

CALIFORNIA LEGISLATURE

2011–12 REGULAR SESSION

SENATE JOURNAL

IN RECESS

Senate Chamber, Sacramento
Monday, October 1, 2012

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, September 10, 2012

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 23

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, August 27, 2012

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

SB 984

And respectfully requests your honorable body to concur in said amendments.

Above measure ordered to unfinished business file.

Assembly Chamber, August 31, 2012

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

SB 568

SB 1528

Above bills returned to the Senate.



Assembly Chamber, August 31, 2012

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

AB 197	AB 1486	AB 1966	AB 2498
AB 340	AB 1489	AB 2026	AB 2502
AB 481	AB 1532	AB 2062	AB 2564
AB 491	AB 1551	AB 2114	AB 2609
AB 1181	AB 1599	AB 2122	AB 2669
AB 1186	AB 1744	AB 2196	AB 2697
AB 1255	AB 1900	AB 2322	
AB 1266	AB 1933	AB 2370	
AB 1461	AB 1965	AB 2402	

Assembly Chamber, September 1, 2012

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

AB 1492	AB 1098
---------	---------

Assembly Chamber, August 31, 2012

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

AB 562	AB 1313
--------	---------

E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, September 6, 2012

Mr. President: The Committee on Rules has examined:

SB 533

And reports that the same has been correctly enrolled, and presented to the Governor on the 6th day of September, 2012, at 1 p.m.

STEINBERG, Chair

Senate Chamber, September 6, 2012

Mr. President: The Committee on Rules has examined:

SB 1028	SB 1052	SB 1053
SB 1099	SB 1456	

And reports that the same have been correctly enrolled, and presented to the Governor on the 6th day of September, 2012, at 11:30 a.m.

STEINBERG, Chair



Senate Chamber, September 6, 2012

Mr. President: The Committee on Rules has examined:

SB 121	SB 721	SB 970	SB 1117
SB 135	SB 750	SB 975	SB 1128
SB 415	SB 804	SB 1064	SB 1140
SB 447	SB 951	SB 1076	SB 1156
SB 477	SB 961	SB 1081	

And reports that the same have been correctly enrolled, and presented to the Governor on the 6th day of September, 2012, at 2:30 p.m.

STEINBERG, Chair

Senate Chamber, September 6, 2012

Mr. President: The Committee on Rules has examined:

SB 1160	SB 1255	SB 1410	SB 1495
SB 1196	SB 1258	SB 1446	SB 1527
SB 1207	SB 1264	SB 1449	SB 1538
SB 1215	SB 1266	SB 1464	
SB 1222	SB 1278	SB 1476	
SB 1236	SB 1298	SB 1492	

And reports that the same have been correctly enrolled, and presented to the Governor on the 6th day of September, 2012, at 4 p.m.

STEINBERG, Chair

Senate Chamber, September 7, 2012

Mr. President: The Committee on Rules has examined:

SB 863

And reports that the same has been correctly enrolled, and presented to the Governor on the 7th day of September, 2012, at 3 p.m.

STEINBERG, Chair

Senate Chamber, September 7, 2012

Mr. President: The Committee on Rules has examined:

SB 1186

And reports that the same has been correctly enrolled, and presented to the Governor on the 7th day of September, 2012, at 11:45 a.m.

STEINBERG, Chair

Senate Chamber, September 11, 2012

Mr. President: The Committee on Rules has examined:

SB 12	SB 323	SB 594	SB 1002
SB 35	SB 359	SB 878	SB 1030
SB 122	SB 488	SB 923	SB 1063
SB 204	SB 505	SB 965	SB 1105
SB 234	SB 535	SB 977	SB 1122



And reports that the same have been correctly enrolled, and presented to the Governor on the 11th day of September, 2012, at 4:30 p.m.

STEINBERG, Chair

Senate Chamber, September 11, 2012

Mr. President: The Committee on Rules has examined:

SB 419

SB 1522

And reports that the same have been correctly enrolled, and presented to the Governor on the 11th day of September, 2012, at 2 p.m.

STEINBERG, Chair

Senate Chamber, September 10, 2012

Mr. President: The Committee on Rules has examined:

SB 1087	SB 1268	SB 1394	SB 1485
SB 1154	SB 1272	SB 1405	SB 1500
SB 1172	SB 1280	SB 1462	SB 1520
SB 1200	SB 1299	SB 1465	SB 1521
SB 1235	SB 1318	SB 1474	SB 1571
SB 1249	SB 1329	SB 1481	SB 1576

And reports that the same have been correctly enrolled, and presented to the Governor on the 10th day of September, 2012, at 11:30 p.m.

STEINBERG, Chair

Senate Chamber, September 10, 2012

Mr. President: The Committee on Rules has examined:

SJR 16	SCR 74	SCR 98	SCR 103
SJR 29	SCR 83	SCR 100	SCR 104
SJR 30	SCR 93	SCR 102	SCR 105

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the 10th day of September, 2012, at 10:30 a.m.

STEINBERG, Chair

Senate Chamber, September 10, 2012

Mr. President: The Committee on Rules has examined:

SB 114	SB 379	SB 691	SB 956
SB 124	SB 393	SB 744	SB 1058
SB 214	SB 542	SB 760	SB 1065
SB 255	SB 623	SB 921	SB 1070
SB 289	SB 661	SB 935	

And reports that the same have been correctly enrolled, and presented to the Governor on the 10th day of September, 2012, at 9:45 a.m.

STEINBERG, Chair



Senate Chamber, September 12, 2012

Mr. President: The Committee on Rules has examined:

SB 1148	SB 1225	SB 1381	SB 1466
SB 1162	SB 1228	SB 1387	SB 1568
SB 1195	SB 1229	SB 1403	
SB 1197	SB 1234	SB 1408	
SB 1199	SB 1238	SB 1458	

And reports that the same have been correctly enrolled, and presented to the Governor on the 12th day of September, 2012, at 11 a.m.

STEINBERG, Chair

Senate Chamber, September 12, 2012

Mr. President: The Committee on Rules has examined:

SB 71	SB 1359	SB 1547
-------	---------	---------

And reports that the same have been correctly enrolled, and presented to the Governor on the 12th day of September, 2012, at 1 a.m.

STEINBERG, Chair

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol

September 20, 2012

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments and 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,

EDMUND G. BROWN JR., Governor

JEFFREY J. AZOFF, has been appointed to the California Exposition and State Fair Board of Directors. Azoff has been senior manager and strategic operations manager at Front Line Management Group Inc. since 2008. He is a member of the Colorado Music Hall of Fame Board of Directors. Appointed 08/16/2012. Effective 08/23/2012.

Member, California Exposition and State Fair Board of Directors, vice, Amparo Perez-Cook, term expired. Term ending 01/01/2016.

RIMA BARKETT, has been appointed to the California Exposition and State Fair Board of Directors. Barkett has been president and founder of A Tavola Together since 2007. She was an international relations officer at the World Summit of Noble Peace Laureates from 2006 to 2007 and owner of Café Luna Spaghetteria from 2002 to 2006. Barkett was an

instructor of Italian language at the University of the Pacific from 1996 to 2002. She is founder and president of the Architects of Peace Foundation and a member of the Child Abuse Prevention Council of San Joaquin County. Barkett attended Le Cordon Bleu and Gambero Rosso culinary schools and is co-author of *Cooking Dinner, Simple Italian Family Recipes Everyone Can Cook*. Appointed 08/16/2012. Effective 08/29/2012.

Member, California Exposition and State Fair Board of Directors, vice, Richard Cuneo, term expired. Term ending 01/01/2016.

DEBORAH N. BROWN, has been appointed to the California Board of Behavioral Sciences. Brown has been a teacher for the Yosemite Unified School District since 1994. She was a part-time accountant at California State Polytechnic University, Pomona from 1991 to 1993 and served as mayor pro tem for the City of Rancho Cucamonga from 1986 to 1991. Brown was a loan officer for Crocker Bank from 1982 to 1985. She earned a Master of Public Administration degree from California State University, Northridge. Appointed 08/20/2012. Effective 08/23/2012.

Member, Board Member of Behavioral Sciences, Department of Consumer Affairs, vice, Marie R. Foster. Term ending 06/01/2013.

EILEEN J. COLAPINTO, of Corona, has been appointed to the California Board of Behavioral Sciences. Colapinto has been the director at the Corona-Norco Unified School District Foundation since 2012. She was an associate professor and counselor at Riverside Community College from 1991 to 2011, a corporate officer at Design Gifts International from 1974 to 1990 and an elementary teacher for the Corona-Norco Unified School District from 1965 to 1967. Colapinto has been a trustee for the Corona Public Library since 2011. She earned a Master of Arts degree in education/counseling from California State University, San Bernardino. Appointed 08/20/2012. Effective 08/22/2012.

Member, Board Member of Behavioral Sciences, Department of Consumer Affairs, vice, Victor M. Perez, term expired. Term ending 06/01/2014.

ELIZABETH CONNOLLY, has been appointed to the California Board of Behavioral Sciences. Connolly has been a principal at the El Dorado County Office of Education since 2004 and a licensed educational psychologist in private practice since 1989. She was a program specialist and school psychologist at the El Dorado County Office of Education from 1983 to 2004. Appointed 08/20/2012. Effective 08/22/2012.

Member, Board Member of Behavioral Sciences, State Department of Consumer Affairs, vice, Julia M. Johnson. Term ending 06/01/2016.



RICHARD S. GORDON, has been appointed to the Pacific States Marine Fisheries Commission. Gordon has served as an Assemblymember for the 21st Assembly District since 2010. He served on the San Mateo County Board of Supervisors from 1997 to 2010 and was a member of the San Mateo County Board of Education from 1992 to 1997. Gordon served as executive director for Youth and Family Enrichment Services Inc. from 1976 to 1997. Appointed 08/29/2012. Effective 08/31/2012.

Commissioner, Pacific States Marine Fisheries Commission, vice, Thomas Harman, term expired. Term ending 09/19/2015.

NANCY S. WRIGHT, has been appointed to the Colorado River Basin Regional Water Quality Control Board, where she served previously from 2000 to 2007. Wright has been vice president at Pete Wright General Contractor Inc. since 1997. She has been co-owner of The Wright Window Company since 1994 and was co-owner at Peter A. Wright General Contractor from 1977 until 1997. Wright has served as a member of the Mission Springs Water District Board since 1988. She is a member of the Groundwater Foundation, the Coachella Valley Associations of Governments, and the Desert Hot Springs Groundwater Guardians. Appointed 08/24/2012. Effective 09/01/2012.

Member, California Regional Water Quality Control Board, Colorado River Basin Region, vice, M.E. Martinez, resigned 10/18/2011. Term ending 09/30/2013.

TOM RIVERA, has been appointed to the Santa Ana Regional Water Quality Control Board. Rivera held multiple positions at California State University, San Bernardino from 1972 to 2011, including associate dean of undergraduate studies. He has been a commissioner of the San Bernardino Behavioral Health Commission since 2009 and a member of the Kiwanis Club of Greater San Bernardino since 1967. Rivera earned a Doctor of Education degree from the University of California, Los Angeles. Appointed 08/24/2012. Effective 09/06/2012.

Member, California Regional Water Quality Control Board, Santa Ana Region, vice, Greg Morrison, not confirmed. Term ending 09/30/2015.

MIMI SILBERT, has been appointed to the Board of State and Community Corrections. Silbert has served as chief executive officer and president of the Delancey Street Foundation since 1974. She was the director for the Center for Institutional Change at San Francisco State University from 1973 to 1975. Silbert earned her doctorate in criminology from the University of California, Berkeley. Appointed 08/22/2012. Effective 08/27/2012.

Member, Board of State and Community Corrections. Term ending 07/01/2014.



ANA A. BELTRAN, has been appointed to the California Student Aid Commission. Beltran has been an academic counselor at the Humanities Academy of Art and Technology at the Esteban E. Torres High School since 2010. She was an academic counselor and assistant to the principal at St. Matthias High School from 2006 to 2010 and a teacher and academic counselor from 2000 to 2006. Appointed 08/24/2012. Effective 08/28/2012.

Member, Student Aid Commission, vice, Lynne de Bie, term expired. Term ending 12/31/2015.

JACQUELINE POWERS DOUD, has been appointed to the California Student Aid Commission. Doud has served in multiple positions at Mount Saint Mary's College since 1991, including president emerita, president and provost. She was academic vice president at Woodbury University from 1984 to 1991. Doud earned her doctorate in higher education from Claremont Graduate University. Appointed 08/24/2012. Effective 08/29/2012.

Member, Student Aid Commission, vice, Israel Rodriguez, term expired. Term ending 12/31/2015.

TIMOTHY P. WHITE, has been appointed to the California Student Aid Commission. White has been chancellor and professor at the University of California, Riverside since 2008. He was president and professor at the University of Idaho from 2004 to 2008. White served in multiple positions at Oregon State University from 1996 to 2004, including dean, provost, executive vice president and interim president. He served as professor and department chair at the University of California, Berkeley from 1991 to 1995 and professor and chair at the University of Michigan from 1977 to 1991. White earned his doctorate in physiology of exercise from the University of California, Berkeley. Appointed 08/24/2012. Effective 08/28/2012.

Member, Student Aid Commission, vice, Fred Wood, resigned. Term ending 10/30/2013.

Above appointments referred to the Committee on Rules.

Signing Messages

Governor's Office, State Capitol

September 25, 2012

To the Members of the California State Senate:

I am signing **Senate Bill 1148** which establishes a permanent mitigation bank program and strengthens the wild and heritage trout program.

Since the Hatchery and Inland Fisheries Fund is structurally imbalanced, I am line-item vetoing the additional \$1 million appropriation from this fund.

I am deleting the appropriation in subdivision (h) of Section 13007.

Sincerely,

EDMUND G. BROWN JR., Governor



Governor's Office, State Capitol
September 27, 2012

To the Members of the California State Senate:

I am signing **Senate Bill 1122**.

This bill would require the California Public Utilities Commission to include an additional 250 megawatts of bioenergy projects that begin operation on or after June 1, 2013 within the feed-in-tariff program.

I ask that the relevant government agencies review and advise the Commission regarding biomass incineration projects in areas that could detrimentally affect local air quality.

Sincerely,

EDMUND G. BROWN JR., Governor

Governor's Office, State Capitol
September 28, 2012

To the Members of the California State Senate:

I am signing **Senate Bill 477** with a commitment from the author and the Wiseburn School District to introduce clean-up legislation to correct the revenue limit calculation in the bill, and with the understanding that the Centinela Valley School District is supportive of the narrowed election area.

Sincerely,

EDMUND G. BROWN JR., Governor

Governor's Office, State Capitol
September 28, 2012

To the Members of the California State Senate:

I am signing **Senate Bill 1161** that limits California Public Utilities Commission (Commission) regulatory authority of Voice over Internet Protocol (VoIP) and Internet Protocol (IP) enabled services until January 1, 2020. This bill encourages the continued growth of these and other innovative services that have become a hallmark of our state.

The existing consumer protections safeguarded by this bill are crucial. VoIP providers will continue to contribute to the State's universal service programs and provide E-911 access. The bill preserves enforcement of State and federal civil and criminal laws and local ordinances of general applicability, including consumer protection rules and proscriptions against unfair competition. The bill does not affect the authority of the California Public Utilities Commission regarding the construction and maintenance of facilities, and access to utility support structures, including pole attachments.

Importantly, the bill emphasizes the Commission's authority to monitor, track and report complaints from VoIP customers to the Federal Communications Commission, and empowers the Commission to report



their findings annually to the Legislature. I know the Commission stands at the ready to be diligent in this effort. Likewise, I expect VoIP providers to cooperate fully and promptly to resolve consumer complaints brought to the attention of the Commission.

Sincerely,

EDMUND G. BROWN JR., Governor

Governor's Office, State Capitol

September 30, 2012

To the Members of the California State Senate:

I am signing **Senate Bill 1462**.

I support the goal of counties using federal funds to reduce costs associated with health care services to incarcerated individuals granted medical probation or compassionate release. However, I am directing the Department of Health Care Services to work with the author to ensure that implementation of this bill does not result in any Medi-Cal costs to the state General Fund.

Sincerely,

EDMUND G. BROWN JR., Governor

Veto Messages

Governor's Office, State Capitol

September 13, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1340** without my signature.

This bill would authorize the Sewerage Commission Oroville to apply to the State Water Resources Control Board for a permit to appropriate water from the Feather River in an amount up to the amount of treated wastewater that it discharges into the Feather River. I share the goals of appropriating treated wastewater which can be done without this legislation.

The troublesome provision of this bill is the requirement that the State Water Board prepare a costly and unnecessary report. Including this report was not the author's idea.

I am asking the State Water Board to work with the Sewerage Commission on its meritorious application

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 13th day of September, 2012 at 10:42 a.m., of the following Senate Bill 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 1340.

PAULA K. ROSSETTO

Acting Assistant Secretary of the Senate



Governor's Office, State Capitol
September 13, 2012

To the Members of the California State Senate:

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

This bill would require the California Department of Corrections and Rehabilitation to provide all inmate classification, reclassification, and readmission score sheets in its possession to the Department of Forestry and Fire Protection personnel assigned to the conservation camp in which an inmate has been placed.

The Department of Corrections and Rehabilitation already provides classification information on each inmate that participates in a conservation camp. Consequently, this bill is unnecessary.

Sincerely

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 13th day of September, 2012 at 11 a.m., of the following Senate Bill 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 1098.

PAULA K. ROSSETTO
Acting Assistant Secretary of the Senate

Governor's Office, State Capitol
September 14, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 721** without my signature.

This bill sets three goals for our colleges and postsecondary institutions and orders the Legislative Analyst to create a committee to establish metrics that measure progress towards these goals. The bill also requires annual reports.

Questions about who should measure, what to measure and how to measure what is learned in college are way too important to be delegated to the Legislative Analyst.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 14th day of September, 2012 at 12:46 p.m., of the following Senate Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Bianca Sievers: SB 721.

PAULA K. ROSSETTO
Acting Assistant Secretary of the Senate



Governor's Office, State Capitol
September 19, 2012

To the Members of the California State Senate:

I am returning **SB 1050** without my signature.

Last year I signed AB 415 (Logue), the Telehealth Advancement Act of 2011, to update our statutes on the use of telehealth.

As we work to improve and modernize our health care system, we can expect telehealth to play an increasingly prominent role in rural and urban areas, for many diseases and conditions. Such advancements and collaboration are occurring now, and a privately funded, disease-specific task force set forth in statute does not appear to be warranted.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 19th day of September, 2012 at 3:07 p.m., of the following Senate Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Bianca Sievers: SB 1050.

PAULA K. ROSSETTO
Acting Assistant Secretary of the Senate

Governor's Office, State Capitol
September 21, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 977** without my signature.

I support the author's intent to deter businesses from breaking the law. In this instance, the bill takes aim at nail polish manufacturers that are improperly labeling their products "toxin-free" when they are not.

While bad actors should be punished, it makes no sense to increase penalties, one manufacturer at a time. The existing Sherman Food, Drug, and Cosmetic Law provides for a \$1,000 fine for a first offense, and a \$10,000 fine for subsequent offenses, for false labeling of this kind. This suffices.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 21st day of September, 2012 at 1:43 p.m., of the following Senate Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Bianca Sievers: SB 977.

PAULA K. ROSSETTO
Acting Assistant Secretary of the Senate



Governor's Office, State Capitol
September 22, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 764** without my signature.

I appreciate the author's desire to bring more efficiency to regional centers as well as promote the value of telehealth. The goals of this bill, however, can already be accomplished under existing law.

Mandating every individual program planning team to consider telehealth appears excessive. Where beneficial and available, I expect they will consider it, without the state telling them to do so.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 23rd day of September, 2012 at 11:07 a.m., of the following Senate Bill 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 764.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 23, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 447** without my signature.

Many state agencies already use a unique number, and not an individual's social security number, for identification purposes. But sometimes a social security number is used to determine eligibility for programs such as unemployment and disability benefits. On these occasions, federal and state laws provide numerous protections against identity theft and fraud, including how and when a document listing a person's social security number can be sent.

While I understand the author's intent to prevent identity theft, the additional prohibition in this bill would hinder the ability of state agencies to promptly and accurately provide information to run essential programs.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 23rd day of September, 2012 at 11:08 a.m., of the following Senate Bill 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 447.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate



Governor's Office, State Capitol
September 25, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 234** without my signature.

The bill requires the Air Resources Board to reimburse 90 percent of eligible project costs on a quarterly basis for shore power electrification projects that are in substantial compliance with project milestones.

The bill would circumvent Proposition 1B accountability standards established by the Air Resources Board and the Department of Finance to assure that voter-approved Proposition 1B funding is used on projects that achieve real benefits to the public. Allowing only a 10 percent withholding does not afford the necessary assurance that the State's seaports have the commitment and resources necessary to see the project to completion.

It is reasonable, however, to provide flexibility to equipment owners such as seaports in a manner that facilitates project completion while assuring robust accountability. To this end, I am directing the Air Resources Board to amend its program guidelines for shore power projects to allow for quarterly reimbursement for up to 80 percent of eligible project costs, provided the equipment owner expends their portion of match funding for each berth first and is in compliance with its contract.

In those situations where a small port of less than 10 berths may experience difficulties meeting these conditions, I further direct the Board and those ports to work closely and cooperatively to develop a path forward to ensure project success.

We all share the goal of providing shore-side electrical power to ships at berth in order to reduce harmful emissions at and near the ports while also protecting taxpayer funds. This is a solvable problem.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 25, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 505** without my signature.

This bill would allow the Department of Fish and Game to supplement its trout production in state hatcheries with fish reared at privately-owned hatcheries if those fish are of lesser cost. This bill, however would create a conflict with SB 1148, which I have signed today.

Given the comprehensive approach in SB 1148, this bill is unnecessary.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 25, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 744** without my signature.

This bill would provide that any water submeter tested by the National Institute of Standards and Technology will be deemed sealed and approved for commercial use without state or local review. Currently, more than one out of every ten meters is found to be inaccurate. In fact, last year, nearly 15% were found to be inaccurate. For Californian's living in submetered dwellings, having accurate metered water use is an important consumer protection.

By allowing non-sealers to verify the accuracy of these commercial devices, the bill removes the Department of Food and Agriculture's cornerstone tenet of weights and measures protections for the public.

I do, however, believe that having a more uniformed process for certification of water meters, especially hot water meters, as well as water treatment devices is necessary and merited. I am directing the Department of Food and Agriculture and the Department of Public Health to work with the Legislature on restructuring these certifications.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 25, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 975** without my signature.

This bill attempts to address the increasing trend of state, regional and local governments' use of short courses as a means of increasing regulatory compliance. Specifically, this bill provides that the California Architects Board and the Board of Professional Engineers, Land Surveyors, and Geologists are the sole state authorities for regulating in any way their respective professions.

I agree that more 8-hour courses are often not a good form of compliance.

I am directing the Water Board, the Air Board and the Energy Commission to review other methods of ensuring compliance.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 25, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1063** without my signature.

The bill would allow swimming in the Bear Lake Reservoir for four months out of the year while specifying the exact type of water treatment required to ensure the community continues to enjoy safe drinking water from the reservoir. Unfortunately, the Department of Public Health believes that the water treatment requirements in this bill are not feasible and ineffective, and therefore the operation of the reservoir as a means to provide safe drinking water would be put at risk.

I urge the author and sponsors to work with the Department to find a solution that allows for recreational swimming alongside effectively treated safe drinking water.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 25th day of September, 2012 at 11:41 a.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 Bianca Sievers: SB 234, SB 505, SB 744, SB 975, and SB 1063.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 25, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 750** without my signature.

In 2007, California began requiring car manufactures to give electronic key replacement information to registered locksmiths so lost electronic keys can be replaced 24 hours a day, seven days a week.

To allow manufacturers adequate time to comply, a six-year exception was made for manufacturers that provide a replacement key overnight. While the majority of manufacturers quickly complied with the 24/7 standard, this bill makes the overnight exception permanent.

The 24/7 standard for car key replacement should apply uniformly to all manufacturers.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Receipt of Bills

I acknowledge receipt this 25th day of September, 2012 at 3:23 p.m., of the following Senate Bill 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 750.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 25, 2012

To the Members of the California State Senate:

I am signing **Senate Bill 1148** which establishes a permanent mitigation bank program and strengthens the wild and heritage trout program.

Since the Hatchery and Inland Fisheries Fund is structurally imbalanced, I am line-item vetoing the additional \$1 million appropriation from this fund.

I am deleting the appropriation in subdivision (h) of Section 13007.

Sincerely,

EDMUND G. BROWN JR., Governor

Above line-item veto ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 26th day of September, 2012 at 11:51 a.m., of the Governor's statement of the line item veto from the following bill delivered to me personally by Bianca Sievers: SB 1148.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 26, 2012

To the Members of the California State Senate:

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

This bill is unnecessary because the majority of the entities impacted by this measure have already established an interagency agreement.

Should these entities choose to form a joint powers agreement in the future, they do not need additional statutory authority to do so. Whether they should or not given the current fiscal constraints—I have my doubts.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 26, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1235** without my signature.

This bill requires the Superintendent of Public Instruction each year to compile a list of schools which suspend too high a percentage of their students and then invite districts that have such schools to attend meetings to discuss the problem.



My preference is to leave the matter of student suspension to local school boards and the citizens who elect them.

I understand the author's concern, which is why I have signed a number of other bills aimed at reducing the number of student suspensions and expulsions.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 26, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1497** without my signature.

This bill would prohibit a high school student from being counted more than once as a high school dropout.

While this bill codifies current administrative practices, the State Department of Education already follows federal guidance in calculating dropout rates which prevents duplicate counting of high school dropouts.

Signing this bill would not change anything in current practice, and is therefore, unnecessary.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 26th day of September, 2012 at 12:39 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 Bianca Sievers: SB 885, SB 1235, and SB 1497.

BERNADETTE McNULTY

Chief Assistant Secretary of the Senate

Governor's Office, State Capitol

September 26, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1480** without my signature.

This bill would require the Department of Fish and Game to expand its mission to include enforcement of statutes aimed at consumer protection issues. The Department is tasked with management of the state's fish and wildlife resources. Consumer protection is not the appropriate purview of the Department. These issues are most appropriately dealt with by the various state, county, and local agencies with expertise in this area. Expanding the Department's mission to include urban pest management is not an appropriate or effective use of Department resources.

In addition, this bill prohibits the trapping of bats, with some exceptions based on health and safety, and precludes a homeowner from excluding bats during certain seasons or without authorization from the Department.



Homeowners should be allowed to exclude bats from their home at any time.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 26th day of September, 2012 at 2:44 p.m., of the following Senate Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Bianca Sievers: SB 1480.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 27, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1537** without my signature.

This bill would prohibit the California Public Utilities Commission from adopting any demand charge, standby charge, customer charge, minimum monthly charge, interconnection charge, or other fixed charge that applies only to customers participating in a net energy metering tariff until January 1, 2014. Better than this piecemeal legislative ratemaking would be a more comprehensive approach.

I look forward to working with the Public Utilities Commission and the Legislature on broader rate reform next year.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 27th day of September, 2012 at 9:34 a.m., of the following Senate Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Bianca Sievers: SB 1537.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 27, 2012

To the Members of the California State Senate:

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

Providing on-line instructional materials and coursework to pupils in California is an educational goal that I very much share.

This bill, however, does not accomplish that goal. Instead, it puts unrealistic requirements on California's businesses that will lead to increased costs of instructional materials.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Receipt of Bills

I acknowledge receipt this 27th day of September, 2012 at 4:36 p.m., of the following Senate Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Bianca Sievers: SB 1154.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 28, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1310** without my signature.

I believe the current fines and penalties of \$213 and \$336 for cell phone use and texting while driving are a powerful deterrent. I have found even a \$50 ticket unpleasant enough. My point here is that the current fines are not trivial but do in fact get drivers' attention. Upping the fines may satisfy the punitive instincts of some, but I severely doubt that it will further reduce violations.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1464** without my signature.

I applaud the author's continuing work to improve bicycle safety. This bill requires motor vehicles to pass bicycles at a distance of at least three feet and expressly permits the vehicle to cross a double yellow line to do so.

Crossing a double yellow line is an inherently dangerous act that increases the risk of head-on collisions. When a collision occurs, it will result in a lawsuit where the state is likely to be sued as a "deep pocket." By making it legal to cross a double yellow line, the bill weakens the state's defense to these lawsuits.

Caltrans proposed a solution to insulate the state from costly lawsuits, while still providing the three-foot safety buffer for bicyclists. Unfortunately the author declined to amend the bill.

I encourage the sponsors to work with my administration to resolve the liability problem.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 28th day of September, 2012 at 5:16 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 Bianca Sievers: SB 1310 and SB 1464.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate



Governor's Office, State Capitol
September 28, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 336** without my signature.

I appreciate the author's and the proponents' desires to alleviate emergency room overcrowding and the harms that come with it. This bill, however, is too prescriptive in its approach.

Requiring emergency departments to calculate a "crowding score" every four or eight hours, depending on how crowded they are, is a decision best left to hospital governing boards.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2011

To the Members of the California State Senate:

I am returning **Senate Bill 419** without my signature.

This bill requires a pharmaceutical manufacturer to submit an already required report electronically to the Department of Resources Recycling and Recovery, and then to post the report on its own Web site.

This is a matter we can handle administratively.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 28, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1002** without my signature.

This bill would require the State Chief Information Officer to provide a report to the Legislature on the feasibility of providing public records in a specific electronic format.

The role of the State Chief Information Officer is to make sure that state government uses information technology efficiently and effectively—including providing public records electronically when possible. Another legislative report on electronic public records isn't necessary.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 28, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1366** without my signature.

This bill makes it an infraction (or a misdemeanor for the 3rd offense) to fail to report the theft or loss of a firearm to a local law enforcement agency within 48 hours of the time the owner knew, or reasonably should have known, that the firearm was lost or stolen.

The proponents urge that the bill will improve identification of gun traffickers and help law enforcement disarm people prohibited from possessing firearms. I am not convinced. For the most part, responsible people report the loss or theft of a firearm and irresponsible people do not. I am skeptical that this bill would change those behaviors.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 28th day of September, 2012 at 5:17 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 Bianca Sievers: SB 336, SB 419, SB 1002, and SB 1366.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 29, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 956** without my signature.

This bill requires, among other things, that "buy-here-pay-here" dealers be regulated by the Department of Corporations under the California Finance Lender's Law.

I am not yet convinced the evidence merits the regulatory oversight of this bill. I signed two "buy-here-pay-here" consumer protection bills this session. If consumers need added protection once those bills are implemented, my administration will work with the Legislature to find appropriate, measured solutions.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1117** without my signature.

This bill specifies and adds certain features to be included in the State Rail Plan that Caltrans prepares.



Under existing law beginning in 2013, the Transportation Agency will take the lead in planning a comprehensive state rail system. This bill is not needed to direct and coordinate the work of this newly created agency.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1547** without my signature.

This bill states that the payment rate for commingled beverage containers shall not include compensation for *ineligible materials*. This rather terse amendment would codify the obvious without any discernible impact.

More is required to earn a place in our Public Resources Code.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 29th day of September, 2012 at 4:05 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 Bianca Sievers: SB 956, SB 1117, and SB 1547.

BERNADETTE McNULTY

Chief Assistant Secretary of the Senate

Governor's Office, State Capitol

September 29, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 214** without my signature.

This bill eliminates the voter requirement for a city or county to create an infrastructure financing district and expands the types of projects that may be financed by such an entity.

Expanding the scope of infrastructure financing districts is premature. This measure would likely cause cities to focus their efforts on using the new tools provided by the measure instead of winding down redevelopment. This would prevent the state from achieving the General Fund savings assumed in this year's budget.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 29, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1030** without my signature.

This bill would eliminate a provision in Assembly Bill 1484 (Chapter 26, Statutes of 2012) that alters the manner in which "excess" Educational Revenue Augmentation Funds are distributed in counties whose schools are fully funded to their revenue limits using property tax revenues.

While I understand that the three counties impacted by the provision in question believe they have been placed in an unfair situation, I also note that these entities are estimated to receive a generous increase in property tax revenues due to redevelopment dissolution. Furthermore, given the current General Fund uncertainties, it would not be prudent to enact legislation when the potential cost is unclear.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1156** without my signature.

This bill would allow local governments to establish a Sustainable Communities Investment Authority to finance activities within a specified area. The planning and investment that is envisioned by this bill would help to develop and redevelop a California that is sustainable and thriving.

I prefer to take a constructive look at implementing this type of program once the winding down of redevelopment is complete and General Fund savings are achieved. At that time, we will be in a much better position to consider new investment authority. I am committed to working with the Legislature and interested parties on the important task of revitalizing our communities.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 29, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1160** without my signature.

This bill would require local law enforcement to make certain findings and determinations within six hours of interruption of communication service in barricade, hostage and emergency circumstances. While I



applaud the author's efforts to authorize interruption of service only in the most extreme cases, the extent of the findings in the bill that must be made by officers engaged in conflict could divert attention away from resolving the conflict without further threat to public safety.

I encourage the author and law enforcement agencies to engage in discussion in the upcoming legislative session and send me a bill that balances protection of speech with the ability of law enforcement to utilize this tool in the protection of public health and safety.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 29, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1258** without my signature.

This bill requires the Department of Veteran Affairs to develop outcomes and related indicators for assessing the status of veterans in California.

Executive Order B-13-11 was issued to address budgeting issues like the ones the author identifies in the bill. My administration began a new process for collaborating with the Legislature this year, particularly in establishing program goals and measuring program outcomes. We should give this new process time to work.

I look forward to collaborating with the Legislature to achieve better outcomes for veterans.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 29th day of September, 2012 at 4:06 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 Bianca Sievers: SB 214, SB 1030, SB 1156, SB 1160, and SB 1258.

BERNADETTE McNULTY

Chief Assistant Secretary of the Senate

Governor's Office, State Capitol

September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 259** without my signature.

This bill would grant collective bargaining rights to graduate student researchers at the state's public universities. The Higher Education Employee-Employer Relations Act holds that:

" . . . the Board may find student employees whose employment is contingent on their status as students are employees only if the

services they provide are unrelated to their educational objectives, or, that those educational objectives are subordinate to the services that they perform . . . ”

The Public Employment Relations Board has held, pursuant to this provision of law, that teaching assistants are employees, but that research assistants are not. This legislation would overturn that determination.

Collaboration between faculty and research assistants is an integral part of their training and education. It is rare that this relationship is subject to collective bargaining at other universities and I am reluctant to upset the balance established under current law.

While I received many thoughtful communications on both sides of this matter, I did not find sufficient and persuasive evidence warranting a change to the current framework within which graduate student researchers and faculty undertake their joint intellectual inquiries. Some researchers may be consigned to rather menial tasks, while others join collaboratively in exciting research endeavors. It is not clear how collective bargaining will discourage the former or influence the later.

Finally, given the current stresses facing the state and its universities, now is not the time to mandate these new requirements.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 359** without my signature.

I share the goals of this legislation—to reign in excessive hospital charges for out-of-network emergency care. I am not convinced, however, that the rate-setting formula in this bill has it right.

To be sure, there is considerable complexity in determining what hospitals charge. Nevertheless, I am troubled by hospitals that have dramatically higher charges than others and billing practices that bear no apparent relationship to the costs of services.

Extraordinary hospital billings are harmful to the health care system as a whole, including patients. If found to be as widespread and as excessive as some claim, such practices will invite an appropriate regulatory response.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 393** without my signature.

I commend the author for trying to improve the delivery of health care by encouraging the greater use of "patient-centered medical homes." While this concept is not new, it is still evolving.

For this reason, I think more work is needed before we codify the definition contained in this bill.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 411** without my signature.

This bill would establish a new regulatory scheme for the private home care industry.

I understand the argument for stronger oversight, requiring home care agencies to be licensed and home care aides to be certified. But given the economic stresses and uncertainty, I am not prepared to embark upon the institutional changes and costs that this bill entails.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 878** without my signature.

This bill would establish an independent office of the Transportation General to oversee the Department of Transportation, the High Speed Rail Authority, and all other state, regional, and local agencies expending state transportation funds.

The Department of Transportation and local transportation agencies already are subject to performance reviews and fiscal audits by state and federal auditors, by the Legislative Analyst's Office, the Department of Finance, and of course the Transportation Committees of the Legislature. Rather than creating a new, costly state office, let's use the resources we already have.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 961** without my signature.

I realize how important it is to align our individual health insurance market rules with the federal Patient Protection and Affordable Care Act. This bill got almost all the way there. Unfortunately, the measure failed to adequately link our state reforms to the federal law.

The Affordable Care Act requires insurers to provide health coverage to all individuals regardless of their health status. This mandate on insurers is balanced by the mandate on individuals to obtain health coverage, with federal subsidies available to help lower-income people purchase it.

Without the strong foundation that federal law provides, a state-level mandate on insurers alone could encourage healthy people to wait until they got sick or injured before purchasing coverage. This would lead to skyrocketing premiums, making coverage more unaffordable.

I look forward to working with the Legislature to correct this problem and adopt the remaining essential provisions of this bill.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

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

This bill is well-intentioned but overly prescriptive in its requirements. Codifying another workgroup and requiring another report are not necessary.

My administration has worked and will continue to work with the Legislature and stakeholders in transparent and cooperative ways to implement the requirements of the federal Patient Protection and Affordable Care Act.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1246** without my signature.

This bill seeks to grant the Department of Public Health greater authority to enforce hospital nurse staffing ratios and patient classification system requirements.



Everything is already on track to get this job done. The department will soon release proposed regulations on administrative penalties that will apply to a broad range of violations. The rulemaking process should be completed next year.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 30th day of September, 2012 at 9:23 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 Bianca Sievers: SB 259, SB 359, SB 393, SB 411, SB 878, SB 961, SB 970, and SB 1246.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

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

This bill requires, among other things, that properties acquired years ago by the state to complete the 710 freeway be declared excess and sold.

This bill is premature for two reasons. First, management of these properties is a timeworn issue. Last month the Transportation Secretary directed Caltrans to review three options for managing the 710 freeway properties, one of which is an option for transferring ownership to local government. Caltrans will complete its review and make recommendations this November. Caltrans needs to complete its review.

Second, the Los Angeles County Metropolitan Transportation Authority is currently conducting an environmental impact report on closure of the 710 freeway gap. The environmental process requires evaluation of all reasonable options for closing the gap. A law requiring Caltrans to sell the properties purchased for building a surface freeway—before the environmental process is completed—would taint the process.

My administration is committed to working with the author on the property management issues and to find a solution to the long-standing controversies over closing the 710 freeway gap.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1233** without my signature.

Before the proponents of an initiative circulate petitions to qualify a measure for the ballot, they must request a title and summary from the



Attorney General. This bill would in addition require the Attorney General to prepare the circulating titles and summaries for all initiative measures in multiple languages regardless of their qualification status.

The provisions of this bill are well intended. Unfortunately, however, they add substantial burdens to the petition process without commensurate benefit. I would also note that the vast majority of initiatives submitted to the Attorney General's Office never get to the circulation stage.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1318** without my signature.

Encouraging health care workers to be vaccinated against influenza is good policy, and I support the national goal of achieving a 90 percent compliance rate by 2020. Indeed, several counties and many hospitals have already adopted strict mandatory vaccination policies for their employees, and others are moving voluntarily in this direction.

This bill would move the date up to 2015 and make compliance mandatory, which are requirements I do not believe are reasonable. I have confidence that local governments and health facilities are well equipped to make these decisions on their own.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Governor's Office, State Capitol

September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1434** without my signature.

This bill would require a search warrant before law enforcement officers can obtain location information generated by a cell phone, tablet computer, automobile navigation system, or other electronic device. It may be that legislative action is needed to keep the law current in our rapidly evolving electronic age. But I am not convinced that this bill strikes the right balance between the operational needs of law enforcement and individual expectations of privacy.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.



Governor's Office, State Capitol
September 30, 2012

To the Members of the California State Senate:

I am returning **Senate Bill 1476** without my signature.

This bill would authorize a court under limited circumstances to find that a child has more than two legal parents if doing so would serve the best interest of the child.

I am sympathetic to the author's interest in protecting children. But I am troubled by the fact that some family law specialists believe the bill's ambiguities may have unintended consequences. I would like to take more time to consider all of the implications of this change.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered placed on unfinished business file.

Receipt of Bills

I acknowledge receipt this 30th day of September, 2012 at 9:24 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 Bianca Sievers: SB 204, SB 1233, SB 1318, SB 1434, and SB 1476.

BERNADETTE McNULTY
Chief Assistant Secretary of the Senate

PAULA K. ROSSETTO, Minute Clerk

O

└