in Assembly Bill 923 (Chapter 707, 2004) which I sponsored and signed.

Although the policy objectives of Senate Bill 927, to develop more secure ports, congestion relief and environmental mitigation, are laudable, this measure is flawed in its construction, application, lack of



accountability and failure to coordinate with other public and private financing sources ignoring opportunities to leverage additional funding.

Senate Bill 927 provides no mechanism for the usage of the fees collected to favorably leverage the billions of dollars in available funding to develop public private partnerships. Although SB 927 does generate funds, if done in a more coordinated fashion with the public and private sector, funding for additional congestion relief and mitigation could be increased geometrically. Additionally, this measure is drafted to include only two ports and applies only to goods shipped in containers, ignoring all other forms of shipping and ports of entry.

Public safety is and has been my top priority which includes increasing the security at all California ports. My Office of Homeland Security and Emergency Services has aggressively worked with the U.S. Office of Homeland Security and all our local counties and cities to support them as they develop their local plans for port security and identify their needs. Over 127 million dollars has been awarded and allocated on a competitive basis to California ports for security. These grants are being used for port security training, communications equipment, cameras, lighting underwater surveillance and protective equipment for port first responders. We have an additional 100 million dollars included in the strategic growth plan specifically for port security. Additionally, we are working with the U.S. Department of Homeland Security on their just announced award investing over 1 billion dollars on radiological and nuclear detection capabilities.

As Governor, I have traveled to both China and Japan working to improve our trading relationships with these nations—trade that includes both imports and exports. It is very important that any measure that increases fees that impact exporters not have the unintended consequence of negatively impacting the sale and delivery of goods grown and manufactured in California. SB 927, unfortunately could negatively impact these exports as well.

Finally, my goods movement task force is developing a comprehensive report that will provide more thorough and strategic direction and insight on what the best options are to address goods movement and port related challenges. This report will be available by the end of this year.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 22, 2006

To the Members of the California Senate:

I am returning **SB 1225** without my signature.

Abandoned vehicles are a public nuisance and a safety hazard. I support the goal of this bill's proponents to get these vehicles off our streets. In fact,



existing law already allows local governments to assess a fee on vehicle registrations to fund abandoned vehicle abatement programs.

Unfortunately, I cannot support the doubling of the vehicle registration fee proposed by this bill. In recent years, a number of measures have come across my desk that would allow local governments to add or increase fees on vehicle registrations. Many of these proposals have been well-intentioned, with proposed fees related to the impact motorists have on roads and the environment. However, I have consistently held that fees such as these should be approved by the voters.

Throughout the year, my administration worked with members of the legislature on a proposal that would have given all counties the authority to adopt, with voter approval, modest license fee add-ons to fund environmental and traffic mitigation programs. Unfortunately, those efforts were ultimately rejected. I encourage the Legislature to reconsider this decision when they return next year.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 22, 2006

To the Members of the California Senate:

While I commend Sen. Sheila Kuehl's commitment and dedication to providing health care coverage for all Californians, I must return **SB 840** without my signature because I cannot support a government-run health care system.

Socialized medicine is not the solution to our state's health care problems. This bill would require an extraordinary redirection of public and private funding by creating a vast new bureaucracy to take over health insurance and medical care for Californians—a serious and expensive mistake. Such a program would cost the state billions and lead to significant new taxes on individuals and businesses, without solving the critical issue of affordability. I won't jeopardize the economy of our state for such a purpose.

SB 840 relies on the failed old paradigm of using one source—this time the government — to solve the complex problem of providing medical care for our people. It uses the same one-sided approach tried in SB 2, the employer-mandated coverage measure signed into law before I became governor. I opposed SB 2 because it placed nearly the entire burden on employers, and voters repealed it in 2004.

I want to see a new paradigm that addresses affordability, shared responsibility and the promotion of healthy living. Single payer, government-run health care does none of this. Yet it would reduce a person's ability to choose his or her own physician, make people wait longer for treatment and raise the cost of that treatment.

With my partners in the Legislature, I look forward in 2007 to working to develop a comprehensive and systemic approach to health care that not



only provides affordable medical treatment to people when they are ill, but that strives to make sure people don't get sick in the first place. An approach that supports cost containment and recognizes the shared responsibility of individuals, employers and government. That promotes personal responsibility and builds on existing private and public systems.

As part of this comprehensive approach, my administration already has worked hard on the fight against obesity, a leading cause of disease in this country.

I signed the landmark Healthy Schools Now Act, which bans junk food and sugar-laden drinks in public schools. Our budget included \$18 million to replace that junk food with fresh fruits and vegetables so we can start promoting healthy living choices for our youngsters. Recently I signed AB 2384 (Leno) to make fruits and vegetables more affordable and accessible in low-income communities and AB 2226 (Garcia) to help inform 7th grade students and their parents or guardian(s) of the risk of Type 2 Diabetes.

Our efforts to effectively prevent and detect diseases extend far beyond obesity prevention. I recently signed legislation to ensure early detection of hearing loss through newborn hearing screenings (AB 2651—Jones). Since I've taken office we have expanded newborn health screenings from 33 to 85, dramatically increasing the ability to prevent or detect disease early to keep our children as healthy as possible from the beginning.

On the question of access, I've made children's coverage a priority, resulting in nearly a quarter million additional children covered by our Medi-Cal and Healthy Families programs. Building on an \$80 million budget investment to target uninsured children who are eligible, but not enrolled in state health care programs, I signed legislation to eliminate roadblocks to coverage, streamline enrollment for Medi-Cal and Healthy Families and reduce the number of kids that lose coverage due to administrative barriers. (SB 437—Escutia, AB 1948—Montanez, and AB 1851—Coto)

And on the question of affordability, I reached agreement with the Legislature to provide discounts on prescription drugs of up to 40–60 percent off brand name and generic drugs for our neediest citizens.

But we're not stopping there.

I convened a California Health Care Summit in July that for the first time brought together experts on all sides of this issue. At the table with us were representatives from academia, government, business, health care and labor. From that summit and follow-up meetings, there emerged a strong sense of how to proceed on health care reform. Affordability is the key to



making our system work for everyone, and affordability is exactly what we are dedicating ourselves to.

By implementing a statewide plan advancing health information technology that I called for in a recent executive order, we can shave billions of dollars off healthcare costs in California.

By creating the 500 elementary school-based health centers I called for in our Health Summit, medical treatment will be more accessible to our children who need it most and they can avoid costly emergency care. We have made progress toward this goal by enacting legislation (AB 2561—Ridley-Thomas) to support California's school health centers by increasing cross-agency collaboration, gathering data about services delivered in school health centers throughout the state and providing technical assistance to aid in the development of new and existing school health centers.

With the same willingness to compromise that we showed this past legislative session on issues like global warming, I know we can reach our goals. I look forward to working with Sen. Kuehl and other members of the Legislature, as well as the experts who participated in our summit and other stakeholders, to create a healthier California.

For these reasons, I am returning SB 840 without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 28, 2006

To the Members of the California Senate:

Senate Bill 1398 would require the California Department of Health Services to provide to the Legislature, on an annual basis, specific information about the Medi-Cal rate setting process. This would include the methodology used and rate adjustments made or planned. Disclosing this information conflicts with existing law which requires that Medi-Cal managed care capitation rates and supporting documentation for contracts negotiated by the California Medical Assistance Commission remain confidential for four years. Further, this bill would impose unworkable requirements, such as requiring reports of unknown information like potential future rate adjustments.

While I support providing the Legislature information to assist in the development of sound fiscal and programmatic policy, I am returning **SB 1398** without my signature as it conflicts with important confidentiality protections and elements of the rate setting process that are critical to California's effective Medi-Cal rate negotiations.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1373** without my signature.

While the objectives contained in this bill will measure a change in the system, the objectives by themselves do not necessarily indicate that the State is providing wards with better services. Rather than increasing reporting requirements and placing random performance objectives in statute, the State should instead focus on improving the treatment, education and rehabilitation of the wards entrusted to its care so that they can return to their families and our communities as healthy, productive citizens.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1356** without my signature.

Suicide prevention is an important and serious issue that is appropriately an area of focus of the Mental Health Services Act and the Department of Mental Health's work. Specifically, the Act sets forth reducing suicides as a goal of state and local early intervention programs funded by the Act, and makes significant resources available for prevention and early intervention activities, including initiatives to address suicide prevention. In addition, my 2005–06 and 2006–07 budgets provided funding for the Department of Mental Health to undertake suicide prevention activities and provide support for local suicide prevention efforts.

I agree with the goal of SB 1356 to provide a plan to better coordinate state and local suicide prevention efforts. Given the requirements of the Act and the efforts already underway, the goals of this bill can best be addressed administratively, and do not require a statutory mandate. Therefore, I am directing the Department and the Health and Human Services Agency to build on the work done by the California Suicide Prevention Advocacy Network and coordinate with all interested constituency groups and state and local agencies in the development of a statewide strategic plan on suicide prevention no later than May 1, 2008.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1353** without my signature.

I am concerned that it may unintentionally result in tens of millions in fraudulent claims by interfering with Medi-Cal fraud activities designed to protect program integrity. These efforts include in-depth background checks and pre-enrollment inspections. As demonstrated by the recent Medi-Cal Payment Error Study, which found that 8.4 percent of dollars paid by Medi-Cal (\$1.4 billion) contained errors, including fraud, we must continue to be vigilant in our efforts. I share the author's interest in getting Medi-Cal providers enrolled faster to provide greater access to care. The majority of providers applying for enrollment are approved expeditiously within 30 days. However, roughly 700 applications per year require increased scrutiny and results have shown that 64 percent of those applications result in recommendations for denial or additional action.

A key goal of Senate Bill 1353, is to expedite re-enrollment of providers moving within a county. This issue has been largely addressed administratively by improvements in the provider enrollment process and allowing providers moving to a new location to continue to bill Medi-Cal while their application is being processed.

Additionally, by streamlining enrollment of providers belonging to a physician group, restructuring its paper processing, and improving staff training and oversight, the Department of Health Services has improved Medi-Cal provider enrollment and significantly reduced processing time. The Department of Health Services will continue to improve the provider enrollment system, while balancing the need to retain key tools to fight fraud and abuse.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1286** without my signature.

I commend the author for attempting to establish a state governance structure to address cross border air quality issues on the California Mexican border. However, the functions of the bills proposed council would be duplicative of ongoing efforts by the U.S. Mexico Air Policy Forum and the Imperial Valley-Mexicali and San Diego-Tijuana air quality task forces established under the Border 2012 Program. The proposed council could dilute the efforts of the current workgroups. It may even prove difficult to rally support for another border air quality coordinating



group. Additionally, this bill would have significant general fund costs in order to fulfill its requirements.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1281** without my signature.

While I am supportive of the policy goal of this bill, which would allow more prospective jurors the opportunity to participate in their civic responsibility, this bill will add to the statutory and regulatory burdens already placed on companies seeking to do business with the State. As I stated in my veto message of a substantively similar bill in a prior year, the overarching objective of improving the jury system is one that needs to be addressed, but this proposal is not the best mechanism to achieve that goal.

In its contracting programs, the Department of General Services is charged with obtaining the best value for the taxpayer. This bill would impose an additional restriction on those contractors doing business with the State, restrict competition, and ultimately result in higher prices for goods and services. This is contrary to my Administration's goal of making California a good place to do business.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1162** without my signature.

This issue has been the subject of a number of prior legislative attempts. Last year I vetoed a similar measure, SB 60, because action on this issue is premature until federal regulations are promulgated to implement the REAL ID Act. We are still awaiting those regulations.

Given the potential impact of the REAL ID Act on the public safety and homeland security of Californians, members of my administration are working with the federal government to develop those regulations and secure funds necessary to implement the Act. Until the REAL ID Act is implemented and the federal government adopts comprehensive immigration reform, it is inappropriate to move forward with state law in this area.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 187** without my signature.

This bill alters the existing process for the adoption of drinking water standards by the Department of Health Services (DHS). Although I support the intent of SB 187 to protect the public's drinking water supply, the bill ignores the deliberative scientific process that must be part of the development of any drinking water standard.

A maximum contaminant level (MCL) is an enforceable regulatory standard under the Safe Drinking Water Act and must be complied with by public water systems. Current law requires DHS, while placing primary emphasis on the protection of public health, to establish an MCL at a level as close to the theoretical public health goal as is technically and economically feasible. This bill ignores the necessity to consider economic and technological feasibility when adopting an enforceable drinking water standard.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 403** without my signature.

Although tank vessels transporting chemicals on California waters can pose challenges, local Harbor Safety Committees and the United States Coast Guard already have authority to require safety measures for vessels which might pose a particular threat to the port or environment. My Office of Homeland Security has expressed concerns that I share, that the report required in this bill, particularly by disclosing the list of tank vessels, their specific structure and safety features, the type and quantity of their chemical cargoes and their ports of call could actually threaten, instead of protect, both the environment and public.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 560** without my signature.

I am very excited about the reinvigoration of career technical education (CTE) in the schools, and I have devoted \$100 million this year to programs and projects that promote the upgrading of facilities and equipment and the creation and expansion of programs that articulate and sequence to



postsecondary and certificate programs. Additionally, my proposal to infuse CTE with an additional \$500 million in bond funds so that our state can create the infrastructure to support our expansion of CTE programs, will go to the voters for approval this November.

However, this bill is premature. The activities required by the bill apply only if bond is adopted after January 1, 2007 and if the information is required as a condition of receiving those bond funds. If the Legislature wants to require applicants to provide specified information as a condition of receiving bond funds, those provisions should be included as part of the next school bond measure that it approves.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 814** without my signature.

This bill would create a statute that mirrors many provisions of the current Settlement and Release Agreement (SRA) for the California Department of Corrections and Rehabilitation (CDCR) in the case of *Garrison Johnson v. California*. By placing the language of the SRA in statute, the CDCR and the plaintiffs would be required to seek legislative approval for any subsequent changes, no matter how minor they may be. Consequently, this bill is unnecessary and could hinder the efforts of the department and the plaintiff to address the concerns in Mr. Johnson's case.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 28, 2006

To the Members of the California Senate:

I am returning **SB 960** without my signature.

This bill requires the Department of Toxic Substance Control to post on its website information it already has posted and link to sites it already links to. Referencing these sites in statute is duplicative and will limit discretion of the Director to find the best most relevant sites in which to provide links so that businesses and consumers have access to the most current and useful data.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 982** without my signature.

This bill is duplicative of existing activities at the Department of Toxics and Substance Control. The department already makes its environmental enforcement and complaint information available on its website. It allows the State Water Resources Control Board to post reports already available to the public. Therefore, this bill is unnecessary and duplicative.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

I am returning **SB 1126** without my signature.

This bill would transfer statutorily-mandated payments made by the City of Eureka to the State of California into the Humboldt Bay Fund. The annual payments are required as a condition of a grant of \$750,000 that the city received from Tidelands Oil Revenue Account in 1978.

Since statehood, certain tide and submerged lands have been transferred to local jurisdictions for public trust uses of statewide benefit. Each local jurisdiction's implementing statute or agreement has various terms and conditions that guide the transfer of these lands. The California State Lands Commission, having the State's remaining jurisdiction and authority, exercises oversight responsibilities over these lands and is responsible for assuring that these trustees comply with their respective granting statutes and the legal requirements under the Public Trust Doctrine.

This bill is contrary to the original agreement memorialized in Chapter 1095, Statutes of 1978, which specified that the grant was contingent upon Eureka's agreement to make an annual remittance to the State in perpetuity. Given the State's present fiscal condition, I do not believe this revenue reduction is prudent at this time.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2006

To the Members of the California Senate:

While I strongly support efforts to ensure Californians have access to flu vaccines, I am unable to support **Senate Bill 1220** as it would require a new, unnecessary bureaucracy within state government and increase state costs. I encourage vaccine distributors, professional organizations and



physicians to work together to create non-governmental solutions that make it easier for small physician practices to access the flu vaccines.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1223** without my signature as it may contribute to rising premiums and make health care less affordable and accessible for uninsured Californians. This bill is substantially similar to Senate Bill 1158 (Scott) which I vetoed in 2004. I am concerned that increasing the cost of health coverage by mandating benefits, if even by a small amount, may leave more children without any health insurance.

According to the Kaiser Family Foundation, Health insurance premiums have steadily risen by double digits every year since 2001 and employers cite high premiums as the most common reason for not offering health coverage. I am concerned that without fundamental changes in the system, insurance coverage will become even less affordable for workers and employers. This is why I want to see a new health care paradigm that addresses affordability, shared responsibility and the promotion of healthy living. Consistent with this approach, I have signed AB 2651 (Jones) to ensure early detection of hearing loss through newborn hearing screenings. Early detection is critical to ensuring children with hearing loss receive effective treatment and intervention to support them in developing strong communication skills, and succeeding in school.

I look forward to building on our efforts to date and working with my partners in the Legislature, to develop a comprehensive and systemic approach to health care that supports cost containment, recognizes the shared responsibility of individuals, employers and government, and not only provides medical treatment to people when they are sick, but strives to make sure people don't get sick in the first place.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 28, 2006

To the Members of the California Senate:

I am concerned that, as crafted, **Senate Bill 1427** unintentionally creates a loophole that may compromise program integrity and expose the State to more than a billion dollars in costs. For this reason, I am returning this bill without my signature. However, I am directing the Department of Health Services to work with stakeholders and the Legislature on statutory changes to provide federally qualified health centers flexibility to bill for



services provided outside the site, while maintaining appropriate controls to protect program integrity, and ensuring health centers will continue operating within licensing laws and regulations.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 28, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1404** without my signature.

This bill is an unnecessary intrusion by state government into the domain of local agencies. The proponents of this measure have offered no evidence that state intervention is necessary to regulate when a prohibition against parking should not be enforced because posted street cleaning may or may not have actually occurred.

Cities and counties are well situated to respond to the needs of their communities. Where citizens have concerns about local ordinances dealing with parking and street sweeping, I encourage them to communicate with their local officials to address those concerns.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 795** without my signature.

I support the idea of rehabilitating wards in the most effective manner possible. However, by requiring the Division of Juvenile Justice (DJJ) to reach a final agreement by July 1, 2007, this bill could unduly favor certain counties or even force the State into a contract regardless of whether that contract is in the best interests of juvenile parole violators or has equitable terms based on program standards or cost.

The State is already in the process of addressing parole deficiencies in the juvenile system. As part of the *Farrell v. Tilton* settlement remedial plans, the DJJ is currently working with communities to provide alternatives for parole violators. In addition the 2006–07 Budget includes an additional \$10 million for a new community reentry program that will award grants to provide juvenile parolees with services that help ensure that they are successful in the community.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 697** without my signature.

I support efforts to improve the quality of child care and to increase the availability of child care. Unfortunately, collective bargaining would inappropriately limit the state's flexibility to determine reimbursement rates for state-subsidized child care. To the extent that family child care provider reimbursement rates for state-subsidized child care are increased, funding for child care programs would need to be increased. Such increases could come at the expense of the number of available child care slots or other child care services being reduced.

I am concerned that this bill results in providers caring for subsidized children being reimbursed at rates much higher than those which non-subsidized families can afford, state reimbursement payments would drive the market and make child care too costly for low-income families that are not receiving child care subsidies.

This bill has the potential to add significant fiscal pressure to the state's structural budget deficit and/or reduce the number working families for which subsidized child care slots could be provided by authorizing family child care providers to select a provider organization for the purpose of negotiating increased child care reimbursement rates and benefits with state entities that administer state-funded public subsidies for child care services. In light of the current structural budget deficit, it is imperative that we balance our fiscal reality and the need to provide services to working families.

In addition, I do not believe this bill is necessary because family child care homes currently receive prevailing market rates for their services. They are reimbursed for the state subsidized families they serve at same rate as that paid by the non-subsidized families they serve.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 486** without my signature.

In my veto message for Senate Bill 485 last year, I requested that the interested parties meet with the Department of Finance to resolve this issue in a manner equitable to both the state and the county. In spite of the best efforts of the Department and the county, the bill before me proposes the



same solution as that contained in Senate Bill 485 which does not provide an "equitable" resolution for both the state and the county.

While I am vetoing this bill, I would consider future legislation that would resolve this issue in a manner that is equitable both for the state and affected localities. In particular, I am willing to consider legislation that would provide some relief to counties that are unfairly burdened with a large population of pupils with exceptional needs who are referred to other counties where higher quality out-of-home care programs exist.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 212** without my signature.

This bill would eliminate, with few exceptions, the mandatory requirement that California physicians report to the Department of Motor Vehicles (DMV) every patient whom they diagnose with a condition characterized by lapses of consciousness.

While these reporting requirements, which have been in place since 1939, may need to be streamlined, it is too great a risk to other motorists to simply eliminate reporting requirements altogether. One of DMV's primary mandates is to ensure that all drivers are competent to safely operate a motor vehicle. The DMV needs physician reports in order to fulfill that mandate.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 204** without my signature.

The Commissioners on the California Energy Commission and the California Public Utilities Commission are subject to strict conflict of interest laws. Both commissions have restrictions on pre and post employment and this law could result in less clarity on the requirements, discouraging qualified, knowledgeable and experienced applicants from seeking these public service positions.

This measure would add duplication and ambiguity to existing law and not result in greater protections.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 59** without my signature.

While I share the Legislature's concern about the criminal use of lost or stolen weapons, the ambiguous manner in which this bill was written would make compliance with the law confusing for legitimate gun-owners and could result in cases where law-abiding citizens face criminal penalties simply because they were the victim of a crime, which is particularly troubling given the unproven results of other jurisdictions in California that have passed similar measures.

In addition, this bill may have undesirable legal consequences as it allows local governments to pass ordinances that differ from State law, thereby leaving law-abiding citizens with the task of navigating through a maze of different or conflicting local laws depending upon the jurisdiction they are in. A patchwork of inconsistent local ordinances creates compliance and enforcement problems that erode the States ability to effectively regulate handguns statewide.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 842** without my signature.

Recognizing the importance of this issue recruiting and retaining quality teachers into the profession, my Administration has worked in close collaboration with the Legislature on related legislation and numerous related budget initiatives to address the issue. That is why I have signed Senate Bill 1209, authored by Senator Jack Scott to directly act on issues such as streamlining credentialing requirements, breaking down barriers for out-of-state teachers wanting to teach in California, strengthening teacher preparation and induction, creating personnel efficiencies, and encouraging districts to negotiate alternative salary schedules have all been targeted by key new initiatives. In addition, full funding for these efforts has been included in the 2006 Budget Act.

Given the comprehensive nature of the related reforms that my Administration has approved, and the concern I have that this bill includes conflicts and duplications with those related measures, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1010** without my signature.

This bill authorizes the City of Shafter to form an intermodal rail commission and assign functions to that commission. While I am supportive of efforts to improve goods movement in California, legislation is not necessary to achieve the goals of this bill.

Further, goods movement issues should be discussed in a comprehensive fashion, not a piecemeal manner. The Goods Movement Task Force of the Business, Transportation, and Housing Agency will be releasing recommendations this fall to facilitate such a comprehensive discussion.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning Senate Bill 1193 without my signature.

I vetoed a substantively similar bill in 2004. This bill would allow schools to receive funding for time when students are volunteering as an elections precinct board member. While civic and other volunteer activities can offer many educational opportunities to students, these activities should be in addition to, and not in place of, valuable classroom learning time with a teacher.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1197** without my signature.

The Medi-Cal program exists to insure that needy persons have access to basic medical care without requiring them to sell their homes or take steps that would unnecessarily bring disorder or harm to their lives. Current law already allows the Department of Health Services to waive claims against an estate if a hardship would be created for dependents or heirs as a result of the claim. Therefore, adequate financial protections already exist for the family or heir of a Medi-Cal beneficiary. Where no hardship would be created, the taxpayers are entitled to reimbursement for the care rendered to a Medi-Cal beneficiary whose estate contains assets sufficient to pay it. Limiting the timeframe in which benefits can be collected

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only serves to decrease the State's ability to provide services to future beneficiaries.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

As I stated last year when I vetoed a substantially similar bill, AB 477 (Baca), I am concerned that expanding the In-Home Supportive Services (IHSS) program to a new, higher income population may negatively impact the ability of low-income seniors and persons with disabilities currently enrolled in the IHSS program to secure the services they need. Senate Bill 1435 would require counties to have a surplus of providers when initiating the pilot program. However, there is no requirement that the county maintain adequate providers throughout the project.

IHSS consumers often report difficulty in locating, hiring, and retaining quality service providers. Allowing those who are not currently IHSS consumers to purchase services through the IHSS program and hire the limited number of registered providers may exacerbate these challenges.

For this reason, I am returning **SB 1435** without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

While I support providing low-income parents access to educational opportunities, I am unable to support Senate Bill 1825 as it weakens California's focus on employment and may place our state at higher risk for millions of dollars in federal penalties.

Changes made through the federal reauthorization of the Temporary Assistance for Needy Families (TANF) program challenge the state and counties to significantly increase the number of CalWORKs participants who are working. Allowing parents to receive cash assistance while awaiting acceptance to an educational program without being required to



meet “core work” requirements may reduce California’s work participation rate and risk millions in federal penalties.

Given the new federal rules and the fact that work is key for families to transition out of poverty, **SB 1825** is a step in the wrong direction. For these reasons, I must return it without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor’s Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1509** without my signature.

The promotion of efficient land use through model mixed-use ordinance development is laudable; this measure fails to account for the need of such a model ordinance and the practicality of its implementation. Numerous local jurisdictions have successfully adopted form-based zoning ordinances that promote sustainable mixed-use development and technical advice and model ordinances are already available for this purpose. A model mixed-use ordinance would, inherently, lack the specificity that is necessary to address the widely divergent needs of California’s diverse communities.

I encourage California’s local governments to explore mixed-use ordinance development and to seek assistance from my Office of Planning and Research when needed.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor’s Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1510** without my signature.

The purpose of the School Accountability Report Card (SARC) is to ensure that parents, teachers, students, and the general public have access to information about schools so that they can compare schools, and determine where children will be best served. However, over the years the SARC has encompassed so many different types of information that it can be unwieldy for average Californians to easily decipher the most relevant pieces of information presented.

While this bill moves in the right direction in attempting to streamline the SARC, instead of a piecemeal approach, I prefer that my Administration and the Legislature work with the California Department of Education and the State Board of Education to achieve a comprehensive overhaul of the SARC so that it is more user-friendly to anyone that receives it or that would want to access the information online over the



Internet. Among other things that should be highlighted in the SARC, I believe Californians want a higher level of fiscal transparency, particularly information that identifies how much money is actually spent for direct classroom instruction, or for services that directly improve the academic achievement of students. Parents should be able to easily compare schools, how the funds are being used in their child's school, what services and classes are offered, the experience level of the teachers and principal and the academic results. We should also consider reformatting the display of the SARC so that the most relevant information is highlighted up front.

I look forward to signing a bill that will make these changes. Until that time, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1523** without my signature.

The argument about whether a "superstore retailer" belongs in a neighborhood is a daily occurrence in many California communities. Adding a new hurdle, approval of an economic impact report prior to approval of a development project that includes such a retailer, will only limit the authority of local communities to decide what kind of retail projects they want to embrace. As is often the case, a "one size fits all" approach from Sacramento will take away choices that communities have to decide whether a particular development fits their communities.

I am unable to support this bill that effectively sends a message to retailers and others that California is "closed for business."

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1533** without my signature.

The California School Paraprofessional Teacher Training Program serves as a valuable teacher pipeline to bring qualified and committed teachers into our classrooms. However, there does appear to be a need to make some programmatic changes in order to ensure that the program is both effective and efficient and results in the highest possible number of participating teachers receiving their teaching credential.

To that end, I find many of the changes proposed in this bill to be meritorious. However, this bill's specific language leaves too much discretion to the districts and the Commission on Teacher Credentialing



which could drive cost pressures and may increase the incidence of non-completers. Further, this bill's changes to the participant selection process, while moving in the right direction, do not go far enough to ensure the highest rate of completion.

Therefore, I am unable to sign this bill, but my Administration will work with the author next year on a bill that would address these concerns and bring about the needed programmatic changes to ensure the continued success of this valuable teacher pipeline.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1589** without my signature.

In 2004, during the first year of my Administration, the State entered into a historic settlement agreement in the *Farrell v. Hickman* lawsuit. Since that time, the California Department of Corrections and Rehabilitation (CDCR), through the Division of Juvenile Justice (DJJ), has submitted several remedial plans to the court in order to address the long-standing deficiencies of that system.

I appreciate the author's passion about this specific area of government and her interest in exploring reforms. However, as part of the Safety and Welfare Remedial Plan, which has already been submitted to the court, the DJJ is currently working on the development and implementation of gender-specific services, including the contracting provisions for female offenders included in this measure. As a result, this bill is unnecessary and would do nothing more than encourage the DJJ to conduct activities that they are already performing.

I continue to believe that we can work together with all stakeholders to improve the juvenile system without duplicating existing efforts or removing flexibility in the ongoing settlement. I have consistently included significant resources in my proposed annual budget to allow the department to move forward with reforms. In the future, I look forward to continuing this work with the Legislature in order to forge a better system that will improve the lives of juveniles committed to our care.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1598** without my signature.

At the very heart of the initiative process is the 1st Amendment of the U.S. Constitution and the core value of political speech. Any burden placed on either of these fundamental rights of Californians must be examined through a lens that favors the right of the people to address grievances with the government through initiatives, referendums, and recalls.

The purported goal of this bill is to provide potential petition signers more information about the measure, including whether the circulator is paid or volunteer and who the major contributors are. Unfortunately, under this bill, petitions circulated by paid circulators would have to be continually updated and reprinted to reflect any changes in the top five donors backing the measure. As a result, it would be more expensive and onerous to qualify initiatives for the ballot, and the ability for the smaller, grassroots-oriented organizations to participate in the process would be limited.

As with similar measures I have vetoed in the past, this bill attacks the initiative process and makes it more difficult for the people of California to gather signatures and qualify measures for the ballot. While making the process more cumbersome and more costly may be for those hostile to the initiative process, it is not for reform-minded Californians.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1616** without my signature.

While I share the author's goal of ensuring youth receive health services and other assistance for which they are eligible when they are released from custody, I am unable to sign Senate Bill 1616 as it may result in costly, duplicative administrative activities, and as crafted, it likely cannot be properly implemented. Consistent with our shared goal, I signed Senate Bill 1469 to improve coordination between county facilities and county welfare departments and ensure youth have access to health coverage.

While Senate Bill 1616 attempts to perform a similar process as Senate Bill 1469 for youth released from state facilities, as crafted it would require significant increases in duplicative administrative and training activities, and is dependent upon federal funds which are unlikely to materialize. I am also directing the Department of Corrections and Rehabilitation and the Health and Human Services Agency to work to encourage the author, counties and other stakeholders to develop effective strategies to ensure



youth with disabilities can access cash assistance, health coverage and other services for which they are eligible upon their release.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

Ensuring that low-income seniors and persons with disabilities have access to services that help them remain safely at home has been a top priority for my Administration. To that end, my Administration secured an unprecedented waiver that provided California more \$1.7 billion in new federal funds to support the In-Home Supportive Services (IHSS) program, generating approximately \$100 million in local savings annually. Further, California's minimum wage increase, which I signed into law, will strengthen the IHSS program and lead to a raise for more than 10,000 IHSS providers. Using local funds, counties are already paying higher wages to IHSS providers. SB 1660 does little to impact compensation for IHSS providers, it merely requires the state to pay millions more for raises approved by the counties. I believe this policy is more appropriately addressed through the budget process.

For these reasons, I am returning **Senate Bill 1660** without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1822** without my signature because its objectives can be accomplished administratively.

It is important to encourage organ donations and improve California's ability to serve thousands of persons waiting for the gift of life, an organ transplant in our state. To that end, last year I signed SB 689 (Speier) to significantly improve California organ and tissue donor registry, more effectively identify donors and establish a new funding source for the registry. Under the law, the Department of Motor Vehicles is required to collect organ and tissue donor designation information on applications for drivers' licenses and identification cards, to electronically transmit donor designation information to California's Registry, and to identify donors on



their driver's license or identification card. The success to date of getting new donors signed up on the registry has exceeded expectations.

I support efforts to better educate Californians of the importance of becoming an organ and tissue donor, and recognize the importance of identifying strategies to overcome cultural, linguistic, religious, social, and economic barriers to organ donation. Accordingly, I am directing the Department of Health Services, in collaboration with the Department of Motor Vehicles and Donate Life California, to convene a working group to identify strategies to increase donor participation, especially among communities currently underrepresented in the Registry.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1835** without my signature.

This measure establishes permitting impediments for landfills approved by local initiative not required for landfills approved through other local processes. Permitting landfill facilities requires compliance with the California Environmental Quality Act, and various local, state and federal permitting agencies including ones with jurisdiction over air and water quality. During these permitting processes, local citizens, state and federal regulators will have ample opportunity to comment on the project, impose mitigation measures, and require strict compliance with environmental protection laws.

The local initiative process only addresses the local land use requirements and I am hesitant to require additional permitting burdens for a landfill that was approved by a vote of the citizens versus one approved by local officials.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1674** without my signature.

I have long been committed to improving the nutritional quality of foods and beverages available to children in California schools. I believe that if California is going to have any further increase funding for school meals, it should also commit to improving the nutritional quality of the meals.

With the epidemic of childhood obesity as one of the most serious health crises facing our state, now is the time to implement the latest nutrition science on behalf of our children. There are many ways the nutrition of



school meals could be improved, such as switching to lower-fat cooking methods, removing trans fats and increasing the availability of fresh produce, whole grains and other healthy choices. The bill fails to include any of these options.

I commit to working with the Legislature next year to identify substantive, measurable and reasonable standards for the school lunch and breakfast programs, in order to eliminate meals with unhealthy trans fats and those foods fried in unhealthy oils, as much as practically possible.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1677** without my signature.

I am supportive of the Joint-Use Facilities Program because it encourages creative win-win relationships between school districts and community partners. However, I am concerned that this bill would seriously undermine the policy goals and fiscal accountability of the Joint-Use Facilities Program.

This bill would effectively eliminate the requirement that a Joint-Use partner contribute to the project. All entities benefiting from the project should provide some sort of contribution to the project. I am also concerned that this bill would allow state bond funds to support lower-priority Joint-Use projects that do not necessarily have direct educational benefits. Joint-Use Facility Program projects funded from education bonds should have some direct educational benefit.

Furthermore, allowing Joint-Use facilities to be built on private property could jeopardize the tax-exempt nature of bond proceeds authorized for those projects and could also result in a gift of public funds to the extent that the state is prohibited from future use of the site due to changes in ownership or other circumstances beyond the control of the state or the school district.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1680** without my signature.

This bill would change the basis of allocating per-pupil revenue limit funding from the current formula based on average daily attendance to one based on average monthly enrollment beginning with the 2007-08 fiscal



year. This bill will significantly change the way the state funds schools, and I am concerned it could remove fiscal incentives currently in place for schools to maximize student attendance. If such a change were to negatively impact student attendance, it would also undermine student achievement because I believe they are better served through rigorous daily classroom instruction.

If the state were to make such a significant change in how it funds schools it should be done with careful research and review. My bi-partisan committee on education excellence is doing a thoughtful review of education funding issues. After those reports are completed, I look forward to working with education leaders on distilling the information and enacting changes that we believe will improve California's education system.

Given these concerns, I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1696** without my signature. This bill would circumvent the collective bargaining process by requiring retroactive pay increases for employees of the Los Angeles County Superior Court, which were not agreed to during negotiations.

Furthermore, signing this bill would undermine the collective-bargaining process by encouraging bargaining units to come to the Legislature to determine the outcome rather than follow the process set forth in law requiring negotiation between the parties locally.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1703** without my signature.

This measure would increase the membership of the California Transportation Commission (CTC) from 11 members to 13, with additional voting members appointed by the Speaker of the Assembly and the Senate Rules Committee, respectively.

Given the massive investments we have made this year to transportation, I understand the Legislature's desire to have more input in how transportation dollars are spent. This bill, however, represents a fundamental change to the longstanding and historically successful process whereby the Legislature makes appropriations to state



transportation funds, such as the State Transportation Improvement Program, and the CTC, appointed solely by the Governor, allocates funding for specific projects. Although I am not adverse to reasonable changes to the composition of the CTC, the fundamental changes proposed by this measure require additional scrutiny and discussion.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill No. 1729** without my signature.

While this bill attempts to address the pending Governmental Accounting Standards Board changes to public sector accounting for retiree healthcare benefits, the bill is drafted in a manner that could create new healthcare benefit obligations into the future that do not exist today.

The issues addressed by this bill are very important, and they require immediate attention. I look forward to working with all interested parties on legislation to create a structure for the state and local governments to prefund non-pension post-employment benefits. I am directing my staff and the Department of Finance to work with the parties interested in the bill before the new Legislative session convenes so the Legislature can address this issue early in the 2007–08 legislative session, possibly with urgency legislation. I am confident that by working together, all the interested parties can craft a structure that meets the needs of employers and employees without creating any unintended consequences.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1737** without my signature.

While this bill is a commendable attempt to ensure that California's consumers receive their rebates in a timely manner, it could actually result in a greater amount of harm to those consumers than it would benefit them. Greater restrictions on rebate offers in the State of California could result in companies who offer nationwide rebates to exclude California from those offers. Consumers benefit from rebate offers and choose whether or not to participate in them. Unnecessary restrictions on those offers in California could take that option away from them, if companies choose to no longer offer rebates to Californians.

Additionally, this bill is unnecessary, as current consumer protection laws and Federal Trade Commission guidelines adequately cover rebate



offers and provide substantial consumer protections for those consumers who utilize rebate offers.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1740** without my signature.

I believe that Internet safety is important, which is why I signed AB 307 (Chavez, 2006) into law, which requires the Superintendent of Public Instruction, by July 1, 2007, to develop guidelines for information regarding the safe use of the Internet that should be included in a school district's education technology plan. Unfortunately, this bill circumvents the role of the State Board of Education (SBE) by giving the authority for the development and dissemination of curriculum to the California Department of Education without the approval of the SBE.

The Department of Consumer Affairs (DCA) has already convened the California Coalition for Children's Internet Safety (CCCIS) and will host the first statewide Cyber Safety Summit in October. The Summit will address the dangers our children face in cyberspace and provide the necessary training and resources to keep them safe. The Summit is intended to target, among others, parents/PTA organizations, educators, community leaders, and child safety advocates. Prior to developing any statewide guidelines, we should first take the information presented at the Summit and review recommendations from the CCCIS to ensure that any approach to Internet safety is comprehensive and addresses the individual needs of local education agencies. I believe this is a proactive, direct approach to address Internet safety.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1769** without my signature.

We share a common goal on ensuring that California's students who have limited or no proficiency in English become fully proficient as quickly as possible. However, of equal importance is ensuring that all of our students possess the fundamental skills of reading, writing, and



speaking appropriate to their grade levels, as defined by California's rigorous academic content standards.

I cannot endorse any effort which may lead to the creation of separate curricula and textbooks that will isolate these students within our public schools. This sort of segregated learning is not only detrimental to the language learning process—it would have a divisive impact on our children, classrooms, schools, teachers and our larger society. It undermines the very principle of inclusiveness that inspires so many entrepreneurial and hard-working immigrants to pursue the American dream.

I am still committed to working with the Legislature to restore funding for the State Board of Education. Unfortunately, the Legislature's choice to eliminate the board's funding accomplished nothing. In spite of that, my Administration has taken action to ensure that State Board operations will continue uninterrupted, so that it can continue to fulfill its Constitutional obligations. It is my hope that the Legislature will approve a bill next session that restores the State Board of Education funding without attempting to leverage those funds to advance a policy agenda.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1796** without my signature.

Improving the states flood management system has been a priority of my administration. This effort began with the development of a comprehensive Flood White Paper at the Department of Water Resources and has resulted in the largest flood control bond in California's history. Recognizing the threat flood management creates for public safety, my administration is working diligently to address the many critical erosion sites that continue to present a threat to public safety. I plan to continue devoting administrative and legislative efforts to improve the State's flood management system. I look forward to working with the Legislature next year to develop comprehensive flood management legislation.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1204** without my signature.

This bill would require hospitals to implement "zero-lift" policies relative to the lifting and movement of patients and is similar to measures I vetoed in each of the past two years. Last year, I expressed concern regarding the inflexible requirements imposed by the bill, but indicated a willingness to consider a mandate if hospitals did not take action to enact lift policies voluntarily.

Since my veto message of last year, hospitals of all sizes from throughout the state have reported on progress made in implementing lift policies. I applaud their efforts and encourage the continued development of these policies. I believe this is proof that allowing hospitals the flexibility to implement lift policies that meet their individual needs is far more effective than imposing a rigid one-size-fits-all mandate on every hospital in California.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1208** without my signature.

This bill would prohibit cigarette sales via the Internet to individual California consumers and only permit shipping of cigarettes via the Internet to state of California tobacco licensed businesses. Existing law reduces youth access to cigarettes over the Internet by requiring Internet sellers and shippers to verify the age of the purchaser, similar rules that apply to alcohol sales and shipments. In addition, the Board of Equalization is currently uses the federal Jenkins Act to recover excise taxes from Californians that have purchased cigarettes via out-of-state Internet websites.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1213** without my signature.

This bill is identical to legislation I vetoed last year. While I understand and support the desire of the bill's proponents to improve the economic clout of port owner-operator drivers, the provisions of this bill likely



violate federal antitrust law and will result in many unintended consequences.

Specifically, the provisions of this bill offer a legally doubtful attempt at an antitrust exemption, expanding state regulation in a manner never tried before. This will undoubtedly set off legal battles that will take years to resolve. The litigation that will result from this bill is counter-productive to the cooperative work necessary to capture the economic potential afforded by the growth of California's ports.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1288** without my signature.

I strongly support efforts to help people recover from drug addiction and recently provided \$670 million in statewide drug treatment programs, an increase of \$53 million over the previous year. While I support providing improved access to substance abuse treatment services for adolescents, I cannot support this bill as it would substantially expand Drug Medi-Cal services and result in millions of dollars of new state costs. I believe this policy can be more appropriately addressed during the budget process.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1290** without my signature.

The provisions in this bill are already contained in the education bond measure that will appear on the November 2006 ballot, and will become operative if the electorate passes the measure. Therefore, this bill is unnecessary.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1311** without my signature.

This bill provides legislative intent that would direct the California Law Revision Commission to conduct a study relating to settlement, waiver, or



liability release. While this appears to be consistent with the purpose of the Commission, in this case the use of a statutory measure to direct the Commission, rather than a concurrent resolution, is inappropriate because this bill lacks any procedural provisions.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1320** without my signature.

I support the efforts of Los Angeles County to better treat and care for those individuals with co-occurring disorders that are moving through the criminal justice system. However, this bill does not provide the county with any new authority to start a program or allocated funds that does not already exist under current law. In fact, this bill would actually remove flexibility from the county when it allocates funding from the Comprehensive Drug Court Implementation Act. I continue to believe that local governments know their communities best and should have flexibility when allocating funding provided to their respective communities.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1432** without my signature.

Since the enactment of the Mello-Roos Community Financing Act of 1982, Mello-Roos taxes have been used to finance the construction of schools, parks, police and fire service, streets, and other services needed to accommodate new home development. This bill makes a number of technical amendments and clarifications which I find unobjectionable.

However, this bill also contains a provision that would allow Mello-Roos taxes to be imposed on homeowners in order to finance affordable housing projects. This provision represents a fundamental shift in the purpose of Mello-Roos taxes and is one that I cannot support. While I support the construction of much-needed affordable housing in our state, the burden to finance that construction should not be placed on homeowners in the form of what is essentially a tax increase.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

California has been a national leader in reducing the rate of teen pregnancy by implementing a multi-faceted sex education and pregnancy prevention program that includes mentoring, youth development, and the use of various sex education curriculums. I believe a key strength of California's program has been its ability to support organizations to design and implement programs that meet the needs of their local community.

I am unable to support **Senate Bill 1471** because it imposes new restrictions on California's community-based pregnancy prevention programs and their funding, thereby encroaching on local decision making.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2006

To the Members of the California Senate:

I am signing Senate Bill 1133, but reducing the amount provided to the State Department of Education as noted below.

The school community and I were able to work together to reach an amicable resolution to discharge the minimum state education funding requirement of Section 8 of Article XVI of the California Constitution and Chapter 213, Statutes of 2004 for the 2004–05 and 2005–06 fiscal years. I want to thank all the parties that came to the table and worked hard to accomplish this common goal.

While I agree that the State Department of Education will require resources to implement this program and perform the required evaluation, most of the activities required by this legislation will not be undertaken until the first year of program implementation in 2007–08. Further, in some instances, there are activities that will only occur at the beginning of the fifth year of program implementation and only if a school fails to meet the requirements specified in the bill.

For these reasons, I am reducing the augmentation for the State Department of Education from \$1,117,000 to \$350,000 and the number of authorized positions from 9.0 to 3.0 positions. I fully anticipate that the Department of Education will submit a request for additional funding to implement the program commencing with the 2007–08 fiscal year, which will be evaluated on a workload basis.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above item placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1397** without my signature.

This bill would regulate the practice of athletic training by requiring all individuals who use the title "athletic trainer," to meet specific education standards, pass a certification exam, complete continuing education, and register with an athletic training organization.

There is no evidence that the existing unregulated status of athletic trainers poses any threat to the public health and safety. While there may be a benefit to consumers by providing a distinction for certified athletic trainers, this bill would place unnecessary regulatory burdens on the athletic training profession.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1472** without my signature.

I believe the concerns of dentists and dental hygienists can be addressed within the existing regulatory structure through the cooperation of all interested parties. I strongly encourage the Dental Board to work with the dental hygienists to provide the existing Committee on Dental Auxiliaries with a stronger voice on the Dental Board.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1521** without my signature.

Last year I vetoed a similar measure because it would have allowed the media to glamorize murderers and thereby once again traumatize crime victims and their families.

I am vetoing this bill for the same reason.

I believe California must provide greater access to our prisons through the media, especially now as we address problems with overcrowding, medical care and high recidivism rates.

There are portions of this bill that would facilitate greater media access and let the sun shine in; however I do not believe violent criminals should be able to traumatize their victims a second time by having unfettered access to the media. Therefore, I have directed the California Department of Corrections and Rehabilitation to immediately issue new regulations to



implement the provisions of this bill to allow media access, but limit media access to specific violent criminals in order to protect crime victims and their families.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1544** without my signature.

Improving the reliability and accuracy of eyewitness identifications is a laudable goal; however, SB 1544 would go too far in attempting to address the problems of unreliable eyewitness identifications. This bill would require that the Department of Justice (DOJ) and Commission on Peace Officer Standards and Training (POST) consult with law enforcement agencies, prosecutors, public defenders, and other legal experts in order to develop mandatory guidelines and policies for the collection and handling of eyewitness evidence.

Eyewitness evidence is a critical part of the criminal justice process. Any changes to the procedures for criminal identification would have an undeniably significant impact to the manner in which our system operates. It is unthinkable that we would allow the DOJ and POST such unprecedented authority over a fundamental step in our criminal justice system. I cannot support a measure that circumvents the legislative process and denies the public and their elected representatives the chance to approve or deny a statewide policy that could have a life-altering impact on an individual participating in our justice system.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1563** without my signature.

I am concerned about the large number of high school graduates who enter our colleges and universities unprepared to do college-level work. However, it would be redundant to create a new pilot program to assess college readiness specifically for prospective community college students when the California State University (CSU) already has a system that can be used for that purpose.

Moreover, there is no need for the California Community Colleges, in coordination with the CSU, to develop a special 12th grade curriculum when the state has taken years to develop curriculum frameworks that align



with our academic content standards. A special “basic skills” curriculum is not what is needed, instead, the state should focus on developing better strategies for teaching students the existing curriculum; this is what students will need to have mastered in order to succeed in college.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor’s Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1575** without my signature.

I clearly recognize the injustice of the unconstitutional federal deportation of American citizens and legal residents to Mexico in the 1930s. For that reason, I signed into law SB 670 (Dunn, Chapter 663, Statutes of 2005) which expressed the apology of the State of California to the victims for the fundamental violations of their basic civil liberties and constitutional rights during the period of illegal deportation. That bill also required a plaque be placed in a designated public location in Los Angeles to commemorate the victims of the repatriation program.

However, I have consistently vetoed legislation that attempts to incorporate specific historical events or groups of people into social science instruction. The State Board of Education adopted content standards were developed by a diverse group of experts and are necessarily broad to allow coverage of various events and developments. I continue to believe that the State should refrain from being overly prescriptive in school curriculum beyond establishing rigorous academic standards and frameworks.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor’s Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1580** without my signature.

I vetoed a similar bill last year stating that the bill ran counter to the goal of mastering English as quickly and as comprehensively as possible. I continue to believe that schools should remain focused on providing English learners with the necessary resources and support to become English proficient. As an immigrant myself, I believe strongly that learning English as quickly as possible is essential to success in this state



and this country, and therefore want to provide every incentive for our system to promote that goal.

The 2006 Budget Act reflects this commitment, and includes \$30 million to provide supplemental instructional materials for English learners in grades K–12, \$25 million to provide ongoing professional development opportunities for teachers of English learners, and an increase of \$350 million to the Economic Impact Aid Program to help close the achievement gap of English learners and economically disadvantaged students.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1818** without my signature.

This bill is not necessary to protect local governments from baseless or frivolous lawsuits. Current law already provides a number of mechanisms, including the award of attorney's fees to the prevailing party, which discourage or punish litigants for bringing unnecessary or malicious legal action. Instead of reducing frivolous actions, this bill will simply discourage large retailers from opening stores in California resulting in an overall economic loss to the State.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 160** without my signature.

I applaud all young people who work hard, graduate high school and attend college.

Current law allows undocumented students who have attended a California high school for three years and graduate from a California high school to attend a state college and get a reduced "in state tuition rate" but not be eligible for public financial aid dollars. California has over 100,000 students here legally who apply annually for financial aid to attend college, and our state has limited funds available for this important purpose.

While I do not believe that undocumented children should be penalized for the acts of their parents, this bill would penalize students here legally



by reducing the financial aid they rely on to allow them to go to college and pursue their dreams.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

While I agree with the author, that improved coordination of research and data collection can help California better protect public health, I am returning **Senate Bill 849** without my signature as this bill duplicates efforts underway.

California has taken great strides to better protect public health and improve environmental health by creating a new Department of Public Health and establishing the first comprehensive, statewide effort to measure and catalogue human exposure to chemicals. California's Biomonitoring Program, established by SB 1379 (Perata) which I recently signed into law, will help us better understand how chemicals in our environment may be building up and affecting our bodies, our environment, and our public health. The Biomonitoring program will build on existing efforts to increase data sharing and strengthen research efforts through an environmental health tracking program.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 171** without my signature.

Ensuring that all criminal confessions are reliable is a laudable goal. I understand that some recent studies have shown that false confessions are a growing problem in the United States. However, the language contained in this bill is flawed, which could result in the erroneous release of criminals guilty of murder or other violent crimes due to technicalities.

This bill requires the electronic recording of all "custodial interrogations" of individuals that may have committed a homicide or violent felony. Yet the bill defines "custodial interrogation" differently than the definition used by the U.S. Supreme Court for giving 'Miranda rights' and requires recording when someone is "suspected" of any one of the twenty-three violent crimes listed under Penal Code Section 667.5, but does not specify what "suspected" means. These drafting errors could lead to confusion for all involved parties and potential situations where law enforcement unknowingly fails to comply with the mandates of the bill.



For example, at the time law enforcement is interrogating a suspect they may have good reason to think the suspect is guilty of a lesser crime not contained in Penal Code Section 667.5 and later after reviewing the evidence or hearing the individual's statements, the District Attorney may decide to charge the suspect with a violent felony.

Since public safety is my top priority I cannot sign this flawed bill. I support the concept of this bill and I would encourage the Legislature to work with law enforcement in order to send me a bill that helps ensure the reliability of confessions while not creating opportunities for those guilty of violent crimes to avoid punishment because of a technical loophole.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 308** without my signature.

Elder financial abuse is an unacceptable crime that should be vigorously prosecuted. I appreciate the author's continued interest in finding solutions to protect senior and dependent adults from this crime. It is important that protection services are geared toward improving the lives of our seniors and that is why I have directed our agencies to develop a plan to coordinate state and local efforts. As I mentioned in my veto of similar legislation, I believe that it is important that any legislation in this area take into account the recommendations of the forthcoming Office of Emergency Services report on elder financial abuse. As such, I believe that this legislation is premature.

Of additional concern is the fee that this bill would authorize to be imposed on specified real-estate instruments. Though designated to help prevent elder financial abuse, the fee is actually a special tax and, therefore, should be subject to a vote of the people.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 351** without my signature.

Since the primary responsibility for first responder training and exercises resides with local governments, this bill runs counter to the established processes and systems in place that allow local governments to



prioritize training and exercises within their own jurisdiction, and it impedes the State's ability to fairly and equitably support those needs.

It is important to note that San Bernardino County has decided to use their federal Homeland Security funding to conduct a mass casualty exercise with local first responders and the State that will be held in November 2006. The county also held a Mountain Area Safety Task Force exercise in August of 2006 that included first responders.

The Office of Emergency Services follows federal government regulations for the use of dedicated grant funding specifically designed to plan for and train personnel in hazardous material incident response. OES will continue to work with the Local Emergency Planning Committees and the counties to coordinate and support training and exercises that will prepare local governments to effectively and safely respond to hazardous material incidents.

I applaud San Bernardino's continuing efforts to bolster their emergency response capability and improve public safety. However, since no additional statutory authority is needed in this area, this bill is unnecessary.

For these reasons I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 440** without my signature.

While I strongly support protecting consumers. The provisions this bill seeks to accomplish have either been resolved through existing statutory or regulatory provisions. In fact, earlier this year, the California Public Utilities Commission launched a consumer education effort in multiple languages focusing on a wide range of telecommunications consumer protections, including the very information required by SB 440. By requiring California-only billing practices, SB 440 actually has the potential to hurt consumers by raising costs for consumers by establishing a different billing practice for California residents. Consumers are better served by actual protections not simply words printed on their bills.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 540** without my signature.

Freedom of speech is integral to a democratic society, as are private property rights. This bill protects neither and infringes on both.

This bill would prevent a landlord from prohibiting the posting or displaying of campaign signs by a tenant on rented property. However, the bill would limit a tenant's right to post campaign signs to those that meet certain size limitations and for a limited time immediately before an election. If the proponents of this measure believe that tenants have a right to express their political beliefs by posting signs on their rental property, why would they not have the right to express those beliefs whenever they choose? Do people lose their right to freedom of speech simply because they rent their property?

Similarly, the bill seeks to offer a balance between the rights of tenants and the rights of property owners, but offers no clarity on the rights of property owners to control the appearance of their property and protect the environment for other tenants.

For these reasons I cannot sign this measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 740** without my signature.

A Sacramento County Superior Court ruled that state agencies must refrain from producing and distributing Video News Releases (VNRs) to support and advocate for adoption of proposed or emergency regulations.

In light of the Court's ruling, this bill is unnecessary

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 757** without my signature. The intent of this bill is laudable, however, it is duplicative of ongoing efforts, costly, and may impede the significant progress California is making to address alternative transportation fuels. I strongly agree with this goal and have taken many actions over the past year toward achieving this end, including



issuing an Executive Order promoting biofuels, S-06-06 and signing Assembly Bills 1007 and 32.

AB 1007 requires the California Energy Commission and the Air Resources Board to assess the relative environmental and public health benefits of different alternative fuel types and to develop and adopt a detailed state plan to increase the use of alternative transportation fuels. That detailed report will be out early next year and will provide a roadmap for alternative fuels in California. From that roadmap an integrated and comprehensive set of actions can be taken. Any legislative actions taken by the state prior the release of the AB 1007 would be premature.

Additionally, the process established in Assembly Bill 32 will guide the state's implementation of alternative fuels that help reduce global greenhouse gas emissions. We must not second guess the process established in AB 32 with bills that address the same issues. Now that AB 32 is enacted, we must let it work.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 768** without my signature.

SB 768, which would impose technology regulations on RFID-enabled ID cards and public documents, is premature. The federal government, under the REAL ID Act, has not yet released new technology standards to improve the security of government ID cards. SB 768 may impose requirements in California that would contradict the federal mandates soon to be issued.

In addition, this bill may inhibit various state agencies from procuring technology that could enhance and streamline operations, reduce expenses and improve customer service to the public and may unnecessarily restrict state agencies. In addition, I am concerned that the bill's provisions are overbroad and may unduly burden the numerous beneficial new applications of contactless technology.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 924** without my signature.

This bill would establish additional requirements on truck driving schools regulated by the Bureau of Private Post-Secondary and Vocational



Education. Although I am supportive of efforts to ensure appropriate oversight of these schools, this bill imposes new workload requirements on the Bureau without responding to the need for significant changes to fix the Private Postsecondary and Vocational Education Reform Act of 1989.

The fundamental problems with the Private Postsecondary and Vocational Education program have been studied extensively and well documented over the years. In 2004, I signed SB 1544 which appropriated \$150,000 to study this program and make recommendations on how to fix it. The Bureau's Operations and Administrative Monitor issued an exhaustive report in September 2005 stating that the statutes were fundamentally flawed and without complete statutory reform the program would be destined for failure. I cannot support imposing additional workload on the program until we have addressed the issues raised in the Monitor's report.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1230** without my signature.

This bill directs the California Infrastructure and Economic Development Bank (I-Bank) to establish a program that provides low interest loans for air quality projects in the San Joaquin Valley.

I support creative options aimed at reducing air pollution, however, this bill requires emission reductions for stationary sources that exceed federal standards by 30 percent, retrofit projects must be completed 50 percent sooner. These overly prescriptive requirements will prevent intended recipients from qualifying. Additionally, this bill does not contain a funding source. With these requirements and no funding this bill would do nothing to clean the Valley's air.

The San Joaquin Valley Partnership is currently developing a comprehensive action plan to address the Valley's air pollution challenges. Following the release of that plan, I look forward to working with local air district and the Legislature to fully implement the action items.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1322** without my signature.

This bill would require local governments to include in their housing plans an analysis of the need for emergency shelters and special needs facilities. Though the intentions of this bill are laudable, the specifics of the measure would place overly burdensome mandates on cities and counties.

Specifically, this measure would preclude a local government from considering the overall needs and concerns of its community by limiting its authority to condition or deny certain projects as would otherwise be allowed by law. Such mandated, or "by right," zoning not only presumes that all California cities and counties have a need for these facilities, but also usurps local government discretion denies the impacted population groups the right to have their voice heard. Further, this measure would facilitate an unnecessary increase in litigation brought against cities and counties that would only result in a depletion of local government resources, rather than helping improve the availability of such facilities.

For these reasons I am returning this bill without my signature. However, I am signing AB 2634, which achieves similar results relative to the inclusion of emergency shelters in housing plans but without placing onerous burdens on local governments.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1395** without my signature.

This bill places unnecessary obligations on state and local agencies in times of emergency and could hinder completion of important public safety projects. Specifically, this measure's notification and information exchange requirements would result in lead agencies having to enter into potentially lengthy discussions with Native American tribes during critical times before or after an emergency. While I agree with the measure's intent to enhance environmental protections for Native American sacred sites, such protections should not potentially endanger the health and safety of California citizens.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1489** without my signature.

This bill revises and recasts budget trailer bill language that was part of the 2003–04 Budget. One provision, providing for the Attorney General to recover reasonable costs and fees upon prevailing in a public rights case, was subsequently called into question by a Superior Court in Tehama County as a violation of the single subject rule. Although SB 1489 reestablishes the invalidated provision in an independent measure, it raises fiscal allocation concerns.

When the Legislature required reasonable cost and fee recovery upon prevailing in a public rights case, it did so to ensure that the Department of Justice Public Rights Division could continue to fund its important public interest work during a time when an augmentation from the General Fund was not a priority of the Legislature. Furthermore, the Attorney General can recover court costs under existing law as a prevailing party, thereby ensuring that the Division does not suffer a net loss when it wins cases.

For Public Rights Division litigation, the funding source should be determined by the activity. When the Attorney General focuses litigation in a specific area, the funding for those activities should come from the Special Fund designated for such cases and the appropriate fund source should be the beneficiary of any recovered costs. If the AG needs additional resources, the existing budget process enables him to seek augmentation. For example, the 2006–07 Budget Act appropriated an additional \$1 million for climate change initiative litigation.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

Exposure to hazardous substances, like gasoline, is a threat to children who gain access to the containers in which the substances are kept. Data from the Consumer Product Safety Commission shows that children sometimes spill gasoline, which can ignite and cause burns. Toxic effects of hydrocarbons (gasoline and similar substances) via ingestion, inhalation and dermal exposure have also been documented. SB 1532 (Bowen) and AB 2022 (Ruskin) both seek to protect children from dangerous exposure to gasoline. While well intended, SB 1532 is too vague and lacks the specific authority for Department of Health Services to establish clear standards needed for the bill to be effective. AB 2022 more effectively and directly protects child safety by requiring the State Fire Marshal to approve



the types of child-resistant gasoline containers that can be sold in California.

For these reasons, I am returning **Senate Bill 1532** without my signature and signed AB 2022 into law.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1745** without my signature.

This bill would provide that it is contrary to the public policy of the State to discriminate against a person in employment because he or she is a victim of domestic violence, sexual assault, or stalking. Although I support the intent to ensure victims of these crimes have adequate protections, this bill is too flawed to enact.

California employers are currently required to take reasonable steps to provide a safe and secure workplace for all employees, including a duty to adequately address the potential for workplace violence. Because the precise employee rights and employer obligations under this bill are not defined, the combination of existing law and this bill would place employers in an untenable position.

For instance, if an employer determines that removing an employee from the workplace is necessary to provide a safe workplace and keep other employees safe, the employer may very well be sued for violation of the public policy established by this bill. On the other hand, if the employer determines an employee must be allowed to continue performing duties in the workplace in order to comply with this bill, the employer may face litigation arising from injuries sustained by other employees if workplace violence occurs.

I am also concerned that this bill could lead employers, in an effort to comply with the law, to violate an employee's privacy. Because the law is unclear whether an employer must have specific knowledge that an employee is a victim in order for the protections of this bill to apply, an employer may feel compelled to inquire about the personal reasons why an employee has missed work or taken a prolonged absence. This is not only an undo burden on employers but a possible invasion of employees' privacy rights.

However well intentioned or worthy of consideration, this bill would create conditions that can only be resolved through the courts at great expense to employers and employees alike.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1753** without my signature.

This bill requires the California Public Utilities Commission (CPUC) to report to the Legislature on how repeal of the federal Public Utility Holding Company Act of 1935 (PUHCA) could hurt California consumers and any steps the state should undertake to mitigate these likely impacts.

This bill presupposed that the repeal of PUHCA would have negative consequences for California consumers rather than the intended benefit of stimulating investment in electricity infrastructure. The report required by this bill is unnecessary, and the CPUC assures me they are equipped to respond appropriately to any problems that may arise.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1807** without my signature.

This is a surplus property bill and, as such, it should be included in the Department of General Services' (DGS) annual omnibus bill. The DGS is required by law to submit a bill to the Legislature to dispose of any surplus land by sale, lease, or exchange. This process has worked well for most of the last decade. Recently, however, the Legislature has chosen to add millions of dollars in expenses to this process by requiring a CEQA document to be generated prior to the sale of the State's property.

I am requesting that the Legislature articulate why these properties are acceptable to be acted on without a CEQA requirement, but not the others that were included in the omnibus surplus property bill. Until such time that this issue can be resolved, a piecemeal approach to the sale of surplus property is not acceptable.

As a result, I will not sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1826** without my signature.

This is a surplus property bill and, as such, it should be included in the Department of General Services' (DGS) annual omnibus bill. The DGS is required by law to submit a bill to the Legislature to dispose of any surplus



land by sale, lease, or exchange. This process has worked well for most of the last decade. Recently, however, the Legislature has chosen to add millions of dollars in expenses to this process by requiring a CEQA document to be generated prior to the sale of the State's property.

I am requesting that the Legislature articulate why these properties are acceptable to be acted on without a CEQA requirement, but not the others that were included in the omnibus surplus property bill. Until such time that this issue can be resolved, a piecemeal approach to the sale of surplus property is not acceptable.

As a result, I will not sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 276** without my signature.

This is a surplus property bill and, as such, it should be included in the Department of General Services' (DGS) annual omnibus bill. The DGS is required by law to submit a bill to the Legislature to dispose of any surplus land by sale, lease, or exchange. This process has worked well for most of the last decade. Recently, however, the Legislature has chosen to add millions of dollars in expenses to this process by requiring a CEQA document to be generated prior to the sale of the State's property.

I am requesting that the Legislature articulate why these properties are acceptable to be acted on without a CEQA requirement, but not the others that were included in the omnibus surplus property bill. Until such time that this issue can be resolved, a piecemeal approach to the sale of surplus property is not acceptable.

As a result, I will not sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1640** without my signature.

Water in California is a scarce and precious resource. Recognizing this fact, I made water supply improvement and water use efficiency a central platform of my Strategic Growth Plan. Any comprehensive water policy legislation must recognize the interaction between surface and



groundwater and the importance of water supply and conveyance improvements.

This bill attempts to address a host of water policy issues in one bill. While the author should be recognized for the effort on urban water management plans, energy consumption associated with water use, and surface water diversion reports, the bill is flawed because there is no funding to implement these programs.

Requiring the Department of Water Resources to identify and oversee groundwater monitoring activities in every groundwater basin and subbasin in California is a very ambitious and expensive undertaking, yet there is no appropriation in the bill to cover these costs. The department is already mandated to produce a statewide update on groundwater basins known as Bulletin 118. The existing report includes a thorough analysis of groundwater, including a review of boundaries and hydrographic features, yield data, water budgets, well production characteristics, water quality, and development of a water budget for each groundwater basin. The State should work with local districts and landowners to develop a plan to acquire the information necessary to fill the data gaps that may be missing from Bulletin 118.

Additionally, the department should continue to work with local agencies by providing expertise and funding when available to implement the "Local Groundwater Management Assistance Act." This will assist local entities and landowners to help implement these provisions at the local level.

Groundwater is an overlying property right in California. Rather than imposing an unfunded mandate on State and local agencies and overlying landowners, a more effective approach would require the State to use existing information it has already compiled, cooperate with local agencies implementing groundwater management, and improve on its groundwater monitoring well program.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 696** without my signature.

I have previously vetoed bills with similar intentions in the past two years because I believe that California's current standards-aligned



textbook adoption process ensures that classroom curriculum is rigorous, and research-based.

I continue to believe that California's students are best served when they receive the highest level of instructional quality, and therefore I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 832** without my signature.

SB 832 seeks to extend the sunset on Section 3294.5 which was added to the Civil Code relating to punitive damages. While I have been supportive of the policy in the past and signed SB 1102 that contained the original provision which sunset on July 1, 2006, this bill was amended late in the legislative session and did not provide an opportunity for sufficient hearings to determine whether this policy has been effective or not.

I encourage the author to reintroduce the bill next year and allow a full debate on the effectiveness of the policy.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2006

To the Members of the California Senate:

I am returning **Senate Bill 1142** without my signature.

I applaud the author's efforts to establish a science-specific program of professional development for teachers. The costs associated with this bill are in excess of \$415 million that were not approved by the Legislature in this year's State Budget Act. Absent the funding available in the Budget, this bill would likely create pressure to reduce the funding provided for the Mathematics and Reading Professional Development Program to be redirected to this program. It is vital that we do not redirect resources from focusing on providing professional development that is targeted to math and reading, the cornerstones of a solid educational foundation.

I support the professional development of science teachers in California classrooms, but would like to have the Legislature work with the Administration and all interested parties when prioritizing funding for inclusion in the final State Budget before I can sign a measure like this.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2006

To the Members of the California Senate:

While I recognize the value of evaluating the emergency and trauma care systems and developing policies to strengthen these systems, Senate Bill 1339 duplicates existing advisory committees and overlaps with activities already undertaken or underway by the Emergency Medical Services Authority (EMSA).

In fact, the EMSA recently completed an evaluation that is similar to that called for by Senate Bill 1339 and additional areas of interest identified in the bill can be considered administratively. Therefore, this measure is unnecessary.

For these reasons, I am returning **Senate Bill 1339** without my signature.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 6th day of September 2006 at 9:02 a.m., of Senate Bill 1437 without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Mikhael Skvarla.

DAVID H. KNEALE
Acting Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 13th day of September 2006 at 3:55 p.m., of SB 1414 without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Mikhael Skvarla.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 19th day of September 2006 at 3:03 p.m., of Senate Bill 815 without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Mikhael Skvarla.

DAVID H. KNEALE
Acting Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 20th day of September 2006 at 4:20 p.m., of Senate Bill 1546 without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Mikhael Skvarla.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 21st day of September 2006 at 10:10 a.m., of Senate Bill 1693 without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Mikhael Skvarla.

DAVID VALVERDE
Chief Assistant Secretary of the Senate



Receipt of Bills

I acknowledge receipt this 22nd day of September 2006 at 9:50 a.m., of Senate Bills 927 and 1225 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Mikhael Skvarla.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 22nd day of September 2006 at 1:15 p.m., of Senate Bill 840 without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Mikhael Skvarla.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 28th day of September 2006 at 3:35 p.m., of Senate Bills 1281, 1286, 1356, 1373, 1398, 1404, and 1427 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Tracy Fujii.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 28nd day of September 2006 at 3:36 p.m., of Senate Bills 187, 403, 560, 814, 960, 982, 1126, 1220, and 1223 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Tracy Fujii.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 28th day of September 2006 at 4:12 p.m., of Senate Bill 1162 without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 29th day of September 2006 at 12:15 p.m., of Senate Bills 1674, 1677, 1680, 1696, 1713, 1729, 1737, 1740, 1769, and 1796 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 29th day of September 2006 at 12:16 p.m., of Senate Bills 1204, 1208, 1213, 1288, 1290, 1311, 1320, 1432, and 1471 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 29th day of September 2006 at 1:17 p.m., of Senate Bills 1509, 1510, 1523, 1533, 1589, 1598, 1616, 1660, 1822, and 1835 without the Governor's signature, together with



statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

BERNADETTE McNULTY
Acting Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 29th day of September 2006 at 3:20 p.m., of Senate Bills 842, 1010, 1193, 1197, 1435, and 1825 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 29th day of September 2006 at 4:30 p.m., of the Governor's statement of the items of appropriation reduced or eliminated from Senate Bill 1133 delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 29th day of September 2006 at 4:35 p.m., of Senate Bills 795, 697, 486, 212, 204, and 59 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 30th day of September 2006 at 11:00 a.m., of Senate Bills 160, 696, 832, 1142, 1339, 1397, 1472, 1521, 1544, 1563, 1575, 1580, and 1818 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 30th day of September 2006 at 2:55 p.m., of Senate Bills 1807, 1826, 276, and 1640 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate

Receipt of Bills

I acknowledge receipt this 30th day of September 2006 at 2:56 p.m., of Senate Bills 849, 171, 308, 351, 440, 540, 740, 757, 768, 924, 1230, 1322, 1395, 1489, 1532, 1745, and 1753 without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts.

DAVID VALVERDE
Chief Assistant Secretary of the Senate



REQUEST THAT THE ASSEMBLY RETURN BILL

September 28, 2006

Dear Dotson,

I'm writing to respectfully request the return of Assembly Bill 457. The bill was transmitted to the Assembly on August 29, 2006 in error.

Thank you for your attention to this matter.

GREGORY P. SCHMIDT
Secretary of the Senate.

RETURNED FROM ASSEMBLY

October 4, 2006

Dear Greg,

I am returning Assembly Bill 457 pursuant to your request in your letter dated September 28, 2006.

Sincerely,

E. DOTSON WILSON
Chief Clerk of the Assembly

REPORTS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

A report dated: August 18, 2006, relating to the Healthy Families Program and Medi-Cal for Families Campaign Annual Outreach Plan, was received from the Department of Health Services and transmitted to the Committee on Health.

A report dated: August 18, 2006, relating to Integration of Instruction in Business Ethics Into Business Administration Curricula in the California State University and the California Community Colleges, was received from the California State University and transmitted to the Committee on Education.

A report dated: August 21, 2006, relating to the State Travel Portal, was received from the Department of General Services and transmitted to the Committee on Budget and Fiscal Review. Website: <http://www.legi.dgs.ca.gov/Publications/2006LegislativeReports.htm>

A report dated: August 24, relating to 2004–05 Contract Activity, was received from the Department of General Services and transmitted to the Committee on Government Modernization, Efficiency and Accountability Website: <http://www.legi.dgs.ca.gov/Publications/2006LegislativeReports.htm>

A report dated: August 25, 2006, relating to the Student Academic Preparation and Education Partnerships Expenditure Plan for 2006–07, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.



A report dated: August 25, 2006, relating to Electronic Recording Equipment Purchased and Leased by the Superior Courts, was received from the Judicial Council of California and transmitted to the Committee on Judiciary.

A report dated: August 30, 2006, relating to the 2005 Utility Procurement of Goods, Services and Fuel from Women, was received from the Public Utilities Commission and transmitted to the Committee on Energy, Utilities and Communications.

A report dated: August 30, 2006, relating to the 2005 Women/DVOBE's Contract Activity, was received from the Public Utilities Commission and transmitted to the Committee on Government Modernization, Efficiency and Accountability.

A supplemental report dated: September 1, 2006, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: September 12, 2006, relating to California's Administration of Federal Grants for Homeland Security and Bioterrorism preparedness, was received from the California State Auditor and transmitted to the Committee on Rules.

A quarterly report dated: September 14, 2006, relating to the Independent Project Oversight and the Project Oversight Review Checklist, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: September 14, 2006, relating to the Los Angeles Unified School District, was received from the California State Auditor and transmitted to the Committee on Rules.

A report dated: September 13, 2006, relating to Crisis Intervention for Persons with Developmental Disabilities, was received from the Department of Developmental Services and transmitted to the Committee on Health.

A report dated: September 13, 2006, relating to Actuarial Valuation as of June 30, 2005, was received from the California State Teachers' Retirement System and transmitted to the Committee on Public Employment and Retirement.

A report dated: September 14, 2006, relating to the California Obesity Prevention Plan, was received from the Department of Health Services and transmitted to the Committee on Health.

A report dated: September 14, 2006, relating to Transferred Funds, was received from the Employment Development Department and transmitted to the Committee on Budget and Fiscal Review.



A report dated: September 18, 2006, relating to the Impact of Medical Staff Membership and Privileges for Clinical Psychologists on Quality Care and on Cost Effectiveness, was received from the Department of Mental Health and transmitted to the Committee on Health.

A report dated: September 18, 2006, relating to the Anadromous Fish Passage and Remediation Progress Report, FY 2005–2006, was received from the Department of Transportation and transmitted to the Committee on Natural Resources and Water.

An annual report dated: September 19, 2006, relating to the School Safety and Violence Prevention Act of 1999, was received from the California Department of Education and transmitted to the Committee on Education.

An annual report dated: September 19, 2006, relating to the Tuolumne County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the County of Tuolumne and transmitted to the Committee on Governmental Organization.

An audit report dated: September 21, relating to the California Whistleblower Protection Act, was received from the California State Auditor and transmitted to the Committee on Rules.

A Title Summary report dated: September 21, 2006, relating to Personal Income Taxes. Collection. Procedures. Initiative Statute, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: September 21, 2006, relating to the Legislative Housing Allowance. Voter Approval of State Officer Compensation. Initiative Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary report dated: September 22, 2006, relating to Illegal Immigrants Drivers' Licenses. College Expenses. Public Benefits. Initiative Constitutional Amendment, was received from the Department of Justice and transmitted to the Committee on Rules.

A report dated: September 27, 2006, relating to the Veterans Board Annual Report for 2006 (delayed), was received from the California Veterans Board and transmitted to the Committee on Veterans Affairs

A report dated: September 21, 2006, relating to the Tobacco–Related Disease Research Program, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: September 27, 2006, relating to the Placer County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the County of Placer and transmitted to the Committee on Governmental Organization.



An annual report dated: September 29, 2006, relating to the Tulare County Indian Gaming Local Community Benefit Committee (IGLCBC), was received from the County of Tulare and transmitted to the Committee on Governmental Organization.

PAULA K. ROSSETTO, Minute Clerk

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