

CALIFORNIA LEGISLATURE
2009–10 REGULAR SESSION

SENATE JOURNAL

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IN RECESS
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Senate Chamber, Sacramento
Friday, October 1, 2010

MESSAGES FROM THE GOVERNOR

Governor’s Office, State Capitol
September 3, 2010

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective September 3, 2010, the nomination of the following appointees heretofore submitted and now before your honorable body for confirmation:

Patrick F. Mason	Member, California Transportation Commission
Darius Assemi	Member, California Transportation Commission

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

Governor’s Office, State Capitol
September 9, 2010

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective close of business September 9, 2010, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation:

Debbie L. Endsley	Director, Department of Personnel Administration
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Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.



Governor's Office, State Capitol
September 9, 2010

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective close of business September 9, 2010, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation:

Kristine A. Hafner, Ph.D. Member, Independent System Operator
Governing Board

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

Governor's Office, State Capitol
September 17, 2010

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments or reappointments 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

TONI C. O'NEILL, has served as supervising court reporter for Riverside Superior Court since 1995. Previously, O'Neill was official court reporter for the state of Wyoming District Court, District 4 from 1994 to 1995, official court reporter for Riverside Superior Court from 1990 to 1994 and a staff reporter for Gillespie Reporting Services from 1989 to 1990. She was owner and partner of Bowlus O'Neill Reporting Service from 1982 to 1989, staff deposition and hearing reporter for Krause Deposition Agency from 1981 to 1982 and instructor in a court reporting training program for National Business Institute from 1977 to 1981. O'Neill is a member of the California Court Reporters Association and the National Court Reporters Association. Appointed 08/06/10. Effective 08/06/10.

Member, Court Reporters Board of California, Department of Consumer Affairs, vice, Yvonne K. Fenner, resigned, term ending 06/01/13.



JAMES FANG, has served as president of Asian Week Newspaper since 1995. Previously, Fang was president of the San Francisco Examiner from 2000 to 2004 and director of commerce and trade for the city and county of San Francisco from 1992 to 1995. He worked as the director and founder of the Asian American Voter Project from 1990 to 1992 and assistant manager for Asian Week and Grant Printing House from 1988 to 1990. Fang was a law clerk in the U.S. Attorney's Office, Northern District of California in 1988. He is a member of the S.F. Bay Area Rapid Transit Board of Directors and the AsianWeek Foundation. Fang is chairman of the San Francisco-Shanghai Sister City Committee. Appointed 08/17/10. Effective 09/03/10.

Member, State Board of Education, vice, Jeannie J. Oropeza, not confirmed, term ending 01/15/13.

FRANK D. HE, has served as a professor for the Integrative and Sports Medicine Center since July 2010, where he is also founder and has been medical director since 2009. He has also served on the State Qualified Medical Evaluator Panel since 2002 and has been department chair and professor at Five Branches University since 1997. Previously, He worked as a research acupuncturist for Miriam Lee Acupuncture Associates from 1996 to 1997 and an acupuncturist and instructor for Liaoning University of Traditional Chinese Medicine from 1991 to 1996. He was an acupuncturist for Shenyang Neurology Hospital from 1992 to 1993. Appointed 08/17/10. Effective 09/07/10.

Member, Acupuncture Board, vice, Steven Tan, MD, term ending 06/01/13.

JAMES J. MILLER, has served as director of building and planning for the city of Big Bear Lake since 2007. Previously, Miller worked for Riverside County as director of building and safety from 2002 to 2007, regional office manager of Coachella Valley from 1994 to 1997 and district manager and building inspector from 1984 to 1991. He was development services director for the city of Murrieta from 1997 to 2002 and building official for the city of Pomona from 1991 to 1994. Miller was a self-employed general contractor from 1977 to 1984. Appointed 08/01/10. Effective 08/26/10.

Member, Contractors' State License Board, Department of Consumer Affairs, vice, James J. Miller, term expired, term ending 06/01/13.



CYNTHIA A. MITCHELL, has served as president of Marmitec since 1993 and president of Citadel of Nevada since 2007. Previously, Mitchell was president of Pinco Management from 1990 to 1993 and owned Pine's Commercial Vehicle Painting from 1983 to 1990. She was area manager for Harlynn Limited from 1981 to 1983 and assistant buyer of housewares for Weinstocks from 1979 to 1981. Mitchell is a member of the California Professional Association of Specialty Contractors and North State Building Industry Association. Appointed 08/01/10. Effective 08/02/10.

Member, Contractors' State License Board, Department of Consumer Affairs, vice, Larry Booth, term expired, term ending 06/01/11.

LINDA I. ACKERMAN, has been director of the Metropolitan Water District of Southern California since 2008 and has been a member of USCB Incorporated, Board of Directors since 2005. Ackerman is president of financial development for the Marian Bergeson Excellence in Public Service Series. She is executive director of the California State Capitol Preservation Fund. Appointed 08/06/10. Effective 09/02/10.

Member, California Regional Water Quality Control Board, Santa Ana Region, vice, Maurice W. Gallardo, resigned, term ending 09/30/12.

EDWARD G. PRIETO, has served as sheriff and coroner for Yolo County since 1999 and has served on the Corrections Standard Authority since 2007. Previously, Prieto worked for the California Highway Patrol from 1968 to 1999, retiring as a captain. Prior to that, he served as a paratrooper in the 101st Airborne Division, U.S. Army from 1962 to 1965. Reappointed 08/27/10. Effective 09/07/10.

Member, Corrections Standards Authority, term ending 07/01/13.

CLEOTHA ADAMS, has served as a sergeant in the Civil Division of Yuba County Sheriff's Department since 2007, where he previously served as sergeant of corrections from 1999 to 2007 and deputy sheriff for the Corrections Division from 1995 to 1999. He has served on the Corrections Standards Authority since 2006. Adams served in the U.S. Air Force from 1974 to 1994, retiring as a corrections superintendent with the rank of master sergeant. Reappointed 08/27/10. Effective 09/07/10.

Member, Corrections Standards Authority, term ending 07/01/13.



CHARLOTTE M. MELLO, has worked for the California Department of Corrections and Rehabilitation (CDCR) as a correctional officer at Folsom State Prison since 2007. Mello was a correctional officer at Pelican Bay State Prison from 2005 to 2007, where she was previously an office assistant from 2001 to 2005. Since 2007, she has served CDCR as an instructor for Alarm Response Training, CPR, First Aid, Range Safety Officer Training, Baton Technique and Peer Support. Appointed 08/27/10. Effective 09/03/10.

Member, Corrections Standards Authority, vice, Travis F. Townsy, term expired, term ending 07/01/13.

MIMI H. SILBERT, PH.D., has served as chief executive officer and president of the Delancey Street Foundation since 1974 and headmaster of the Life Learning Academy since 1988. She has served on the Corrections Standards Authority since 2005, and previously from 1999 to 2004 and 1986 to 1992. Silbert was project director for the San Francisco Juvenile Justice Action Plan from 1996 to 2001. She worked for the California Department of Corrections and Rehabilitation as project director of Bay Area Parole Services Network from 1991 to 1994. Reappointed 08/27/10. Effective 09/13/10.

Member, Corrections Standards Authority, term ending 07/01/13.

ARTHUR L. ANDERSON, JR., has been a law enforcement consultant for the National Highway Traffic Safety Administration since 2000 and has served on the Board of Parole Hearings since 2008. Previously, Anderson worked for the California Highway Patrol (CHP) as assistant commissioner of field operations from 2004 to 2007, chief of the Valley Division from 2001 to 2004, chief of the Professional Standards Division from 2000 to 2001, assistant chief of the Golden Gate Division from 1999 to 2000, captain commander of the Hollister and Gilroy area from 1992 to 1993, lieutenant of the Office of Special Projects from 1989 to 1992, lieutenant of field operations officers in Fresno from 1985 to 1989, lieutenant and executive officer in Monterey from 1984 to 1985, sergeant at the CHP Academy from 1981 to 1984 and patrol officer in Central Los Angeles from 1971 to 1984. Anderson was director of the California Office of Traffic Safety from 1993 to 1999. Reappointed 08/27/10. Effective 08/30/10.

Commissioner, Board of Parole Hearings, term ending 07/01/13.

HOLLIS H. GILLINGHAM, is a commissioner with the Board of Parole Hearings since 2008 and previously served Santa Clara County as a background investigator and juvenile supervisor from 1998 to 2000, deputy probation officer for juvenile and adult matters from 1968 to 1997 and counselor I for Juvenile Hall from 1966 to 1968. Reappointed 08/27/10. Effective 08/30/10.

Commissioner, Board of Parole Hearings, term ending 07/01/13.



LEA ANN BRANCH, has served as a commissioner with the Board of Parole Hearings since 2008. She worked for the California Department of Corrections and Rehabilitation (CDCR) as associate director of Reception Center Institutions from 2006 to 2007, warden of North Kern State Prison from 2003 to 2006, chief deputy warden of Corcoran State Prison from 2002 to 2003 and associate warden of Wasco State Prison from 1997 to 2002. Branch was a correctional business manager from 1994 to 1997 at Wasco State Prison, where she also served as correctional lieutenant from 1991 to 1994. She worked for CDCR as a correctional lieutenant of the Program Support Unit, Institutions Division in 1990 and associate budget analyst in the Office of Budget Management, Administrative Services Department from 1989 to 1990. Branch was a correctional counselor at San Quentin State Prison from 1988 to 1989, where she was previously a correctional sergeant from 1986 to 1987 and a correctional officer from 1982 to 1986. She was a parole agent for the Parole and Community Service Division in Oakland from 1987 to 1988. Reappointed 08/27/10. Effective 08/31/10.

Commissioner, Board of Parole Hearings, term ending 07/01/13.

ROBERT G. DOYLE, has served as a commissioner with the Board of Parole Hearings since 2007 and as chair since 2008. Doyle served the Riverside County Sheriff's Department as sheriff and coroner from 2003 to 2006, undersheriff from 1999 to 2003, assistant sheriff from 1995 to 1999, chief deputy sheriff from 1991 to 1995, captain from 1989 to 1991, lieutenant from 1987 to 1989, sergeant from 1981 to 1987, investigator from 1979 to 1981 and deputy sheriff from 1975 to 1979. Reappointed 08/27/10. Effective 08/30/10.

Commissioner, Board of Parole Hearings, tem ending 07/01/13.

TROY E. ARBAUGH, has served as a commissioner for the Board of Parole Hearings since 2008. Previously, he worked for Abbey Group Consultants as a project manager from 2001 to 2008 and a consultant on public safety issues from 2000 to 2008. Arbaugh owned Arbaugh Investigations from 1999 to 2008. He worked for the Nevada County Sheriff's Office from 1972 to 1998, where he was the sheriff from 1994 to 1998. Reappointed 08/27/10. Effective 08/30/10.

Commissioner, Board of Parole Hearings, term ending 07/01/13.



HENRY J. AGUILAR, has served as a commissioner with the Board of Parole Hearings since 2008. Previously, he was a supervisory deputy sheriff with the Los Angeles County Sheriff's Department from 1976 to 2008. Aguilar worked for the Los Angeles County Office of Public Safety as an officer from 1974 to 1976 and for the Los Angeles County Department of Public Social Services as an eligibility worker from 1972 to 1974. In 2006, he was appointed by Governor Schwarzenegger to the California Council on Criminal Justice, where he served until 2008. Aguilar was vice president of the National Latino Peace Officers Association from 2005 to 2007 and president of the National Latino Peace Officers Association, California State Chapter from 2000 to 2004. Reappointed 08/27/10. Effective 09/15/10.

Commissioner, Board of Parole Hearings, term ending 07/01/13.

KIMBERLY K. EPPS, has served as a member of the Corrections Standards Authority since 2009. She has worked for the San Bernardino County Probation Department as supervising probation officer since 2004, and previously served as probation officer III from 1999 to 2004, probation officer II from 1997 to 1999, probation corrections officer from 1993 to 1997 and night supervisor from 1990 to 1993. Reappointed 08/27/10. Effective 09/16/10.

Member, Corrections Standards Authority, term ending 07/01/13.

MICHAEL G. LEE, has served as general counsel for the Agricultural Labor Relations Board since 2006. Previously, he was a deputy attorney general for the Department of Justice from 1988 to 2006. Prior to that, Lee served as staff counsel for the Water Resources Control Board from 1987 to 1988, the Office of the Secretary of State in 1987 and the Agricultural Labor Relations Board from 1979 to 1987. Reappointed 09/02/10. Effective 09/15/10.

General Counsel, Agricultural Labor Relations Board, term ending four years from second commission.

MICHAEL A. SUTSOS, is president of Black Point Sports Club since 1985, where he previously served as manager from 1972 to 1985. He is a member of the California Waterfowl Association, Mzuri Wildlife Foundation and California Outdoor Heritage Alliance. Appointed 09/02/10. Effective 09/10/10.

Member, Fish and Game Commission, vice, Donald C. Benninghoven, not confirmed, term ending 01/15/16.

Above appointments referred to the Committee on Rules.



Governor's Office, State Capitol
September 22, 2010

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments or reappointments 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

LINDA M. PENNER, has served as a member of the Corrections Standards Authority since 2007. She has served the Fresno County Probation Department as chief probation officer since 2005, and previously was division director of juvenile probation and adult supervision from 2002 to 2005, director of adult probation from 1997 to 2002, probation service manager in the Juvenile Probation Division from 1994 to 1997, deputy probation officer IV for Adult Probation from 1989 to 1994 and deputy probation officer I-III for the Adult Field Supervision Unit, Sex Offenders Unit, Victim and Witness Program and public liaison from 1977 to 1989. Reappointed 08/27/10. Effective 09/17/10.

Member, Corrections Standards Authority, term ending 07/01/13.

PATRICIA C. BATES, has served as a member of the Corrections Standards Authority since 2009. She has served on the Orange County Board of Supervisors since 2007. From 1998 to 2004, Bates was a California State Assemblymember, representing district 73, where she served as vice chair of the Assembly Appropriations Committee and Assembly Health Committee. She served as founding mayor of Laguna Niguel in 1989 and member of the Laguna Niguel City Council from 1989 to 1998. Reappointed 08/27/10. Effective 09/16/10.

Member, Corrections Standards Authority, term ending 07/01/13.

Above appointments referred to the Committee on Rules.

Governor's Office, State Capitol
September 22, 2010

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective September 22, 2010, the nomination of the following appointees



heretofore submitted and now before your honorable body for confirmation:

- Margaret A. Mims Member, California State Lottery Commission
- Carol A. Dean Member, California Regional Water Quality Control Board, North Coastal Region

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

Governor's Office, State Capitol
September 28, 2010

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective September 28, 2010, the nomination of the following appointees heretofore submitted and now before your honorable body for confirmation:

- Walter G. Pettit Member, State Water Resources Control Board
- Richard A. Rosenberg Member, California Horse Racing Board
- Keith Brackpool Member, California Horse Racing Board

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.

Governor's Office, State Capitol
September 28, 2010

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective September 28, 2010, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation:

- Michael A. Sutsos Member, Fish and Game Commission

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above transmitted to the Committee on Rules.



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, August 30, 2010

Mr. President: I am directed to inform your honorable body that the Assembly on this day refused passage and returned without further action:

SB 399

SB 1275

Assembly Chamber, August 31, 2010

Mr. President: I am directed to inform your honorable body that the Assembly on this day refused passage and returned without further action:

SB 250

SB 873

Assembly Chamber, August 31, 2010

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

AB 12	AB 737	AB 1822	AB 2470
AB 52	AB 827	AB 1889	AB 2479
AB 97	AB 900	AB 1987	AB 2490
AB 153	AB 1011	AB 2036	AB 2503
AB 185	AB 1343	AB 2059	AB 2530
AB 194	AB 1405	AB 2084	AB 2541
AB 222	AB 1413	AB 2202	AB 2567
AB 226	AB 1431	AB 2211	AB 2600
AB 231	AB 1504	AB 2376	AB 2670
AB 289	AB 1650	AB 2393	AB 2699
AB 408	AB 1662	AB 2398	AB 2734
AB 424	AB 1681	AB 2414	AB 2780
AB 482	AB 1718	AB 2437	AB 2786
AB 499	AB 1743	AB 2446	ACR 154

E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, September 2, 2010

Mr. President: The Committee on Rules has examined:

SB 1128	SB 1231	SB 1349	SB 1455
SB 1155	SB 1233	SB 1375	SB 1474
SB 1166	SB 1246	SB 1397	SB 1480
SB 1172	SB 1252	SB 1404	SB 1482
SB 1178	SB 1320	SB 1427	SB 1483
SB 1179	SB 1330	SB 1431	SB 1489
SB 1211	SB 1332	SB 1432	
SB 1223	SB 1338	SB 1450	

And reports that the same have been correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 5 p.m.

STEINBERG, Chair



Senate Chamber, September 2, 2010

Mr. President: The Committee on Rules has examined:

SB 88	SB 474	SB 903	SB 1028
SB 105	SB 694	SB 909	SB 1032
SB 110	SB 839	SB 931	SB 1055
SB 156	SB 882	SB 950	SB 1059
SB 294	SB 888	SB 962	SB 1075
SB 414	SB 894	SB 977	SB 1085
SB 454	SB 899	SB 1007	SB 1090

And reports that the same have been correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 4 p.m.

STEINBERG, Chair

Senate Chamber, September 2, 2010

Mr. President: The Committee on Rules has examined:

SB 518	SB 1057	SB 1224	SB 1411
SB 525	SB 1062	SB 1269	SB 1443
SB 613	SB 1065	SB 1318	SB 1472
SB 677	SB 1096	SB 1333	SB 1477
SB 933	SB 1122	SB 1334	SB 1490
SB 1022	SB 1167	SB 1345	SB 1492
SB 1046	SB 1222	SB 1353	

And reports that the same have been correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 2 p.m.

STEINBERG, Chair

Senate Chamber, September 2, 2010

Mr. President: The Committee on Rules has examined:

SB 1395

And reports that the same has been correctly enrolled, and presented to the Governor on the 2nd day of September, 2010, at 2:15 p.m.

STEINBERG, Chair

Senate Chamber, September 3, 2010

Mr. President: The Committee on Rules has examined:

SB 21	SB 730	SB 951	SB 1064
SB 56	SB 806	SB 959	SB 1066
SB 76	SB 812	SB 961	SB 1076
SB 189	SB 834	SB 970	SB 1088
SB 211	SB 880	SB 971	SB 1124
SB 309	SB 885	SB 993	SB 1125
SB 390	SB 900	SB 1006	SB 1143
SB 503	SB 906	SB 1008	SB 1173
SB 654	SB 929	SB 1035	SB 1296
SB 700	SB 930	SB 1040	



And reports that the same have been correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 11:45 a.m.

STEINBERG, Chair

Senate Chamber, September 3, 2010

Mr. President: The Committee on Rules has examined:

SB 82	SB 270	SB 516	SB 769
SB 145	SB 331	SB 602	SB 782
SB 194	SB 435	SB 657	
SB 202	SB 442	SB 662	
SB 228	SB 515	SB 733	

And reports that the same have been correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 4 p.m.

STEINBERG, Chair

Senate Chamber, September 3, 2010

Mr. President: The Committee on Rules has examined:

SB 1198	SB 1319	SB 1365	SB 1454
SB 1202	SB 1321	SB 1370	SB 1467
SB 1205	SB 1322	SB 1410	SB 1491
SB 1268	SB 1341	SB 1428	
SB 1272	SB 1354	SB 1440	
SB 1290	SB 1355	SB 1444	

And reports that the same have been correctly enrolled, and presented to the Governor on the 3rd day of September, 2010, at 3 p.m.

STEINBERG, Chair

Senate Chamber, September 7, 2010

Mr. President: The Committee on Rules has examined:

SB 798	SB 949	SB 1069	SB 1116
SB 830	SB 957	SB 1079	SB 1127
SB 877	SB 1004	SB 1080	SB 1137
SB 918	SB 1058	SB 1091	SB 1142
SB 938	SB 1067	SB 1098	SB 1303
SB 945			

And reports that the same have been correctly enrolled, and presented to the Governor on the 7th day of September, 2010, at 4 p.m.

STEINBERG, Chair

Senate Chamber, September 7, 2010

Mr. President: The Committee on Rules has examined:

SCR 83	SCR 86	SCR 106	SCR 107
SCR 110	SCR 115	SCR 116	SCR 118



And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 7th day of September, 2010, at 2 p.m.

STEINBERG, Chair

Senate Chamber, September 7, 2010

Mr. President: The Committee on Rules has examined:

SJR 22	SJR 29	SCR 121	SCR 125
SJR 23	SJR 35	SCR 122	
SJR 28	SCR 120	SCR 124	

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 7th day of September, 2010, at 2 p.m.

STEINBERG, Chair

September 3, 2010

Mr. President: The Committee on Rules has examined:

SB 289	SB 608	SB 879	SB 1139
SB 392	SB 847	SB 964	SB 1181
SB 579	SB 849	SB 991	

And reports that the same have been correctly enrolled, and held at the Desk pursuant to Joint Rule 57.

STEINBERG, Chair

Senate Chamber, September 8, 2010

Mr. President: The Committee on Rules has examined:

SB 1283	SB 1357	SB 1407	SB 1456
SB 1284	SB 1363	SB 1408	SB 1460
SB 1304	SB 1371	SB 1413	SB 1462
SB 1317	SB 1380	SB 1414	SB 1473
SB 1328	SB 1381	SB 1417	SB 1476
SB 1329	SB 1392	SB 1433	SB 1478
SB 1340	SB 1399	SB 1437	SB 1481
SB 1348	SB 1402	SB 1449	SB 1494
SB 1350	SB 1406	SB 1451	

And reports that the same have been correctly enrolled, and presented to the Governor on the 8th day of September, 2010, at 4 p.m.

STEINBERG, Chair



Senate Chamber, September 8, 2010

Mr. President: The Committee on Rules has examined:

SB 5	SB 890	SB 1154	SB 1237
SB 51	SB 965	SB 1157	SB 1240
SB 127	SB 967	SB 1163	SB 1247
SB 220	SB 972	SB 1169	SB 1250
SB 346	SB 1029	SB 1176	SB 1254
SB 427	SB 1072	SB 1192	SB 1260
SB 455	SB 1119	SB 1201	SB 1266
SB 543	SB 1141	SB 1207	SB 1271
SB 550	SB 1146	SB 1214	
SB 675	SB 1149	SB 1230	

And reports that the same have been correctly enrolled, and presented to the Governor on the 8th day of September, 2010, at 3:30 p.m.

STEINBERG, Chair

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
September 9, 2010

To the Members of the California State Senate:

Senate Bill 847, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill 847 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, September 9, 2010

Mr. President: The Committee on Rules has examined:

SB 847

And reports that the same has been correctly enrolled, and presented to the Governor on the 9th day of September, 2010, at 1 p.m.

STEINBERG, Chair

Senate Chamber, September 13, 2010

Mr. President: The Committee on Rules has examined:

SB 1425

And reports that the same has been correctly enrolled, and presented to the Governor on the 13th day of September, 2010, at 11:30 a.m.

STEINBERG, Chair



MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
September 27, 2010

To the Members of the California State Senate:

The following bills, in my opinion, constitute emergency bills within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of these bills as emergency measures:

SB 289, SB 392, SB 579, SB 608, SB 849, SB 879, SB 910, SB 964, SB 991, SB 1034, SB 1139, SB 1181, SB 1244, and SB 1368.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bills ordered transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Committee on Rules

September 27, 2010

Mr. President: The Committee on Rules has examined:

SB 289	SB 849	SB 991	SB 1244
SB 392	SB 879	SB 1034	SB 1368
SB 579	SB 910	SB 1139	
SB 608	SB 964	SB 1181	

And reports that the same have been presented to the Governor on the 27th day of September, 2010, at 11:30 a.m.

MESSAGES FROM THE GOVERNOR

Signing Messages

Governor's Office, State Capitol
September 23, 2010

To the Members of the California State Senate:

I am signing Senate Bill 880.

This bill would require children less than 18 years of age to wear helmets while skiing or snowboarding. This measure will help prevent avoidable injuries to children while engaging in dangerous activities. Unfortunately, the Legislature made the enactment of this legislation contingent upon the enactment of Assembly Bill 1652, which I am returning without my signature. Consequently, while I am signing this bill to demonstrate my support for this measure, I recognize that it will not take effect.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor



Governor's Office, State Capitol
September 29, 2010

To the California State Legislature:

I am signing AB 231 and SB 1456.

AB 231 amends the California Environmental Quality Act (CEQA), to allow the lead agency for a later project that uses a tiered environmental impact report (EIR) to incorporate, by reference, a previous finding of overriding considerations for the earlier project if certain conditions are met. Of merit is the fact that this bill allows public entities some relief from the unfair political backlash that often occurs because they are required to override the same potential impact over and over again.

SB 1456 amends the CEQA regarding: 1) tiering and cumulative impact analysis; 2) mediation; 3) the ability of the Attorney General to request an expedited litigation schedule; and, 4) filing a motion for frivolous actions. Requiring project opponents to base CEQA claims on specific objections made during their participation in the public process will prevent project opponents from piggy-backing off of the comments and arguments of others to establish standing to sue.

Other than the provisions mentioned above, these bills are 99% garbage. Though small steps in the right direction, neither I nor the Legislature should fool ourselves into thinking that these bills even make a dent in the problems caused by CEQA's spaghetti-like requirements.

I am greatly disappointed that the Legislature did not see fit to send to my desk a more substantive bill this legislative session designed to reduce widespread and rampant abuses plaguing the CEQA process-abuses which are made possible by complex and overly bureaucratic requirements in the present law. Serious legislative reforms to curb these abuses have been thwarted by interest groups at every turn, resulting in ineffective piecemeal legislation that does little to solve inherent flaws in law.

Regrettably, our environmental laws and regulations often stand in the way of our environmental goals. Moreover, opportunists use these laws to prevent reasonable management of environmental resources while simultaneously forcing huge expenditures of taxpayer dollars. As Governor, I have been frustrated to find that even our most routine environmental statutes present obstacles for public projects deemed good for the environment, ranging from things like building hiking trails to licensing renewable energy projects designed to provide clean, reliable, sustainable energy while spurring job creation in this State.

There can be no doubt that the opportunistic user of CEQA is, by far, the worst offender, providing needless fodder to special interest groups bent on miring necessary and worthwhile development in years of litigation, uncertainty, and additional expense.

Consequently, next year's crop of state lawmakers, including the next Administration, will again face the unique challenge of reining in CEQA



abuses in the face of blind opposition determined to maintain an unworkable status quo. It is my fervent hope that these policymakers pursue substantive and lasting reforms to CEQA that will serve to showcase California as an exemplary steward of the environment as well as a place for creative innovation and dynamic economic growth.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Veto Messages

Governor's Office, State Capitol
September 23, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 427** without my signature.

This bill makes minor changes to legal definitions related to automotive crash parts and substantially duplicates existing penalties related to fraudulently installing airbags. SB 427 is similar to two bills I have vetoed previously. The provisions in this measure are largely duplicative of existing law, and provide consumers very little additional benefit.

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 23, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 474** without my signature.

This bill would require a lead agency on a project, prior to entering an agreement to develop the project using a design-build or public-private partnership (P3) model, to pass a resolution identifying the anticipated benefits from using those methods compared to using traditional contracting or financing methods.

This bill is simply unnecessary. Under existing law, public agencies have the authority to utilize design build and P3 to develop and finance transportation projects. Decisions about when and where the use of these strategies will be effective is a decision for qualified transportation professionals. Requiring elected officials to issue a finding every time an agency wishes to use one of these tools to deliver a project would create an unnecessary hurdle potentially leading to project delays.

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 23, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 515** without my signature.

During my Administration, I have worked to revitalize career technical education (CTE) programs throughout the state by increasing funding for programs and facilities, streamlining the credentialing process for teachers, and supported expansion of existing programs. I believe that current law provides sufficient safeguards to ensure that the courses and programs offered to our students lead them to opportunities in the workforce or postsecondary education. Placing additional restrictions on CTE programs could prevent them from qualifying for funding, limit expansion, or result in termination for non-compliance.

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 23, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 885** without my signature.

This bill can place an additional burden on small businesses that offer gift certificates and cards. Those small businesses are required to maintain some record of the card or certificate as a liability on the books and eventually pay taxes on the revenue whether or not the certificate is redeemed. I believe existing law acknowledges a reasonable cost of business to help offset the record-keeping and other administrative expenses of dormant gift certificates and gift cards. Therefore, I do not believe a change to current law would be prudent.

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 23, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 967** without my signature.

This bill would provide a 5 percent bid preference if 90 percent of a business' employees performing work on a state contract exceeding \$1 million are California residents. This bill also specifies that agencies accepting proposals for the distribution of funds pursuant to the federal



American Recovery and Reinvestment Act of 2009 provide a 5 percent bid preference, regardless of contract amount.

While this bill seeks to create new jobs and stimulate the economy, it would cost the state hundreds of millions of dollars in bid preferences and administration at a time when the state is in a fiscal crisis. Additionally, reciprocity statutes, enacted by at least 36 other states, would add a percentage to bids submitted by California businesses bidding on contracts with those states, making it difficult for California businesses to contract with other states.

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 23, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1202** without my signature.

This bill requires that a ballot pamphlet include a list of the five highest contributors of \$50,000 or more to each primarily formed committee supporting each state measure and the total amount of their contributions. Only contributions made 110 days before an election would be included.

I have consistently advocated for transparency in campaign contributions and signed legislation that furthers that goal. This bill would instead create confusion for voters and encourage late contributions. Large donors could avoid being included on the list by limiting contributions until the deadline had passed. This would undermine the intent of this bill and could instead mislead voters as to the identity of the major contributors.

Additionally, this measure creates significant cost pressure to print information that is already available at the Secretary of State website, www.sos.ca.gov. Voters have access to an online database that is up-to-date and includes contributors in support and opposition of a measure. Printing a limited list is expensive and 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 23, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1272** without my signature. While the sponsors seem intent on eliminating measures that will generate jobs and stimulate the economy, the average California taxpayer would probably be better served if the Legislature were willing to automatically sunset every



new spending entitlement, program expansion and business mandate after 7 years.

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 23, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1380** without my signature.

For years many career technical education (CTE) programs and facilities have been ignored or eliminated altogether. However, during my time in office the state has made substantial investment in CTE. This bill stands to threaten the recent investments in this area, as well as the significant momentum we have achieved. By allowing CTE bond funds to be used for CTE investments with just a five year minimum lifespan, and for non-CTE related purposes, this bill seriously risks jeopardizing the quality and scope of investments we make in these facilities.

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 23, 2010

To the Members of the California State Senate:

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

This bill would mandate that no two representatives from employee organizations may be from the same labor organization and be members of the California Apprenticeship Council. In addition, this bill would place new requirements on new or expanding apprenticeship programs in the building and construction trades.

Similar to previous measures I have vetoed, this measure imposes new requirements on new or expanding programs without subjecting existing programs to the same level of scrutiny. Finally, this measure fails to address the impacts of the so-called "needs test" that prevents new apprenticeship programs from being approved if a similar program already exists in the same geographic area.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Receipt of Bills

I acknowledge receipt this 24th day of September 2010 at 4:42 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacqué Roberts:

SB427, SB474, SB515, SB885, SB967, SB1202, SB1272, SB1380, SB1397.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 145** without my signature.

This bill would prevent a workers' compensation claim from being denied or impacted by an apportionment determination because the employee's injury or death was related to the employee's race, religious creed, color, national origin, age, gender, marital status, sex, or genetic characteristics. This measure, like Senate Bill 1115 (2008), which I previously vetoed, would significantly undermined the state's workers' compensation apportionment reforms of 2004. In addition, although this measure purports to address instances where a workers' compensation claim was improperly denied when a hate crime was committed against an employee, this issue has been addressed by Assembly Bill 1093, which I signed last year.

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 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 194** without my signature.

This bill would establish, to the extent permitted by federal law, requirements governing the use of a citizen advisory committee (CAC) by a local government that chooses to use a CAC in the course of preparing plans for the expenditure of federal Community Development Block Grant (CDBG) funds received directly from the federal Department of Housing and Urban Development (HUD).

This bill is unnecessary. The federal CDBG regulations already mandate a public hearing with significant outreach elements as part of grant recipients' planning processes; further, imposing a state requirement on a federal program would be inappropriate and in fact may not be permitted by federal law and regulations.

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 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 516** without my signature.

This bill is similar to a measure I vetoed in 2008. I still encourage California youth to engage in the public policy issues that directly impact their lives such as education, employment, foster care, homelessness, and more. However, as most parents and adults can attest, I would also argue that youth do not need statutory authorization to have their voices and opinions heard. There are numerous organizations, entities and communications in which youth can be engaged in our legislative process.

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 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 903** without my signature.

This bill would extend the period of time within which the Division of Labor Standards Enforcement (DLSE) may commence a collection action for recovery of civil penalties from one year to three years from the date the penalty or fee became final.

While I appreciate the author's attempts to ensure that DLSE is afforded enough time to initiate legal proceedings to collect penalties, there has been no clear demonstration that existing law presents any significant difficulty for the division.

Since an extension of the statute of limitations is unnecessary, 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 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 970** without my signature.

While I support efforts to encourage college students to participate in elections, this bill is unnecessary. Current law provides sufficient flexibility for voters that vote by mail to return their ballots in a timely manner. Creating a voluntary pilot program to set up a drop off location for vote by mail ballots on select college campuses creates unnecessary cost pressures for the Secretary of State and local elections officials.



A citizen's right to vote also comes with certain responsibilities, particularly to ensure that his or her ballot is submitted on time. Many Californians with busy schedules make the time to vote. The vote by mail option allows voters to complete their ballot at their convenience and to return it by mail, in person at the county elections office, or at any polling place in their county on Election Day. I believe these options provide the flexibility for all voters, including college students, to return their ballots.

Consequently 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 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1141** without my signature.

SB 1141 makes public entities ineligible for State Aeronautics Account money if they choose not to create a countywide land use bureaucracy.

I am concerned that this bill is unnecessary and subversive of local control over land use decisions. Existing law provides local officials sufficient land use tools to protect their airports from encroaching development and to protect the public.

In effect, the bill fiscally punishes those local governments who believe they can make good land use decisions on their own accord without countywide airport land use commissions.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1157** without my signature.

This bill requires all school sites in California to adopt an integrated pest management (IPM) program and requires the Department of Pesticide Regulation (DPR) to reimburse all local agencies and school districts for the costs of this program.

While currently voluntary in state law, I support the policy of implementing integrated pest management programs at schools to the greatest extent possible. Unfortunately, I cannot support paying for this school program out of an alternative fund at DPR. To do so would start a dangerous precedent for finding unrelated revenue



sources to fund, expand, or create K–12 programs outside of the Proposition 98 guarantee.

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 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1205** without my signature.

This bill would establish, until January 1, 2030, the Bay Area Disaster Recovery Planning Council to create a long-term regional recovery plan that would be implemented before and after an earthquake or other disaster occurs in the bay area. The Council would develop the long-term regional recovery plan through cooperation with various stakeholders in the bay area, including, but not limited to, the cities, counties, special districts, school districts, emergency managers, hospitals, members of the public, private businesses, and nongovernmental organizations. It would also impose specific duties on the Association of Bay Area Governments (ABAG).

The California Emergency Management Agency is responsible for state emergency management programs under the California Disaster Assistance Act and the federal Stafford Act. Through extensive collaboration with Bay Area entities, key tools have already been produced to compliment emergency management strategies and disaster recovery principles and systems at both the state and federal level. This bill would establish a parallel or duplicate disaster planning organization and could divert the limited funding currently available for long-term disaster recovery. In addition, the Joint Exercise of Powers Act already allows ABAG to address regional disaster planning.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1231** without my signature.

While I am sympathetic to the abusive treatment of workers, I am concerned that this bill would impose additional and unnecessary regulations on small business, as well as increase the complexity of the state procurement process. In addition, I believe this bill could further



compromise the business environment in California during difficult times for many businesses in this state.

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 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1321** without my signature.

This bill would authorize the Director of General Services and the Secretary of Food and Agriculture to each designate a deputy of his/her office to act in his/her place and stead on the State Race Track Leasing Commission with respect to the exercise of statutory powers and duties of the commission.

The issues addressed by the State Race Track Leasing Commission are of great importance and should be examined by the heads of each respective department/agency. Existing law provides for ample flexibility and recognizes the importance of such issues. This bill diminishes the statutory powers of each respective department/agency represented on this board by giving their delegates all powers, duties and authority originally deemed for these department heads.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1370** without my signature.

This bill would require that beginning in 2012, all employment contracts for services rendered within California in which the method of payment involves commissions, be in writing, and set forth the method by which the commissions shall be computed and paid.

This bill addresses a federal district court decision which held Labor Code section 2751 to be unconstitutional. However, there is no indication that there is a widespread problem of wage disputes resulting from the lack of written commission-based employment contracts in California. Therefore, the manner in which this bill remedies the existing law's constitutional infirmity creates potentially unnecessary new burdens on all businesses employing persons in California. If it becomes apparent that there is an actual problem arising from a lack of written commissioned-based contracts in California, then it would be appropriate



to revisit this issue. At this time, however, there is no clear need for this bill.

For this reason, 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 25, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1406** without my signature.

This bill states that existing law shall be construed as authorizing an insurer for up to 60 days after issuing or renewing a policy of residential property insurance, to focus on claims and its resources on services to existing policyholders in the event of an earthquake and to temporarily defer the mandatory offer.

This bill does not change the responsibility or timeframes for insurers that offer property insurance and it does not make any substantive change to existing law.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 27th day of September 2010 at 4:11p.m., of the following Senate Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

SB145, SB194, SB516, SB903, SB970, SB1141, SB1157, SB1205, SB1231, SB1321, SB1370, SB1406.

BERNADETTE McNULTY

Chief Assistant Secretary of the Senate

Governor's Office, State Capitol

September 28, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1207** without my signature.

This bill is almost identical to a measure I vetoed last year because it would have placed significant fiscal pressures on the state's General Fund and on already strapped local government budgets. Yet, this bill does not address the concerns I expressed in last year's veto message.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1433** without my signature.

This bill requires the California Air Resources Board (CARB) to annually adjust maximum civil and criminal penalties for violations of air pollution control laws to reflect changes in the California Consumer Price Index.

This bill is unnecessary. It is not clear that current penalties for violating air pollution control laws are failing to achieve the deterrent effect for which they were originally designed.

California has the most aggressive air pollution control laws in the nation. That distinction comes with a responsibility to balance our environmental goals with our economic goals.

Current law gives CARB and the local air districts broad authority to assess and negotiate fine amounts with those who violate our air pollution control laws. Anecdotal evidence suggests that when issuing citations, the local air districts do not generally issue them at the maximum penalty amount. And when they do, they normally negotiate those fines lower based on a variety of factors, including the egregiousness of the violation and the violator's ability to pay the fines. Until more evidence is shown to the contrary, current law seems to strike the correct balance.

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 28, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1444** without my signature.

While I strongly support science, technology, engineering, and mathematics (STEM) education, this bill does nothing to promote real opportunities for STEM education. This bill could create unintended, potential barriers by preventing California from applying for and receiving funds for STEM-related programs, if grant requirements or competitive priorities are not consistent with the definition outlined in the bill. This bill could create confusion and limit future STEM education efforts.

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 28, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1451** without my signature.

This bill is duplicative and unnecessary. An adequate process is already in place to ensure that the California State Board of Education adopts an appropriate History-Social Science Framework for our state's schools and 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 28, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1454** without my signature.

This bill greatly expands existing environmental labeling requirements for plastic bags and plastic food and beverage containers to apply to virtually any and all types of plastic products.

I have signed into law the author's SB 228, which requires manufacturers of compostable plastic bags meeting specific American Society for Testing Materials (ASTM) standards to ensure that the bag is readily and easily identifiable from other plastic bags. I think that bill represents a reasonable next step in providing information to the consumer and recyclers about the differences in biodegradable products.

I am concerned about the much more expansive universe of plastic products that this bill would regulate and the unforeseen consequences that could result from such a vast expansion.

For this reason, I am unable sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 28th day of September 2010 at 4:39 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

SB1207, SB1433, SB1444, SB1451, SB1454.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 56** without my signature.

This bill is unnecessary, as there is nothing in existing law that prohibits a county organized health plan, local initiative or other public entity from



entering into a joint venture and seeking licensure with the Department of Managed Health Care. Furthermore, this bill does not solve the underlying problem for why these entities have been unsuccessful expanding their business in the past.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 309** without my signature.

This bill requires that preference for inclusion in California Conservation Corps (CCC) membership be given to emancipated foster youth and at-risk youth.

This bill is unnecessary. Existing law requires the CCC to select young men and women, without regard to their prior employment status or educational background, for participation in the corps program on the basis of their demonstrated motivation for hard work, personal development, and public service.

Nonetheless, a majority of CCC's current corps members are at-risk or emancipated foster youth. For example, 87 percent are unemployed at the time they join the CCC, 11 percent have no prior job experience, more than 50 percent lack a high school diploma, and 4 percent are homeless. Absent any data or information that would demonstrate the need, I see no reason to change CCC's current selection policy.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 525** without my signature.

Over the last few years, the proliferation of wireless communication devices in California's prisons has become one of the most challenging issues facing the Department of Corrections and Rehabilitation. As technology has advanced and these devices have become smaller and more powerful, the threat these devices pose to employees in correctional facilities and the public at large has grown. These devices allow inmates to plan prison assaults and escapes, harass and intimidate witnesses and victims, and facilitate other criminal activities, including directing the activities of criminal street gangs and authorizing murders.

In response to this serious threat, my Administration launched programs to conduct random searches at prisons, established a committee to study cell phone jamming and detection techniques, and even utilized trained



dogs to aid in uncovering contraband devices. In 2009, my administration sponsored legislation to make possession of an unauthorized wireless communication device in prison a felony. Unfortunately, the Legislature failed to pass this commonsense measure.

Over a year later, the Legislature has passed this measure, which does not make it a crime for an inmate to possess a wireless communications device in a prison. Instead, this measure would only make it a crime to bring a wireless device into a prison with the intent to furnish it to an inmate, a crime that would only be punishable by a \$5,000 fine. Although our prisons continue to face drastic budget cuts and overcrowding, it is inexcusable to treat the threat of wireless communications devices in prisons so lightly. Signing this measure would mean that smuggling a can of beer into a prison carries with it a greater punishment than delivering a cell phone to the leader of a criminal street gang.

I applaud the author for attempting to address this issue and acknowledge that this may, in fact, be the strongest measure that will emerge from the Legislature on this issue. And while signing this measure might be better than nothing, I cannot sign a measure that does so little. I urge the Legislature to pass a measure that will deter the conduct of persons smuggling wireless communication devices into prisons with the threat of jail time as well as punish the inmates who are caught possessing these devices.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 550** without my signature.

This bill requires an oil and gas operator to provide to the surface owner a 10-day written notice of the intent to enter the surface owner's property for the purpose of the extraction of underlying oil, gas, or minerals. This bill also requires the operator to provide to the surface owner a copy of the applicable recorded short form or memorandum of oil, gas, or minerals lease within 10 days prior to entering the property.

The Department of Conservation (Department) does not currently resolve mineral rights or surface rights disputes. But this bill would create an expectation on the part of the landowner that the Department will now regulate in this arena. This means that violations of the provisions of the bill could be subject to the imposition of penalties by the Department. In essence, this bill creates a regulatory program in search of a problem.



These disputes should be resolved in the courts, not through the Department's enforcement processes.

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 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 730** without my signature.

This bill requires the California Public Utilities Commission (CPUC), when evaluating energy efficiency investments, to ensure that regional climate protection authorities, local governments, community-based organizations and energy efficiency service provider have an opportunity to participate in energy efficiency program design.

This bill is unnecessary. The CPUC already has in place a public process that allows all interested stakeholders, including local governments and others, to participate in its energy efficiency proceedings. I am concerned about including in statute a mandate that certain entities should be included in these activities. The CPUC should continue their current practice of ensuring that all entities are able to participate in its proceedings.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 961** without my signature. This measure is almost identical to a bill that I vetoed last year. My concern about adding costs to our increasingly expensive health insurance premiums have not been addressed. This bill is also unnecessary in light of the provisions of the federal health reform act that will take effect on January 1, 2014 and cap out-of-pocket costs for both individuals and families.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 971** without my signature.

This bill is unnecessary and attempts to create additional standards that are already being adequately enforced through other regulatory and administrative mechanisms. Since the current standards of practice for blood clotting products and service are already being met through state and federal pharmacy laws, voluntary compliance and existing state contract provisions, it is unclear what problem this bill seeks to address.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill (SB)1066** without my signature.

This bill would require the California Department of Corrections and Rehabilitation (CDCR) to conduct monthly random searches for contraband of staff and vendors entering each State prison. This bill requires the CDCR to provide advance notice to the Office of the Inspector General (OIG) of these random searches and requires the Inspector General to oversee at least 11 searches per year. In addition, SB 1066 requires the CDCR to submit a quarterly report to the OIG detailing the results of these searches, as specified.

This measure is unnecessary as California law already authorizes CDCR to search staff and vendors and provides the necessary flexibility needed to conduct its operations within existing budget constraints. SB 1066 removes this flexibility and instead codifies a cumbersome, bureaucratic process that will impede the Department's current and future efforts. Moreover, I cannot approve a measure that will mandate such searches while the Legislature fails to approve laws to give the proper tools to law enforcement to prosecute individuals when contraband such as wireless communications devices are found.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1067** without my signature.

This bill would require the California Department of Corrections and Rehabilitation (CDCR) to collect and report recidivism rates of youthful offenders under the jurisdiction of the Division of Juvenile Justice and post the information on the department's website. This bill is unnecessary inasmuch as CDCR has already begun to track this information and it can be made available on request.

For this reason 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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1091** without my signature.

This bill, while well-intentioned, is inconsistent with federal law and exposes the state to potentially significant costs. If the author wishes to craft workable legislation that allows for additional federal funds but also adheres to federal Medicaid law and regulations, the Department of Health Care Services would be willing to assist in that effort next year.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 29th day of September 2010 at 4:20p.m., of the following Senate Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

SB56, SB309, SB525, SB550, SB730, SB961, SB971, SB1066, SB1067, SB1091.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1119** without my signature.

I took swift and decisive action last year when it was obvious that the Board of Registered Nursing needed to be more effective in removing incompetent or dangerous nurses from our health care system. I removed the sitting board members, appointed new ones, and proposed a sweeping legislative enforcement package, coupled with resources in the budget, to



make system-wide changes in all our health licensing boards. My legislative proposal was killed in its first policy committee by the union that claims to represent the nursing profession. In turn, this bill only seeks to extend the same weak and ineffective policies that are preventing the Board from carrying out its mission to protect the public.

This bill is disappointing and makes no meaningful change in the law. I cannot support the status quo. The Legislature needs to enact strong, meaningful enforcement measures that protect patients instead of protecting problem nurses.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1154** without my signature.

This bill requires the California Public Utilities Commission (CPUC) to ensure that CPUC-administered low-income program applications include information about the applicant's potential eligibility to qualify for the federal Earned Income Tax Credit (EITC) program.

Throughout my Administration, I have been supportive of efforts to inform Californians of the tax benefits they could realize under the EITC. Nonetheless, it is outside the responsibility of the CPUC and electrical and telephone corporations to provide outreach materials on federal tax programs.

Additionally, I am concerned about the precedent of requiring utility companies to advertise an ever-growing list of programs that are not directly related to the services they provide, yet would impose costs on other ratepayers who may receive little or no benefit.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1166** without my signature.

This bill would require any agency, person, or business that must issue an information security breach notification pursuant to existing law to also fulfill certain additional requirements pertaining to the security breach notification.

California's landmark law on data breach notification has had many beneficial results. Informing individuals whose personal information was



compromised in a breach of what their risks are and what they can do to protect themselves is an important consumer protection benefit. This bill is unnecessary, however, because there is no evidence that there is a problem with the information provided to consumers. Moreover, there is no additional consumer benefit gained by requiring the Attorney General to become a repository of breach notices when this measure does not require the Attorney General to do anything with the notices.

Since this measure would place additional unnecessary mandates on businesses without a corresponding consumer benefit, 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, 2010

To the Members of the California State Senate:

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

While I support the state's Food Stamp Employment and Training program and the economic benefits that federal food stamps bring to California, I am troubled that this bill reduces county flexibility and instead requires that they offer self-initiated workfare. Self-initiated workfare weakens the "work-first" message of the program by allowing recipients to self-direct their own volunteer work. While I wholeheartedly support volunteer work in local communities, it does not build the skills and work experience that is the primary objective of this particular program.

For these reasons, I cannot support this measure.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1329** without my signature.

While I appreciate the author's continued effort to improve protections for residential care facilities, this bill would represent a new unfunded workload and redirect scarce resources that are currently dedicated to immediate health and safety issues.

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 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1410** without my signature. This measure weakens California's existing licensing requirements for California physicians and potentially puts patients at risk by giving substandard physicians an unlimited number of attempts to pass the final step of the United States Medical Licensing Examination. In addition, physicians are able to eventually obtain licensure in California if they can be licensed in another state for at least four years without any adverse licensure action.

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, 2010

To the Members of the California State Senate:

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

This bill provides that if the California Public Utilities Commission (CPUC) fails to act on an application for rehearing within 120 days, the CPUC may vote to extend the deadline by an additional 120 days.

Under current practice, the CPUC has 60 days to act on a petition for rehearing of a decision. A party who brings an action in California's backlogged courts is admonished by the court for filing their writ before the 60 days have run. Under this bill, I expect that the courts will not alter their practice, except that now a party will have to endure 120 days of CPUC inaction before they can make their filing.

I am concerned that the provisions of this bill undercut a party's ability to go to court if the commission has not acted within 60 days. Party's who do business before the CPUC deserve the right to decision and the right to appeal a decision, or lack thereof, to the courts. But at the end of the day, the base problem remains the same—there is a large backlog of petitions at the CPUC today and steps should be taken to reduce the average time it takes them to resolve a petition for rehearing. This bill does not address that problem.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1431** without my signature.

Given the state of the economy, the low participation rate in the current program and the new federal maintenance of effort requirements for the Healthy Families program, expanding eligibility for this local program is not necessary. In addition, the practical impacts of this bill will be short-lived, given that families with eligible children will have the opportunity to purchase subsidized insurance through the health insurance exchange in 2014.

For these reasons, I do not believe it is necessary to sign this bill at this time.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1437** without my signature.

This bill requires a representative from the California Independent System Operator (ISO) to appear before the appropriate policy committee of the Senate and Assembly to report on the previous year's ISO activities.

Similar to SB 1467 (Padilla), this bill is unnecessary. Having dealt with the ISO throughout the duration of my Administration, I have always found them to be accessible and accommodating. Whenever I have called and asked to meet, they have responded quickly. I am certain they would do the same for the Legislature.

Additionally, as an independent not-for-profit entity established under the rules of the Federal Energy Regulatory Commission, it is questionable whether state law can compel them to appear before the Legislature anyway.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1467** without my signature.

In addition to making several non-substantive changes to the Public Utilities Code and the Public Resources Code, this bill requires the



Chairperson of the State Energy Resources Conservation and Development Commission (Commission) to appear annually before the Senate Committee on Energy, Utilities and Communications and the Assembly Committee on Utilities and Commerce to report on the activities of the Commission.

This bill is unnecessary. During my Administration, the Chairperson of the Commission has always been accessible to the Legislature and, in fact, has appeared on several occasions this year before both committees to report on Energy Commission activities.

If the Legislature would like to invite the Chairperson to appear before their committees, they simply need to call. In this bill's absence, I am ordering DGS to check all phone lines between the Legislature and the Chairperson's office to make sure they are in good working order.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 29th day of September 2010 at 4:21 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

SB1119, SB1154, SB1166, SB1322, SB1329, SB1410, SB1414, SB1431, SB1437, SB1467.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 21** without my signature.

This bill requires the Department of Fish and Game (Department) and the Ocean Protection Council (Council) to undertake several activities with respect to the reporting of derelict fishing gear.

This bill is unnecessary. The Department currently maintains a "Report Lost Fishing Gear" link on its website, where lost and found gear can be reported via the internet or toll-free telephone numbers. Additionally, last year the Department began providing this information in its sport fishing regulations, in the Commercial Fishing Digest and began printing it on commercial fishing licenses.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 503** without my signature.

This bill would authorize additional auditor positions for auditing certain bonds, with the additional costs to be funded out of those bonds. While I share the author's goal of ensuring that bond-funded projects are implemented in an efficient and cost-effective manner, this bill is unnecessary because Executive Order S-02-07 already requires the auditing of all General Obligation bonds authorized by the voters since November 2006, including the bonds specified in this bill. In addition, this bill would result in increased project costs and duplicative efforts, and is unlikely to result in any additional project savings about that which would otherwise be discovered during the already-required auditing process.

Finally, the bill would set an expectation that the costs of this program be fully covered by the savings identified as a result of these audits. That directive would put the State Controller's Office in a position that is clearly in conflict with an auditor's role by making it difficult for them to conclude that any project or program was "meritorious" or "without fault," which could undermine the objective nature and value of the audit process.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 933** without my signature.

I am concerned that this bill will shift the burden of paying interchange fees from the holders of debit cards to all consumers regardless of payment type. Instead of charging a customer who chooses to use a debit card, businesses would be forced to increase their prices to all customers, regardless of payment type, to cover the interchange fee. The burden of paying these surcharges should fall on those who use debit cards and not on those who choose to pay with another form of payment.

For this reason I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 29, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 959** without my signature.

This bill would establish the Office of Permit Assistance in the Governor's Office of Planning and Research (OPR).

I applaud efforts to assist businesses navigate the state's chaotic permitting process. It was for this reason that I established the Governor's Office of Economic Development (GOED) and charged that entity with providing the same kind of assistance outlined in this bill.

In addition to several technical issues that need to be resolved in this bill, I cannot support it because it gives OPR a duty that I have already delegated to GOED.

However, I have also vetoed AB 2734 (Perez), a bill that attempts to codify GOED. Both AB 2734 and this bill should be re-crafted to address the issues I have raised and create a more coherent state policy for economic assistance housed in one location, the Governor's Office of Economic Development.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1125** without my signature.

This bill would provide an absolute defense to gambling establishments that engage in illegal gaming so long as the Bureau of Gambling Control (Bureau) within the Department of Justice approved the play prior to the game being found illegal. This past legislative session, my Administration sponsored several bills to address the issue of tort reform. Similar to this measure, one of these measures provided for limited immunity for businesses that engaged in conduct that was approved by a federal or state agency. However, even this modest reform contained a provision that prevented an absolute defense if the business in question intentionally misrepresented material information or defrauded the public entity that gave its approval.

I am unable to sign this bill because, unlike the measure previously mentioned, this bill does not take into account possible misconduct by a gambling establishment that may have induced the Bureau to erroneously approve a controlled game. In addition, there may be other instances where a gambling establishment may be playing a controlled game in bad faith and in violation of other provisions of existing law. Notwithstanding the fact that the Bureau may have approved such conduct, that approval alone



should not constitute an absolute defense to all civil, criminal, or administration actions.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1173** without my signature.

This bill would define "raw" water, and would require that recycled water be used for non-potable municipal or industrial purposes in lieu of raw or potable water, if recycled water is available that meets certain conditions, as determined by the State Water Resources Control Board (SWRCB).

I strongly support the use of recycled water to improve the efficient use of the State's limited water resources, and I encourage businesses and local governments to move to recycled water for their operations as quickly as feasible.

It was for this reason that I signed SB 918 (Pavley), which provides funding for the Department of Public Health to finish the recycled water regulations they have been working on for the last 15 years. Until those regulations are finished, I think it would not be feasible for California businesses and local governments to be able to comply with the provisions of this bill.

In addition, there will certainly be substantial costs associated with a significant movement to the use of recycled water. It was for this very reason that the "Safe, Clean, and Reliable Drinking Water Supply Act of 2012" includes \$1.25 billion for water recycling and water use efficiency measures like this. As such, this bill is premature until such funds are available.

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, 2010

To the Members of the California State Senate:

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

This bill requires employers to post information related to slavery and human trafficking, including information related to nonprofit organizations that provide services in support of the elimination of slavery and human trafficking. I support efforts to eliminate human trafficking.



However, this measure will burden legitimate businesses while having little to no impact on human slavery. After all, businesses likely to comply with his law are not likely to have employees that would benefit from such postings.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1269** without my signature.

This bill would require the California Department of Public Health and California Department of Food and Agriculture to advertise on their respective Internet Websites existing liability protections and potential tax benefits associated with food donations. This bill is unnecessary since the information it wishes to promote is already available on the Internet and through the non-profit organizations that receive donated foods.

Consequently, 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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1334** without my signature.

This bill requires the Department of Fish and Game (Department) to make a finding that a Natural Community Conservation Plan (NCCP) has been developed with the cooperation of a local agency that has land use permit authority over the activities proposed to be addressed in the plan.

This bill is unnecessary for successful development and implementation of an NCCP. The current NCCP process is a voluntary process that emphasizes conservation and stewardship of natural resources in a way that is cooperative, avoids conflicts, and encourages the active participation and support of landowners and others. Because NCCPs are by their very nature voluntary, cooperation by local agencies cannot be compelled as this bill would do.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1363** without my signature.

This bill would require any employee of an escrow agent who has access to money or negotiable securities belonging to the escrow agent, or any other person as determined by the Department of Corporations (DOC), to complete a course in escrow management conducted by DOC within 12 months of receipt of a Fidelity Corporation Certificate.

It is unclear why the provisions of this bill would only apply to new licensees and exempt all others. In addition, DOC currently conducts an escrow management course, which is available to escrow companies at no cost, questioning the need to impose this mandate altogether.

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, 2010

To the Members of the California State Senate:

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

This bill is not necessary. Current law already contains provisions and requirements for access to the least restrictive environment for children with disabilities. Both state and federal law is intended to ensure that students with disabilities are provided for in the least restrictive environment. As written, this bill intends to mandate that county offices of education and school districts have a meeting to discuss how special education facilities requirements are being met, and then certify that they had a meeting.

I am troubled that it was thought necessary that a bill was needed to require that adults from two entities meet together in order to appropriately serve the needs of special education children. Better enforcement of current law is appropriate. Common sense and decency is expected. Neither requires a statutory change.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 29th day of September 2010 at 7:42 p.m., of the following Senate Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

SB21, SB503, SB933, SB959, SB1125, SB1173, SB1230, SB1269, SB1334, SB1363, SB1432.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate



Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 220** without my signature. This bill represents a costly health mandate that goes beyond current federal law and removes the ability to manage the ever-increasing costs of prescription drugs.

Instead, I am signing Assembly Bill 2345 to ensure that the new federal health reform legislation for preventive services is fairly and consistently enforced by the Department of Managed Health Care and Department of Insurance. Californians will immediately benefit, starting on September 23, 2010, from the preventive services now required to be covered by all plans, without cost-sharing requirements. Some of these important preventive services include tobacco cessation; cholesterol tests; counseling for weight loss, alcohol use and improved nutrition; vision testing; childhood and adult immunizations; cancer screening; well-baby and well-child visits; and diabetes management and treatment.

Assembly Bill 2345 ensures that consumers get the right preventive care without co-pays. Because Senate Bill 220 goes beyond federal requirements, it will expose California to potentially significant unreimbursed mandate costs in 2014 when the remaining provisions of federal reform take effect.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 289** without my signature.

While I appreciate the efforts by the author and sponsors to address several important elements of seismic compliance, this bill fails to provide a balanced and comprehensive approach to the problem. For years, hospitals have been granted one extension after another. Any additional requests for extensions to seismic safety standards must also include tough penalties as well as moving to a "building safety model" whereby non-compliant hospital buildings are closed rather than an entire hospital campus.

While this bill has several good elements, it still continues the policy of extending seismic compliance deadlines without strong enforcement provisions. For hospitals that have been responsible and met the seismic deadlines, these types of extensions reward the exact type of behavior that should not be allowed to continue. For the specific hospitals that have encountered local planning delays beyond the hospital's control, I am signing Senate Bill 608.

Lastly, their hospital seismic reports are due on November 1, 2010 to the Office of Statewide Health Planning and Development. The data provided



by these hospitals may better inform the Legislature on how to craft a more targeted seismic compliance bill next year.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 733** without my signature.

While the model of service supported by this bill has proven effective at the San Francisco Trauma Recovery Center, the Restitution Fund is an inappropriate ongoing source of funding for this type of program. The Restitution Fund is the funding source of the Victim Compensation Program, which was designated to pay for certain out-of-pocket expenses to specific victims of crime.

The use of the Restitution Fund to support programs of this type presents a significant concern to its ongoing ability to support the compensation of crime victims for which it was established.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 957** without my signature.

I am concerned that this bill could limit choices students or eliminate the possibility of an award for lower income students, simply because the occupational areas that they have chosen to pursue was not deemed a priority by the state.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1098** without my signature.

This bill would make the provisions of the Miller-Ayala Athlete Agents Act inoperative on July 1, 2011, and would repeal those provisions as of January 1, 2012. The bill would replace the existing law with the Uniform Athlete Agents Act provisions developed by the National Conference of Commissioners on Uniform State Laws. The bill would



require athlete agents to register with the Department of Industrial Relations (DIR) and require DIR to issue registration certificates based upon the application forms and certificates of other states with similar registration requirements.

Lacking a clear need or rationale, this bill adds a new regulatory oversight function to DIR that is outside of the context of an employer/employee relationship. Even assuming it is necessary to create a new government program and associated costs in this time of fiscal challenge, this program would more appropriately be placed within the Department of Consumer Affairs.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1223** without my signature.

This bill would require escrow agents to follow the escrow instructions regarding escrow deposits in auction sales of real property, permit escrow agents to recognize auction companies as an agent of the seller and impose additional reporting requirements on surety companies concerning changes to surety bonds under the Escrow Law.

SB 1223 is unnecessary because existing laws already specify the requirements for escrow closing instructions and the requirements to create agency relationships, and already require surety companies to report surety bond information to the Department of Corporations.

For these reasons I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1240** without my signature.

This bill would limit the discretion of a hospital district when entering into a contract with another operating entity—and have the unintended consequence of reducing the incentive for such arrangements when hospitals are struggling to remain open. The Legislature has balanced local discretion with the state's interest in protecting access to health care with several safeguards, including requiring the State Attorney General to



review asset transfers and in some cases, requiring voter approval. This bill would disrupt the balance between local discretion by local elected officials and state policy for assuring access to health care.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 30th day of September 2010 at 3:44 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

SB 220, SB289, SB733, SB957, SB1098, SB1223, SB1240.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 991** without my signature.

This bill appropriates \$30 million in Proposition 1E bond funds to the Department of Water Resources (DWR) for flood protection projects that improve the sustainability of the Sacramento–San Joaquin Delta.

While I agree with its purpose, this bill is unnecessary. My Administration has made improving our levees and enhancing flood protection a top priority. To that end, SB x7 8 (Steinberg) appropriated more than \$240 million in bond funds intended to address current flood protection needs in the Delta. Since the program's inception in 2006, my Administration has:

- Improved Emergency Response: Enhanced Incident Command Team response capabilities and stockpiled rock for catastrophic Delta levee failure response.
- Improved Flood Management Systems: System improvements include 116 Critical Levee repairs, 121 proactive levee repairs, and completed flood protection improvements along south Sacramento creeks,
- Improved Sacramento-San Joaquin Delta levees and flood protection: Completed 21 Delta Special Projects to improve levee stability and habitat, completed urgent restoration of levee deficiencies on Upper Jones Tract, completed a levee setback on Sherman Island, and seven more projects are currently in progress.
- Local Flood Management Assistance: DWR has provided local flood management assistance including \$76 million reimbursed to local sponsors for the State cost share of federally authorized flood management projects.



- **Improved Operations and Maintenance:** DWR is responsible for the Operation and Maintenance of 292 miles of levees, 11 weirs, 5 gate structures, 4 pumping plants and all channels in the Sacramento River System. Completed improvements to the system include Tisdale Bypass Sediment Removal Project, Sacramento Bypass Sediment Removal Project, modernization of levee inspection and reporting procedures, development of 137 acres of riparian habitat at Colusa State Recreation Area and four additional projects are currently underway.

Many projects have been completed and many are under way. It is for this reason that DWR must be able to continue with their work unencumbered by special carve-outs for particular areas.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1029** without my signature.

When I signed legislation my first year in office allowing for a pilot program to allow the sale of syringes through participating counties and registered pharmacies, I was seeking to balance the competing public health, law enforcement and local control issues that this issue requires. I believe this balance was achieved and SB 1029 would remove the ability of local officials to best determine policies in their jurisdiction. Some counties have not sought to implement this pilot program, citing competing priorities, lack of pharmacy interest and law enforcement opposition.

I respect these local decisions and while I appreciate the author's hard work and dedication to this issue, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1059** without my signature.

I have always been committed to ensuring that every child receives a free and appropriate public education, including students with special needs through the implementation of an Individualized Education Plan. This bill attempts to provide additional clarification on which local educational agency is responsible for foster care pupils with special needs who have been detained in a juvenile hall. While I appreciate the intent to address



this complex issue, in light of pending litigation regarding this issue, it is premature to enact these statutory changes.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1178** without my signature.

This bill, by extending anti-deficiency protection to refinancing, would fundamentally alter and impair the nature of pre-existing, previously negotiated mortgage loan contracts. In addition, the bill would encourage borrowers to strategically default on loans they have the capacity to repay simply because the mortgaged properties have lost value.

This bill's anti-deficiency protection would apply to pre-existing, previously negotiated mortgage loan contracts that are the subject of actions filed on or after June 1, 2011. As a result, this bill fundamentally alters the nature and impairs the value of previously negotiated contracts, leading to negative consequences for the value of those loans held in a lender's portfolio and a deleterious impact on the secondary market. Fundamentally altering the nature of a contract after its consummation is a bad precedent and will provide uncertainty for future lending transactions.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1283** without my signature.

I appreciate the author's dedication to working in a collaborative and constructive manner to try and address this highly-emotional issue with advocates, families and patients. My Administration has also worked with these stakeholders to improve the delivery system for the diagnosis and treatment of autism. Over the past two years, the Department of Managed Health Care (Department) has placed a significant focus on autism treatment benefits resulting in more timely evaluations, comprehensive treatment plans, coordinated services, and, when necessary, enforcement actions against licensed health plans.

Notwithstanding all this progress, I cannot support this particular bill because it is overbroad in its application and would affect all of the Department's grievance procedures. Since the Department currently



resolves 95% of its annual grievance caseload within 30 days, I do not believe this bill is necessary and may actually lead to longer delays due to some of the bill's provisions.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1348** without my signature.

This bill would establish specified procedures that the California Transportation Commission (CTC) would be required to use when adopting guidelines. This bill is unnecessary as it establishes a formal process which is very similar to the process already used by the CTC.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1425** without my signature.

The enactment of this bill is contingent upon the enactment of Assembly Bill (AB) 1987 (Ma). I am vetoing AB 1987 because it does not provide real pension reform. I am still hopeful that the Legislature will pass an acceptable bill that really addresses California's pension problem.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 1460** without my signature.

I have always wholeheartedly supported the policy of making higher education opportunities as affordable as possible for all California's students. Our state's university and community college systems are amongst the finest in the country and should be made accessible to those seeking a better life through higher education. Unfortunately, given the precarious fiscal situation that the state faces, it would not be practical to adopt a new policy that could limit the financial aid available to students



that are in California legally, in order to provide that benefit to those students who are not.

Since the beginning of the year, I have committed to provide the highest amount of funding for higher education, including for financial aid to needy students, that I believe is prudent given all of the competing interest for limited resources. Given the difficult decisions that are yet to be made to enact a state budget, I am still hopeful that the funding level that I have proposed for higher education will still be enacted. However, with that uncertainty, coupled with the ongoing fiscal liabilities California will continue to face in the coming years, the State needs to be especially cautious in even considering enacting a measure like this.

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, 2010

To the Members of the California State Senate:

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

This bill would duplicate existing efforts of the Employment Development Department by requiring additional marketing of the Work Sharing Program. This program has already experienced a significant increase in participation by California employers as a means to retain an experienced workforce during this severe recession. Therefore, this bill is unnecessary at this time.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill (SB) 1474** without my signature.

This bill would require the Agricultural Labor Relations Board (ALRB) to set aside an election in which there has been misconduct by the employer that affected the outcome of the election and require the ALRB to certify a labor organization as the exclusive bargaining representative if it had been established that at least 50 percent of the employees to be represented signed authorization cards prior to the election.

Currently, the ALRB has the authority to set aside an election, based on objections by either the employer or the labor organization, and order a rerun election if a new election would further the purpose of the Agricultural Labor Relations Act.

The provisions of SB 1474 represent a serious departure from existing law. The provisions of this bill tip the scale in favor of the union by only allowing the ALRB to consider any misconduct, which is not defined, by



the employer when making the determination to set aside the election, but does not take into consideration the possibility that the employer may have similar allegations of election misconduct by the labor organization. This remedy should only be allowed in cases where the ALRB finds the possibility of erasing the effects of past unfair labor practices and of ensuring a fair election is slight, and that employee sentiment once expressed through cards would, on balance, be better protected by a bargaining order.

Finally, in order for me to sign a bill that alters the secret ballot election, the provisions governing a certification election should also govern a decertification election. Overturning and reversing secret ballot election results should not be taken lightly and may be appropriate in only the most egregious cases.

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

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 30th day of September 2010 at 9:10p.m., of the following Senate Bills without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

SB991, SB1029, SB1059, SB1178, SB1283, SB1348, SB1425, SB1460, SB1472, SB1474.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 330** without my signature.

While I am a firm believer in providing openness and transparency when it involves public entities and public funding, this bill inappropriately places private auxiliary organizations that receive private funds, under the provisions of the California Public Records Act. The focus of our attention should be given to greater transparency of how the University of California and California State University systems spend the public funds from taxpayers or students. Instead, this bill would require disclosure of private donors, those generous alumni whose giving, especially in times of decreasing state funding, is helping keep our public universities the best in the world.

While the bill attempts to provide a veil of protection for donors requesting anonymity, as crafted, it will not provide sufficient protection for many who rightfully deserve a level of privacy as part of their giving. Often times, these generous private citizen donors do not want to be in the glare of publicity, and I cannot support a bill that makes it more difficult for our public universities to raise private funds to maintain the quality educational experience our students deserve, and parents expect, when



they send their children to the University of California and California State University systems.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 414** without my signature.

Among other things, this bill prohibits a county retirement board from limiting the role of an alternate member's participation in board meetings and committees. It also mandates that an election to fill board vacancies be held at the earliest possible date. Both of these provisions are unnecessarily limiting of the flexibility of these local entities.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 455** without my signature.

This bill would require that the five gubernatorial appointees to the High-Speed Rail Authority Board of Directors (Board) be confirmed by the Senate.

Current law provides that the five members of the High-Speed Rail Board appointed by the Governor are not subject to Senate confirmation. I see no reason to change this. I might be persuaded to change my mind if the Legislature were to allow the Executive Branch to confirm its four appointments to the Board.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 662** without my signature.

The Legislature has failed to provide a well thought out plan to fund domestic violence shelters. Until a budget is adopted and the appropriate level of domestic violence funding is determined, this bill is premature. In



addition, this bill would grant a large blanket authorization for all counties to increase the fees on marriage licenses without any reporting requirements or sunset date. Without these accountability measures, it will be difficult to determine if the provisions of this bill have been successful.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 675** without my signature.

SB 675 would allocate funds from the California Energy Commission's (Commission) Energy Resource Programs Account (ERPA) to the California Department of Education (CDE) for developing and maintaining programs that focus on employment and training for energy or water conservation, renewable energy, pollution reduction, or similar technologies.

Throughout my tenure as Governor, I have been a staunch supporter of increasing career-tech education opportunities for our young men and women. I continue to believe that career-tech education has a vital role to play in helping to develop and sustain California's students and our emerging green economy.

Nonetheless, given the current uses of the ERPA account at the Commission and the precariously low balance in that fund, this bill would require the Commission to increase the surcharge on electricity users throughout California to pay for its provisions. And even after doing so, the Commission would still be required in the future to cut its core programs to pay for this bill, including those related to power plant licensing, renewable energy facility licensing, and energy efficiency.

More importantly, I will not support increasing the surcharge on electricity users to fund a K-12 Education program. To do so would start a dangerous precedent for finding unrelated revenue sources to fund, expand, or create K-12 programs outside of the Proposition 98 guarantee.

Additionally, the bill only gives a minor role to the Commission in developing the guidelines for the program. Just as the Commission is not an expert in navigating our state's complex education system, neither are CDE employees proficient in the emerging technologies and future of our green economy. As such, the Commission should be CDE's partner in putting together this program so as to provide our students with the right skills to enter our green economy.

If the program included in this bill was wholly funded using Proposition 98 dollars and a greater role was given to the Commission to



develop guidelines in cooperation with the Department of Education, I would sign it.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 890** without my signature.

While I appreciate the author's leadership and efforts to help transition California's healthcare delivery system in preparation for more significant changes in 2014, this bill creates unnecessary and duplicative costs by requiring health plans and health insurers to meet disclosure requirements in 2011 that will change again in 2014. The added costs for implementing the provisions of this bill outweigh the potential short-term benefits for the two regulatory entities, the affected health plans and consumers.

For these reasons, I cannot sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 906** without my signature.

This measure clarifies that the head of a religious denomination would not be required to solemnize same sex marriages if performing such ceremonies would conflict with the person's beliefs. In addition, this measure would specify that such refusal would not affect the tax exempt status of the organization. Finally, this measure would add the term "civil" to describe marriages in related code sections.

I strongly support the rights of same-sex couples to be married. In addition, I support the portions of this measure that will preserve the rights of priests, ministers, rabbis, and other authorized persons from other religious denominations from having to perform marriage ceremonies if performing such ceremonies would violate the person's religious beliefs. Unfortunately, I cannot sign this bill due to the extraneous amendments that will change the term "marriage" to "civil marriage" within the California Family Code. Proponents of this bill argue that delineating between civil and religious marriage in statute will make the codes less confusing. However, the Family Code itself does not make a distinction between religious marriage and civil marriage. Consequently, inserting the term "civil" before the word "marriage" without explanation does not make things any less confusing. By creating a distinct type of marriage within the



code, I believe this measure undermines the goal of marriage equality. Consequently, 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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 930** without my signature.

The State Board of Education recently adopted the Common Core standards, with additions from California's existing standards. In anticipation of a newly realigned assessment and accountability system, this bill is premature. This bill would require the inclusion of additional components involving primary language assessments, in the current, and any future, assessment and accountability systems. This has the potential to conflict with any of the anticipated larger federal or state efforts on assessments and accountability.

Ultimately, I continue to believe that schools should remain focused on providing English Learners with the necessary instruction 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. Therefore, I want to ensure that there are no disincentives in our school system to achieving that goal for our English Learner student population.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 964** without my signature.

While I strongly support efforts to provide a reliable high-speed rail system throughout California, I cannot support this bill. I agree that it is important for the State to create an inventory of skills required to successfully construct and operate a high-speed train system, but it is also important to provide a meaningful assessment to allow this to occur. The assessment requirement as contained in this bill will entail a significant unfunded workload for the Employment Development Department (EDD) that translates to expenditures well beyond the \$500,000 currently identified in the bill itself.

The EDD would be required to use private consultants to perform a significant portion of the assessment, as the high-speed rail industry is



“siloeed” into the various aspects of high-speed rail development. Additional information must be gathered and a strategy for conducting this research work developed before EDD can provide an accurate cost estimate assessment for this project. Additionally, the January 1, 2012 timeline is a factor that limits a meaningful assessment of this nature. We must balance our need for important program studies with our fiscal reality.

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, 2010

To the Members of the California State Senate:

I am returning **Senate Bill 965** without my signature.

This bill directs the expenditure of federal funds without going through the regular budget review and development process. This budget process is designed to ensure both the Administration and the Legislature can provide input regarding the way in which funds are spent.

For this reason I am unable to sign this bill.

Sincerely,

ARNOLD SCHWARZENEGGER, Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 30th day of September 2010 at 9:11p.m., of the following Senate Bills without the Governor’s signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jacque Roberts:

SB 330, SB414, SB455, SB662, SB675, SB890, SB906, SB930, SB964, SB965.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

COMMUNICATIONS AND LETTERS OF TRANSMITTAL

The following communications were ordered printed in the Journal:

An agency report dated: June 15, 2010, relating to the Lottery Expenditures for K–12 Education, 2008–09, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: June 11, 2010, relating to the 2009 Actuarial Valuation of the Judges’ Retirement System, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: June 11, 2010, relating to the 2009 Actuarial Valuation of the Judges’ Retirement System II, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.



An agency report dated: June 10, 2010, relating to the Toxic Substances Control Account FY 2008–09, was received from the Department of Toxic Substances Control and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 14, 2010, relating to the Unemployment Insurance Fund Forecast, was received from the Employment Development Department and transmitted to the Committee on Labor and Industrial Relations.

A quarterly report dated: June 10, 2010, relating to the January through March 2010 Capital Outlay, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: June 15, 2010, relating to the 2008–09 Annual Report, was received from the Employment Training Panel and transmitted to the Committee on Labor and Industrial Relations.

An agency report dated: June 11, 2010, relating to the Legislator's Retirement System Actuarial Valuation as of June 30, 2009, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: June 14, 2010, relating to the Proposed Reductions in Inmate and Parolee Programs, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: June 17, 2010, relating to the Inaccurate Financial Information, was received from the California State Auditor and transmitted to the Committee on Rules.

A Title Summary Report 10-0017 dated: June 24, 2010, relating to the McCauley Pension Recovery Act [V-2], was received from the Department of Justice and transmitted to the Committee on Rules.

A biennial report dated: June 10, 2010, relating to the 26th Biennial Report, was received from the Department of Boating and Waterways and transmitted to the Committee on Natural Resources and Water.

An agency report dated: June 21, 2010, relating to the Transmittal of Public Utilities Commission Report on Renewables Portfolio Standard, was received from the Commission on Public Utilities and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 28, 2010, relating to the 2009 Cost of Living Report, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.



An annual report dated: June 24, 2010, relating to the 2010 Annual Report, was received from the Medical Assistance Commission and transmitted to the Committee on Health.

An agency report dated: June 22, 2010, relating to the Energy Use and Purchasing activities, was received from the Department of Water Resources and transmitted to the Committee on Natural Resources and Water.

An agency report dated: June 22, 2010, relating to the Anti Reproductive Rights Crimes in California, 2009, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: June 28, 2010, relating to the 2009 Annual Report, was received from the Office of the Attorney General and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 9, 2010, relating to the Amendment/Extension to the Operating Agreement with the Commission's Auxiliary, EdFund, was received from the California Student Aid Commission and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: June 15, 2010, relating to the San Diego Union High School District, was received from the California State Auditor and transmitted to the Committee on Rules.

An agency report dated: May 26, 2010, relating to the 2010 OAL Determination no. 9(S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

A biennial report dated: June 10, 2010, relating to the 26th Biennial Report, was received from the Department of Boating and Waterways and transmitted to the Committee on Natural Resources and Water.

A qualified initiative 1421 dated: June 10, 2010, relating to the Establishes \$18 Annual Vehicle License Surcharge to Help Fund State Parks and Wildlife Programs and Grants Free Admission to All State Parks to Surcharged Vehicles. Initiative Statute., was received from the Office of the Secretary of State and transmitted to the Committee on Rules.

An agency report dated: June 29, 2010, relating to the Expenditure Funds Subject to the Flexibility Provisions of SB 4 of the 2009–10 Third Extraordinary Session, was received from the Department of Education and transmitted to the Committee on Education.

An audit report dated: June 10, 2010, relating to the Department of Public Health, was received from the California State Auditor and transmitted to the Committee on Rules.



An agency report dated: May 21, 2010, relating to the South Coast Air Quality Management District SB 1928, was received from the South Coast Air Quality Management District and transmitted to the Committee on Environmental Quality.

An annual report dated: June 29, 2010, relating to the Firearms Used in the Commission of Crimes, 2009, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: June 1, 2010, relating to the Bureau of Medi Cal Fraud and Elder Abuse statistical Report, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: May 28, 2010, relating to the Annual Report, was received from the Department of Consumer Affairs and transmitted to the Committee on Business, Professions and Economic Development.

An agency report dated: May 28, 2010, relating to the Reconciliation of Funds, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: May 25, 2010, relating to the Individualized Child Care Subsidy Pilot Project 2008–09, was received from the County of San Mateo and transmitted to the Committee on Education.

An agency report dated: May 27, 2010, relating to the Adult Institutional Operating Budgets for FY 2009–10, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: April 20, 2010, relating to the Budget Act of 2009 Control Language, was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: June 1, 2010, relating to the Sustainable Communities Grant and Loan Program, was received from the Pollution Control Financing Authority and transmitted to the Committee on Environmental Quality.

An annual report dated: April 8, 2010, relating to the Children's Hospital Program, was received from the Health Facilities Financing Authority and transmitted to the Committee on Health.

An audit report dated: May 27, 2010, relating to the Department of Health Care Services, was received from the California State Auditor and transmitted to the Committee on Rules.



A Title Summary Report 10-0015 dated: May 14, 2010, relating to the California Democracy Act, was received from the Department of Justice and transmitted to the Committee on Rules.

A Title Summary Report 10-0016 dated: May 14, 2010, relating to the Unalienable Rights, was received from the Department of Justice and transmitted to the Committee on Rules.

An annual report dated: May 26, 2010, relating to the 2009 Annual Report, was received from the Department of Alcoholic Beverage Control and transmitted to the Committee on Business, Professions and Economic Development.

An agency report dated: May 25, 2010, relating to the Division of Occupational Safety and Health Report on the Targeted Heat Illness Prevention Campaign, was received from the Department of Industrial Relations and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 24, 2010, relating to the Financial Statements March 31, 2010, was received from the Department of California Lottery and transmitted to the Committee on Governmental Organization.

An agency report dated: June 7, 2010, relating to the Acts to Limit Utility Cost and Rate Increases, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: June 25, 2010, relating to the Effectiveness of the CalTrans, Parolee Program, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 7, 2010, relating to the Bay-Delta Sport Fishing Enhancement Stamp FY 2008, was received from the Department of Fish and Game and transmitted to the Committee on Natural Resources and Water.

A quarterly report dated: June 25, 2010, relating to the Cumulative Expenditures, was received from the Department of Water Resources and transmitted to the Committee on Natural Resources and Water.

An audit report dated: June 29, 2010, relating to the Investigations of Improper Activities by State Employees: January 2009 through December 2009, was received from the California State Auditor and transmitted to the Committee on Rules.

An agency report dated: June 21, 2010, relating to the Independent Project Oversight Reports for the CA Court Case Management System, was received from the Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.



An agency report dated: June 16, 2010, relating to the Wetland Mitigation Banking January 2010, was received from the Department of Fish and Game and transmitted to the Committee on Natural Resources and Water.

An agency report dated: June 15, 2010, relating to the Use of Harbors and Watercraft Revolving Fund, was received from the Department of Parks And Recreation and transmitted to the Committee on Budget and Fiscal Review.

A qualified initiative 1451 dated: July 13, 2010, relating to the Eliminates State Commission on Redistricting. Consolidates Authority for Redistricting. Consolidates Authority for Redistricting with Elected Representatives. Initiative Constitutional Amendment and Statute, was received from the Office of the Secretary of State and transmitted to the Committee on Rules.

A qualified initiative 1412 dated: June 24, 2010, relating to the Repeals Recent Legislation That Would Allow Businesses to Carry Back Losses, Share Tax Credits, and Use a Sales Based Income Calculation to Lower Taxable Income. Initiative Statute, was received from the Office of the Secretary of State and transmitted to the Committee on Rules.

A qualified initiative 1441 dated: June 24, 2010, relating to the Increases Legislative Vote Requirement to Two Thirds for State Levies and Charges. Impose Additional Requirement for Voters to Approve Local Levies and Charges with Limited Exceptions. Initiative Constitutional Amendment, was received from the Office of the Secretary of State and transmitted to the Committee on Rules.

A qualified initiative 1408 dated: June 24, 2010, relating to the Changes Legislative Vote Requirement to Pass a Budget from the Two-Thirds to a Simple Majority. Retains Two-Thirds Vote Requirement for Taxes. Initiative Constitutional Amendment, was received from the Office of the Secretary of State and transmitted to the Committee on Rules.

A qualified initiative 1414 dated: June 22, 2010, relating to the Prohibits the State from the Taking Funds Used for Transportation or Local Projects and Services. Initiative Constitutional Amendment, was received from the Office of the Secretary of State and transmitted to the Committee on Rules.

A qualified initiative 1454 dated: July 14, 2010, relating to the Suspends Air Pollution Control Laws Requiring Major Polluters to Report and Reduce Greenhouse Gas Emissions that Cause Global Warming Until Unemployment Drops Below Specified Level for Full Year. Initiative Statute, was received from the Office of the Secretary of State and transmitted to the Committee on Rules.

An audit report dated: June 22, 2010, relating to the Department of Resources Recycling and Recovery, was received from the California State Auditor and transmitted to the Committee on Rules.



An agency report dated: June 30, 2010, relating to the Multiple Pathways to Student Success, was received from the Department of Education and transmitted to the Committee on Education.

An annual report dated: July 1, 2010, relating to the Annual Fees Report Fiscal Year 2008–09, was received from the Water Resources Control Board and transmitted to the Committee on Natural Resources and Water.

An audit report dated: July 13, 2010, relating to the State of California: Statement of Securities Accountability of the State Treasurer's Office, December 31, 2009, was received from the California State Auditor and transmitted to the Committee on Rules.

An agency report dated: July 1, 2010, relating to the Changes Made to the State Safety Retirement Category, was received from the Department of Personnel Administration and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: July 1, 2010, relating to the Criteria for Inclusion in the Peace Officer/Firefighter Retirement Category, was received from the Department of Personnel Administration and transmitted to the Committee on Public Employment and Retirement.

An annual report dated: July 1, 2010, relating to the Railroad Safety Local Hazard, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

A quarterly report dated: July 1, 2010, relating to the Efforts to Transfer Foreign-Born Inmates to their Countries of Origin, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An audit report dated: July 8, 2010, relating to the Department of General Services, was received from the California State Auditor and transmitted to the Committee on Rules.

An agency report dated: June 23, 2010, relating to the 2010 OAL Determination No. 11 (S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

A quarterly report dated: June 28, 2010, relating to the Project Resourcing and Schedule Management System, was received from the Department of Transportation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 25, 2010, relating to the Crime in California, 2009, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: June 25, 2010, relating to the Judicial Branch Plan for Transferred Court Facilities: July 2004–December 2009,



was received from the Judicial Council of California and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: July 8, 2010, relating to the Transmittal of Public Utilities Commission Report on the CA Solar Initiative, was received from the Commission on Public Utilities and transmitted to the Committee on Energy, Utilities and Communications.

An agency report dated: July 8, 2010, relating to the Green Collar Jobs Act and Activates of the Green Collar Jobs Council, was received from the Commission on Workforce Investment Board and transmitted to the Committee on Labor and Industrial Relations.

An agency report dated: July 9, 2010, relating to the California Longitudinal Pupil Achievement Data System, was received from the Commission on Sabot Technologies and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 25, 2010, relating to the 250 California Special Districts with the Largest Revenues for FY 2008–09, was received from the Office of the State Controller and transmitted to the Committee on Local Government.

A quarterly report dated: June 30, 2010, relating to the Quarterly Performance Analysis, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

A supplemental report dated: July 12, 2010, relating to the 2007 Budget Act, was received from the Department of Corporations and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 28, 2010, relating to the School Age Families Education Program, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: June 28, 2010, relating to the Administrative Errors in Alternative Payment and CalWORKS Child Care Programs FY 2008–09, was received from the Department of Education and transmitted to the Committee on Education.

An annual report dated: July 12, 2010, relating to the Waiver Activity, was received from the Department of Education and transmitted to the Committee on Education.

An audit report dated: July 21, 2010, relating to the Department of Public Health: Every Woman Counts Program, was received from the California State Auditor and transmitted to the Committee on Rules.



A supplemental report dated: July 9, 2010, relating to the Part II of the Supplemental Report of the 2008 Budget Act, was received from the Department of Education and transmitted to the Committee on Budget and Fiscal Review.

A Title Summary Report 10-0019 dated: July 12, 2010, relating to the 2012 California Marriage Protection Act, was received from the Department of Justice and transmitted to the Committee on Rules.

A quarterly report dated: June 28, 2010, relating to the Third Quarter of FY 2009–10, was received from the Public Employment and Retirement System and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: July 19, 2010, relating to the Nursing Education Programs, was received from the California Community Colleges and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: July 21, 2010, relating to the Extended Opportunity Programs and Services and Cooperative Agencies Resources for Education Programs, was received from the California Community Colleges and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: July 19, 2010, relating to the Career Development and College Preparation, was received from the California Community Colleges and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: July 19, 2010, relating to the Telecommunications and Technology Infrastructure Report, was received from the California Community Colleges and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: July 19, 2010, relating to the Basic Skills Accountability, was received from the California Community Colleges and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: July 9, 2010, relating to the 2009 Healthy Families Program, was received from the Managed Risk Medical Insurance Board and transmitted to the Committee on Banking, Finance and Insurance.

An annual report dated: April 1, 2010, relating to the Status of all California National Guard Armories, was received from the Military Department and transmitted to the Committee on Veterans Affairs.

A quarterly report dated: July 21, 2010, relating to the First Quarter 2010 Non Toll Seismic Retrofit Program, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.



An agency report dated: July 19, 2010, relating to the Student Academic Preparation and Educational Partnerships for the 2008–09 Academic Year, was received from the University of California and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: June 25, 2010, relating to the Human Embryonic Stem Cell Research Activity, was received from the Department of Public Health and transmitted to the Committee on Health.

An annual report dated: July 13, 2010, relating to the Oil Transfer and Transportation Emission and Risk Reduction Act Program, was received from the State Lands Commission and transmitted to the Committee on Environmental Quality.

An agency report dated: July 27, 2010, relating to the An Evaluation of Over the Counter Sale of Sterile Syringes in California, was received from the Department of Public Health and transmitted to the Committee on Health.

An agency report dated: July 15, 2010, relating to the Employee Bargaining Units 5,8,12,16,18, and 19, was received from the Office of the Legislative Analyst and transmitted to the Committee on Governmental Organization.

An agency report dated: June 30, 2010, relating to the Health Care in California and National Health Reform, was received from the Office of the Economic Development and transmitted to the Committee on Health.

A quarterly report dated: July 13, 2010, relating to the Capital Outlay Projects, ending September 30, 2009, was received from the Department of Water Resources and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: July 19, 2010, relating to the Required Audit of Diversion Vendor Maximus, Inc., was received from the Department of Consumer Affairs and transmitted to the Committee on Business, Professions and Economic Development.

An annual report dated: July 20, 2010, relating to the Bureau of Medi Cal Fraud and Elder Abuse, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: July 22, 2010, relating to the Incentivized Residential Substance Abuse Aftercare Treatment for the CA Offender Population, was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

A supplemental report dated: July 21, 2010, relating to the 2009–10 Budget Package, was received from the Commission on Public Utilities and transmitted to the Committee on Budget and Fiscal Review.



An agency report dated: July 23, 2010, relating to the Incompetent to Stand Trial Commitments Exceeding the 10 Day Limit, was received from the Department of Mental Health and transmitted to the Committee on Health.

An agency report dated: July 21, 2010, relating to the Reimbursable State Transportation Improvement Program Projects Implemented Prior to Allocation, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

An agency report dated: July 16, 2010, relating to the Notification of Chief Trial Counsel, was received from the California State Bar and transmitted to the Committee on Judiciary.

A qualified initiative 1394 dated: July 29, 2010, relating to the Limits on Legislators' Terms in Office. Initiative Constitutional Amendment, was received from the Office of the Secretary of State and transmitted to the Committee on Rules.

An agency report dated: July 29, 2010, relating to the Hate Crime in California, 2009, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: July 29, 2010, relating to the Behavioral Health Outreach Liaison Program, was received from the Department of Military Department and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: August 6, 2010, relating to the Juvenile Justice in California, 2009, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: August 10, 2010, relating to the Uninsured Employers Benefits Trust Fund Job Classifications, was received from the Department of Industrial Relations and transmitted to the Committee on Labor and Industrial Relations.

A quarterly report dated: August 2, 2010, relating to the Litigation Deposit Fund, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

A quarterly report dated: August 2, 2010, relating to the Assembly Bill 900 (Chapter 7, Statutes of 2007), was received from the Department of Corrections and Rehabilitation and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: August 3, 2010, relating to the Keeping California Safe, was received from the Department of Emergency Management Agency and transmitted to the Committee on Public Safety.



An agency report dated: July 26, 2010, relating to the 2010 OAL Determination no. 15(S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An agency report dated: July 27, 2010, relating to the 2010 OAL Determination no. 16(S), was received from the Office of Administrative Law and transmitted to the Committee on Governmental Organization.

An annual report dated: August 1, 2010, relating to the Program Operations, was received from the Office of California Earthquake Authority and transmitted to the Committee on Banking, Finance and Insurance.

An annual report dated: July 26, 2010, relating to the Whistleblower Retaliation Complaints, was received from the Personnel Board and transmitted to the Committee on Public Employment and Retirement.

An agency report dated: July 28, 2010, relating to the Costs to Distributors of Applying Cigarette Tax Stamps, was received from the Board of Equalization and transmitted to the Committee on Revenue and Taxation.

An agency report dated: August 2, 2010, relating to the Notification of Data Used in First Principal Apportionment FY 2009–10, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: July 27, 2010, relating to the Energy Settlements and Energy Litigation and Investigation Expenses, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: July 30, 2010, relating to the Insurance Commissioner, was received from the Department of Insurance and transmitted to the Committee on Banking, Finance and Insurance.

An agency report dated: September 3, 2010, relating to the Public Resources Code 75125 (e), was received from the Department of Strategic Growth Council and transmitted to the Committee on Natural Resources and Water.

An agency report dated: August 12, 2010, relating to the 2008/2009 State Employers' Industrial Disability Cost Report, was received from the Public Employment and Retirement System and transmitted to the Committee on Public Employment and Retirement.

An audit report dated: August 24, 2010, relating to the Department of Developmental Services, was received from the California State Auditor and transmitted to the Committee on Rules.



A quarterly report dated: August 18, 2010, relating to the Federal Deferral Letter, was received from the Department of Health and Human Services and transmitted to the Committee on Budget and Fiscal Review.

An annual report dated: August 16, 2010, relating to the Fiscal Solvency, was received from the Solano County Office Of Education and transmitted to the Committee on Education.

A quarterly report dated: August 16, 2010, relating to the Quarterly Hazardous Waste Fee Revenue, Second Quarter, 2010, was received from the Board of Equalization and transmitted to the Committee on Environmental Quality.

A quarterly report dated: August 17, 2010, relating to the 2009–10 Third Quarter Update on the Staff hiring Plan, was received from the Department of Mental Health and transmitted to the Committee on Health.

A quarterly report dated: August 17, 2010, relating to the 2010 Second Quarter Toll Bridge Seismic Safety Retrofit Program, was received from the Department of Transportation and transmitted to the Committee on Transportation and Housing.

A quarterly report dated: August 13, 2010, relating to the Bureau of Medi Cal Fraud and Elder Abuse Quarterly Statistical Report, was received from the Department of Justice and transmitted to the Committee on Budget and Fiscal Review.

An agency report dated: August 12, 2010, relating to the Quality Education Investment Act: First Progress Report, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: August 12, 2010, relating to the 2009 California Physical Education Monitoring, was received from the Department of Education and transmitted to the Committee on Education.

An agency report dated: August 11, 2010, relating to the Local Workforce Investment Board Training Expenditures, was received from the Employment Development Department and transmitted to the Committee on Labor and Industrial Relations.

An agency report dated: August 9, 2010, relating to the Title IV E Child Welfare Demonstration Capped Allocation Project, was received from the Department of Social Services and transmitted to the Committee on Human Services.



A quarterly report dated: July 27, 2010, relating to the Cumulative Expenditures, was received from the Department of Water Resources and transmitted to the Committee on Natural Resources and Water.

PAULA K. ROSSETTO, Minute Clerk

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