

California Department of Corrections and Rehabilitation
Office of Legislation

2009 Legislative Digest



December 2009

STATE OF CALIFORNIA

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Governor

California Department of Corrections and Rehabilitation

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INTRODUCTION

This Legislative Digest is comprised of bills that were chaptered or vetoed during the first half of the 2009/2010 Legislative Session that will have, or would have had, some impact on the California Department of Corrections and Rehabilitation (CDCR).

The brief summaries do not purport to provide a complete description of the legislation or go into details of the measures. The summaries provide a brief overview of the intent of the bill.

Copies of the legislation referenced in this Digest, along with information such as legislative committee analyses, are available from the website of the Legislative Counsel of California at www.leginfo.ca.gov.

The chaptered bills become effective January 1, 2010, unless they contain an urgency clause, in which case they became effective immediately upon the Governor's signature. Alternatively, some measures specify their effective date.

For additional information regarding these measures, please contact the Office of Legislation.

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STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2009

TABLE OF CONTENTS

Chaptered Bills – Assembly Bills	5
Chaptered Bills – Senate Bills	12
Vetoed Bills	25
Index by Chapter Number	41
Index by Bill Number	43
Index by Subject Matter.....	45

Chaptered Bills – Assembly Bills

[AB 5](#)

AUTHOR: Evans

TITLE: Civil discovery: Electronic Discovery Act.

STATUS: 06/29/2009-Chaptered by Secretary of State - Chapter No. 5, Statutes of 2009

SUMMARY: The Civil Discovery Act permits a party to a civil action to obtain discovery, as specified, by inspecting documents, tangible things, and land or other property in the possession of any other party to the action. Existing law requires the party to whom an inspection demand has been directed to respond separately to each item or category of item by any of certain responses, including a statement that the party will comply with the particular demand for inspection by the date set for inspection pursuant to a specified provision. This bill would establish procedures for a person to obtain discovery of electronically stored information, as defined, in addition to documents, tangible things, and land or other property, in the possession of any other party to the action. This bill would permit discovery by the means of copying, testing, or sampling, in addition to inspection, of documents, tangible things, land or other property, or electronically stored information. This bill contains other related provisions and other existing laws.

[AB 31](#)

AUTHOR: Price

TITLE: Public contracts: Small Business Procurement and Contract Act.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 212, Statutes of 2009

SUMMARY: The Small Business Procurement and Contract Act permits a state agency to award a contract for goods, services, or information technology with a value of between \$5,000 and \$100,000 to a certified small business, including a microbusiness and a disabled veteran business enterprise, without complying with specified competitive bidding requirements. This bill would increase the maximum amount of the contract from \$100,000 to \$250,000. This bill contains other related provisions and other existing laws.

[AB 307](#)

AUTHOR: Cook

TITLE: Sex offenders: working with minors.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 430, Statutes of 2009

SUMMARY: Under existing law, a person required to register as a sex offender who applies for or accepts a position as an employee or volunteer with any person, group, or organization where he or she would be working directly and in an unaccompanied setting with minor children on a regular basis, is required to disclose his or her registrant status, as specified. Existing law also prohibits a person required to register as a sex offender because of a

Chaptered Bills – Assembly Bills

conviction for a crime where the victim was a minor under 16 years of age from being an employer, employee, or independent contractor, or acting as a volunteer with any person, group, or organization in a capacity in which the registrant would be working directly and in an unaccompanied setting with minor children on more than an incidental and occasional basis or from having supervision or disciplinary power over minor children. A violation of these provisions is a misdemeanor. This bill would specify that "working directly and in an unaccompanied setting" includes, but is not limited to, providing goods or services to minors. Because the bill would change the scope of an existing crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 361](#)

AUTHOR: Lowenthal, Bonnie

TITLE: Workers' compensation: treatment authorization.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 436, Statutes of 2009

SUMMARY: Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. Existing law requires every employer to establish a medical treatment utilization review process, in compliance with specified requirements, either directly or through its insurer or an entity with which the employer or insurer contracts for these services. This bill provides that, regardless of whether an employer has established a medical provider network or entered into a contract with a health care organization, an employer that authorizes medical treatment shall not rescind or modify the authorization for the portion of the medical treatment that has been provided after that treatment has been provided for any reason, including, but not limited to, the employer's subsequent determination that the physician who treated the employee was not eligible to treat that injured employee. This bill provides that its provisions shall not be construed to expand or alter the benefits available under, or the terms and conditions of, any contract, including, but not limited to, existing medical provider network and health care organization contracts. The bill would also provide that its provisions shall not be construed to impact the ability of the employer to transfer treatment of an injured employee into a medical provider network or health care organization. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[AB 400](#)

AUTHOR: De Leon

TITLE: State agencies: FISCal funds.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 440, Statutes of 2009

SUMMARY: Existing law requires the Department of Finance, the Controller, the Treasurer, and the Department of General Services to collaboratively develop, implement, utilize, maintain, and operate the Financial Information System for California (FISCal) as a single integrated financial management system that encompasses the management of resources and dollars in the areas of budgeting, accounting, procurement, cash management, financial management, financial reporting, cost accounting, asset management, project accounting, grant management, and human resources management. Existing law requires the Office of the Financial Information System, upon its establishment, to implement the FISCal system, in a specified manner, with Wave One consisting of certain departments. Existing law authorizes the State Public Works Board to issue debt to pay for the development and implementation of the FISCal system, declares the intent of the Legislature to use General Fund appropriations for the cost of the FISCal system, and continuously appropriates funds and subaccounts to pay for the system's development, implementation, operation, and maintenance. This bill would require the FISCal system to additionally include a state budget transparency component that allows the public to access nonconfidential General Fund and federal fund expenditure data, such as the amount of an expenditure and a brief description of its purpose, using an Internet Web site. The bill would define "General Fund and federal fund expenditures" as expenditures or transfers of funds in excess of \$5,000, but would not include transfers between 2 state departments or agencies or payments of federal or state assistance to any individual recipient. This bill contains other related provisions.

[AB 430](#)

AUTHOR: Hagman

TITLE: Corrections: citizens' advisory committees.

STATUS: 08/06/2009-Chaptered by Secretary of State - Chapter 108, Statutes of 2009.

SUMMARY: Existing law requires that each state prison under the jurisdiction of the Department of Corrections and Rehabilitation have a citizens' advisory committee, except that one committee may serve every prison located in the same city or community. Existing law specifies the membership of the committee. This bill would provide that an additional member representing the Chino Valley Independent Fire District would be added to the citizens' advisory committees that advise the California Institution for Men and the California Institution for Women.

Chaptered Bills – Assembly Bills

[AB 671](#)

AUTHOR: Krekorian

TITLE: Public Safety Golden Shield Award.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 462, Statutes of 2009

SUMMARY: The Public Safety Officer Medal of Valor Act authorizes the Governor to annually award and present in the name of the State of California a Medal of Valor to one public safety officer, as defined, who is cited by the Attorney General, upon the recommendation of the board, for extraordinary valor above and beyond the call of duty. This bill would require the Governor to additionally annually award and present in the name of the State of California a Golden Shield Award to the next of kin of, or immediate family members of, every public safety officer who, while serving in any capacity under competent authority, has been killed in the line of duty.

[AB 955](#)

AUTHOR: De Leon

TITLE: Public Safety Officers Procedural Bill of Rights Act: discipline.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 494, Statutes of 2009

SUMMARY: The Public Safety Officers Procedural Bill of Rights Act prohibits any punitive action, or denial of promotion on grounds other than merit, to be undertaken for any act, omission, or other allegation of misconduct if an investigation of an allegation against a public safety officer is not completed within one year of the public agency's discovery by a person authorized to initiate an investigation of the allegation of an act, omission, or other misconduct that occurred on or after January 1, 1998. Existing law requires the public agency to complete its investigation and notify the public safety officer of its proposed disciplinary action within that year if it determines that discipline may be taken. This bill would instead specify that the discovery could be made by a person authorized to initiate an investigation of the allegation of an act, omission, or other misconduct, and require the public agency, within that year, to notify the public safety officer of the proposed discipline by a specified letter or notice articulating the discipline. This bill would specify that the public agency is not required to impose the discipline within that year. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[AB 1053](#)

AUTHOR: Solorio

TITLE: Juveniles.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 268, Statutes of 2009

SUMMARY: Existing law establishes the Interstate Compact on Juveniles. The compact sets forth the agreement between the contracting states regarding the supervision of delinquent juveniles, including the procedure for the return of runaways and escapees. This bill would repeal the Interstate Compact on Juveniles and instead enact, only until January 1, 2012, the Interstate Compact for Juveniles. This compact would make the state subject to rules and regulations having the force and effect of statutory law governing the supervision or return of juvenile offenders, including status offenders, in the compacting states as developed at a future date by the Interstate Commission for Juveniles, except when a provision exceeds the constitutional limits imposed on the Legislature, or as specified. The commission consists of commissioners appointed as specified in each compacting state. Any state and any one of specified United States territories is eligible to become a compacting state. Each compacting state represented at any meeting of the commission is entitled to one vote. The compact would also require the state to create a State Council for Interstate Juvenile Supervision that would exercise related duties, as specified. The bill would authorize the commission to levy and collect an annual assessment from the state and the other compacting states to cover the cost of the internal operations and activities of the commission and its staff based upon a formula to be determined by the commission, that takes into consideration, among other things, the population of each compacting state. The bill would also authorize the commission to impose penalties on the state, including fines, fees, and costs, for default in the performance of the state's obligations under the compact, as determined by the commission. The bill would provide that the compact administrator, as defined, in this state would be the executive director of the Corrections Standards Authority. The bill would require that executive director to convene an executive steering committee to review and make recommendations regarding the compact, as specified. The bill would also require the Corrections Standards Authority to present the committee's final report to the Legislature by January 1, 2011. This bill contains other related provisions and other existing laws.

[AB 1083](#)

AUTHOR: John A. Perez

TITLE: Health facilities: security plans.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 506, Statutes of 2009

SUMMARY: Under existing law, the State Department of Public Health licenses and regulates hospitals, as defined. Violation of these provisions is a crime. Existing law requires

Chaptered Bills – Assembly Bills

hospitals to conduct a security and safety assessment and, using the assessment, develop a security plan with measures to protect personnel, patients, and visitors from aggressive or violent behavior. Existing law requires the plan to include specified security considerations. This bill would require hospitals to annually review and update the security and safety assessment and plan. The bill would permit the plan to include security considerations relating to efforts to cooperate with local law enforcement regarding violent acts in the facility and would require the hospital to consult with affected employees, including the recognized collective bargaining agent or agents, if any, and members of the medical staff. Because this bill expands the definition of a crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 1113](#)

AUTHOR: Lowenthal, Bonnie

TITLE: Prisoners: professional mental health providers: marriage and family therapists.

STATUS 08/06/2009-Chaptered by Secretary of State - Chapter 135, Statutes of 2009.

SUMMARY: Existing law requires any person employed or under contract to provide mental health diagnostic or treatment or other mental health services in the state correctional system to be a physician and surgeon, psychologist, or other health professional, licensed to practice in this state, except as specified. This licensure requirement may be waived in order for a person to gain qualifying experience for licensure as a psychologist or clinical social worker in this state. This bill would also authorize the waiver for a person to gain qualifying experience for licensure as a marriage and family therapist. The bill would provide that a person gaining qualifying experience for licensure as a marriage and family therapist is limited to working within his or her scope of practice.

[AB 1166](#)

AUTHOR: Nielsen

TITLE: Parole: hearings: review.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 276, Statutes of 2009

SUMMARY: Existing law provides that, one year prior to the minimum eligible parole release date of an inmate serving an indeterminate sentence, a panel of 2 or more commissioners or deputy commissioners of the Board of Parole Hearings shall meet with the inmate and set a parole release date, as specified. Existing law provides that in the event of a tie vote, the matter shall be referred to the board for an en banc hearing, as specified. This bill would, instead, provide that in the event of a tie vote, the matter shall be referred to the board for an en banc review limited to the record, as specified, that was before the panel that rendered the tie vote. The bill would require the board to vote, upon the en banc review of the record, to either grant or deny parole and render a statement of decision. The bill would require the board to separately state reasons for its decision to grant or deny parole. The bill would

Chaptered Bills – Assembly Bills

require that the commissioners involved in the tie vote be recused from consideration of the matter in the en banc review. This bill contains other related provisions and other existing laws.

[AB 1364](#)

AUTHOR: Evans

TITLE: Public contracts: state bonds: grant agreements.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 526, Statutes of 2009

SUMMARY: Existing law permits the modification of contracts by state agencies in specified instances. This bill would provide that, notwithstanding any other provision of law, any state agency that has entered into a grant agreement for the expenditure of state bond funds where the state agency or grant recipient is, or may be, unable to comply with the terms of that agreement because of the suspension of interim funding for projects and contracts by the Pooled Money Investment Board on or after December 18, 2008, shall, with the consent of the grant recipient, have the authority to either renegotiate, modify, or eliminate the deadlines and timetables for and deliverables within the grant agreement in order to address the suspension or to terminate the grant agreement if no grant funds have yet been delivered thereunder. The bill would specify that it does not modify any act under which bonds are authorized to be issued or the State General Obligation Bond Law. This bill contains other related provisions.

[ABX3 12](#)

AUTHOR: Evans

TITLE: California State Lottery.

STATUS: 02/20/2009-Chaptered by Secretary of State - Chapter No. 8, Statutes of 2009

SUMMARY: The California State Lottery Act, subject to the approval by the voters, appropriates moneys, commencing with the 2009-10 fiscal year, on an annual basis from the General Fund to various educational entities based on specified factors. The act provides that specified provisions regarding General Fund appropriations may only be amended by a vote of the people. This bill would, commencing with the 2010-11 fiscal year, adjust the method of annually calculating specified appropriations. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[ABX4 21](#)

AUTHOR: Evans

TITLE: State contracts.

STATUS: 07/28/2009-Chaptered by Secretary of State. Chapter 19, Statutes of 2009-10 Fourth Extraordinary Session.

SUMMARY: Existing law, with regard to certain state contracts, requires the awarding department to award the contract to the lowest responsible bidder meeting or making a good faith effort to meet specified statewide participation goals for disabled veteran business enterprises. Existing law requires that, if a bidder cites an approved utilization plan in response to the disabled veteran business enterprise participation requirements of a solicitation that calls for specified business participation, and the solicitation specifies higher participation goals than the utilization plan, the bidder shall meet the goals in the solicitation or make a good faith effort to do so. This bill would instead require the awarding department to award the contract to the lowest responsible bidder meeting specified business enterprise statewide participation goals. The bill would also, if a solicitation specifies higher participation goals than the bidder's utilization plan, require the bidder to meet the goals in the solicitation. This bill contains other related provisions and other existing laws.

Chaptered Bills – Senate Bills

[SB 19](#)

AUTHOR: Simitian
TITLE: Education data.
STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 159, Statutes of 2009

SUMMARY: Existing law establishes the California Education Information System, which consists of the California Longitudinal Pupil Achievement Data System (CALPADS) and the California Longitudinal Teacher Integrated Data Education System (CALTIDES). Existing law requires that data elements and codes included in the California Education Information System be maintained in compliance with specified provisions of law. This bill would additionally require that data elements and codes included in the California Education Information System be maintained in compliance with any other applicable federal or state law that can be interpreted as protecting the privacy and confidentiality of individual pupils or certificated personnel. This bill contains other related provisions and other existing laws.

[SB 33](#)

AUTHOR: Correa
TITLE: Marriage and family therapy: licensure and registration.
STATUS: 08/06/2009-Chaptered by Secretary of State - Chapter No. 26, Statutes of 2009

SUMMARY: Existing law provides for the licensure or registration and regulation of marriage and family therapists and interns by the Board of Behavioral Sciences and requires that applicants for licensure or registration, among other requirements, possess a doctor's or master's degree from a specified school, college, or university, containing no less than 48 semester or 72 quarter units of instruction in specified areas. Existing law requires that the doctor's or master's degree program contain no less than 6 semester or 9 quarter units of supervised practicum, as specified, and requires that the practicum include a minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups. Existing law also requires the degree program to satisfy certain criteria in order to meet the educational qualifications for licensure. This bill would limit the application of these requirements to applicants for licensure or registration who begin graduate study before August 1, 2012, and would impose additional requirements on applicants who do not complete that study on or before December 31, 2018, on applicants who graduate from a degree program that meets those requirements, and on those who begin graduate study on or after August 1, 2012. The bill would require that these applicants, among other things, possess a doctor's or master's degree containing no less than 60 semester or 90 quarter units of instruction in certain areas, including, but not limited to, co-occurring disorders, multicultural development and cross-cultural interaction, and the effects of socioeconomic status on treatment and available resources, as specified. The bill would require that these units include 6 semester or 9 quarter units of practicum that provides training in specified

Chaptered Bills – Senate Bills

areas and includes a minimum of 225 hours of face-to-face experience counseling individuals, couples, families, or groups. The bill would additionally, with respect to these applicants, revise the requirements needed for the degree program to meet the educational qualifications for licensure, as specified. The bill would make other conforming changes and enact related provisions. This bill contains other related provisions and other existing laws.

SB 52

AUTHOR: Correa

TITLE: Public Safety Officer Medal of Valor.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 553, Statutes of 2009

SUMMARY: The Public Safety Officer Medal of Valor Act establishes the Medal of Valor Review Board that recommends candidates to the Attorney General for the Medal of Valor from among the applications received by the board. Existing law prohibits the board from meeting more than once each year or from recommending any more than 5 candidates to the Attorney General. The act authorizes the Attorney General to increase the number of candidates in a given year in extraordinary cases. This bill would remove the limit on the number of candidates that the board may recommend. The bill would also eliminate the provisions that prohibit the board from meeting more than once a year. The bill would also authorize the Governor to award and present the Medal of Valor to one or more public safety officers, as specified. The bill would specifically provide that the costs incurred by members and witnesses shall not be paid by the state, and would prohibit the board from holding hearings or having witnesses if donated funds are not available. This bill contains other existing laws.

SB 90

AUTHOR: Ducheny

TITLE: Budget Acts of 2007 and 2008: augmentation.

STATUS: 07/28/2009-Chaptered by Secretary of State - Chapter No. 22, Statutes of 2009

SUMMARY: The Budget Acts of 2007 and 2008 appropriated specified amounts from the General Fund for specified programs. This bill would appropriate \$135,064,000 from the General Fund in augmentation of appropriations in the Budget Act of 2007 and would authorize the Director of Finance to transfer specified amounts between items of appropriation in that Budget Act. The bill also would appropriate \$510,125,000 from the General Fund in augmentation of appropriations in the Budget Act of 2008. The bill additionally would require California Prison Health Care Services to report to the Legislature in 2009 and 2010 on actions to reduce and better manage medical service contract costs. This bill contains other related provisions.

Chaptered Bills – Senate Bills

[SB 118](#)

AUTHOR: Liu

TITLE: Child welfare services: incarcerated parents.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 338, Statutes of 2009

SUMMARY: Under existing law, the state, through the State Department of Social Services and county welfare departments, is required to establish and support a public system of statewide child welfare services. This bill would require that the case plan include specified information, to the extent possible, about a parent's incarceration in determining the reasonable services to be offered or provided to that parent's children. The bill would also require social workers to make reasonable efforts to collect and update necessary data regarding a child's incarcerated parent or parents, once a consistent data entry field or fields have been designated in the statewide child welfare database. By expanding the duties of county officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[SB 123](#)

AUTHOR: Liu

TITLE: California Career Resource Network Program.

STATUS: 08/06/2009-Chaptered by Secretary of State - Chapter No. 32, Statutes of 2009

SUMMARY: Existing law establishes the California Career Resource Network in state government for the purpose of providing career development information and resources to people in California in order to enable them to attain their career goals. The network is composed of the Director of Employment Development, the Superintendent of Public Instruction, the Chancellor of the California Community Colleges, the Director of Rehabilitation, the Director of Social Services, the Executive Director of the California Workforce Investment Board, the Executive Secretary of the Bureau for Private Postsecondary and Vocational Education, the Director of the California Youth Authority, the Director of the Department of Corrections and Rehabilitation, and the Director of the Department of Developmental Services, or their designees. This bill would establish the network as a program in the State Department of Education, establish the State Agency Partners Committee to be composed of the members of the program, and require the State Agency Partners Committee to coordinate the use of network information and resources in its programs. These provisions would become operative on July 1, 2010.

Chaptered Bills – Senate Bills

[SB 148](#)

AUTHOR: Oropeza

TITLE: Mammogram machines: inspection: posting of results.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 169, Statutes of 2009

SUMMARY: Existing law, commonly known as the Radiation Protection Act of 1988, sets forth the duties of various agencies relating to the protection of the public health and safety from the harmful effects of radiation, including, among others, the duties of the State Department of Public Health regarding the licensing and regulation of radiologic technology, including, but not limited to, the inspection of mammographic X-ray equipment. Violation of provisions relating to radiologic technology is a misdemeanor. This bill would require a facility that operates a mammogram machine to post notices of serious violations, as defined, in an area that is visible to patients. The bill would require the facility to post the notice within 2 working days after receipt of the documents from the department and require that the documents remain posted for a minimum of 5 working days or until action correcting the violation has been completed, whichever is later. Because this bill would create a new crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[SB 169](#)

AUTHOR: Benoit

TITLE: Identification: honorably retired peace officers.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 345, Statutes of 2009

SUMMARY: Existing law makes it a crime for a person who is not a peace officer to impersonate a peace officer, as specified. This bill would authorize the head of an agency that employs specified peace officers to issue identification in the form of a badge, insignia, emblem, device, label, certificate, card, or writing that clearly states that the person has honorably retired following service as a peace officer from that agency, as specified. The bill would also authorize the head of an agency to revoke identification granted pursuant to those provisions in the event of misuse or abuse.

[SB 186](#)

AUTHOR: DeSaulnier

TITLE: Workers' compensation: medical treatment: predesignation of physician.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 565, Statutes of 2009

SUMMARY: Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their

Chaptered Bills – Senate Bills

employees that arise out of, or in the course of, employment. Existing law, until December 31, 2009, provides an employee with the right to be treated by his or her personal physician from the date of injury if specified requirements are met, including a requirement that the physician agrees to be predesignated. This bill would delete the December 31, 2009, repeal date for those provisions pertaining to an employee's predesignation of a personal physician.

[SB 325](#)

AUTHOR: Alquist

TITLE: Sex offenders: assessments.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 582, Statutes of 2009

SUMMARY: Existing law requires every person required to register as a sex offender to be subject to assessment by the State-Authorized Risk Assessment Tool for Sex Offenders (SARATSO). Existing law establishes the SARATSO Review Committee, which consists of representatives of the State Department of Mental Health, the Department of Corrections and Rehabilitation, and the Attorney General, and is staffed by the State Department of Mental Health. Existing law directs the committee to ensure that the SARATSO reflects the most reliable, objective, and well-established protocols for predicting sex offender risk of recidivism, has been scientifically validated and cross validated, and is widely accepted by the courts. Existing law also requires the SARATSO Training Committee to develop a training program for persons authorized to perform the risk assessments. Under existing law, this training is required to be conducted by experts in the field of risk assessment and the use of actuarial instruments in predicting sex offender risk. This bill would instead provide for the SARATSO Review Committee to be staffed by the Department of Corrections and Rehabilitation. The bill would provide a protocol for an agency that scores the SARATSO and believes that a score does not represent the person's true risk level to submit the case to certain experts for possible override. This bill contains other related provisions and other existing laws.

[SB 352](#)

AUTHOR: Dutton

TITLE: Juvenile offenders: health facilities.

STATUS: 08/06/2009-Chaptered by Secretary of State - Chapter No. 46, Statutes of 2009

SUMMARY: Under existing law, before the placement of certain minors who are wards of the court due to a violation of law may be made in an out-of-county facility, the parole or probation officer in the county of residence is required to send written notice of the placement, including specified information, to the probation officer of the receiving county. A violation of these provisions is a misdemeanor. This bill would allow the notice to be made in writing, by fax, or electronic transmission. Additionally, the bill would require gang affiliation, as defined, to be included in the information sent to the receiving county. The bill would also

Chaptered Bills – Senate Bills

require that a copy of the notice be sent, at the same time it is sent to the receiving county, to the community care facility where the ward is being placed, and would require the community care facility to maintain a copy of the notice on file. This bill contains other related provisions and other existing laws.

[SB 359](#)

AUTHOR: Romero

TITLE: Records: disclosure exemptions.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 584, Statutes of 2009

SUMMARY: Existing law, the California Public Records Act, requires each state and local agency, as defined, to make its records open to public inspection at all times during office hours, except as specifically exempted from disclosure by law. The act specifically exempts from disclosure records that are exempted or prohibited from disclosure by federal or state law and lists records subject to that exemption, specifying that the listed exemptions are not inclusive of all exemptions under the act. This bill would revise the list of exempted records to reflect changes in existing law. This bill contains other related provisions.

[SB 369](#)

AUTHOR: Maldonado

TITLE: Prisoner-of-War/Missing-in-Action Flag: state-owned buildings and facilities.

STATUS: 08/06/2009-Chaptered by Secretary of State - Chapter No. 47, Statutes of 2009

SUMMARY: Existing law requires the flag of the National League of POW/MIA Families to be flown over specified state buildings where the United States Flag and the California State Flag currently fly on certain dates during business hours, to the extent structurally feasible. This bill would instead require the flag to be flown during business hours at all state-owned buildings and facilities where the United States Flag and the California State Flag fly, as specified.

[SB 432](#)

AUTHOR: Runner

TITLE: Crime victims: restitution.

STATUS: 08/06/2009-Chaptered by Secretary of State - Chapter No. 49, Statutes of 2009

SUMMARY: Existing law requires the probation officer of the county from which a person is committed to an institution under the jurisdiction of the Department of Corrections and Rehabilitation to send to the department a report of the circumstances surrounding the offense and the prior record and history of the defendant, as specified. This bill would, in addition, authorize the probation officer of the county from which a person is committed to an institution under the jurisdiction of the Department of Corrections and Rehabilitation to send to the department a victim's contact information, if the victim consents, when the court has

Chaptered Bills – Senate Bills

ordered the defendant to pay restitution to the victim, as specified. This bill would state that the victim's contact information would remain confidential, as specified.

[SB 447](#)

AUTHOR: Yee

TITLE: Criminal records: custodian.

STATUS: 08/06/2009-Chaptered by Secretary of State - Chapter No. 50, Statutes of 2009

SUMMARY: Existing law generally regulates how criminal records are maintained. This bill would, commencing January 1, 2011, require the Department of Justice to establish, implement, and maintain a confirmation program to process fingerprint-based criminal record background clearances on individuals designated by an agency as a custodian of records. The bill would require agencies to designate a custodian of records, and to annually notify the department as to the identity of the agency's custodian of records. This bill contains other related provisions and other existing laws.

[SB 548](#)

AUTHOR: Huff

TITLE: California Disabled Veteran Business Enterprise Program.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 595, Statutes of 2009

SUMMARY: Under existing law, the Department of General Services, except in the case of contracts for professional bond services, is the administering agency of the California Disabled Veteran Business Enterprise Program, which requires state agencies and all other state entities contracting for materials, supplies, equipment, alteration, repair, or improvement to have at least 3% participation goals for disabled veteran business enterprises. Existing law specifies the duties of the Department of General Services and the Department of Veterans Affairs in meeting that requirement, and sets standards for meeting the program's participation goals, as provided. This bill would require an awarding department, upon completion of an awarded contract for which a commitment to achieve a disabled veteran business enterprise goal was made, to require the prime contractor that entered into a subcontract with a disabled veteran business enterprise to certify to the awarding department certain information pertaining to the contract, and that all payments under the contract have been made to the disabled veteran business enterprise. This bill would also require an awarding department to keep that certification on file. This bill would specify that a person or entity that knowingly provides false information is subject to a civil penalty, as specified, and that an action for a civil penalty may be brought by any public prosecutor in the name of the people of the State of California. This bill contains other related provisions.

Chaptered Bills – Senate Bills

[SB 588](#)

AUTHOR: Committee on Public Safety

TITLE: Sex Offender Management Board.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 191, Statutes of 2009

SUMMARY: Existing law establishes the Sex Offender Management Board, as specified, under the jurisdiction of the Department of Corrections and Rehabilitation. The purpose of the board is to address issues, concerns, and problems related to the community management of the state's adult sex offenders, with a goal of safer communities and reduced victimization. Existing law requires the board to conduct a thorough assessment of current management practices for adult sex offenders and to submit a report to the Legislature on that assessment. Under existing law, the board is also required to develop recommendations to improve management practices for those offenders, as specified, and the provisions creating the board remain effective only until January 1, 2010. This bill would delete the repeal date of January 1, 2010, thereby making those provisions operative indefinitely.

[SB 644](#)

AUTHOR: Denham

TITLE: Civil service examinations: veterans' preference.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 357, Statutes of 2009

SUMMARY: Existing civil service law requires that veterans be allowed preference points for civil service employment, as specified. Existing law provides that disabled veterans who become eligible for certification from eligible lists by attaining the passing mark established for an entrance examination held on an open, nonpromotional basis are allowed 10 additional points. Other veterans are allowed 5 additional points. This bill would instead provide that disabled veterans shall be allowed 15 additional points and other veterans shall be allowed 10 additional points.

[SB 651](#)

AUTHOR: Romero

TITLE: Pupil retention.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 197, Statutes of 2009

SUMMARY: Existing law requires the governing board of each school district and each county superintendent of schools to adopt policies regarding pupil promotion and retention. Existing law requires the Commission on Teacher Credentialing, the state board, and the department to provide to the State Chief Information Officer the individual nonpersonally identifiable or aggregate data related to adequate yearly progress, graduation rates, pupils

Chaptered Bills – Senate Bills

who drop out of school, and demographics of pupils and teachers. This bill would require the Superintendent, on or before August 1, 2011, and annually thereafter, to submit to the Governor, the Legislature, and the state board, a report called the Annual Report on Dropouts in California. The bill would require, among other things, that the report contain specified information on dropout rates, graduation rates, pupil promotion rates, course enrollment patterns, and behavioral data. The bill would require that the report include data from the most recent year and, at a minimum, the two prior years. The bill would also require the Superintendent to make an oral presentation of the contents of the report to the state board and to make the contents of the report available on the department's Internet Web site. The bill would state the intent of the Legislature that the report be usable by specified groups for analyzing the high rate of dropouts in California. This bill contains other related provisions and other existing laws.

SB 678

AUTHOR: Leno

TITLE: Criminal recidivism.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 608, Statutes of 2009

SUMMARY: Existing law authorizes the Department of Corrections and Rehabilitation to oversee programs for the purposes of reducing parolee recidivism. This bill would authorize each county to establish a Community Corrections Performance Incentives Fund (CCPIF) and would authorize the state to annually allocate money into a State Corrections Performance Incentives Fund to be used for specified purposes relating to improving local probation supervision practices and capacities, as specified. This bill would require the Director of Finance, in consultation with the Department of Corrections and Rehabilitation, the Joint Legislative Budget Committee, the Chief Probation Officers of California, and the Administrative Office of the Courts, to calculate the amount of money to be appropriated from the state fund into a CCPIF. This bill would specify that the calculation would be based on costs avoided by the Department of Corrections and Rehabilitation because of a reduction in the percentage of adult probationers sent to prison for a probation failure, as specified. This bill would also require each county using CCPIF funds to identify and track specific outcome-based measures, as specified, and report to the Administrative Office of the Courts on the effectiveness of the programs paid for by the CCPIF. This bill contains other related provisions and other existing laws.

SBX2 4

AUTHOR: Cogdill

TITLE: Public contract: design-build: public private partnerships.

STATUS: 02/20/2009-Chaptered by Secretary of State - Chapter No. 2, Statutes of 2009

SUMMARY: Existing law designates the Judicial Council as the entity having full

Chaptered Bills – Senate Bills

responsibility, jurisdiction, control, and authority over trial court facilities for which title is held by the state, including the acquisition and development of facilities. This bill would also authorize the Director of General Services or the Secretary of the Department of Corrections and Rehabilitation, as appropriate, to use the design-build procurement process in contracting and procuring a state office facility or prison facility, and would authorize the Judicial Council to use that same process in contracting and procuring a court facility, but would limit this authorization to 5 total projects, to be approved by the Department of Finance, as specified. The bill would require the Department of General Services, the Department of Corrections and Rehabilitation, and the Judicial Council to submit to the Joint Legislative Budget Committee, before January 1, 2014, a report containing a description of each public works project procured through the design-build process, as specified. The bill would require a bidder participating in the process to provide written declarations, subject to misdemeanor penalties, and would thereby impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SBX3 1

AUTHOR: Ducheny

TITLE: 2009-10 Budget.

STATUS: 02/20/2009-Chaptered by Secretary of State - Chapter No. 1, Statutes of 2009

SUMMARY: This bill would make appropriations for support of state government for the 2009-10 fiscal year. The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 19, 2008. This bill contains other related provisions.

GOVERNOR'S MESSAGE: Governor State of California Governor's Office Item 0110-001-0001-For support of Senate I am not reducing the Legislature's budget to reflect the \$24.9 million in cuts included in my proposed budget. While I am not reducing the Legislature's budget, I expect the Legislature to achieve savings that equal 10 percent of their budget, by taking action to offset General Fund expenditures in state programs and other areas of the budget. For the complete text of the Governor's message, see [here](#).

SBX3 2

AUTHOR: Ducheny

TITLE: Budget Act of 2008: revisions.

STATUS: 02/20/2009-Chaptered by Secretary of State - Chapter No. 2, Statutes of 2009

SUMMARY: The Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008) made appropriations for the support of state government during the 2008-09 fiscal year. This bill would amend the Budget Act of 2008 to make adjustments to certain items of appropriations. The bill would authorize the Director of Finance to allocate necessary reductions in employee compensation from General Fund items in the amount of \$385,762,000 and from items

Chaptered Bills – Senate Bills

relating to other funds in the amount of \$285,196,000. The bill would state the intent of the Legislature that reductions in employee compensation will result in General Fund savings of \$1,024,326,000 and other fund savings of \$688,375,000 in the 2009-10 fiscal year. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: Governor State of California Governor's Office I object to the following appropriations contained in Senate Bill 2 Third Extraordinary Session. Item 2660-013-0042-For transfer by the Controller from the State Highway Account, State Transportation Fund, to the Transportation Debt Service Fund to be used as specified in Section 16965 of the Government Code. I am eliminating this item consistent with the Budget agreement to eliminate the proposed \$0.12 excise tax increase on gasoline and diesel fuel. With the above deletions, revisions, and reductions, I hereby approve Senate Bill 2 Third Extraordinary Session. ARNOLD SCHWARZENEGGER

SBX3 8

AUTHOR: Ducheny

TITLE: State and local government.

STATUS: 02/20/2009-Chaptered by Secretary of State - Chapter No. 4, Statutes of 2009

SUMMARY: Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates. These procedures require the Controller to pay any eligible claim by August 15 or 45 days after the date the appropriation for the claim is effective, whichever is later. This bill would change the date the Controller is required to pay any eligible claim to October 15 or 60 days after the date the appropriation for the claim is effective, whichever date is later. This bill contains other related provisions and other existing laws.

SBX3 14

AUTHOR: Ducheny

TITLE: Prison facilities: construction.

STATUS: 02/20/2009-Chaptered by Secretary of State - Chapter No. 16, Statutes of 2009

SUMMARY: Existing law, the Public Safety and Offender Rehabilitation Services Act of 2007, requires the Department of Corrections and Rehabilitation to design, construct, or renovate prison housing units, prison support buildings, and programming space in order to add approximately 7,484 beds at specified adult correctional facilities, and authorizes the department to develop approximately 12,000 new prison beds overall, including appropriate programming space, and to acquire land, design, construct, and renovate reentry program facilities, and to construct and establish new buildings at facilities under the jurisdiction of the department to provide medical, dental, and mental health treatment or housing for 6,000

Chaptered Bills – Senate Bills

inmates, as specified. This bill instead would remove the limitation on the number of beds that are required to be constructed at specified facilities, while maintaining the 12,000 bed maximum, and would delete the word "prison" from the types of facilities that are affected by the bill and replace it with "facilities under the jurisdiction of the department." This bill contains other related provisions and other existing laws.

SBX3 18

AUTHOR: Ducheny

TITLE: Corrections.

STATUS: 10/11/2009-Chaptered by the Secretary of State, Chapter Number 28, Statutes of 2009

SUMMARY: Existing law establishes certain values for determining if theft or certain other property crimes are punishable as felonies or not. Existing law provides that for many of these crimes, the threshold is \$400, while the thresholds for certain other crimes are \$100, \$200, and \$1,000, as specified. This bill would increase certain of those thresholds, for example, by increasing certain \$400 thresholds to \$950. This bill contains other related provisions and other existing laws.

SBX4 13

AUTHOR: Ducheny

TITLE: Courts omnibus bill: public safety.

STATUS: 07/28/2009-Chaptered by Secretary of State. Chapter 22, Statutes of 2009-10 Fourth Extraordinary Session.

SUMMARY: Existing law sets the fees at \$15 or \$20 for various court services, including, but not limited to, issuing a writ for the enforcement of an order or judgment, issuing an abstract of judgment, recording or registering any license or certificate, issuing an order of sale, and filing and entering an award under the Workers' Compensation Law. This bill would increase those fees by \$10, and would provide that the \$10 fee increase shall be transmitted quarterly for deposit in the Trial Court Trust Fund and, commencing July 1, 2011, used by the Judicial Council for implementing and administering the civil representation pilot program, as described. This bill contains other related provisions and other existing laws.

Vetoed Bills

[AB 1](#)

AUTHOR: Monning

TITLE: Teachers: program of professional growth: conflict resolution.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the issuance and renewal of teaching credentials. Existing law expresses the Legislature's intent to encourage teachers to engage in an individual program of professional growth that extends a teacher's content knowledge and teaching skills. Existing law provides that an individualized program of professional growth may consist of specified activities and courses. This bill would specify that an individualized program of professional growth may include a course in negotiation, mediation, and conflict resolution, including peer mediation training and the theory and practice of nonviolence. The bill would specify that the course may include basic negotiation skills, communication skills, basic mediation and peer mediation, and theory and practice of nonviolence and peace building.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1 without my signature. While I understand the importance of negotiation and conflict resolution skills, this bill is unnecessary since nothing under current law prohibits districts from offering these courses as part of their professional development programs. Therefore, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 261](#)

AUTHOR: Salas

TITLE: Pupil records: privacy rights.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law prohibits a school district from permitting access to pupil records to any person without written parental consent or judicial order, except as provided. This bill would make various changes to these pupil record provisions to conform them to federal law.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 261 without my signature. While the stated intent of this bill is purported to conform state special education law to changes to the federal Individuals with Disabilities Education Act, its provisions appear to expand beyond federal requirements, and therefore could expose the State to significant reimbursable state mandate costs. Therefore, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 320](#)

AUTHOR: Solorio

TITLE: County jails: reentry facilities.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law provides state financing for construction of county jails, subject to matching funds from counties, as specified. Existing law requires the Department of Corrections and Rehabilitation and the Corrections Standards Authority to give funding

Vetoed Bills

preference for those purposes to counties that assist the state in siting reentry facilities, as specified. This bill would require the Department of Corrections and Rehabilitation and the Corrections Standards Authority to give coequal funding preference to counties that assist the state in either siting reentry facilities or providing existing beds and program space in county jails for use as reentry facilities. The bill would provide that a county interested in providing reentry services to state inmates shall be required to enter into a long-term agreement with the department to provide those services and that the department shall certify that the proposed reentry services meet its approval.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 320 without my signature. This measure would require the Department of Corrections and Rehabilitation and the Corrections Standards Authority, when providing funds pursuant to AB 900 (Solorio, Chapter 7, Statutes of 2007), to give coequal funding preference to counties that assist the state in either siting reentry facilities or providing existing beds and program space in county jails for use as reentry facilities. While I appreciate the Legislature's efforts to provide local jail construction funding, which could help the state achieve its goal of providing up to 6,000 new reentry beds, I cannot approve this measure because it fails to define what would constitute an acceptable "long-term agreement" between the state and local governments. Furthermore, I am unable to sign this measure while significant reforms to AB 900 remain unaddressed as a result of the newly memorialized construction partnership between the Administration and the Federal Receiver. In order to fully implement AB 900, I urge the Legislature, at the very least, to do the following: (1) provide permissive authority for the Secretary of the Department of Corrections and Rehabilitation to accept assignment of any planning/design/construction contracts already entered into by the Receiver, and to continue projects (pursuant to Public Works Board approval) that have already begun with these contracts; (2) amend AB 900 to provide access to Phase II medical/mental health dental funding and/or shifting of funding from infill to medical/mental health/dental to construct a Consolidated Care Center facility; and (3) extend authority for the transfer of inmates to prisons in other states to July 1, 2014. The above stated issues need to be addressed in order to expedite and facilitate the construction of both existing facility improvements and new facilities. Construction of these facilities is essential to ensure compliance with existing court mandates related to medical care, mental health care, and dental care. For these reasons, I am unable to sign this bill. Sincerely,
Arnold Schwarzenegger

[AB 382](#)

AUTHOR: Ammiano

TITLE: Department of Corrections and Rehabilitation: inmates and wards: classification.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law requires the Department of Corrections and Rehabilitation to classify inmates and wards in order to prevent inmate and ward sexual violence and to promote inmate and ward safety, as specified. Existing law also requires the department to consider specified

Vetoed Bills

risk factors when classifying the inmate. This bill would add the sexual orientation and gender identity of the inmate or ward, as specified, to the list of risk factors to be considered.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 382 without my signature. This bill would add, among other provisions, the sexual orientation and gender identity of an inmate or ward to the list of risk factors considered as part of the California Department of Corrections and Rehabilitation's(CDCR) inmate and ward classification and housing assignment procedures. This bill is unnecessary because CDCR already considers these factors when determining where to house inmates. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 472](#)

AUTHOR: Blumenfield

TITLE: Earthquake and emergency preparedness.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law, the California Emergency Services Act, requires the California Emergency Management Agency (Cal EMA) to be responsible for the state's emergency and disaster response services, and requires state entities to cooperate with Cal EMA in carrying out its duties. This bill would, beginning on July 1, 2010, authorize Cal EMA to require any state entity that publishes an Internet Web site to prominently display on the homepage of that Internet Web site a link, as specified by Cal EMA, that connects a user to an Internet Web page created and maintained by Cal EMA, in consultation with the Seismic Safety Commission, that provides specified information regarding earthquake and emergency preparedness for the home and workplace.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 472 without my signature. This bill authorizes the California Emergency Management Agency to require any state agency that publishes an Internet website to prominently display a text or graphical link to an earthquake preparedness website. This measure is unnecessary. Earthquake preparedness information is readily available on the websites of the California Emergency Management Agency, the Federal Emergency Management Agency, and the United States Geological Survey and is easily discovered by anyone searching it out. However, to ensure optimal availability of disaster preparedness information, I am instructing other agencies that respond to disasters to post links to the California Emergency Management Agency website. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 504](#)

AUTHOR: Furutani

TITLE: Peace officers: training.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law establishes the Commission on Peace Officer Standards and Training within the Department of Justice. Under existing law, the commission is required to

Vetoed Bills

develop and implement training programs for peace officers relative to certain areas of criminal law or procedure. This bill would require the commission to create and make available to all law enforcement agencies training content on how to recognize and interact with persons carrying a kirpan, as specified. The bill would require that the training content include instruction on how arrests of Sikhs carrying a kirpan have historically been treated and the alternatives to those arrests and detentions that have successfully been used. This bill would define a kirpan as a blade that resembles a sword and is required to be carried as an integral part of the practice of the Sikh faith.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 504 without my signature. This bill would require the Commission on Peace Officer Standards and Training to create and make available to all law enforcement agencies training content on how to recognize and interact with persons carrying a kirpan, as specified. This measure is unnecessary. It is the policy and practice of the Commission to periodically review and update existing course curricula. If the Commission determines that training on the kirpan is warranted, it can create a program without this measure. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 579

AUTHOR: Huber

TITLE: State boards and commissions: audits.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Under existing law, the Bureau of State Audits has statutory audit and evaluation duties. Existing law specifies that the State Auditor, who is appointed by the Governor, is the head of the Bureau of State Audits. This bill would require the State Auditor to annually, upon appropriation by the Legislature, audit the workload of at least 2 state boards or commissions comprised of board members or commissioners to whom the state pays an annual salary for their service on those state boards and commissions. The State Auditor would be required to make findings for each state board or commission audited regarding the workload of that state board or commission and the number of hours necessary for each board member or commissioner to work to fulfill his or her duties to that state board or commission. The State Auditor would be required to complete these audits and make these findings by December 31 of each year. The State Auditor would also be required to annually report to the Legislature and the Governor regarding these audits and findings. The State Auditor would be required to audit the workload of the California Unemployment Insurance Appeals Board in accordance with the above provisions, by December 31, 2010. The bill would appropriate \$125,000 from the Unemployment Administration Fund to the Bureau of State Audits for this purpose.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 579 without my signature. I am supportive of the intent of this bill to audit the workload of salaried board members or commissioners, beginning with the California Unemployment Insurance Appeals Board. However, the legislature already has a process in place through its Joint Legislative Audit

Vetoed Bills

Committee, to request audits conducted by the California State Auditor on virtually any state operation. Therefore, the statutory authorization to do so in this bill is unnecessary. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 653

AUTHOR: Feuer

TITLE: Peace officers: marital privilege.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law provides that a spouse has a privilege during the marital relationship and afterwards to refuse to disclose, and to prevent another from disclosing, a communication if the spouse claims the privilege and the communication was made in confidence between the spouses while they were husband and wife. A married person also has a privilege not to testify against his or her spouse in any proceeding and, when the spouse is a party to a proceeding, a privilege not to be called as a witness by an adverse party to that proceeding without the prior express consent of the spouse having the privilege. The Public Safety Officers Procedural Bill of Rights Act provides various rights and protections to peace officers, including the procedure for interrogation of peace officers who are under investigation. This bill would provide that a peace officer who asserts any of the marital privileges described above shall not be subject to administrative discipline for failure to report information to his or her supervisor or department, except when the information concerns criminal or certain other conduct of the peace officer's spouse, who is also a peace officer employed by the department, and other specified conditions apply. The bill would provide that this provision would only apply to administrative disciplinary investigations and hearings, and not to other civil or criminal proceedings.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 653 without my signature. This measure would overturn a recent court decision and extend the marital privilege to administrative, investigatory hearings conducted by law enforcement agencies. While the sanctity of marriage should be protected, peace officers must also honor the relationships they have with the agencies and communities in which they work. If the marital privilege doctrine were extended to hide corruption between peace officer spouses, the relationship between spouses may benefit. However, the law enforcement agency and its reputation within the community would suffer irreparable harm. Although this measure is narrowly drawn, society's interest in protecting marital communications should not extend beyond the courthouse and into peace officer disciplinary proceedings. For these reasons I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[AB 756](#)

AUTHOR: Eng

TITLE: Public contracts: information: Internet Web site.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law governing contracting between state agencies and private contractors sets forth requirements for the procurement of supplies, materials, equipment, and services by state agencies and sets forth the various responsibilities of the Department of General Services and other state agencies in overseeing and implementing state contracting procedures and policies. This bill would require a state agency, except as specified, to provide a link to a centrally located and accessible state-run Internet Web site that includes a list of the personal services and consulting services contracts, as defined, entered into by the agency. This bill would require the listings on the state's Internet Web site to include specified information, and would require, on and after January 1, 2012, a summary of a contract to be initially posted within 15 working days of being signed by all parties. This bill would require the Director of the Department of General Services to maintain the Internet Web site and to establish the publishing of the contract listing information. This bill would also authorize the department to use the services of any state agency. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 756 without my signature. While I am supportive of greater transparency in government, this legislation would be duplicative of current reporting practices and increases workload and costs to departments at a time when the state continues to experience a significant budget shortfall. My Administration is currently implementing many of the provisions of this legislation within the existing appropriation of the Department of General Services to increase transparency. For this reason I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 793](#)

AUTHOR: Jones

TITLE: Employment: discrimination.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law contains provisions that define unlawful discrimination and employment practices and establish procedures for an employee who has suffered discrimination or other unlawful practices, as defined, to file a complaint with the Fair Employment and Housing Department, or under certain circumstances, to bring a civil action against his or her employer. This bill would specify when a cause of action for unlawful discrimination or unlawful employment practice with respect to compensation accrues for determining whether a complaint was filed within statutory deadlines.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 793 without my signature. The bill seeks to address the United States Supreme Court's decision in Ledbetter v. Goodyear Tire and Rubber Co, which dealt with an interpretation of federal law. However, Congress has

Vetoed Bills

already abrogated this decision by enacting the Lilly Ledbetter Fair Pay Act earlier this year. Therefore, this bill is unnecessary as it addresses a decision that has been mooted by subsequent legislation that has no direct application in California. Moreover, as drafted, this measure is far more expansive than the federal law and could pose unreasonable and unlimited liability for California employers. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

AB 807

AUTHOR: Fuentes

TITLE: Restitution centers.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law establishes restitution centers for inmates to provide a means for those sentenced to prison to be able to pay their victims' financial restitution, as specified. This bill would revise what is included by the term "restitution" for these purposes, and provide that inmates who commit crimes involving direct victims shall receive priority placement in restitution centers, as specified. The bill would require the Department of Corrections and Rehabilitation, no later than June 30, 2011, to reopen and operate 2 restitution centers. The bill would provide that this requirement shall not become operative if certain reforms are implemented, as specified. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 807 without my signature. Existing law already provides the authority for the California Department of Corrections and Rehabilitation to open and maintain restitution centers. The closings of the previous centers were based on fiscal evaluation of the operations. This bill is an unnecessary and unwarranted interference in these operations, particularly in light of the state's fiscal crisis. Additionally, this bill may be premature as ongoing litigation and measures to address the prison population are being developed. Sincerely, Arnold Schwarzenegger

AB 828

AUTHOR: Lieu

TITLE: Green building standards.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law requires the State Energy Resources Conservation and Development Commission to prescribe, by regulation, energy conservation and water efficiency standards for new residential and nonresidential buildings to reduce wasteful, uneconomic, inefficient, or unnecessary consumption of energy. This bill would require the commission or any state agency proposing green building standards to seek the input of other state agencies and consult with representatives from specified groups, as prescribed. The bill would require any agency providing input to recommend to the commission or proposing agency whether the standard should be voluntary or mandatory. The bill would also authorize the State Energy Resources Conservation and Development Commission to develop and

Vetoed Bills

adopt voluntary energy efficiency standards, as described. This bill contains other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 828 without my signature. AB 828 is intended to require any state agency proposing green building standards to seek the input of other state agencies, environmental advocacy groups, the building construction and design industries, and other interested public parties. Also, the bill would require that green building standards be intended to protect the public's health and safety, minimize a building's impact on the environment through efficient use of natural resources, promote occupant health, and reduce strain on the local infrastructure while utilizing best available technology and building practices. The California Building Standards Commission and other state agencies proposing building standards currently follow strict requirements for the development of all regulations, including building standards. Also, they utilize work groups and focus groups extensively in the development process. These meetings are open to all who want to participate. In addition, the bill emphasizes that green building standards are to include, but not be limited to, site planning, water efficiency, energy efficiency, materials and resource efficiency, reduction of toxic chemicals, indoor air quality, and environmental quality. The state's current green building standards encompass these aspects of green building. Because of this, I find the bill to be redundant of current regulatory development and adoption processes, and therefore unnecessary. For this reason I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 845](#)

AUTHOR: Bass

TITLE: Corrections: Reentry Advisory Committee.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law requires the Secretary of the Department of Corrections and Rehabilitation to establish a Reentry Advisory Committee, comprised as specified, to advise the secretary on matters related to the successful planning, implementation, and outcomes of all reentry programs and services in the department, with the goal of reducing recidivism. Existing law repeals these provisions on January 1, 2011. This bill would impose additional requirements on the committee, including that the committee seek and apply for federal funds, develop a comprehensive strategic reentry plan seeking to reduce the recidivism rate, develop a comprehensive resource guide for entities working to address reentry issues, and issue reports, as specified. The bill would expand the membership of the committee. The bill would extend the repeal date on these provisions until January 1, 2016.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 845 without my signature. This bill would impose new requirements upon the Reentry Advisory Committee (RAC), including a requirement that the RAC seek and apply for federal funds, develop a comprehensive reentry plan, submit various advisory reports to the Legislature and Governor, and would also increase the number of individuals on the Committee. In addition, the RAC would be required to develop a comprehensive resource guide for use by various entities and the public. AB 845 also

Vetoed Bills

extends the sunset date of the RAC from January 1, 2011 to January 1, 2016. This bill imposes several new duties upon the RAC without providing any new funding to pay for them. I cannot sign a bill that creates such unfunded mandates for the State of California during this time of fiscal crisis. For these reasons, I am returning this bill without my signature. Sincerely,
Arnold Schwarzenegger

[AB 921](#)

AUTHOR: Jones

TITLE: Juvenile court jurisdiction: services and benefits.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law provides that a minor may be adjudged a dependent child or a ward of the juvenile court under specified circumstances. Existing law authorizes the court to place a minor who has been removed from the custody of his or her parent or guardian in foster care among other placements, as specified. Existing law provides for the termination of the juvenile court jurisdiction when the minor reaches a specified age. This bill would require a probation officer or parole officer, whenever the juvenile court terminates jurisdiction over a ward, or upon release of a ward from a nonfoster care facility, to provide to the person a written notice stating that the person is a former foster child and may be eligible for the services and benefits that are available to a former foster child through public and private programs, and information that informs the person of the availability of, and assistance to enable the ward to apply for and gain acceptance into, federal and state programs that provide independent living services and benefits to former foster children for which the person is or may be eligible. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 921 without my signature. This bill would require county probation officers and parole officers to ensure that minors under the jurisdiction of the juvenile court be provided with written notification of services and benefits they may be eligible for upon termination of court jurisdiction. This bill also would require probation officers and parole officers to provide assistance in obtaining those services and benefits. This bill would create local mandated costs attributable to the requirement that county probation officers provide specified information and assistance to juvenile wards of the court. Given the state's severe economic climate and the social services reductions being implemented, it is not prudent to expand requirements imposed on state and local governmental programs. Therefore, I am returning this bill without my signature. Sincerely,
Arnold Schwarzenegger

[AB 1006](#)

AUTHOR: Buchanan

TITLE: State buildings: building locations: considerations.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: The State Building Construction Act of 1955 generally sets forth procedures for

Vetoed Bills

the acquisition and construction of state buildings. Existing law requires the Department of General Services to prepare plans and specifications for any public building constructed pursuant to the act. This bill would require, notwithstanding any other provision of law, the department to consider specified factors in selecting a location for the lease, lease with the option to purchase, construction, or purchase of a state building in excess of 10,000 square feet.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1006 without my signature. This bill requires the state to consider the residential location of the workforce to be housed in the building, giving a priority to areas that can demonstrate the highest reduction of miles traveled by its workforce. This bill is unnecessary, as the Department of General Services already considers a number of factors when considering where to locate a building. Further, I believe the highest priority for locating state buildings is, and should remain, the ability to provide services to the citizens of California. For these reasons I am unable to sign this bill. Sincerely,
Arnold Schwarzenegger

[AB 1439](#)

AUTHOR: Solorio

TITLE: Gang and youth violence: prevention.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Under existing law, the Office of Gang and Youth Violence Policy, which is in the Governor's Office of Emergency Services, is responsible for identifying and evaluating gang and youth violence programs and strategies, along with funding for those efforts. The Director of the Office of Gang and Youth Violence Policy is responsible for monitoring, assessing, and coordinating the state's gang and youth violence programs, as specified. This bill would require the director, subject to statutory limits and directives, to make recommendations to streamline existing state agency gang and youth violence grant programs with a goal toward giving priority to grant programs that employ evidence-based practices. It would require the director to create a working group consisting of representatives of state offices and representatives of other specified stakeholders to assist in this effort, with the director serving as the chairperson. The bill would require the working group to advise the office on the task of streamlining grant programs that address gang and youth violence, in accordance with certain procedures. This bill contains other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1439 without my signature. This measure would require the Director of the Office of Gang and Youth Violence Policy, subject to statutory limits and directives, to make recommendations to streamline existing state agency gang and youth violence grant programs, to create a working group to assist in this effort, and to develop a final report on their findings to be submitted to the Legislature on or before June 1, 2010. While I am supportive of anti-gang initiatives and programs, this measure would increase costs associated with the additional workload for the Office of Gang and Youth

Vetoed Bills

Violence Policy at a time when the state can least afford to do so. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[ABX1 8](#)

AUTHOR: Committee on Budget

TITLE: Department of Corrections and Rehabilitation.

STATUS: 01/06/2009-Vetoed by Governor. VETOED

SUMMARY: Existing law establishes certain values for determining if theft or certain other property crimes are punishable as felonies or not. Existing law provides that for many of these crimes, the threshold is \$400, while the thresholds for certain other crimes are \$100, \$200, and \$1,000, as specified. This bill would increase those thresholds uniformly; for example by increasing the \$400 threshold to \$950. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: To the Members of the California State Assembly: I am returning Assembly Bill X1 8 without my signature because it is part of a package of bills that does not deal with California's current budget and economic crisis. This package of bills punishes Californians by raising revenue without providing permanent and ongoing cuts, does not create jobs or stimulate our economy, does not allow government to run more efficiently in California, and makes no attempt to keep people in their homes. Sincerely, Arnold Schwarzenegger

[ABX1 10](#)

AUTHOR: Committee on Budget

TITLE: Prison facilities: construction.

STATUS: 01/06/2009-Vetoed by Governor. VETOED

SUMMARY: Existing law, the Public Safety and Offender Rehabilitation Services Act of 2007, requires the Department of Corrections and Rehabilitation to design, construct, or renovate prison housing units, prison support buildings, and programming space in order to add approximately 7,484 beds at specified adult correctional facilities, and authorizes the department to develop approximately 12,000 new prison beds overall, including appropriate programming space, and to acquire land, design, construct, and renovate reentry program facilities, and to construct and establish new buildings at facilities under the jurisdiction of the department to provide medical, dental, and mental health treatment or housing for 6,000 inmates, as specified. This bill instead would remove the limitation on the number of beds that are required to be constructed at specified facilities, while maintaining the 12,000 bed maximum, and would delete the word "prison" from the types of facilities that are affected by the bill and replace it with "facilities under the jurisdiction of the department." This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: To the Members of the California State Assembly: I am returning Assembly Bill X1 10 without my signature because it is part of a package of bills that does not deal with California's current budget and economic crisis. This package of bills punishes

Vetoed Bills

Californians by raising revenue without providing permanent and ongoing cuts, does not create jobs or stimulate our economy, does not allow government to run more efficiently in California, and makes no attempt to keep people in their homes. Sincerely, Arnold Schwarzenegger

SB 20

AUTHOR: Simitian

TITLE: Personal information: privacy.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law requires any agency, and any person or business conducting business in California, that owns or licenses computerized data that includes personal information, as defined, to disclose in specified ways, any breach of the security of the system or data, as defined, following discovery or notification of the security breach, to any California resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. This bill would require any agency, person, or business that is required to issue a security breach notification pursuant to existing law to fulfill certain additional requirements pertaining to the security breach notification, as specified. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I am returning Senate Bill 20 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

SB 115

AUTHOR: Lowenthal

TITLE: Public employment.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: The California Constitution requires Members of the Legislature, and all public officers and employees, to take and subscribe a specified oath of office. The California Constitution permits inferior officers and employees to be exempted by law from this requirement. This bill would require that a public employee or applicant seeking public employment be permitted to decline to take and subscribe the oath of office based on moral,

Vetoed Bills

ethical, or religious beliefs that conflict with his or her ability to take and subscribe the oath without mental reservation, if he or she is otherwise willing and able to uphold the United States Constitution and the constitution and laws of this state and to complete the duties of employment. The bill would require that person to sign a statement that he or she declines to take and subscribe the oath required pursuant to existing law, based on moral, ethical, or religious beliefs that conflict with his or her ability to take that oath, as specified, and to take and subscribe a specified alternate statement to that effect. The bill would except from these provisions a public officer, employee, or applicant for public employment who is elected or who serves at the pleasure of an elected official. The bill would also make conforming changes and make a related statement of legislative findings.

GOVERNOR'S MESSAGE: I am returning Senate Bill 115 without my signature. Existing law already requires public employers, including the State of California, to accommodate an employee whose sincerely held religious beliefs conflict with an employment requirement. Therefore, this bill is unnecessary. For this reason I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[SB 196](#)

AUTHOR: Corbett

TITLE: Emergency medical services.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Under existing law, the State Department of Public Health administers provisions governing the licensure and regulation of health facilities, including hospitals. A violation of these provisions is a crime. Existing law requires any hospital that provides emergency medical services to provide notice of any intended elimination or reduction of emergency services as soon as possible, but not later than 90 days prior to a planned elimination or reduction in services to the department, the local government agency in charge of health services, and specified entities under contract with the hospital to provide the services. Existing law requires a health facility that implements a downgrade or closure to make reasonable efforts to ensure that the community served by the facility is informed. This bill would, instead, require the notice to be provided 120 days prior to the planned reduction or elimination of the level of emergency medical services, and would require the notice to also be provided to all employees of the hospital. It would also require that the hospital provide public notice of, and hold a minimum of 3 public meetings on, the intended change in a manner that is likely to reach a significant number of residents of the community served by the facility. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 196 without my signature. While I share the author's concern about the significant strain being placed on our emergency room network in California, I cannot support a bill that would mandate a hospital to maintain specific services when those services are not a requirement of licensure. Forcing hospitals to keep an emergency room open, especially when they are closing because of financial circumstances,

Vetoed Bills

will only jeopardize patient care due to the rapid attrition of medical and nursing staff, as well as suppliers. For this reason, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

SB 257

AUTHOR: Pavley

TITLE: Lactation accommodation: state employees.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law requires employers, including the state, to provide a reasonable amount of break time to employees desiring to express breast milk. Employers are also required to make reasonable efforts to provide the use of a room, or other location, other than a toilet stall, in close proximity to the employees' work area, for the employee to express milk in private. This bill would require every state agency and department, including local offices, when notified by a female employee that she is nearing maternity leave, to notify the employee, through its usual channels of communication with state employees and in the most cost-effective manner, of specified information regarding breast-feeding, including an explanation and summary of the provisions described above relating to lactation accommodation, information regarding lactation accommodation on the Internet Web site of the Department of Public Health, and a listing of other comprehensive breast-feeding support organizations with Internet links. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 257 without my signature. This bill would require every state agency and department, including local offices, when notified by a female employee that she is nearing maternity leave, to notify the employee of information regarding lactation accommodation on the Internet Web site of the Department of Public Health. While I appreciate the author's intent, I believe that this bill is unnecessary. Current law already requires that accommodation be made for lactating employees. I do not believe it has been adequately demonstrated that employees are unaware of their options. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

SB 802

AUTHOR: Leno

TITLE: Works of improvement: progress payments: notice: retention proceeds.

STATUS: 10/11/2009-Vetoed by the Governor

SUMMARY: Existing law requires that, for private and public works of improvement, and in a public works contract, a prime contractor or subcontractor pay to any subcontractor, not later than 10 days after receipt of each progress payment, unless otherwise agreed to in writing, the respective amount allowed the contractor on account of the work performed by the subcontractors, to the extent of each contractor's interest therein, as prescribed. This bill would, instead, require that those amounts be paid not later than 7 days after receipt of each progress payment. This bill contains other related provisions and other existing laws.

Vetoed Bills

GOVERNOR'S MESSAGE: I am returning Senate Bill 802 without my signature. Under current law, public entities, at a minimum, must retain 5 percent of a payment to a contractor completing a public works project. This bill would restrict the State's ability to retain more than 5 percent of payment and no more than 5 percent of the public work contract price. When a contractor fails to complete a public works project, the public entity needs recourse to ensure that the project gets completed. Public works contracts have a higher level of risk as public entities usually have to accept the low bidder. Though there are options available to the State to go after a contractor who fails to complete the terms of a public works contract, retaining portions of payment to the contractor provides incentive for the contractor to complete the project. While I am sympathetic with the concerns of subcontractors, the State's responsibility is to protect the taxpayer to make certain that public works projects are completed correctly and within budget; limiting the retention amount hampers the State's ability to do that. For these reasons, I am returning this bill. Sincerely, Arnold Schwarzenegger

SBX1 3

AUTHOR: Ducheny

TITLE: Budget Act of 2008: revisions.

STATUS: 01/06/2009-Vetoed by Governor. VETOED

SUMMARY: The Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008) made appropriations for the support of state government during the 2008-09 fiscal year. This bill would amend the Budget Act of 2008 to make adjustments to certain items of appropriations. The bill would authorize the Director of Finance to allocate necessary reductions in employee compensation from General Fund items in the amount of \$240,000,000 and from items relating to other funds in the amount of \$149,000,000. The bill would state the intent of the Legislature that reductions in employee compensation will result in General Fund savings of \$417,000,000 and other fund savings of \$255,000,000 in the 2009-10 fiscal year. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: To the Members of the California State Senate: I am returning Senate Bill X1 3 without my signature because it is part of a package of bills that does not deal with California's current budget and economic crisis. This package of bills punishes Californians by raising revenue without providing permanent and ongoing cuts, does not create jobs or stimulate our economy, does not allow government to run more efficiently in California, and makes no attempt to keep people in their homes. Sincerely, Arnold Schwarzenegger

SBX1 4

AUTHOR: Ducheny

TITLE: Environmental quality: surplus state property.

STATUS: 01/06/2009-Vetoed by Governor. VETOED

SUMMARY: Existing law, the California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an

Vetoed Bills

environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. Other provisions of existing law authorize the Department of General Services to dispose of real property that the Legislature has declared surplus, and has directed the disposal of, by the Department of General Services. This bill would exempt from CEQA, unless a specified condition exists, the disposition of a parcel of surplus state real property if the project consists exclusively of the sale or transfer of that property by a state agency. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: To the Members of the California State Senate: I am returning Senate Bill X1 4 without my signature because it is part of a package of bills that does not deal with California's current budget and economic crisis. This package of bills punishes Californians by raising revenue without providing permanent and ongoing cuts, does not create jobs or stimulate our economy, does not allow government to run more efficiently in California, and makes no attempt to keep people in their homes. Sincerely, Arnold Schwarzenegger

SBX1 7

AUTHOR: Ducheny

TITLE: Budget Act of 2008: state and local government.

STATUS: 01/06/2009-Vetoed by Governor. VETOED

SUMMARY: Existing law establishes various funds in the State Treasury. Existing law also provides for the investment of money in the State Treasury, generally, by the Pooled Money Investment Board, in the Pooled Money Investment Account. Interest earned and increments derived from these investments are distributed to the Surplus Money Investment Fund and the General Fund. This bill would authorize the Controller to loan moneys in various funds to the General Fund for specified purposes. The bill would require that, with specified exception, interest be paid on all moneys loaned to the General Fund at a rate determined by the Pooled Money Investment Board to be the current earning rate of the fund from which the moneys were loaned. The bill would not authorize any transfer that would interfere with the carrying out of the object for which the funds were created. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: To the Members of the California State Senate: I am returning Senate Bill X1 7 without my signature because it is part of a package of bills that does not deal with California's current budget and economic crisis. This package of bills punishes Californians by raising revenue without providing permanent and ongoing cuts, does not create jobs or stimulate our economy, does not allow government to run more efficiently in California, and makes no attempt to keep people in their homes. Sincerely, Arnold Schwarzenegger

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2009

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
1	SBX3 1	2009-10 Budget.	Ducheny
2	SBX2 4	Public contract: design-build: public private partnerships.	Cogdill
2	SBX3 2	Budget Act of 2008: revisions.	Ducheny
4	SBX3 8	State and local government.	Ducheny
5	AB 5	Civil discovery: Electronic Discovery Act.	Evans
8	ABX3 12	California State Lottery.	Evans
16	SBX3 14	Prison facilities: construction.	Ducheny
19	ABX4 21	State contracts.	Evans
22	SB 90	Budget Acts of 2007 and 2008: augmentation.	Ducheny
22	SBX4 13	Courts omnibus bill: public safety.	Ducheny
26	SB 33	Marriage and family therapy: licensure and registration.	Correa
28	SBX3 18	Corrections.	Ducheny
32	SB 123	California Career Resource Network Program.	Liu
46	SB 352	Juvenile offenders: health facilities.	Dutton
47	SB 369	Prisoner-of-War/Missing-in-Action Flag: state-owned buildings and facilities.	Maldonado
49	SB 432	Crime victims: restitution.	Runner
50	SB 447	Criminal records: custodian.	Yee
108	AB 430	Corrections: citizens' advisory committees.	Hagman
135	AB 1113	Prisoners: professional mental health providers: marriage and family therapists.	Lowenthal, Bonnie
159	SB 19	Education data.	Simitian
169	SB 148	Mammogram machines: inspection: posting of results.	Oropeza
191	SB 588	Sex Offender Management Board.	Committee on Public Safety
197	SB 651	Pupil retention.	Romero
212	AB 31	Public contracts: Small Business Procurement and Contract Act.	Price
268	AB 1053	Juveniles.	Solorio
276	AB 1166	Parole: hearings: review.	Nielsen
338	SB 118	Child welfare services: incarcerated parents.	Liu
345	SB 169	Identification: honorably retired peace officers.	Benoit
357	SB 644	Civil service examinations: veterans' preference.	Denham
430	AB 307	Sex offenders: working with minors.	Cook
436	AB 361	Workers' compensation: treatment authorization.	Lowenthal, Bonnie
440	AB 400	State agencies: FISCal funds.	De Leon
462	AB 671	Public Safety Golden Shield Award.	Krekorian
494	AB 955	Public Safety Officers Procedural Bill of Rights Act: discipline.	De Leon

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2009

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
506	<u>AB 1083</u>	Health facilities: security plans.	John A. Perez
526	<u>AB 1364</u>	Public contracts: state bonds: grant agreements.	Evans
553	<u>SB 52</u>	Public Safety Officer Medal of Valor.	Correa
565	<u>SB 186</u>	Workers' compensation: medical treatment: predesignation of physician.	DeSaulnier
582	<u>SB 325</u>	Sex offenders: assessments.	Alquist
584	<u>SB 359</u>	Records: disclosure exemptions.	Romero
595	<u>SB 548</u>	California Disabled Veteran Business Enterprise Program.	Huff
608	<u>SB 678</u>	Criminal recidivism.	Leno

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2009

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
<u>AB 5</u>	Civil discovery: Electronic Discovery Act.	Evans	5
<u>AB 31</u>	Public contracts: Small Business Procurement and Contract Act.	Price	212
<u>AB 307</u>	Sex offenders: working with minors.	Cook	430
<u>AB 361</u>	Workers' compensation: treatment authorization.	Lowenthal, Bonnie	436
<u>AB 400</u>	State agencies: FISCal funds.	De Leon	440
<u>AB 430</u>	Corrections: citizens' advisory committees.	Hagman	108
<u>AB 671</u>	Public Safety Golden Shield Award.	Krekorian	462
<u>AB 955</u>	Public Safety Officers Procedural Bill of Rights Act: discipline.	De Leon	494
<u>AB 1053</u>	Juveniles.	Solorio	268
<u>AB 1083</u>	Health facilities: security plans.	John A. Perez	506
<u>AB 1113</u>	Prisoners: professional mental health providers: marriage and family therapists.	Lowenthal, Bonnie	135
<u>AB 1166</u>	Parole: hearings: review.	Nielsen	276
<u>AB 1364</u>	Public contracts: state bonds: grant agreements.	Evans	526
<u>ABX3 12</u>	California State Lottery.	Evans	8
<u>ABX4 21</u>	State contracts.	Evans	19
<u>SB 19</u>	Education data.	Simitian	159
<u>SB 33</u>	Marriage and family therapy: licensure and registration.	Correa	26
<u>SB 52</u>	Public Safety Officer Medal of Valor.	Correa	553
<u>SB 90</u>	Budget Acts of 2007 and 2008: augmentation.	Ducheny	22
<u>SB 118</u>	Child welfare services: incarcerated parents.	Liu	338
<u>SB 123</u>	California Career Resource Network Program.	Liu	32
<u>SB 148</u>	Mammogram machines: inspection: posting of results.	Oropeza	169
<u>SB 169</u>	Identification: honorably retired peace officers.	Benoit	345
<u>SB 186</u>	Workers' compensation: medical treatment: predesignation of physician.	DeSaulnier	565
<u>SB 325</u>	Sex offenders: assessments.	Alquist	582
<u>SB 352</u>	Juvenile offenders: health facilities.	Dutton	46
<u>SB 359</u>	Records: disclosure exemptions.	Romero	584
<u>SB 369</u>	Prisoner-of-War/Missing-in-Action Flag: state-owned buildings and facilities.	Maldonado	47
<u>SB 432</u>	Crime victims: restitution.	Runner	49
<u>SB 447</u>	Criminal records: custodian.	Yee	50
<u>SB 548</u>	California Disabled Veteran Business Enterprise Program.	Huff	595
<u>SB 588</u>	Sex Offender Management Board.	Committee on Public Safety	191
<u>SB 644</u>	Civil service examinations: veterans' preference.	Denham	357
<u>SB 651</u>	Pupil retention.	Romero	197

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2009

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
<u>SB 678</u>	Criminal recidivism.	Leno	608
<u>SBX2 4</u>	Public contract: design-build: public private partnerships.	Cogdill	2
<u>SBX3 1</u>	2009-10 Budget.	Ducheny	1
<u>SBX3 2</u>	Budget Act of 2008: revisions.	Ducheny	2
<u>SBX3 8</u>	State and local government.	Ducheny	4
<u>SBX3 14</u>	Prison facilities: construction.	Ducheny	16
<u>SBX3 18</u>	Corrections.	Ducheny	28
<u>SBX4 13</u>	Courts omnibus bill: public safety.	Ducheny	22

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2009

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/Vetoed</u>
<u>Adult Institutions</u>			
AB 382	Department of Corrections and Rehabilitation: inmates and wards: classification.	Ammiano	VETOED
AB 430	Corrections: citizens' advisory committees.	Hagman	108
AB 807	Restitution centers.	Fuentes	VETOED
SB 118	Child welfare services: incarcerated parents.	Liu	338
SB 447	Criminal records: custodian.	Yee	50
SBX3 18	Corrections.	Ducheny	28
<u>Adult Parole</u>			
AB 307	Sex offenders: working with minors.	Cook	430
AB 845	Corrections: Reentry Advisory Committee.	Bass	VETOED
SB 325	Sex offenders: assessments.	Alquist	582
SB 588	Sex Offender Management Board.	Committee on Public Safety	191
SB 678	Criminal recidivism.	Leno	608
<u>Adult Programs: Education Programs</u>			
AB 1	Teachers: program of professional growth: conflict resolution.	Monning	VETOED
AB 261	Pupil records: privacy rights.	Salas	VETOED
ABX3 12	California State Lottery.	Evans	8
SB 19	Education data.	Simitian	159
SB 123	California Career Resource Network Program.	Liu	32
<u>Board of Parole Hearings</u>			
AB 579	State boards and commissions: audits.	Huber	VETOED
AB 1166	Parole: hearings: review.	Nielsen	276
<u>Budgets</u>			
ABX1 8	Department of Corrections and Rehabilitation.	Committee on Budget	VETOED
ABX1 10	Prison facilities: construction.	Committee on Budget	VETOED
SB 90	Budget Acts of 2007 and 2008: augmentation.	Ducheny	22
SBX1 3	Budget Act of 2008: revisions.	Ducheny	VETOED
SBX1 7	Budget Act of 2008: state and local government.	Ducheny	VETOED
SBX3 1	2009-10 Budget.	Ducheny	1
SBX3 2	Budget Act of 2008: revisions.	Ducheny	2
SBX3 8	State and local government.	Ducheny	4

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2009

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Business Management</u>			
AB 400	State agencies: FISCal funds.	De Leon	440
<u>Communications</u>			
AB 671	Public Safety Golden Shield Award.	Krekorian	462
SB 52	Public Safety Officer Medal of Valor.	Correa	553
<u>Contracts</u>			
AB 756	Public contracts: information: Internet Web site.	Eng	VETOED
SB 802	Works of improvement: progress payments: notice: retention proceeds.	Leno	VETOED
AB 1364	Public contracts: state bonds: grant agreements.	Evans	526
ABX4 21	State contracts.	Evans	19
<u>Correctional Safety</u>			
AB 504	Peace officers: training.	Furutani	VETOED
<u>Corrections Standards Authority</u>			
AB 320	County jails: reentry facilities.	Solorio	VETOED
AB 1439	Gang and youth violence: prevention.	Solorio	VETOED
SBX4 13	Courts omnibus bill: public safety.	Ducheny	22
<u>Fair Employment/Civil Rights</u>			
AB 793	Employment: discrimination.	Jones	VETOED
<u>Facilities Management</u>			
AB 828	Green building standards.	Lieu	VETOED
AB 1006	State buildings: building locations: considerations.	Buchanan	VETOED
SB 369	Prisoner-of-War/Missing-in-Action Flag: state-owned buildings and facilities.	Maldonado	47
SBX1 4	Environmental quality: surplus state property.	Ducheny	VETOED
SBX2 4	Public contract: design-build: public private partnerships.	Cogdill	2
SBX3 14	Prison facilities: construction.	Ducheny	16

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
 OFFICE OF LEGISLATION
 Legislative Digest 2009

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Health Care</u>			
AB 1083	Health facilities: security plans.	John A. Perez	506
AB 1113	Prisoners: professional mental health providers: marriage and family therapists.	Lowenthal, Bonnie	135
SB 33	Marriage and family therapy: licensure and registration.	Correa	26
SB 148	Mammogram machines: inspection: posting of results.	Oropeza	169
SB 196	Emergency medical services.	Corbett	VETOED
<u>Human Resources</u>			
SB 115	Public employment.	Lowenthal	VETOED
SB 169	Identification: honorably retired peace officers.	Benoit	345
SB 257	Lactation accommodation: state employees.	Pavley	VETOED
SB 644	Civil service examinations: veterans' preference.	Denham	357
<u>Information Technology</u>			
AB 5	Civil discovery: Electronic Discovery Act.	Evans	5
AB 472	Earthquake and emergency preparedness.	Blumenfield	VETOED
SB 20	Personal information: privacy.	Simitian	VETOED
<u>Juvenile Justice</u>			
AB 921	Juvenile court jurisdiction: services and benefits.	Jones	VETOED
AB 1053	Juveniles.	Solorio	268
SB 651	Pupil retention.	Romero	197
SB 352	Juvenile offenders: health facilities.	Dutton	46
<u>Labor Relations</u>			
SB 359	Records: disclosure exemptions.	Romero	584
<u>Legal Affairs</u>			
AB 653	Peace officers: marital privilege.	Feuer	VETOED
AB 955	Public Safety Officers Procedural Bill of Rights Act: discipline.	De Leon	494
<u>Risk Management</u>			
AB 361	Workers' compensation: treatment authorization.	Lowenthal, Bonnie	436
SB 186	Workers' compensation: medical treatment: predesignation of physician.	DeSaulnier	565

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2009

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Small Business & DVBE</u>			
AB 31	Public contracts: Small Business Procurement and Contract Act.	Price	212
SB 548	California Disabled Veteran Business Enterprise Program.	Huff	595
<u>Victim Services</u>			
SB 432	Crime victims: restitution.	Runner	49