

California Department of Corrections and Rehabilitation
Office of Legislation

2007 Legislative Digest



December 2007

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER
Governor

California Department of Corrections and Rehabilitation

James E. Tilton
Secretary

Stephen Kessler
Undersecretary, Administration

Joyce Hayhoe
Assistant Secretary, Legislation

INTRODUCTION

This Legislative Digest is comprised of bills that were chaptered or vetoed during the first half of the 2007/2008 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, 2008, 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.

Office of Legislation
California Department of Corrections and Rehabilitation
P.O. Box 942883
Sacramento, CA 94283-0001
(916) 445-4737

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

TABLE OF CONTENTS

Chaptered Bills – Assembly Bills 5

Chaptered Bills – Senate Bills 23

Vetoed Bills 44

Index by Chapter Number 69

Index by Bill Number 73

Index by Subject Matter..... 77

Chaptered Bills – Assembly Bills

[AB 67](#)

AUTHOR: Dymally

TITLE: State and local agencies: bilingual services.

STATUS: 10/05/2007-Chaptered by the Secretary of State, Chapter 259, Statutes of 2007.

SUMMARY: Existing law requires local and state agencies to provide information regarding public services in a non-English language if a substantial number of the public served by the agency are non-English-speaking people. Existing law also requires state agencies to provide reports to the State Personnel Board regarding the provision of information in a non-English language, subject to certain exceptions by the State Personnel Board. This bill would provide that a person is qualified as a bilingual person, employee, or interpreter for these purposes if the State Personnel Board has tested and certified the person or approved the testing and certification. The bill would provide that local agencies would have discretion to determine who is qualified to provide information in a non-English language. The bill would also authorize additional grounds for the State Personnel Board to exempt state agencies from the reporting requirements.

[AB 76](#)

AUTHOR: Lieber

TITLE: Corrections: female inmates.

STATUS: 10/14/2007-Chaptered by Secretary of State, Chapter 706, Statutes of 2007.

SUMMARY: Existing law provides for the care and custody of female inmates under the jurisdiction of the Department of Corrections and Rehabilitation. This bill would require the department to undertake various tasks related to female offenders, including creating a Female Offender Reform Master Plan, creating policies and practices designed to ensure a safe and productive institutional environment for female offenders, contracting for specified services related to female offenders, creating a gender responsive female classification system and staffing pattern, designing and implementing evidence-based gender specific rehabilitative programs, and establishing a family service coordinator at each female prison. The bill would prohibit the department from converting certain existing women's prisons into facilities to house male inmates without legislative approval. The bill would express the intent of the Legislature to reduce crime and recidivism, improve access to rehabilitative programs, break the intergenerational cycle of incarceration, create a therapeutic community within women's prisons, and dedicate adequate space for programming needs.

Chaptered Bills – Assembly Bills

[AB 102](#)

AUTHOR: Ma

TITLE: Marriage: domestic partnerships: name.

STATUS: 10/12/2007-Chaptered by the Secretary of State, Chapter 567, Statutes of 2007

SUMMARY: Existing law provides for the registration of domestic partnerships and requires 2 persons desiring to become domestic partners to complete and file a Declaration of Domestic Partnership with the Secretary of State. Existing law requires the Secretary of State to prepare the form for the Declaration of Domestic Partnership pursuant to specified requirements. This bill would require the Declaration of Domestic Partnership form to contain an optional section for either party or both parties to indicate a change in name. The bill would allow one party or both parties to a registered domestic partnership to elect to change the middle or last names by which that party wishes to be known after registration of the domestic partnership by entering the new name in the spaces provided on the Declaration of Domestic Partnership form without intent to defraud. This bill contains other related provisions and other existing laws.

[AB 106](#)

AUTHOR: Berg

TITLE: Immunizations.

STATUS: 10/10/2007-Chaptered by the Secretary of State, Chapter 378, Statutes of 2007.

SUMMARY: Under existing law, the State Department of Health Services is responsible for the licensure and regulation of health facilities, including general acute care hospitals, as defined. This bill would require a general acute care hospital, pursuant to its own standardized procedures and if it has the vaccine in its possession, each year, commencing October 1 to the following April 1, inclusive, to offer, prior to discharge, immunizations for influenza and pneumococcal disease to its inpatients, aged 65 years or older. This bill contains other existing laws.

[AB 110](#)

AUTHOR: Laird

TITLE: Drug paraphernalia: clean needle and syringe exchange projects.

STATUS: 10/14/2007-Chaptered by Secretary of State, Chapter 707, Statutes of 2007.

SUMMARY: Existing law, with certain exceptions, makes it a misdemeanor for a person to deliver, furnish, transfer, possess with intent to deliver, furnish, or transfer, or manufacture with the intent to deliver, furnish, or transfer, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. Existing law provides an exception to this general rule by authorizing a public entity, its agents, or employees to distribute hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis. This bill would authorize a public entity, as defined, that receives General Fund money from the department for HIV prevention and

Chaptered Bills – Assembly Bills

education to use that money to support clean needle and syringe exchange projects authorized by the public entity. The bill would authorize the money to be used for the purchase of sterile hypodermic needles and syringes, subject to specified conditions. This bill contains other related provisions and other existing laws.

[AB 191](#)

AUTHOR: Committee on Budget

TITLE: Juvenile justice.

STATUS: 09/29/2007-Chaptered by the Secretary of State, Chapter 257, Statutes of 2007

SUMMARY: Existing law authorizes the Governor, upon recommendation of the Secretary of the Department of Corrections and Rehabilitation, to appoint an undersecretary of the department, subject to Senate confirmation. This bill would authorize the Governor, upon recommendation of the secretary, to appoint 2 undersecretaries of the department, subject to Senate confirmation, as specified. This bill contains other related provisions and other existing laws.

[AB 199](#)

AUTHOR: Committee on Budget

TITLE: State government.

STATUS: 08/24/2007-Chaptered by Secretary of State, Chapter 186, Statutes of 2007.

SUMMARY: Existing law requires that any state position that is vacant for 6 consecutive monthly pay periods be abolished by the Controller on the following July 1. Amendments to existing law proposed by SB 86 of the 2007-08 Regular Session, if enacted, would, from July 1, 2007, to June 30, 2010, inclusive, instead require any state position that is vacant for 12 consecutive monthly pay periods to be abolished by the Controller on the following July 1. This bill would delete the amendments to this provision proposed by SB 86, if those amendments are enacted and become effective on or before January 1, 2008. This bill contains other related provisions and other existing laws.

[AB 220](#)

AUTHOR: Bass

TITLE: Firefighters.

STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 591, Statutes of 2007.

SUMMARY: The Public Safety Officers Procedural Bill of Rights Act prescribes various rights of public safety officers, as defined, with regard to representation, discrimination, discipline, and interrogation, as specified. This bill would enact the Firefighters Procedural Bill of Rights Act to prescribe various rights of firefighters, defined as any firefighter employed by a public agency, including a firefighter who is a paramedic or emergency medical technician, with specified exceptions. The bill would prescribe rights related to, among others, political activity, interrogation, punitive action, and administrative appeals, with specified requirements imposed upon the employing agency and the imposition of a civil penalty for a violation thereof. The bill would also specify that reimbursement of funds by the state shall be limited to the actual costs associated with the act, as specified. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[AB 329](#)

AUTHOR: Nakanishi

TITLE: Chronic diseases: telemedicine.

STATUS: 10/10/2007-Chaptered by the Secretary of State, Chapter 386, Statutes of 2007.

SUMMARY: Existing law, the Medical Practice Act, creates the Medical Board of California that is responsible for issuing a physician and surgeon's certificate to practice medicine and for regulating the practice of physicians and surgeons. The act also regulates the practice of telemedicine, defined as the practice of health care delivery, diagnosis, consultation, treatment, transfer of medical data, and education using interactive audio, video, or data communications. This bill would authorize the board to establish a pilot program to expand the practice of telemedicine, and would authorize the board to implement the program by convening a working group. The bill would specify that the purpose of the pilot program would be to develop methods, using a telemedicine model, of delivering health care to those with chronic diseases and delivering other health information. The bill would require the board to make recommendations regarding its findings to the Legislature within one calendar year of the commencement date of the pilot program.

[AB 338](#)

AUTHOR: Coto

TITLE: Workers' compensation: temporary disability payments.

STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 595, Statutes of 2007.

SUMMARY: Existing workers' compensation law generally requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, or in the course of, employment. Existing law prohibits aggregate disability payments for a single injury occurring on or after April 19, 2004, causing temporary disability from extending for more than 104 compensable weeks within a period of 2 years from the date of commencement of temporary disability payment, except if an employee suffers from certain injuries or conditions. This bill would, for a single injury occurring on or after January 1, 2008, increase to 5 years from the date of injury, the period of time during which an employee can receive aggregate disability payments.

[AB 347](#)

AUTHOR: Nava

TITLE: Pupils: high school exit examination: intensive instruction and services.

STATUS: 10/12/2007-Chaptered by the Secretary of State, Chapter 526, Statutes of 2007.

SUMMARY: Existing law requires each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school. This bill, among other things, would revise the definition of "eligible pupil" to include pupils who have not satisfied the requirement that they pass the high school exit examination in order to graduate from high school and have failed one or both parts of the examination by the end of grade 12; revise the calculation for determining the per pupil rate for purposes of funding; authorize the receipt of intensive instruction and services on Saturdays,

Chaptered Bills – Assembly Bills

evenings, or at a time and location deemed appropriate by the school district for eligible pupils; expand the authorized scope of intensive instruction and services to include instruction in English language arts or mathematics, or both, that eligible pupils need to pass those parts of the high school exit examination not yet passed and the provision of instruction and services by a public or nonpublic entity as determined by the local educational agency; require a school district to accomplish additional matters relating to pupils who have not passed one or both parts of the exit examination by the end of grade 12; and require the annual report to also include information relating to the notification of eligible pupils of the intensive instruction and services provided and be submitted to the appropriate county superintendent of schools. This bill contains other related provisions and other existing laws.

[AB 367](#)

AUTHOR: De Leon

TITLE: Court-ordered debts.

STATUS: 07/27/2007-Chaptered by the Secretary of State, Chapter 132, Statutes of 2007.

SUMMARY: Existing law authorizes any county or court that implements a comprehensive program to identify and collect various delinquent fees and penalties to deduct and deposit in the county treasury or the trial court operations fund the cost of operating that program from any revenues collected prior to distributing the revenues to other governmental entities, as specified. This bill would specify that those fees include public defender fees. The bill also would delete other obsolete provisions relating to local comprehensive collection programs that were superseded by the above provisions. This bill contains other related provisions and other existing laws.

[AB 422](#)

AUTHOR: Hancock

TITLE: Hazardous substances: water quality.

STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 597, Statutes of 2007.

SUMMARY: Existing law, the Carpenter-Presley-Tanner Hazardous Substance Account Act (California Superfund Act) imposes liability for hazardous substance removal or remedial actions and requires the Department of Toxic Substances Control to adopt, by regulation, criteria for the selection and for the priority ranking of hazardous substance release sites for removal or remedial action under the act. The California Superfund Act excludes releases of petroleum from that act. The California Superfund Act requires any response action taken or approved under that act to meet certain requirements with regard to, among other things, the preparation of the health or ecological risk assessment. The act requires the exposure assessment of that risk assessment to meet specified requirements, including the development of reasonable maximum estimates of exposure for both current land use conditions and reasonably foreseeable future land use conditions at the site. This bill would require that the exposure assessment of any health or ecological risk assessment prepared in conjunction with a response action taken or approved pursuant to the California Superfund Act include the development of reasonable maximum estimates of exposure to volatile organic compounds that may enter structures that are on the site

Chaptered Bills – Assembly Bills

or that are proposed to be constructed on the site and may cause exposure due to accumulation of those volatile organic compounds in the indoor air of those structures. This bill contains other related provisions and other existing laws.

[AB 428](#)

AUTHOR: Carter

TITLE: High school curriculum: notification regarding college preparatory courses.

STATUS: 10/12/2007-Chaptered by the Secretary of State, Chapter 527, Statutes of 2007.

SUMMARY: Existing law prohibits, except as specified, a pupil from receiving a diploma of graduation from high school if that pupil, while in grades 9 to 12, inclusive, has not completed specified academic requirements. Existing law requires school districts maintaining any of grades 7 to 12, inclusive, to offer a course of study satisfying the prerequisites for admission to the California public institutions of postsecondary education, and a course of study that provides an opportunity for pupils to attain entry-level employment skills in business or industry upon graduation from high school. This bill would require each school district offering any of grades 9 to 12, inclusive, each school year, as part of the specified annual notification, to provide the parent or guardian of each minor pupil enrolled in any of those grades in the district with written notification that, to the extent possible, would not exceed one page in length. The notification contents would relate to the courses offered by the district that satisfy the subject requirements for admission to the California State University and the University of California and also would include information on career technical education, including a brief description of it, as defined by the State Department of Education. This bill contains other related provisions and other existing laws.

[AB 500](#)

AUTHOR: Lieu

TITLE: Civil actions: telephonic appearances.

STATUS: 10/05/2007-Chaptered by the Secretary of State, Chapter 268, Statutes of 2007

SUMMARY: Existing law regulates the procedure of civil actions and requires that every action be prosecuted by the real party in interest, except as specified. Existing law permits attorneys to make appearances by telephone at trial setting conferences, except as specified. Existing law requires the Judicial Council to adopt standards of judicial administration governing the appearance of counsel by telephone at conferences and hearings. Existing law requires every superior court to provide for appearance of counsel by telephone in certain matters. This bill would permit a party in a general civil case, as defined, who has provided notice, to appear by telephone at specified conferences, hearings, and proceedings. The bill would permit a court to require a party to appear in person at these hearings, conferences, or proceedings if the court makes a specified determination on a hearing-by-hearing basis. The bill would require the Judicial Council to adopt rules effectuating these provisions by January 1, 2008. The bill would repeal existing provisions that require the Judicial Council to adopt standards and procedures in connection with appearances by telephone and the superior courts to provide for appearances by telephone in certain matters. The bill would also make a statement of legislative intent.

Chaptered Bills – Assembly Bills

[AB 532](#)

AUTHOR: Wolk

TITLE: State property: solar energy.

STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 598, Statutes of 2007.

SUMMARY: Existing law requires the Department of General Services, in consultation with the State Energy Resources Conservation and Development Commission, to ensure that solar energy equipment is installed, no later than January 1, 2007, on all state buildings and state parking facilities, where feasible. This bill would require the department to ensure that solar energy equipment is installed no later than January 1, 2009, on these buildings and facilities, as well as state-owned swimming pools that are heated with fossil fuels or electricity, where feasible. This bill contains other related provisions and other existing laws.

[AB 609](#)

AUTHOR: Eng

TITLE: State building construction: energy conservation.

STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 600, Statutes of 2007.

SUMMARY: The State Building Construction Act of 1955 authorizes the State Public Works Board to acquire and to engage in the construction of, cogeneration equipment, alternative energy equipment, or conservation measures, and any combination thereof, and to enter into energy service contracts at any structure, building, facility, site, or work used, owned, or acquired by state agencies, subject to specified criteria. Equipment, conservation measures, or energy services contracts subject to these provisions are required to be anticipated to provide cost savings to the state in each year during the term of any revenue bonds, notes, or energy service contracts issued or entered into pursuant to the act or other specified provisions of law, except as otherwise authorized by the Legislature. This bill would instead require the equipment, conservation measures, or energy service contracts to be anticipated to provide cost savings to the state during the useful life of the equipment or conservation measure.

[AB 622](#)

AUTHOR: Mullin

TITLE: High school equivalency certificates: confined persons.

STATUS: 10/05/2007-Chaptered by the Secretary of State, Chapter 269, Statutes of 2007.

SUMMARY: Existing law requires the Superintendent of Public Instruction to issue a California high school equivalency certificate to any person who passes a general educational development test approved by the State Board of Education and administered by an approved testing center, is a California resident or a member of the armed services and assigned to duty in California, and is either 18 years old or would have graduated from high school if he or she had remained in school and followed the usual course of study toward graduation. This bill, in addition, would add a person who is at least 17 years old, has accumulated a certain number of units of high school credit, and is confined to a state or county hospital or to an institution maintained by a state or county correctional agency, to the list of persons who are eligible to receive a high school equivalency certificate. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[AB 629](#)

AUTHOR: Brownley

TITLE: Sex education programs: requirements.

STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 602, Statutes of 2007.

SUMMARY: Existing law establishes requirements for the provision of sex education. This bill would enact the Sexual Health Education Accountability Act, which would require, with certain exceptions, any program that provides education to prevent adolescent or unintended pregnancy or to prevent sexually transmitted infections and that is conducted, operated, or administered by the state or any state agency, or is funded directly or indirectly by the state, or receives any financial assistance from state funds or funds administered by the state to meet specified requirements. This bill contains other existing laws.

[AB 632](#)

AUTHOR: Salas

TITLE: Health care facilities: whistleblower protections.

STATUS: 10/14/2007-Chaptered by Secretary of State, Chapter 683, Statutes of 2007.

SUMMARY: Existing law provides for the licensure and regulation of health care facilities, as defined, by the State Department of Public Health. Under existing law, a health facility is prohibited from retaliating or discriminating against an employee of a health facility that has presented or initiated a complaint or initiated, participated, or cooperated in an investigation or proceeding of a government entity relating to the care, services, or conditions of the facility. Existing law makes the violation of these provisions a crime and subject to the assessment of a civil penalty. This bill would prohibit a health facility from discriminating or retaliating against any patient, employee, a member of the facility's medical staff, or any other health care worker of the facility because that person (1) has presented a grievance, complaint, or report to an entity or agency responsible for accrediting or evaluating the facility or to any other governmental entity; or (2) has initiated, participated, or cooperated in an investigation or administrative proceeding related to the quality of care, services, or conditions at the facility, as provided. This bill contains other related provisions and other existing laws.

[AB 678](#)

AUTHOR: Gaines

TITLE: Crimes: vehicular manslaughter: fleeing the scene of an accident.

STATUS: 10/14/2007-Chaptered by Secretary of State, Chapter 747, Statutes of 2007.

SUMMARY: Existing law requires that a person who flees the scene of the crime, upon conviction, be punished by an additional term of imprisonment of 5 years in the state prison after committing a violation of certain provisions relating to vehicular manslaughter, which includes manslaughter while operating a vessel. The additional term is only imposed where the allegation is charged in the accusatory pleading and admitted by the defendant or found to be true by the trier of fact. This bill would additionally include within the above mandatory 5-year enhancement the commission of vehicular manslaughter while either operating a vessel under the influence of

Chaptered Bills – Assembly Bills

alcohol or a drug and in the commission of an unlawful act, not amounting to a felony, and with gross negligence; or operating a vessel under the influence of alcohol or a drug and in the commission of a lawful act that might produce death, in an unlawful manner, and with gross negligence. Because this bill would impose additional duties on local prosecutors, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 682](#)

AUTHOR: Berg

TITLE: HIV/AIDS testing.

STATUS: 10/12/2007-Chaptered by the Secretary of State, Chapter 550, Statutes of 2007.

SUMMARY: Existing law prohibits, except in certain cases, a person from testing a person's blood for evidence of antibodies to the probable causative agent of acquired immunodeficiency syndrome (AIDS) without the written consent of the subject of the test or the written consent of the subject, as provided, confirming that he or she obtained the consent from the subject. This bill would delete those provisions, and would, instead, require a medical care provider, prior to ordering a test that identifies infection with human immunodeficiency virus (HIV), to inform the patient that the test is planned, provide information about the test, inform the patient regarding specified treatment options and further testing needed, and advise the patient that he or she has the right to decline the test. The bill would require the medical provider, if a patient declines the test, to note that fact in the patient's medical file. This bill contains other related provisions and other existing laws.

[AB 754](#)

AUTHOR: Committee on Public Employees, Retirement and Social Security

TITLE: Public employees.

STATUS: 10/08/2007-Chaptered by the Secretary of State, Chapter 321, Statutes of 2007.

SUMMARY: Existing law requires the Department of Personnel Administration to provide any side letter, appendix, or other addendum to a properly ratified memorandum of understanding that requires the expenditure of \$250,000 or more related to salary and benefits and that is not already contained in the original memorandum of understanding or the Budget Act to the Joint Legislative Budget Committee. Existing law requires the Joint Legislative Budget Committee, within 30 days after receiving the side letter, appendix, or other addendum, to determine if the addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding and thereby requires legislative action to ratify the addendum. This bill would approve addenda to memoranda of understanding entered into by the state employer and State Bargaining Units 1, 7, and 16 that require the expenditure of funds. The bill would approve provisions of the addenda that require the expenditure of funds. The bill would provide that those provisions shall not take effect unless the funds are specifically appropriated by

Chaptered Bills – Assembly Bills

the Legislature or already exist within available appropriations, and would allow the reopening of negotiations if the Legislature does not approve or fully fund any addendum included in the bill. This bill contains other related provisions and other existing laws.

[AB 756](#)

AUTHOR: Committee on Public Employees, Retirement and Social Security

TITLE: Memoranda of understanding: addenda.

STATUS: 10/08/2007-Chaptered by the Secretary of State, Chapter 322, Statutes of 2007.

SUMMARY: Existing law requires the Department of Personnel Administration to provide any side letter, appendix, or other addendum to a properly ratified memorandum of understanding that requires the expenditure of \$250,000 or more related to salary and benefits and that is not already contained in the original memorandum of understanding or the Budget Act to the Joint Legislative Budget Committee. Existing law requires the Joint Legislative Budget Committee, within 30 days after receiving the side letter, appendix, or other addendum, to determine if the addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding and thereby requires legislative action to ratify the addendum. This bill would approve the addenda to memoranda of understanding entered into by the state employer and State Bargaining Units 1, 3, 8, 18, 19, and 20 that require the expenditure of funds, as specified. The bill would further approve provisions of the addenda that require the expenditure of funds, and would appropriate \$26,516,000 from the General Fund and other unallocated nongovernmental cost funds for those purposes. The bill would provide that those provisions shall not take effect unless the funds are specifically appropriated by the Legislature or already exist within available appropriations, and would allow the reopening of negotiations if the Legislature does not approve or fully fund any addendum. This bill contains other related provisions.

[AB 761](#)

AUTHOR: Coto

TITLE: State contracts: infrastructure bonds: small businesses.

STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 611, Statutes of 2007.

SUMMARY: Existing law provides for various programs to encourage the participation of small businesses, as certified by the Department of General Services, in state agency contracts, and sets forth the duties of the Director of General Services and the directors of other state agencies in this regard. This bill, in order to encourage the participation of small businesses in the construction of the state's infrastructure, as provided in specified infrastructure-related bond acts of 2006, would additionally require each state agency, as defined, to establish a 25% goal for the participation of small businesses in the construction of the state's infrastructure, as provided in those bond acts, to advertise all upcoming opportunities to bid on contracts for projects funded by those bond acts, as specified, including bidding procedures, and to provide California small businesses with information regarding available training and technical assistance for understanding and bidding on contracts for projects funded by those bond acts. This bill contains other related provisions.

Chaptered Bills – Assembly Bills

[AB 800](#)

AUTHOR: Lieu
TITLE: Discharge of hazardous substance or sewage.
STATUS: 10/10/2007-Chaptered by the Secretary of State, Chapter 371, Statutes of 2007.
SUMMARY: Existing law generally requires a person who, without regard to intent or negligence, causes or permits any sewage or other waste, or the effluent of treated sewage or other waste, to be discharged in or on any waters of the state, or discharged in or deposited where it is, or probably will be, discharged in or on any waters of the state, as soon as that person has knowledge of the discharge, to immediately notify the local health officer or the director of environmental health of the discharge. A person who fails to notify in accordance with these requirements is guilty of a misdemeanor that is punishable by a fine that is not less than \$500 nor more than \$1,000, or imprisonment for less than one year, or both. This bill would provide that notification pursuant to these provisions does not nullify a person's responsibilities pursuant to (1) above. This bill contains other existing laws.

[AB 805](#)

AUTHOR: Galgiani
TITLE: Firearms.
STATUS: 07/27/2007-Chaptered by the Secretary of State, Chapter 139, Statutes of 2007.
SUMMARY: Existing law authorizes certain peace officers to be licensed to carry concealed handguns, including specifying the format for the certificate evidencing the person's license. Existing law requires that the peace officer's address appear on the certificate. This bill would delete the requirement that the peace officer's address appear on the certificate.

[AB 900](#)

AUTHOR: Solorio
TITLE: Prisons: construction.
STATUS: 05/03/2007-Chaptered by Secretary of State, Chapter 7, Statutes of 2007.
SUMMARY: Existing law authorizes the financing and construction of state prison facilities using lease-purchase financing arrangements by means of the issuance of state revenue bonds, as specified. This bill, the Public Safety and Offender Rehabilitation Services Act of 2007 would authorize the Department of Corrections and Rehabilitation to design, construct, or renovate prison housing units, prison support buildings, and programming space in order to add up to 7,484 beds, 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, as specified. This bill would also authorize the State Public Works Board to issue revenue bonds, negotiable notes, or negotiable bond anticipation notes pursuant to this part to finance the design, construction, and the costs of interim financing of these projects and would appropriate those funds for that purpose. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[AB 924](#)

AUTHOR: Emmerson
TITLE: Crimes: vehicles.
STATUS: 07/20/2007-Chaptered by the Secretary of State, Chapter 111, Statutes of 2007.
SUMMARY: Existing law defines "criminal profiteering activity" as any act committed or attempted or any threat made for financial gain or advantage, which act or threat may be charged as one of several specified crimes. This bill would add offenses involving vehicle theft to that list of specified crimes. This bill contains other related provisions and other existing laws.

[AB 932](#)

AUTHOR: Jeffries
TITLE: Convict labor: fire camps: weight training equipment.
STATUS: 10/14/2007-Chaptered by Secretary of State, Chapter 737, Statutes of 2007.
SUMMARY: Existing law appropriates moneys from the Inmate Welfare Fund of the Department of Corrections and Rehabilitation for educational and recreational purposes at prison camps, as specified. Existing law also provides for the regulation of the use of weight training equipment in correctional facilities. This bill would require the Secretary of the Department of Corrections and Rehabilitation to provide inmates assigned to fire suppression efforts with access to weight training equipment in accordance with the regulations provided for the use of weight training equipment in correctional facilities.

[AB 933](#)

AUTHOR: Jeffries
TITLE: Exempt employee salaries.
STATUS: 07/27/2007-Chaptered by the Secretary of State, Chapter 142, Statutes of 2007
SUMMARY: Existing law provides for the salaries, benefits, and raises of various exempt state employees, including the heads of various state agencies. This bill would revise these provisions. The bill would also delete obsolete statutory provisions relating to the Governor, Members of the Legislature, and other statewide elected officers.

[AB 1172](#)

AUTHOR: Runner, Sharon
TITLE: Inmate release.
STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 571, Statutes of 2007.
SUMMARY: Existing law requires, prior to release from the custody of the Department of Corrections and Rehabilitation of a person who has been convicted of certain crimes of a sexual nature, the director to refer that person to the State Department of Mental Health for evaluation if the director determines that person may be a sexually violent predator. This bill would include within this notice requirement persons scheduled for release from the State Department of Mental Health, including, but not limited to, conditional release, and would increase certain inmate release notice requirements from 45 days to 60 days. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[AB 1178](#)

AUTHOR: Hernandez

TITLE: Medical information: disclosures.

STATUS: 10/11/2007-Chaptered by the Secretary of State, Chapter 506, Statutes of 2007.

SUMMARY: The Confidentiality of Medical Information Act prohibits a provider of health care, health care service plan, or contractor, as defined, from disclosing medical information regarding a patient, enrollee, or subscriber, except as authorized by that patient, enrollee, or subscriber, or as otherwise required or authorized by law. Under the Confidentiality of Medical Information Act, any violation of the provisions of the act that results in economic loss or personal injury to a patient is punishable as a misdemeanor. This bill would further except from that prohibition the disclosure of medical information, consistent with applicable law and standards of ethical conduct, by a psychotherapist, as defined, if the psychotherapist, in good faith, believes the disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a reasonably foreseeable victim or victims, and the disclosure is made to a person or persons reasonably able to prevent or lessen the threat, including the target of the threat. By changing the definition of a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 1199](#)

AUTHOR: Richardson

TITLE: White collar crime: enhancement.

STATUS: 10/10/2007-Chaptered by the Secretary of State, Chapter 408, Statutes of 2007.

SUMMARY: Existing law provides that any person who commits 2 or more related felonies, a material element of which is fraud or embezzlement, which involve a pattern of related felony conduct, and the pattern of related felony conduct involves the taking of more than \$100,000, shall be punished, upon conviction of 2 or more felonies in a single proceeding, by an additional term of imprisonment, as specified. This bill would revise the above provision to specify that a person would also be subject to the additional prison term if the pattern of related felony conduct results in the loss by another person or entity of more than \$100,000. By revising the definition of an enhancement, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 1224](#)

AUTHOR: Hernandez

TITLE: Optometrists: telemedicine.

STATUS: 10/11/2007-Chaptered by the Secretary of State, Chapter 507, Statutes of 2007.

SUMMARY: Existing law, the Optometry Practice Act, creates the State Board of Optometry, which licenses optometrists and regulates their practice. The act defines the practice of optometry as including the treatment of primary open-angle glaucoma with the participation, as specified, of a collaborating ophthalmologist. Existing law, the Medical Practice Act, regulates the practice of telemedicine, defined as the practice of health care delivery, diagnosis, consultation, treatment,

Chaptered Bills – Assembly Bills

transfer of medical data, and education using interactive audio, video, or data communications, by a health care practitioner, as defined. A violation of the provisions governing telemedicine is unprofessional conduct. This bill would make a licensed optometrist subject to these telemedicine provisions and would define collaborating ophthalmologist for purposes of his or her participation in treating primary open angle glaucoma.

[AB 1253](#)

AUTHOR: Caballero

TITLE: Water: Salinas Valley State Prison wastewater treatment plant.

STATUS: 10/14/2007-Chaptered by Secretary of State, Chapter 695, Statutes of 2007.

SUMMARY: Under existing law, the State Water Resources Control Board and the California regional water quality control board prescribe waste discharge requirements for publicly owned treatment works and other dischargers in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act. This bill would make legislative findings and declarations relating to the wastewater treatment situation in the City of Soledad and the Salinas Valley State Prison. The bill would authorize the Director of General Services to sell, lease, convey, or exchange at fair market value specified real property at the Salinas Valley State Prison containing the prison's wastewater treatment facility to the City of Soledad upon those terms and conditions and subject to those reservations and exceptions as the Director of General Services determines are in the best interests of the state. The bill would require that the Department of General Services be reimbursed for any costs or expenses incurred in the disposition of the specified real property. The bill would require the Director of General Services, in implementing these activities, to except and reserve to the state all mineral deposits, as defined, together with the right to prospect for, mine, and remove the deposits. The net proceeds of any moneys received from the disposition of the property would be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund. By increasing the amount transferred into a continuously appropriated fund, this bill would make an appropriation. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: To the Members of the California Legislature: I am signing Assembly Bill 1253 because of the urgent need for the City of Soledad and the California Department of Corrections and Rehabilitation to address the waste water treatment issues in this area. However, I am directing the Department of General Services to enter into a long-term lease with the City of Soledad and not transfer this property until such time a CEQA exemption is provided in legislation. This is surplus property and should typically be included in the DGS omnibus surplus property bill. As I have stated repeatedly over the past two years, there is no reason to apply CEQA to properties that are being sold. CEQA is properly applied when the use and zoning of property is changed. This transaction does neither therefore an exemption is justified. Sincerely, Arnold Schwarzenegger

Chaptered Bills – Assembly Bills

[AB 1300](#)

AUTHOR: Price

TITLE: The Family Connection and Young Offender Rehabilitation Act of 2007.

STATUS: 10/11/2007-Chaptered by the Secretary of State, Chapter 458, Statutes of 2007.

SUMMARY: Existing law states that the purpose of the Division of Juvenile Programs within the Department of Corrections and Rehabilitation is to provide comprehensive training, treatment, and rehabilitative services to youthful offenders under the jurisdiction of the department, that are designed to promote community restoration and accountability to victims, and to produce youth who become law-abiding and productive members of society. This bill would expand the purpose of the division to include the provision of comprehensive education to youthful offenders, in addition to training, treatment, and rehabilitative services, and it would provide that the services shall be designed to promote family ties, in addition to community restoration and accountability to victims, and to produce youth who become law-abiding and productive members of society. This bill contains other related provisions and other existing laws.

[AB 1323](#)

AUTHOR: DeSaulnier

TITLE: Tuberculosis testing.

STATUS: 07/02/2007-Chaptered by the Secretary of State, Chapter 24, Statutes of 2007.

SUMMARY: Existing law requires an intradermal tuberculin test as a part of employment in specified occupations. This bill would authorize this test to be made by any other tuberculin test approved by the federal Food and Drug Administration (FDA). This bill contains other related provisions and other existing laws.

[AB 1509](#)

AUTHOR: Spitzer

TITLE: Sex offenders: community placement.

STATUS: 10/13/2007-Chaptered by Secretary of State, Chapter 573, Statutes of 2007.

SUMMARY: Existing law, as amended by Proposition 83 of the November 7, 2006, statewide general election, generally regulates the granting and conditioning of parole. Existing law further prohibits an inmate who is released on parole for a violent felony, as specified, or a felony inflicting great bodily injury, from being returned to a location within 35 miles of the actual residence of a victim or witness of that felony, upon a victim or witness request and the Board of Parole Hearings or the Department of Corrections and Rehabilitation finds that there is a need for this restriction, as specified. This bill would include the crime of continuous abuse of a child as a violent felony; the bill would thereby provide that an inmate released on parole for continuous abuse of a child shall be subject to the above restrictive placement procedures. The bill would also make technical, nonsubstantive changes to the above provisions. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[AB 1539](#)

AUTHOR: Krekorian

TITLE: Sentencing.

STATUS: 10/14/2007-Chaptered by Secretary of State, Chapter 740, Statutes of 2007.

SUMMARY: Under existing law, a state prisoner who is diagnosed with a disease that would produce death within 6 months and whose release is deemed not to threaten the public safety may have his or her sentence recalled and be resentenced. Existing law additionally sets forth grounds under which the court has discretion to find that a prisoner is eligible for resentence or recall. This bill would extend those provisions for early release to prisoners who are permanently medically incapacitated and whose release is deemed not to threaten public safety. This bill would also oblige a physician employed by the Department of Corrections and Rehabilitation who determines that a prisoner has 6 months or less to live to inform the appropriate chief medical officer of that fact, and, if he or she concurs, would oblige the chief medical officer to inform the warden of that fact. This bill would also require the warden or the warden's representative to inform a prisoner given that prognosis of the recall and resentencing procedures, and to arrange for the prisoner's designee to be informed of the prisoner's medical condition and prognosis, and of the procedures for recall and resentencing. This bill would require the warden or the warden's representative to contact a mentally unfit inmate's emergency contact and provide the contact with this information. This bill would also direct the warden or the warden's representative to keep the prisoner and the prisoner's designee apprised of the prisoner's medical condition and recall and resentencing proceedings. This bill would also provide that when a prisoner or his or her designee initiates recall and resentencing procedures, the chief medical officer and the warden or the warden's representative, if they find that the prisoner has 6 months or less to live, shall, within 48 hours of their finding, inform the prisoner or his or her designee of the recall and resentencing procedures. This bill would also require release of a prisoner who is resentenced within 48 hours of receipt of the court's order, unless the prisoner agrees to a longer time period, and would require that the prisoner be given his or her medical records, state identification, medications, and property at the time of release. Finally, this bill would require the secretary to issue a directive to Department of Corrections and Rehabilitation staff explaining recall and resentencing procedures.

[AB 1687](#)

AUTHOR: Brownley

TITLE: Confidential information.

STATUS: 10/12/2007-Chaptered by the Secretary of State, Chapter 552, Statutes of 2007

SUMMARY: Existing law prohibits a provider of health care, a health care service plan, contractor, or corporation and its subsidiaries and affiliates from intentionally sharing, selling, or otherwise using any medical information, as defined, for any purpose not necessary to provide health care services to a patient, except as expressly authorized by the patient, enrollee, or subscriber, as specified, or as otherwise required or authorized by law. Existing law also permits that medical information to be disclosed to providers of health care, health care service plans, contractors, or other health care professionals or facilities for purposes of diagnosis or treatment of the patient.

Chaptered Bills – Assembly Bills

Existing law provides that a violation of these provisions that results in economic loss or personal injury to a patient is punishable as a misdemeanor. Existing federal law defines "covered entity" for purposes of the federal Health Insurance Portability and Accountability Act. This bill would provide that for purposes of these provisions, a provider of health care may disclose medical information to a county social worker, a probation officer, or any other person who is legally authorized to have custody or care of a minor, as defined, for the purpose of coordinating health care services and medical treatment provided to the minor. By expanding the definition of a crime, the bill would impose a state-mandated local program. The bill would also prohibit a county social worker, probation officer, or any other person who is legally authorized to have custody or care of a minor who receives medical information from further disclosing that information unless the disclosure is for the purpose of coordinating health care services and medical treatment of the minor and the disclosure is authorized by law. The bill would further provide that medical information disclosed pursuant to these provisions may not be admitted into evidence in any criminal or delinquency proceeding against the minor thereby requiring a 2/3 vote for enactment pursuant to the Victims' Bill of Rights. The bill would provide that if a provider of health care determines that the disclosure of medical information concerning the diagnosis and treatment of a mental health condition of a minor is reasonably necessary for the purpose of assisting in coordinating the treatment and care of the minor, that medical information may be disclosed to a county social worker, probation officer, or any other person who is legally authorized to have custody or care of the minor. The bill would also prohibit the further disclosure of information concerning the diagnosis and treatment of a mental health condition of a minor unless the disclosure is for the purpose of coordinating mental health services and treatment of the minor and the disclosure is authorized by law. The bill would also make related legislative findings and declarations. This bill contains other related provisions and other existing laws.

[AB 1705](#)

AUTHOR: Niello

TITLE: Sentencing; enhancement.

STATUS: 10/10/2007-Chaptered by the Secretary of State, Chapter 420, Statutes of 2007.

SUMMARY: Existing law provides for an additional term of imprisonment, as specified, when any person takes, damages, or destroys any property in the commission or attempted commission of a felony and is repealed as of January 1, 2008. This bill would raise the monetary thresholds for these enhancements and extend the repeal date to January 1, 2018. This bill contains other related provisions and other existing laws.

Chaptered Bills – Assembly Bills

[AB 1735](#)

AUTHOR: Committee on Agriculture

TITLE: Milk and dairy products: standards.

STATUS: 10/08/2007-Chaptered by the Secretary of State, Chapter 339, Statutes of 2007.

SUMMARY: Existing law regulates the cooling time for, temperatures of, and microbial standards for market milk, as specified. This bill would reduce the required cooling time and temperatures of market milk, as specified. This bill would also specify a specific microbial standard for coliform bacteria within market milk, as specified. This bill contains other related provisions and other existing laws.

Chaptered Bills – Senate Bills

[SB 39](#)

AUTHOR: Migden

TITLE: County welfare agencies and departments: child abuse and neglect: files.

STATUS: 10/11/2007-Chaptered by the Secretary of State, Chapter 468, Statutes of 2007.

SUMMARY: Existing law requires the case file of a dependent child or ward of the juvenile court to be kept confidential, except as specified. Existing law permits the juvenile case files that pertain to a deceased child who was within the jurisdiction of the juvenile court, as provided, to be released to the public after a petition has been filed and interested parties have been afforded an opportunity to file an objection, subject to certain limitations. This bill would revise those provisions and instead require that juvenile case files that pertain to any child who died as the result of child abuse or neglect shall be released to the public, subject to certain limitations set forth in the bill. The bill would also add specified attorneys to the persons allowed access to a juvenile case file. This bill contains other related provisions and other existing laws.

[SB 40](#)

AUTHOR: Romero

TITLE: Sentencing.

STATUS: 03/30/2007-Chaptered by Secretary of State, Chapter 3, Statutes of 2007.

SUMMARY: Existing law establishes various felonies punishable by a triad of terms of incarceration in the state prison, comprised of low, middle, and upper terms. Existing law requires the court to impose the middle term, unless there are circumstances in mitigation or aggravation of the crime. This bill would instead provide that the choice of the appropriate term would rest within the sound discretion of the court. The bill would make other nonsubstantive changes. This bill would provide that these changes would be repealed on January 1, 2009. The bill would make other conforming changes. This bill contains other related provisions.

[SB 52](#)

AUTHOR: Scott

TITLE: Teacher credentialing; designated subjects: career technical education.

STATUS: 10/12/2007-Chaptered by the Secretary of State, Chapter 520, Statutes of 2007.

SUMMARY: Existing law requires the Commission on Teacher Credentialing to establish standards for the issuance and renewal of credentials, certificates, and permits, including the designated subjects vocational education teaching credentials. The minimum requirements for the designated subjects preliminary vocational education teaching credential and minimum requirements for the 5-year renewal of that credential are established. This bill would change the name of that credential to the designated subjects preliminary career technical education teaching credential. The passage of a specified basic skills examination would be deleted from the minimum requirements for the designated subjects preliminary career technical education teaching credential. The authority of the commission to require a subject examination as part of the minimum requirements also would be deleted. The bill would require the commission to establish a list of authorized subjects for the designated subjects preliminary and professional

Chaptered Bills – Senate Bills

clear career technical education teaching credential and would require the list to reflect the 15 industry sectors identified in the California career technical education model curriculum standards adopted by the State Board of Education. The commission would be required to implement the authorized subjects list by September 30, 2007. The commission would be required to convene an advisory committee to review credential requirements for designated subjects career technical education teaching credentials and make recommendations for consolidating requirements for full-time and part-time service. By April 1, 2008, the commission would be required to make recommendations to the Legislature on the minimum requirements for designated subjects career technical education teaching credentials. This bill contains other related provisions.

SB 77

AUTHOR: Ducheny

TITLE: Budget Act of 2007.

STATUS: 08/24/2007-Chaptered by Secretary of State, Chapter 171, Statutes of 2007.

SUMMARY: This bill would make appropriations for support of state government for the 2007-08 fiscal year. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I object to the following appropriations contained in Senate Bill 77. Item 0250-001-0001 For support of Judicial Branch. I revise this item by deleting Provision 5. I am deleting Provision 5, which would state the Legislature's intent that the Administrative Office of the Courts (AOC) prioritize existing resources to provide a \$5 increase to the hourly rates paid to attorneys in the Court Appointed Counsel Program (Program). A study of the Program's attorney rates is currently underway and is due to be completed by the end of August 2007. To the extent that the study justifies rate increases, the AOC has the ability to provide increases commensurate with the needs as determined by the study. Item 0250-101-0932 For local assistance, Judicial Branch. I reduce this item from \$3,056,153,000 to \$3,035,796,000 by reducing: (1)45.10-Support for Operation of the Trial Courts from \$2,632,142,000 to \$2,611,785,000; and by revising Provision 4. I am reducing this item by \$20,357,000, which includes a reduction of \$17,377,000 for funding to support the implementation of the Omnibus Conservatorship and Guardianship Reform Act of 2006 (Act) and a reduction of \$2,980,000 for one month of savings related to the 50 new trial court judgeships established in 2006-07. It is my intention for the Judicial Branch to delay implementation of the Act until the 200809 fiscal year. Due to the timing of appointments and hiring, one month of the funding for new judgeships will not be necessary in 200708. These reductions are necessary in order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year. I am revising Provision 4, which would require the Judicial Council to allocate not less than \$5,250,000 for court interpreter pay increases and other recruiting and retention incentives. Requiring the Judicial Council to allocate funds for court interpreter recruiting and retention incentives would alter the collective bargaining process by shifting the focus from the actual need for pay increases and other recruiting and retention measures, as negotiated through the normal process, to the minimum level of funding allocated. Provision 4 is revised as follows: The funds appropriated in Schedule (4) shall be for

Chaptered Bills – Senate Bills

payments for services of contractual court interpreters, and certified and registered court interpreters employed by the courts, and the following court interpreter coordinators: 1.0 each in counties of the 1st through the 15th classes, 0.5 each in counties of the 16th through the 31st classes, and 0.25 each in counties of the 32nd through the 58th classes. For the purposes of this provision, court interpreter coordinators may be full- or part-time court employees, or those contracted by the court to perform these services. The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system. The Legislature finds and declares that there exists a shortage in the availability of certified and registered interpreters in the state courts that reduces the state's ability to provide meaningful access to justice for all court users, including parties, witnesses, and victims. Therefore, every effort must be made to recruit and retain qualified interpreters to work in the state courts. Of the amount appropriated in Schedule (4), not less than five million dollars (\$5,000,000), not including funds provided pursuant to Section 77202 of the Government Code, shall be provided to the trial courts for the purpose of adjusting or creating pay ranges for court interpreter employees that, at the top of the range, do not exceed the top step of the full performance range for staff interpreters in the Federal Courts as of the effective date of this provision. The establishment of pay ranges and their application to specific employee classifications shall be subject to meet and confer in good faith as provided in Chapter 7.5 (commencing with Section 71800) of Title 8 of the Government Code. The Judicial Council shall adjust statewide or regional rates for contract court interpreters in a manner that is equivalent to the average rate of increase provided to court interpreter employees. The Judicial Council shall notify the courts in each region of the availability of these funds for the purposes set forth in this provision, and shall allocate the funds upon notification that ranges and salary adjustments have been established and implemented as provided herein. In no event shall the daily rate set by the Judicial Council for contract interpreters exceed the equivalent median wage of court interpreters employed by the courts in each region. Of the amount appropriated in Schedule (4), the Judicial Council shall allocate not less than two hundred fifty thousand dollars (\$250,000) to develop and make available to trial courts, interpreter training and recruitment programs including, but not limited to: 1) training programs designed for working interpreters who are subject to new certification exams in Russian, Western Armenian, Mandarin, Cambodian and Punjabi; 2) certification exam preparation courses for all languages subject to state certification exams; and 3) development of mentoring and internship programs in the trial courts for exam candidates attending educational institutions that train legal interpreters, subject to meet and confer in good faith as provided in Chapter 7.5 (commencing with Section 71800) of Title 8 of the Government Code. The Judicial Council shall adopt appropriate rules and procedures for the administration of these funds. The Judicial Council shall report to the Legislature and Director of Finance annually regarding expenditures from this schedule, which shall also include a report of expenditures for; equivalent work days of, non-certified and non-registered contract interpreters that provide interpretation services in the state trial courts; and number of interpreter vacancies filled.

Item 0250-111-0001 For local assistance, Judicial Branch. I reduce this item from \$1,813,729,000 to \$1,793,372,000. I am reducing this item by \$20,357,000 to conform with the action taken in

Chaptered Bills – Senate Bills

Item 02501010932. Item 0530-001-9732 For support of Secretary of Health and Human Services Agency. I reduce this item from \$182,976,000 to \$177,841,000 by reducing: (1)30-Office of Systems Integration from \$182,976,000 to \$177,841,000. This reduction conforms to the action taken in Item 5180-151-0001. Item 0540-492 Reappropriation, Secretary for Resources. I revise this item by deleting Schedule 1. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended to June 30, 2008: 0001-General Fund (1) Item 0540-101-0001, Budget Act of 1999 (Ch. 50, Stats. 1999), as reappropriated by Item 0540-492, Budget Act of 2002 (Ch. 379, Stats. 2002), Item 0540-490, Budget Acts of 2003 (Ch. 157, Stats. 2003), 2005 (Chs. 38 and 39, Stats. 2005), and 2006 (Chs. 47 and 48, Stats. 2006), and Item 0540491, Budget Act of 2004 (Ch. 208, Stats. 2004) (2) Item 0540-101-0001, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 0540-490, Budget Acts of 2003 (Ch. 157, Stats. 2003), 2005 (Chs. 38 and 39, Stats. 2005), and 2006 (Chs. 47 and 48, Stats. 2006) and Item 0540-491, Budget Act of 2004 (Ch. 208, Stats. 2004) (3) Item 0540-101-0001, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 0540-491, Budget Act of 2004 (Ch. 208, Stats. 2004), and Item 0540-490, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005) and 2006 (Chs. 47 and 48, Stats. 2006) I am eliminating the expenditure availability for two projects funded from the Coastal Resources Grant program. Funds for these projects have been available since 1999 and no funds have been expended on either project as required by the grant agreements. Several obstacles remain, making progress on these projects unlikely in the near future. Consequently, it would not be prudent to continue earmarking General Fund for these projects. This action will result in \$577,500 of General Fund savings.

Item 0552-001-0001 For support of the Office of the Inspector General. I reduce this item from \$19,265,000 to \$18,306,000 by reducing: (1)10-Office of Inspector General from \$19,265,000 to \$18,306,000, and by deleting Provision 1. I am deleting the \$959,000 augmentation for the Office of the Inspector General (OIG) to implement their review of all candidates for superintendent in Division of Juvenile Justice facilities. Superintendent review was mandated by Chapter 709, Statutes of 2006 (AB 971). While I believe these activities are important, I am directing the OIG to delay implementation of this measure in order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year. Provision 1 would require the OIG to complete a study of custody resources within the California Department of Corrections and Rehabilitation s (CDCR) budget related to the transfer of various medical guarding and transportation positions within the CDCR. I am concerned about the large number of programs being created and expanded within the OIG. The Budget includes additional resources for audits and investigations, auditing the budget of the California Prison Receivership, monitoring compliance with court orders in the Armstrong case, and chairing the California Rehabilitation Oversight Board created by Chapter 7, Statutes of 2007 (AB 900). Because of the increased workload requirements within their programmatic expansions and responsibilities, the OIG will not be able to complete this study. However, I am directing the CDCR s reactivated Program Support Unit, whose historical responsibilities have included studying and making recommendations on custody staffing levels within the CDCR,

Chaptered Bills – Senate Bills

to conduct this study. (Emphasis added) Item 0690-002-0001 For Support of Office of Emergency Services. I delete Provision 4. I am deleting Provision 4, which specifies that the duties and responsibilities of the State AntiGang Coordinator will be subject to additional definition in legislation. However, I will continue to work with the Legislature to further define the role of the Coordinator to assist state and local agencies in combating gang violence. Item 0690-102-0214 For local assistance, Office of Emergency Services. I delete Provision 1. I am deleting Provision 1, which specifies that funds for grants to cities and community-based organizations are for gang prevention, intervention, reentry, education, job training and skills development, and family and community services. In addition, the language in Provision 1 specifies that none of the funds can be used for law enforcement suppression activities or frontline police services. While prevention and intervention are necessary components of a comprehensive antigang strategy, so is suppression. Therefore, I am vetoing Provision 1 and directing the State AntiGang Coordinator to draft and provide cities with grant instructions specifying that suppression activities are an allowable use of the funds, along with the other activities listed in Provision 1. Item 0820-001-0001 For support of Department of Justice. I revise this item from \$404,237,000 to \$403,237,000, by reducing: (8)45-Public Rights from \$92,478,000 to \$89,312,000; (15)Amount payable from Hazardous Waste Control Account (Item 0820-001-0014) from \$1,973,000 to -\$987,000; (26)Amount payable from the Toxic Substances Control Account (Item 08200010557) \$2,361,000 to -\$1,181,000; and by deleting Provision 12. I am deleting the \$1,000,000 legislative augmentation that would have provided funding for the Department of Justice (DOJ) to independently pursue climate change litigation as the plaintiff on behalf of the state. In the area of law related to climate change, the Air Resources Board (ARB) is the state agency with the responsibility to oversee litigation in that arena and has the funds to request the DOJ to pursue such litigation. I am deleting Provision 12 to conform to this action. I am reducing the Environmental Law Section's appropriations from the Hazardous Waste Control Account and the Toxic Substances Control Account by a total of \$2,166,000 to reflect half-year funding for the program, and I urge the Legislature to pass legislation that redirects these funds to the California Environmental Protection Agency's (Cal/EPA) and the Department of Toxic Substances Control's (DTSC) green chemistry initiative and returns the litigation oversight role in hazardous waste cases to Cal/EPA and DTSC. DTSC is increasingly turning to our local government partners and district attorneys to enforce California's hazardous waste laws. In addition, Cal/EPA and DTSC are developing a green chemistry initiative that will change the paradigm of toxic and chemical use and enforcement in California. The combination of these activities will improve our environment and human health through greater enforcement of current hazardous waste laws and usher in a new future to the approach of chemical use in California. In addition, when developing the 2008-09 Budget, we will review the litigation needs in this area and budget the necessary funds for legal services within DTSC's budget. I am sustaining the \$541,000 legislative augmentation for the first year of a multi-year project to update the DOJ Automated Firearms Systems database. However, I am concerned that there has been no review done to ensure the information technology solution addresses the program needs. In addition, I am concerned that competing demands for the Dealers' Record of Sale Special Account funds could necessitate an

Chaptered Bills – Senate Bills

increase in fees on the sale of firearms. Therefore, in addition to having an approved feasibility study report prior to expending any funds, I am also requesting the DOJ to provide the Department of Finance and the Legislature with a long-term analysis of the fund, including any known pressures on that fund, to ensure that there are sufficient resources to cover the program costs without necessitating a fee increase. Item 0820-001-0014 For support of Department of Justice. I reduce this item from \$1,973,000 to \$987,000. I am revising this item to conform to the action I have taken in Item 0820-001-0001. Item 0820-001-0557 For support of Department of Justice. I reduce this item from \$2,361,000 to \$1,181,000. I am revising this item to conform to the action I have taken in Item 0820-001-0001. Item 0855-101-0367 For local assistance, California Gambling Control Commission. I reduce this item from \$30,283,000 to \$283,000 and delete Provision 1. I am deleting the \$30,000,000 for grants to local government agencies to mitigate the impacts on the local governments by tribal casinos. As evidenced in a recent Bureau of State Audits report, there is great concern regarding whether these funds are being used solely for their intended purpose, which is to mitigate the impacts of having tribal casinos in their communities. I will support legislation that includes an appropriation for mitigation funds if the process is reformed. I am deleting Provision 1 to conform to this action. With this reduction, there still remains \$283,000 for payment to Del Norte County which reflects local mitigation grant funding not received by Del Norte County from the Indian Gaming Special Distribution Fund in fiscal years 2003-04, 2004-05, and 2005-06. Item 0860-001-0001 For support of State Board of Equalization. I reduce this item from \$218,835,000 to \$218,435,000 by reducing: (2)300000-Operating Expense and Equipment from \$96,269,000 to \$95,869,000, and by deleting Provision 3. I am deleting this legislative augmentation of \$400,000 for a county assessor pilot program designed to promote taxpayer awareness of the requirement to pay use tax on non-exempt purchases if sales tax has not been paid. This reduction is necessary to limit program expansions and provide for a prudent General Fund reserve in light of the various uncertainties in revenues and spending that we face this year. Item 0890-001-0001 For support of Secretary of State. I reduce this item from \$48,157,500 to \$47,822,000 by reducing: (2)20-Elections from \$46,933,500 to \$46,598,000. I am deleting the \$335,500 legislative augmentation for 4.0 positions which would provide staffing to expand voter outreach and education efforts to support the three elections scheduled for 2008. During a time of limited General Fund resources, the counties, political parties, and civic organizations must step up and encourage and promote increased voter participation. Item 3110-101-0001 For local assistance, Special Resources Program. I delete this item and Provision 1. I am deleting the \$200,000 legislative augmentation for the Tahoe Regional Planning Agency for regulation enforcement and transit system development. It is premature to provide additional funding until the bi-state commission completes its report. With these reductions, \$3,800,000 still remains to provide California's share of funding for the Tahoe Regional Planning Agency. I am deleting Provision 1 to conform to this action. Item 3340-101-6051 For local assistance, California Conservation Corps. I delete this item. I am deleting the \$12,000,000 legislative augmentation that would provide \$1,000,000 to each of the 12 certified Local Conservation Corps. Notwithstanding the merit of the Local Corps programs, the California Conservation Corps is still in the process of developing grant guidelines for Proposition 84 bond

Chaptered Bills – Senate Bills

funds. Furthermore, a recent audit of Proposition 12 and 40 bond funds identified a need for the Corps to improve its oversight of bond expenditures. The audit recommended that the Corps develop a corrective action plan prior to receiving additional bond funds. Therefore, it is necessary to delete this funding to ensure that bond proceeds are spent efficiently, effectively, and in a manner consistent with my Executive Order S-02-07 regarding bond accountability. I support funding for the Local Corps grant program when the grant guidelines and a corrective action plan that identifies appropriate oversight measures are in place. Item 3360-001-0465 For Support, State Energy Resources Conservation and Development Commission. I revise this item by reducing: (1)30-Development from \$128,807,000 to \$127,841,000, and (6)Reimbursements from -\$6,711,000 to -\$5,745,000. I am eliminating a fund shift of \$966,000 from the Energy Resources Programs Account to reimbursements for the support of two contracts. Funding for these contracts was included in the budget of the Energy Commission (Commission) when I introduced the Governor's Budget last January. However, the Legislature removed the funds from the Commission's budget, placed them in the budget of the Air Resources Board, and indicated that the Commission may seek the funds by contracting with the Air Resources Board. This would have the effect of requiring both the Commission and the Air Board to engage in unnecessary work that would delay these important projects, and as such is unacceptable. Item 3600-001-0001 For support of Department of Fish and Game. I reduce this item from \$84,503,000 to \$82,998,000 by reducing: (3)30-Management of Department Lands and Facilities from \$54,180,000 to \$53,342,000; (4)40-Enforcement from \$61,705,000 to \$60,200,000; and (22)Amount payable from the Coastal Wetlands Account (Item 3600-001-3104) from \$974,000 to -\$136,000. I am reducing the \$3,000,000 legislative augmentation for Fish and Game Warden recruitment and retention by \$1,505,000. Last year, for the first time in several years, I increased salaries by 25 percent during the three years of the bargaining agreement. I am sustaining \$1,495,000 to provide overtime funding for wardens and lieutenants, which continues my commitment to address compensation issues. However, this partial veto is necessary in order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year. I am also revising this item to conform to the actions I have taken in Item 36000013104. Item 3600-001-3104 For support of Department of Fish and Game. I reduce this item from \$974,000 to \$136,000. I am deleting the \$838,000 legislative augmentation for the maintenance and management of Department of Fish and Game coastal wetlands properties. Last year, I sustained a \$5,000,000 transfer from the General Fund to the Coastal Wetlands Account to create an endowment to provide ongoing, sustainable funding for coastal wetlands management activities. This augmentation, if sustained for 2007-08 and continued in future years, would spend down the endowment in approximately six years, and place additional cost pressure on the General Fund at that time. With this reduction, \$1,400,000 million and 18.1 positions remain for coastal wetlands management. Item 3720-001-0001 For support of California Coastal Commission. I reduce this item from \$11,881,000 to \$11,501,000 by reducing: (1)10 Coastal Management Program from \$15,909,000 to \$15,529,000. I am deleting the \$380,000 legislative augmentation for coastal enforcement. The California Coastal Commission has the authority to adjust its fees, and I am willing to consider augmentations that address the Commission's workload needs once fees have

Chaptered Bills – Senate Bills

been adjusted to cover associated costs. Currently, however, the proposed augmentation would result in additional General Fund costs. This reduction is necessary in order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year. With this reduction \$15,529,000 still remains to support the Commission's coastal management program. Item 3780-001-0001 For support of Native American Heritage Commission. I reduce this item from \$970,000 to \$770,000 by reducing: (1)10 Native American Heritage Commission from \$975,000 to \$775,000. I am deleting the \$200,000 legislative augmentation for 2.0 positions to implement legislative mandates. This reduction is necessary in order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year. With this reduction \$775,000 remains to support the Native American Heritage Commission. Item 3790-301-6051 For capital outlay, Department of Parks and Recreation. I reduce this item from \$60,878,000 to \$45,878,000 by reducing: (3.7)90.RS.412-Statewide: State Park System Opportunity and Inholding Acquisitions Acquisition from \$30,000,000 to \$15,000,000. I am vetoing \$15,000,000 of the \$25,000,000 augmentation to allow the Department sufficient resources for opportunity purchases and inholding acquisitions. The Department expended \$324,000,000 between 2000 and 2006 to acquire nearly 100,000 acres to expand the state park system. Given this recent significant investment, the Department should proceed cautiously to limit future operating costs. Item 3790-492 Reappropriation, Department of Parks and Recreation. I revise this item by deleting Schedule 1. "Notwithstanding any other provision of law, the period to liquidate encumbrances in the following citation is extended as cited below: 6029--California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (1) Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002. The liquidation period for the grant of \$3,000,000 to the City of Oroville is extended to December 31, 2009." I am eliminating the expenditure availability for this project funded from the Proposition 40 Historical and Cultural Resources Preservation Opportunity Grant Program. Funds for this project have been available for five years and have not yet been spent. Item 3860-001-0001 For support of Department of Water Resources. I revise this item by reducing: (1)10-Continuing Formulation of the California Water Plan from \$120,292,000 to \$116,047,000, and (29)Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3860-001-6051) from \$12,165,000 to \$7,920,000. I am revising this item to conform to the action taken in Item 3860-001-6051. Item 3860-001-6051 For support of Department of Water Resources. I reduce this item from \$12,165,000 to \$7,920,000. I am deleting the legislative augmentation of \$4,245,000 for watershed basin planning activities. Although I support this program, I believe that these activities should be funded through Proposition 84 funds available for the development of regional and local land use plans. Statewide water planning activity funds should be reserved for activities such as planning future water storage, adaptations of the state's water systems to climate change, and other activities that address the state's future water supply needs. Item 3860-101-6051 For local assistance, Department of Water Resources. I reduce this item from \$229,340,000 to \$219,340,000. I am deleting the legislative augmentation of \$10,000,000 for the Flood Protection Corridor Program. My proposal includes \$24,000,000 Proposition 84 funds

Chaptered Bills – Senate Bills

for projects to implement Flood Protection Corridor Program. This funding is sufficient to meet the needs of the program for the budget year, and I will propose additional funds to implement Flood Protection Corridor projects in future budgets. Item 3860-101-6052 For local assistance, Department of Water Resources. I reduce this item from \$197,450,000 to \$167,450,000. I am deleting the legislative augmentation of \$30,000,000 for the Floodway Corridor Program. This augmentation is unnecessary because criteria have not been developed for this new program created by Proposition 1E. Thus, it is not feasible for grants to be solicited and awarded during the fiscal year. The Department of Water Resources will develop criteria for this program during the fiscal year, and funds to implement Floodway Corridor Program projects will be included in future budgets. Item 3900-001-0465 For support of State Air Resources Board. I delete this item. I am eliminating this item by reducing \$966,000 in funding from the Energy Resources Programs Account. This funding was intended to support two contracts that were proposed in the budget of the Energy Commission when I introduced the Governor's Budget last January. However, the Legislature removed the funds from the Commission's budget, placed them in the budget of the Air Resources Board, and indicated that the Commission may seek the funds by contracting with the Air Resources Board. This would have the effect of requiring both the Commission and the Air Board to engage in unnecessary work that would delay these important projects, and as such is unacceptable. Item 3900-001-6053 For support of State Air Resources Board. I am sustaining the legislative augmentation of an additional \$96,500,000 provided for school bus replacement and retrofits to reduce the air pollution emissions of older, highpolluting school buses. However, I note a concern with respect to the ability of the State Air Resources Board to allocate almost \$200 million in lower-emission school bus funding within the next two years. It is important that we do not sacrifice accountability in the interests of expediency. Therefore, while acknowledging the challenge that the State Air Resources Board faces in distributing these funds, I am directing the State Air Resources Board to allocate these funds expeditiously while ensuring consistency with the accountability safeguards identified in my Executive Order S0207 for the bonds that were approved by the voters in the November 2006 general election. Item 3900-001-6054 For support of State Air Resources Board. I am sustaining the legislative augmentation of an additional \$139,000,000 provided for trade corridor emissions reductions to be expended in the budget year for this new program authorized by the voters in Proposition 1B in the November 2006 general election. Proposition 1B provides \$1 billion to fund projects intended to improve air quality along four of California's major transportation corridors: from the Los Angeles ports to the Inland Empire, State Route 99 in the Central Valley, the San Francisco Bay Area, and the San Diego border region. The State Air Resources Board will be developing program guidelines and will solicit project proposals. The projects to be funded are intended to achieve air quality improvements above and beyond anything required by current law or regulation. The travelers on our busy trade corridors and the individuals who reside along their routes are demanding relief now not many years from now. However, I am concerned about taxing the ability of the State Air Resources Board to develop program guidelines and allocate \$250,000,000 in the 2007-08 fiscal year. We must ensure effective expenditure of this bond funding. It is important that we do not sacrifice accountability in the interests of expediency. Therefore, while acknowledging the

Chaptered Bills – Senate Bills

challenge that the State Air Resources Board faces in distributing these funds, I am directing the State Air Resources Board to ensure that this funding be allocated consistent with the accountability safeguards identified in my Executive Order S02-07 for all bond funds approved by the voters in the November 2006 general election. I am requesting the State Air Resources Board to develop program administrative guidelines that make sense, reduce bureaucratic red tape, simplify and e... (TEXT ENDS)

SB 78

AUTHOR: Ducheny

TITLE: Budget Act of 2007.

STATUS: 08/24/2007-Chaptered by Secretary of State, Chapter 172, Statutes of 2007.

SUMMARY: SB 77, as proposed by Conference Report No. 1 on July 9, 2007, would make appropriations for the support of state government for the 2007-08 fiscal year. This bill would amend and supplement the Budget Act of 2007 by revising items of appropriation for the Office of the Chief Information Officer; the Secretary of State and Consumer Services; the Office of Emergency Services; the California Gambling Control Commission; the Department of Consumer Affairs; the Department of General Services; the Department of Transportation; the Department of the California Highway Patrol; the Department of Parks and Recreation; the State Air Resources Board; the California Integrated Waste Management Board; the State Water Resources Control Board; the State Department of Alcohol and Drug Programs; the Managed Risk Medical Insurance Board; the State Department of Mental Health; the State Department of Social Services; the Department of Corrections and Rehabilitation; the State Department of Education; the Employment Development Department; and the Department of Finance. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I object to the following appropriations contained in Senate Bill 78. Item 1760-001-0666 For support of Department of General Services. I revise this item by deleting Provision 10. I delete Provision 10, which would require the Department of General Services to provide an implementation progress report on the Fleet Asset Management System. This reporting requirement would result in an expenditure increase without regard to the availability of revenues. Consequently, I am vetoing this language. Nevertheless, in recognition of the Legislature's desire to obtain this information, it will be addressed as though the request had been included in Supplemental Report language. Therefore, I am instructing that the Director of the Department of General Services comply with this legislative request for this report to the extent compliance can be achieved using existing resources and without impairing the Department of General Services ability to perform its essential functions. Item 2660-001-0042 For support of Department of Transportation. I am sustaining the Legislature's augmentation for capital outlay support. In the May Revision, reflecting the large increase of work to be done to implement Proposition 1B as well as Caltrans work funded from other sources, I proposed additional funding necessary to use contractual services for engineering, design, environmental studies, and other work needed to ready projects for construction. This was proposed in lieu of expanding state staff in order to speed up delivery of Proposition 1B projects. The augmentation

Chaptered Bills – Senate Bills

was based on 90 percent state staff and 10 percent contract staff. Because it will take a year or more to hire and train state staff, I am very concerned that this action will delay projects by a year or more and end up costing more than using contractual services because of salary costs incurred while training new state hires and the impact of inflation on construction costs while projects are delayed. Moreover, because the funding from Proposition 1B is one-time and will be exhausted over the next five years, the hiring of new permanent state staff could lead to the need for future layoffs. An appropriate balance between state staff and contract staff will enable the state to improve its highways, roads, bridges, and railroad crossings immediately. Therefore, I am directing the Director of the Department of Transportation to take all steps necessary to deliver these projects as quickly as possible, including an increased use of contractual services within the funding level the Legislature has provided.

Item 3790-001-0001 For support of Department of Parks and Recreation. I reduce this item from \$145,359,000 to \$130,359,000 by reducing: (1) For support of the Department of Parks and Recreation from 383,495,000 to \$368,495,000. I am vetoing \$15,000,000 General Fund on a one-time basis for maintenance at state parks. The Department of Parks and Recreation's existing maintenance budget is approximately \$67,000,000, and a one-time augmentation of \$90,000,000 was provided in 2006-07 to address deferred maintenance needs. Furthermore, Proposition 84 provides \$400,000,000 for the development and rehabilitation of state parks, including deferred maintenance. For these reasons, and in order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year, I believe a one-time reduction can be made without a significant impact on the department's ability to perform its essential functions in 2007-08.

Item 3900-001-0044 For support of State Air Resources Board. I reduce this item from \$94,533,000 to \$93,875,000 by reducing: (1) 15-Mobile Source from \$696,312,000 to \$675,188,000; (2) 25-Stationary Source from \$53,845,000 to \$53,345,000; (7) Amount payable from the Air Pollution Control Fund (Item 3900-001-0115) from -\$174,541,000 to -\$154,541,000; and by deleting: (9.5) Amount payable from the Energy Resources Programs Account (Item 39000010465) (-\$966,000). I am reducing Schedule 1 to eliminate the legislative augmentation of \$658,000 and 6.7 positions for additional diesel enforcement efforts. In the past three budgets, I have included additional staff for diesel enforcement every year. In 2005-06, I added 15.3 positions, in 2006-07, I added 5.8 positions, and in the 2007-08 Governor's Budget, I included 6.7 more positions. The Legislature concurred in all of these augmentations, but added 6.7 additional positions this year for reasons which have not been explained. While I recognize that diesel enforcement is important, these augmentations are all funded by the Motor Vehicle Account, which is facing significant fiscal pressures for other high-priority expenditures. In light of this, and the lack of workload justification for the 6.7 position legislative augmentation, it is necessary to make this reduction in order to preserve Motor Vehicle Account funds for other critical needs. I am also revising this item to conform to the actions I have taken in Items 39000010115 and 3900-001-0465.

Item 3900-001-0115 For support of State Air Resources Board. I reduce this item from \$174,541,000 to \$154,541,000. I am deleting the \$20,000,000 legislative augmentation for construction equipment grants that would be funded by increasing vehicle-related fees charged to the citizens of California. This proposal would carve out one

Chaptered Bills – Senate Bills

industry, construction, for a state subsidy to comply with proposed air quality regulatory requirements. This focus on a single industry is inconsistent with the Air Board's overall approach to regulating air quality. I am sustaining the \$1,000,000 fund shift from General Fund to the Air Pollution Control Fund (APCF) for legal defense costs associated with Chapter 200, Statutes of 2002 and associated provisional language. I note, however, that the resources expected to be available in the APCF are quite limited. Consequently, should the legal defense costs exceed the \$1,000,000 provided in this item, the Air Board will likely request General Fund deficiency funding rather than additional resources from the APCF. Item 3940-001-0001 For support of State Water Resources Control Board. I reduce this item from \$39,344,000 to \$39,102,000 by reducing: (1)10-Water Quality from \$463,986,400 to \$459,499,400, and (5)Reimbursements from -\$14,244,000 to -\$9,999,000. I am eliminating a legislative augmentation of \$242,000 and 2.0 positions to accelerate the development of Total Maximum Daily Load standards (TMDLs) in the North Coast Regional Water Board. I support the expeditious implementation of TMDLs throughout the state. However, I believe this can be accomplished within existing resources. In addition, this reduction is necessary in order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year. With this reduction, \$1,100,000 still remains to support the development of North Coast Regional Water Board TMDLs. I am also eliminating a legislative augmentation of \$4,245,000 in reimbursement authority for water basin planning. My budget proposed funding water basin planning from Chapter 9 of Proposition 84. The Legislature shifted this funding to reimbursements, to be provided by the Department of Water Resources from funds made available by Chapter 4 of Proposition 84. However, notwithstanding the merits of this program, it is not appropriately funded from Chapter 4 of Proposition 84, which requires the funding to be used for statewide, rather than basin-specific, water planning activities. With this reduction, \$6,600,000 still remains to support water basin planning. Item 4280-101-0001 For local assistance of the Managed Risk Medical Insurance Board. I reduce this item from \$373,832,000 to \$372,429,000 by reducing: (2)40-Healthy Families Program from \$1,032,841,000 to \$1,028,942,000, and (3)Amount payable from the Federal Trust Fund (Item 4280-101-0890) from -\$732,337,000 to -\$729,841,000. I am deleting \$3,899,000 (\$1,403,000 General Fund and \$2,496,000 Federal Trust Fund) to conform to the action I have taken in Item 4280-001-0001, related to the delayed implementation of SB 437 (Chapter 328, Statutes of 2006). Item 5180-101-0001 For local assistance, Department of Social Services. I reduce this item from \$2,210,356,000 to \$2,207,412,000 by reducing: (2)16.65-Other Assistance Payments from \$1,324,322,000 to \$1,321,378,000. I am reducing by \$2,944,000 the augmentation I included in the May Revision to fund local food banks and Foodlink to provide relief to Californians from the effects of last winter's severe weather conditions. This reduction in funding is possible due to a decrease in the number of disaster victims being served and a reduced timeframe that these victims will require services. This action will in no way affect the services being provided to victims of the freeze disaster. Item 5180-141-0001 For local assistance, Department of Social Services. I reduce this item from \$437,764,000 to \$432,941,000 by reducing: (1)16.75-County Administration and Automation Projects from \$1,085,916,000 to \$1,073,349,000; (2)Reimbursements from -\$57,871,000 to -\$54,951,000; and (3)Amount payable

Chaptered Bills – Senate Bills

from the Federal Trust Fund (Item 5180-141-0890) from \$590,281,000 to -\$585,457,000. I am deleting the legislative augmentation of \$12,567,000 (\$4,823,000 General Fund, \$2,920,000 Reimbursements, and \$4,824,000 Federal Trust Fund) for workstation replacement and help desk support of the Statewide Automated Welfare System, including the CalWORKs Information Network. Although I understand that workstations need to be replaced on a regular basis, this reduction is needed to build a prudent reserve. In addition, I believe this cost may be paid from funds provided for general county administration. I am also reducing \$2,130,000 in Item 4260-101-0001 and \$2,130,000 in Item 42601010890 to conform to this action. Item 5180-141-0890 For local assistance, Department of Social Services. I reduce this item from \$590,281,000 to \$585,457,000 and delete Provision 2. I am reducing this item to conform to the action I have taken in Item 5180-141-0001 related to workstation replacement and help desk support. Item 5180-151-0001 For local assistance, Department of Social Services. I reduce this item from \$756,589,000 to \$739,528,000 by reducing: (1)25.30-Children and Adult Services and Licensing from \$2,077,314,000 to \$2,056,169,000; (3)Reimbursements from -\$115,875,000 to -\$115,707,000; and (6)Amount payable from the Federal Trust Fund (Item 5180-151-0890) from -\$1,222,557,000 to -\$1,218,641,000. In order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year, I am deleting the legislative augmentation of \$12,000,000 General Fund for the Adult Protective Services program. This veto maintains funding for the program at the level proposed in the May Revision. I am deleting the legislative augmentation of \$5,135,000 (\$2,467,000 General Fund, \$168,000 Reimbursements, and \$2,500,000 Federal Trust Fund) for workstation replacement of the Child Welfare Services/Case Management System. Although I understand that workstations need to be replaced on a regular basis, this reduction is needed to build a prudent reserve. I am reducing Item 0530-001-9732 by \$5,135,000 to conform to this action. I am reducing this item by \$4,010,000 (\$2,594,000 General Fund and \$1,416,000 Federal Trust Fund) on a one-time basis. This funding would have provided resources to counties for sibling searches in the Adoptions Program and to help prevent foster youth identity theft, pursuant to legislation enacted in the 2006-07 fiscal year. I am suspending implementation of these programs by one year to further build a prudent reserve and I am directing the Department of Social Services to notify counties that these activities should be suspended during this fiscal year. **Item 5225-101-0001 For local assistance, California Department of Corrections and Rehabilitation. I reduce this item from \$336,791,000 to \$321,891,000 by deleting: (8)60.01-County Juvenile Justice Planning Grants (\$4,900,000); (9)60.02-County Juvenile Justice Competitive Grants (\$10,000,000); and Provision 10. I am deleting the \$4,900,000 legislative augmentation, which was intended to provide one-time grants to all counties to plan for changes in state law governing county custody and rehabilitative services for youthful offenders whose offenses are not listed in Welfare and Institutions Code Section 707(b). I am also deleting the \$10,000,000 legislative augmentation, which was intended to provide one-time competitive grants to counties for additional planning and development efforts related to the juvenile offender population that will now be housed locally. These reductions are necessary in order to further build a prudent reserve in light of the various uncertainties in**

Chaptered Bills – Senate Bills

revenues and spending that we face this year. I am deleting Provision 10 to conform to this action. (Emphasis added) Item 7100-001-0870 For support of Employment Development Department. I revise this item by reducing: (1)10-Employment and Employment Related Services from \$180,125,000 to \$168,065,000, and (10)Amount payable from the Employment Development Contingent Fund (Item 7100-001-0185) from -\$79,495,000 to -\$67,435,000. I am revising this item to conform to the action I have taken in Item 7100-001-0185. Item SEC. 29.50 2008-09 State Operations and Capital Outlay Budget Restrictions. I delete this Control Section. This Control Section provides legislative intent language to assist me in preparing the 200809 Budget that I will propose. The intent language directs the Department of Finance not to include funding in the Budget for various issues that evidently are low priorities for the Legislature. While controlling expenditures is a worthy and laudable goal every year, I do not think it is appropriate to predetermine funding decisions now, and I will propose a Budget that reflects my spending priorities within available fiscal resources. I believe it is important that the full and deliberative process take place for each and every program. California taxpayers expect that we all do our job completely each year, and I would miss an opportunity to continue discussions on these important issues with my legislative friends next year; therefore, I am deleting this control section. With the above deletions, revisions, and reductions, I hereby approve Senate Bill 78.

SB 81

AUTHOR: Committee on Budget and Fiscal Review

TITLE: Corrections.

STATUS: 08/24/2007-Chaptered by Secretary of State, Chapter 175, Statutes of 2007.

SUMMARY: Existing law authorizes the Department of Corrections and Rehabilitation to design, construct, or renovate prison housing units, support buildings, and programming space in order to add approximately 7,000 beds, to design, construct, or renovate prison housing units, support buildings, and programming space in order to add approximately 4,000 beds to existing prison facilities, and to add additional beds for medical treatment and housing, as specified. Existing law authorizes the issuance of bonds for purposes of financing these projects, as specified. This bill would require the department to conduct site assessments in connection with determining where to construct or renovate housing units pursuant to the projects described above, and to report those assessments to the Joint Legislative Budget Committee as specified. The bill would provide that specified reporting requirements apply separately to each institution or facility. The bill would require additional reports by the department to the Joint Legislative Budget Committee concerning the budgets, schedules, allocations from funds for the projects, and other items, in connection with the projects described above. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: To the Members of the California State Senate: I am signing Senate Bill 81, an important measure which enacts several public safety provisions of the Budget Act of 2007. However, there are a few flaws that will require the Legislature to work with my Administration to clean up in subsequent legislation. First, as it relates to juvenile justice reform, this bill requires counties planning to use local facilities for the purposes of housing juvenile

Chaptered Bills – Senate Bills

offenders between the ages of 19 and 21 to seek approval from the Corrections Standards Authority (CSA), which must act within 30 days of notification by the counties. In addition, this bill requires CSA to approve the counties' Juvenile Justice Development Plans, which must be submitted to CSA no later than January 1, 2008. It is unclear whether CSA should have an approval role in either of these situations, has the resources to meet the requirements, and can act within the specified timeframe. Therefore, CSA's role should be clarified in clean-up legislation. In addition, I am directing the Office of Inspector General (OIG) to implement only a portion of the provisions (Sections 13 and 14) that would require the OIG to include specified information in audits of wardens and juvenile facility superintendents. The intent of the amendment to these sections was to require the OIG to include an assessment of facility maintenance as part of the warden evaluation process. I agree that facility maintenance in correctional institutions is a significant issue that should be reviewed. However, this measure appears to require the OIG to include specified new information in every audit, which would create an additional workload burden that cannot be managed within existing resources. Additionally, it is my understanding that evaluations of facility maintenance in the quadrennial audits can be performed within existing budgetary resources, which is consistent with the direction from the Legislature in this regard. Therefore, I am directing the OIG to comply with the original intent of these sections, and to address this drafting error by proposing future cleanup legislation. Sincerely, Arnold Schwarzenegger

[SB 86](#)

AUTHOR: Committee on Budget and Fiscal Review

TITLE: State government.

STATUS: 08/24/2007-Chaptered by Secretary of State, Chapter 179, Statutes of 2007.

SUMMARY: Existing law, the Unclaimed Property Law, governs the disposition of unclaimed property, including the escheat of certain property to the state. Those provisions require a person holding funds or other property escheated to the state to report to the Controller certain information regarding the property and the owner, and set forth procedures whereby a person may file a claim to the property or to the net proceeds from its sale. Those provisions also specify the procedures for transferring the property from the holder of the property to the state and for administering the property. This bill would modify the procedures governing the disposition of unclaimed property. The bill would provide that, within 165 days after the final date for filing the report described above, the Controller shall mail a notice, as specified, to each person having an address listed in the report who appears to be entitled to property of the value of \$50 or more escheated under these provisions. It would require the Controller to establish and conduct a notification program designed to inform owners about the possible existence of unclaimed property received pursuant to these provisions. The bill would make specified changes regarding the duties of a holder of property that has escheated and the duties of the Controller after receiving the property, including a requirement that the Controller retain the property for 18 months from specified dates. The bill would make other related changes. This bill contains other related provisions and other existing laws.

Chaptered Bills – Senate Bills

GOVERNOR'S MESSAGE: To the Members of the California State Senate: I am sustaining the entire \$300 million for the Infill Incentives Grant Program established under the Proposition 1C Housing Bond. However, I do have concerns regarding the \$60 million appropriation for California Pollution Control Authority to fund brownfields cleanup under the CALReUSE program. While Senate Bill 86 provides funds to the CALReUSE program, I request that clean-up legislation be authored to address a more direct linkage in that program to the production of new housing and to ensure that funds not allocated by CALReUSE or used by program recipients for this purpose be reverted to the Proposition 1C Infill Incentives Grant Program at the Department of Housing and Community Development. Sincerely, Arnold Schwarzenegger

SB 99

AUTHOR: Committee on Budget and Fiscal Review

TITLE: Prisons: construction.

STATUS: 09/26/2007-Chaptered by the Secretary of State, Chapter 245, Statutes of 2007.

SUMMARY: Existing law charges the Department of Corrections and Rehabilitation with the responsibility of planning and constructing state correctional facilities and permits funding for the construction of various prisons through lease-purchase financing arrangements. This bill would authorize funding for the design and construction of a central health facility at San Quentin State Prison, as specified, by means of state issued revenue bonds. It would authorize the State Public Works Board to issue up to \$146,160,000 in revenue bonds, notes, or bond anticipation notes for that purpose and would continuously appropriate the proceeds for that purpose. This bill contains other related provisions.

SB 100

AUTHOR: Ducheny

TITLE: Budget Act of 2006.

STATUS: 07/17/2007-Chaptered by the Secretary of State, Chapter 71, Statutes of 2007.

SUMMARY: The Budget Act of 2006 appropriated specified amounts from the General Fund and unallocated nongovernmental cost funds for expenditure for contingencies or emergencies upon written notification from the Director of Finance. The bill would appropriate \$140,970,000, as scheduled, in augmentation of these Budget Act appropriations. This bill contains other related provisions.

SB 101

AUTHOR: Ducheny

TITLE: Budget Act of 2006: augmentation.

STATUS: 06/05/2007-Chaptered by Secretary of State, Chapter 10, Statutes of 2007.

SUMMARY: The Budget Act of 2006 appropriated specified amounts from the General Fund for specified programs. This bill would appropriate \$213,044,000 from the General Fund and unallocated nongovernmental cost funds, as scheduled, in augmentation of appropriations in that Budget Act. The bill would declare that it is to take effect immediately as a statute providing for the usual current expenses of the state.

Chaptered Bills – Senate Bills

[SB 102](#)

AUTHOR: Migden

TITLE: Blood transfusions.

STATUS: 07/20/2007-Chaptered by the Secretary of State, Chapter 88, Statutes of 2007.

SUMMARY: Existing law requires, whenever there is a reasonable possibility, as determined by a physician, that a blood transfusion may be necessary as a result of a medical procedure, that the physician, by means of a standardized written summary that is published by the Medical Board of California and distributed upon request, inform the patient of the positive and negative aspects of receiving autologous blood and directed and nondirected homologous blood from volunteers. This bill would also include a doctor of podiatric medicine within the scope of these requirements. It would require the information to be given by the physician or doctor of podiatric medicine, directly or through a nurse practitioner, certified nurse midwife, or physician assistant, authorized to order a blood transfusion.

[SB 161](#)

AUTHOR: Margett

TITLE: Public works contracts: Internet submissions.

STATUS: 10/10/2007-Chaptered by the Secretary of State, Chapter 427, Statutes of 2007.

SUMMARY: Existing public contract law authorizes public entities to adopt methods and procedures to receive bids on public works or other contracts over the Internet, as specified. This bill would authorize public entities to receive supporting materials submitted pursuant to a public works contract over the Internet, as specified. This bill would require public entities that receive bids and supporting materials over the Internet to provide an electronic receipt to the contractor either by immediate transmission or by providing access to the contractor to an electronic file that contains the receipt, as specified. This bill contains other related provisions and other existing laws.

[SB 172](#)

AUTHOR: Alquist

TITLE: Crimes: sex offenders.

STATUS: 10/13/2007-Chaptered by the Secretary of State, Chapter 579, Statutes of 2007.

SUMMARY: Existing law provides for various penalty provisions related to sex offenders. This bill would make nonsubstantive, conforming changes to those provisions. The bill would make clarifying changes to provisions related to the risk assessment tool to be used to identify sex offenders, and would make related technical changes. This bill contains other related provisions and other existing laws.

Chaptered Bills – Senate Bills

[SB 362](#)

AUTHOR: Simitian

TITLE: Identification devices: subcutaneous implanting.

STATUS: 10/12/2007-Chaptered by the Secretary of State, Chapter 538, Statutes of 2007.

SUMMARY: Existing law accords every person the right of protection from bodily restraint or harm, from personal insult, from defamation, and from injury to his or her personal relations, subject to the qualifications and restrictions provided by law. This bill would prohibit a person from requiring, coercing, or compelling any other individual to undergo the subcutaneous implanting of an identification device, as defined. The bill would provide for the assessment of civil penalties for a violation thereof, as specified, and would allow an aggrieved party to bring an action against a violator for damages and injunctive relief, subject to a 3-year statute of limitation, or as otherwise provided.

[SB 391](#)

AUTHOR: Ducheny

TITLE: Corrections.

STATUS: 10/13/2007-Chaptered by the Secretary of State, Chapter 645, Statutes of 2007.

SUMMARY: Existing law gives the Board of Parole Hearings the power upon granting parole to any prisoner to impose on the parole any conditions that it may deem proper. Existing law gives the Board of Parole Hearings power to suspend or revoke any parole and to order returned to prison any prisoner upon parole. This bill would authorize the Department of Corrections and Rehabilitation to expand the use of parole programs or services. It would allow the department or the Board of Parole Hearings, with respect to a parolee who violates a condition of parole and who meets specified criteria, to assign the parolee to a parole program or service, in lieu of revoking his or her parole. This bill would allow the Board of Parole Hearings, as an alternative to ordering a parolee returned to custody upon revocation of parole, to suspend the period of revocation pending the parolee's successful completion of the specified parole program or service. This bill contains other related provisions.

[SB 449](#)

AUTHOR: Aanestad

TITLE: Crime records: victims of sex offenses.

STATUS: 10/13/2007-Chaptered by the Secretary of State, Chapter 578, Statutes of 2007.

SUMMARY: The California Public Records Act requires state and local agencies to make public records available upon receipt of a request that reasonably describes an identifiable record not otherwise exempt from disclosure by express provisions of law, and upon the payment of fees to cover the associated costs. The act expressly exempts from disclosure the names and addresses of victims of specified crimes, at the victim's request or the victim's parent or guardian if the victim is a minor. This bill would expand the category of crime victims whose names and addresses are not subject to disclosure under the act, to include additional sex crimes. This bill contains other related provisions and other existing laws.

Chaptered Bills – Senate Bills

[SB 472](#)

AUTHOR: Corbett

TITLE: Prescription drugs: labeling requirements.

STATUS: 10/11/2007-Chaptered by the Secretary of State, Chapter 470, Statutes of 2007.

SUMMARY: Existing law, the Pharmacy Law, provides for the licensure and regulation of the practice of pharmacy by the California State Board of Pharmacy in the Department of Consumer Affairs. Existing law prohibits a pharmacist from dispensing a prescription, except in a container that meets certain labeling requirements. This bill would require the board to promulgate regulations that require, on or before January 1, 2011, a standardized, patient-centered, prescription drug label on all prescription medication dispensed to patients in California. The bill would require the board to hold special public meetings statewide in order to seek information from certain groups, and would require the board to consider specified factors in developing the label requirements. The bill would require the board to report to the Legislature on or before January 1, 2010, on its progress at the time of the report, and to report to the Legislature on or before January 1, 2013, on the status of implementation of the requirements. This bill contains other related provisions and other existing laws.

[SB 473](#)

AUTHOR: Cox

TITLE: State agencies: fingerprinting vendors.

STATUS: 09/26/2007-Chaptered by the Secretary of State, Chapter 248, Statutes of 2007.

SUMMARY: Existing law requires the Department of Justice to establish and implement a certification program in the Department of Justice for processing fingerprint-based criminal background clearances on individuals who roll fingerprints. Existing law requires the Department of Justice to work with applicant regulatory entities to improve and make more efficient the criminal offender record information request process related to employment, licensing, and certification background investigations. This bill would prohibit a state agency that requires fingerprinting for any non-law-enforcement purpose from requiring the use of specified live scan fingerprinting service providers certified by the Department of Justice to roll fingerprint impressions. The bill also would authorize state agencies to identify on their Web sites a list of live scan fingerprinting service providers certified by the Department of Justice, and if a state agency chooses to do so, it would be required to provide a link to the Department of Justice's Web site that lists all certified live scan fingerprinting service providers.

[SB 518](#)

AUTHOR: Migden

TITLE: Juveniles: Youth Bill of Rights.

STATUS: 10/13/2007-Chaptered by the Secretary of State, Chapter 649, Statutes of 2007.

SUMMARY: Existing law authorizes a peace officer to take a minor that the officer has reasonable cause to believe is within the jurisdiction of the juvenile court, either as a dependent child or as a ward of the court, into temporary custody without a warrant, as specified. Existing law

Chaptered Bills – Senate Bills

provides procedures for processing the minor thereafter. Existing law requires the release within 48 hours of a minor who is taken into temporary custody by a peace officer or probation officer, as specified, unless a petition to declare him or her a dependent child or ward of the court has been filed. Existing law requires the juvenile court, upon the appearance of a minor at a detention hearing, to inform the minor, and his or her parents or guardians, of the reasons why the minor was taken into custody, the nature of the juvenile court proceedings, and their right to representation by counsel. This bill would enact the "Youth Bill of Rights" in connection with youth confined in a facility of the Division of Juvenile Facilities. The bill would enumerate various specific rights. The bill would require every Division of Juvenile Facilities facility to provide each youth who is placed in the facility with an age and developmentally appropriate orientation that includes an explanation and a copy of the rights, and would require a facility of the Division of Juvenile Facilities to post a listing of the rights. The bill would require all facilities of the Division of Juvenile Facilities to provide care, placement, and services to youth in their custody without discriminating on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status. The bill would require the Office of the Ombudspersons of the Division of Juvenile Facilities to take various actions in connection with the rights, including disseminating information, investigating complaints, providing information regarding complaints it does not investigate, compiling data and making it available to the Legislature, and providing a toll-free telephone number. The bill would further require the Ombudspersons of the Division of Juvenile Facilities, in consultation with specified groups, to develop standardized, age-appropriate information in connection with these rights by July 1, 2008.

SB 770

AUTHOR: Cogdill

TITLE: Milk.

STATUS: 10/08/2007-Chaptered by the Secretary of State, Chapter 351, Statutes of 2007.

SUMMARY: Existing law provides that the sale by any retailer, wholesale customer, manufacturer, or distributor, of milk, cream, or any dairy product at less than cost is an unlawful practice. Existing law defines certain terms as used in these provisions, including "total consideration paid or exchanged for raw product," which means, in the case of market milk or market cream, the applicable minimum price of the market milk or market cream, if any, payable by distributors to producers pursuant to stabilization or marketing plans, as specified. This bill would change the definition of "total consideration paid or exchanged for raw product," in the case of market milk or market cream used in the manufacture of class 1, 2, and 3 products, to mean the Department of Food and Agriculture's current announced regulated minimum price of the market milk or market cream, payable by handlers to producers, except as specified. Because this bill would change the definition of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Chaptered Bills – Senate Bills

[SB 943](#)

AUTHOR: Machado

TITLE: Prisons.

STATUS: 09/26/2007-Chaptered by the Secretary of State, Chapter 228, Statutes of 2007.

SUMMARY: Existing law authorized the construction of a medium security prison for women, currently known as the Northern California Women's Facility, and prohibited the housing of male inmates in that prison. This bill would authorize the use of the Northern California Women's Facility as a reentry facility to house inmates, parole violators, or parolees pending revocation of parole, as specified. This bill contains other related provisions and other existing laws.

[SB 959](#)

AUTHOR: Romero

TITLE: Involuntary home detention.

STATUS: 09/26/2007-Chaptered by the Secretary of State, Chapter 252, Statutes of 2007.

SUMMARY: Existing law establishes a voluntary home detention program where participants are subject to electronic monitoring, as specified. This bill would establish an involuntary home detention program, under which participants would be electronically monitored, as specified. This bill contains other related provisions.

[SCR 11](#)

AUTHOR: Negrete McLeod

TITLE: Correctional Officer Manuel A. Gonzalez, Jr. Memorial Highway.

STATUS: 07/10/2007-Chaptered by Secretary of State, Chapter 85, Statutes of 2007.

SUMMARY: This measure would designate the portion of State Highway Route 71 between State Highway Route 60 and Central Avenue in San Bernardino County as the Correctional Officer Manuel A. Gonzalez, Jr. Memorial Highway. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering that cost, to erect those signs.

Vetoed Bills

AB 35

AUTHOR: Ruskin
TITLE: Environment: state buildings: sustainable building standards.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law sets forth various requirements for energy and design efficiency in construction and renovation of state buildings. This bill would enact the Sustainable Building Act of 2007 and would require a state agency, on and after July 1, 2010, that commences construction of a state building, or renovation to a building owned by the state, to design, construct, and operate that state building to meet, at a minimum, applicable certification standards described in the United States Green Building Council's Leadership in Energy and Environmental Design for a gold rating. The bill would require a state agency to also consider existing relevant information and guidelines, and would require a state agency to provide for credits for the use of specified products.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 35 without my signature. I support the development of green building standards and share the goals of this bill. However, if implemented provisions in this bill would create a bias for certain building materials over others without a clear benefit. For instance, the use of California wood building construction materials is highly discouraged in favor of foreign grown bamboo and wheatgrass. Additionally, building standards should not be statutory. The Building Standards Commission was created to ensure an open public adoption process allowing experts to develop standards and periodic updates to the building codes. Allowing private entities, such as proposed in this bill, to dictate California's building standards usurps the state's authority to develop and adopt those standards and could compromise the health and safety of Californians. I encourage state agencies to review all nationally recognized programs and glean from those programs, standards that promote greener construction, energy and water conservation, and reduce Green House Emissions. It is imperative to expedite the greening of California's building standards. As such, I am directing the California Building Standards Commission to work with specified state agencies on the adoption of green building standards for residential, commercial, and public building construction for the 2010 code adoption process. Sincerely, Arnold Schwarzenegger

AB 72

AUTHOR: Dymally
TITLE: Curriculum: social science.
STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Under existing law, the adopted course of study for grades 7 to 12, inclusive, is required to include instruction in social science. The required social science instruction is permitted to include instruction on World War II and the American role in that war. Statutory provisions encourage that instruction to include a component drawn from personal testimony of American soldiers who were involved in World War II and those men and women who contributed to the war effort on the homefront. This bill would encourage instruction in social science for grades 7 to 12,

Vetoed Bills

inclusive, to include instruction on World War II and the role of Filipinos in that war. This bill contains other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 72 without my signature. I strongly support the author's intent to recognize the contributions of the Filipinos during World War II. Accordingly, through the years I have taken administrative actions to publicly acknowledge the efforts through proclamations and other means. However, I have vetoed nearly identical bills over the last three years and I continue to believe that current law already provides the necessary flexibility for schools to incorporate this topic in their social science instruction. Because school districts may provide instruction on any topic not expressly prohibited by the Education Code, the authorization provided by this bill is unnecessary. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 174](#)

AUTHOR: Price
TITLE: Civil service: employment discrimination.
STATUS: 10/10/2007-Vetoed by Governor.

SUMMARY: The State Civil Service Act prohibits discrimination in public employment on the same bases as in the Fair Employment and Housing Act. Those bases are race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation. This bill would, additionally, authorize the board to award reasonable attorney's fees and costs to the employee. This bill contains other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 174 without my signature. This bill would authorize the State Personnel Board to award reasonable attorneys fees and costs when the Board finds that a state civil service employee has suffered discrimination. This is the third time I have vetoed legislation containing this provision. The majority of state employees are represented by their union or excluded employee organization in matters before the State Personnel Board. In addition, employees have the option of pursuing claims in other venues that allow for the awarding of attorneys fees. For these reasons, I maintain my position that this bill is unnecessary. Sincerely, Arnold Schwarzenegger

[AB 183](#)

AUTHOR: Coto
TITLE: Pupils: high schools: voter registration.
STATUS: 10/12/2007-Vetoed by Governor.

SUMMARY: Existing law requires the Secretary of State to annually provide voter registration forms and information to students in all high schools, community colleges, and campuses of the California State University and University of California. Existing law requires that the number of forms be consistent with the number of students enrolled at each school who are of voting age or will be of voting age by the end of the year and requires the Secretary of State to provide additional forms to any school, free of charge, if so requested by a school. Existing law also declares the Legislature's intent that every school do all in its power to ensure that students are provided the

Vetoed Bills

opportunity and means to register to vote. The last 2 full weeks in April and the last 2 full weeks in September are required to be known as "high school voter weeks," during which time deputy registrars of voters are required to be allowed to register students and school personnel on any high school campus. This bill would require, commencing with the 2009-10 school year, and for each school year thereafter, each school district with at least one high school to report the voter registration efforts described in the above provisions of existing law and to publish those efforts prominently and annually on the Internet Web sites of its high schools and in parent newsletters or other communication vehicles used within the school community. By imposing new duties on school districts, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 183 without my signature. I believe it is important to encourage young Californians to register to vote. Current law already requires the Secretary of State to provide voter registration forms to schools for disbursement to students. Moreover, throughout the year, registrars of voters are provided the opportunity to meet with high school students through bi-annual campus visits during high school voter weeks. In contrast, this bill will not likely induce more students to vote. Instead, it will likely result in significant reimbursable state-mandates to school districts and unnecessarily add administrative burdens to schools while taking time and resources away from schools' educational mission. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 295](#)

AUTHOR: Lieu

TITLE: State agencies: collection of demographic data.

STATUS: 10/11/2007-Vetoed by Governor.

SUMMARY: Existing law requires any state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for each major Asian and Pacific Islander group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian, Guamanian, Samoan, Laotian, and Cambodian. This bill would require specified state agencies to use additional separate collection categories and tabulations for other major Asian groups and Native Hawaiians and other Pacific Islander groups, including Bangladeshi, Fijian, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, Thai, and Tongan. This bill would also require that these specified state agencies update their data collection categories to match those used by the United States Census Bureau. This bill would further require a state agency, board, or commission that directly or by contract collects demographic data, include data on specified collection categories and tabulations in any demographic report on ancestry or ethnic origins of Californians that it publishes or releases on or after July 1, 2009. This bill would further require a state agency, board, or commission to make the collected data available to the public, in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential.

Vetoed Bills

GOVERNOR'S MESSAGE: I am returning Assembly Bill 295 without my signature. This bill would mandate state agencies that collect demographic data regarding ethnicity to make separate classifications for specified Asian groups. I believe this bill is unnecessary and imposes additional costs on state agencies at a time the state cannot afford them. Even as we work to move beyond divisions based on race, I recognize there are times when it is appropriate for government to sort data based on ethnicity. That is why existing law gives state agencies the flexibility to expand upon current demographic categories if necessary. Given this flexibility, this bill is unnecessary. I encourage the proponents of this measure to work with individual agencies if they believe a circumstance exists where expanding the number of ethnic categories for the purposes of data collection is warranted. Sincerely, Arnold Schwarzenegger

[AB 435](#)

AUTHOR: Brownley
TITLE: Wage discrimination.
STATUS: 10/12/2007-Vetoed by Governor.

SUMMARY: Existing law prohibits any employer from discriminating in the amount of wages paid for equal work, based upon the sex of the employee. These provisions are enforced by the Division of Labor Standards Enforcement by investigating complaints filed by employees and filing and prosecuting civil actions on their behalf. This bill would require employers to maintain these records for 5 years. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 435 without my signature. This bill would extend the statute of limitations on specified civil actions against an employer to recover wages. This bill is intended, like others I have vetoed before, to eradicate the historical trend of women earning less than men for doing the same work. While I support this intent, I still do not believe the provisions of this bill or previous years' legislation are necessary in order to achieve this goal. I maintain my concern that measures like this bill will encourage frivolous litigation against employers and have little impact on the fight against gender pay inequity. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

[AB 508](#)

AUTHOR: Swanson
TITLE: Food stamps: eligibility: drug felonies.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law provides for the Food Stamp Program, under which food stamps allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law provides that a person convicted of a drug-related felony, with certain exceptions, is eligible for aid under the Food Stamp Program, if specified requirements are met. This bill would, instead, provide that a person convicted of any drug felony shall be eligible for aid under the Food Stamp Program, and would eliminate the above-referenced eligibility requirements. This bill contains other related provisions and other existing laws.

Vetoed Bills

GOVERNOR'S MESSAGE: While I strongly support efforts to help people recover from drug addiction, I am returning Assembly Bill 508 without my signature. The current requirement for drug-related felons to participate in a drug treatment program, or provide evidence that drug usage has ceased, remains a viable intervention prior to eligibility in the Food Stamp Program. Such an intervention increases the opportunities for successful recovery from drug addiction and provides for more individual responsibility and accountability of individuals being released from incarceration for a drug-related felony conviction. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[AB 527](#)

AUTHOR: Torrico

TITLE: Energy efficiency.

STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing law requires all new public buildings to be models of energy efficiency, according to specified criteria, and requires the Department of General Services to consult with the State Energy Resources Conservation and Development Commission with respect to these criteria. This bill would require the department, in partnership with the commission, to develop and adopt, on or before January 1, 2009, a state plan to include energy efficient technology in public buildings, according to specified criteria. It would require the department, with the cooperation of the commission, to begin implementation of the state plan upon its adoption. The bill would also require the department, in conjunction with the commission, to report to the Legislature, on or before January 1, 2011, on the progress of the implementation of the state plan and its effectiveness in improving the energy efficiency of public buildings. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 527 without my signature. Increasing investments in energy efficient technologies for state buildings is an important and laudable goal. Indeed, in 2004, I signed Executive Order S-20-04 which committed the state to reduce state building electricity usage by encouraging the implementation of cost-effective measures for facilities owned, funded or leased by the state. This measure attempts to provide funding for state investment in emerging energy efficient technologies in state buildings by creating a new fund in which all state agencies would be required to deposit three percent of their annual utility budget, as determined by the Department of Finance. Statutory auto-pilot budgeting removes our ability to make responsible fiscal decisions as we work together to craft the state budget each year. Just like all programs across state government, we must decide where General Fund dollars should be spent based on the state's fiscal outlook for each budget year. Although for a worthwhile cause, this bill would automatically redirect a cumulative average of \$23 million each year away from state agencies. I cannot support such a circumvention of the deliberative budget process. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[AB 537](#)

AUTHOR: Swanson
TITLE: Family and medical leave.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law, the Moore-Brown-Roberti Family Rights Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period (1) to bond with a child who was born to, adopted by, or placed for foster care with, the employee, (2) to care for the employee's parent, spouse, or child who has a serious health condition, as defined, or (3) because the employee is suffering from a serious health condition rendering him or her unable to perform the functions of the job. Under the act, "child" means a biological, adopted, foster, or stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18 or an adult dependent child. The act defines "parent" to mean the employee's biological, foster, or adoptive parent, stepparent, legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, (2) expanding the definition of "parent" to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 537 without my signature. This bill, along with two others I am returning without my signature, would significantly expand California's workplace leave laws. While some expansion of existing law may have merit, these laws in combination are too expansive and also fail to recognize the need for reforms to current law. California has the strongest employment leave and workplace protection laws in the country. While these laws have been enacted with the best of intentions, they have also caused much confusion for employers and employees. Unfortunately, many California-only standards in areas such as family leave, overtime, and meal and rest periods have been developed haphazardly and have resulted in needless litigation that has created a perception that California is not friendly to business. Instead of expanding the confusing network of laws that presently exist, employers and employees should be working together to eliminate confusion and create a system of workplace laws that protects workers, provides reasonable leave requirements, and offers both employers and employees flexibility to meet their respective needs. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[AB 608](#)

AUTHOR: De La Torre
TITLE: State contracting; small business preference.
STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: The Small Business Procurement and Contract Act requires the directors of the Department of General Services and other state agencies entering into contracts for the provision of goods, information technology, and services to the state, and in the construction of state facilities, to provide for a preference up to and including 5% for any bid to small businesses and microbusinesses, or nonsmall businesses that provide for small business and microbusiness subcontractor participation, in solicitations where an award is to be made to the lowest responsible bidding meeting specifications. This bill would increase the maximum percentage of the bidding preference afforded by the directors of the Department of General Services and other state agencies to small businesses and microbusinesses, or nonsmall businesses that provide for small business and microbusiness subcontractor participation to 10%.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 608 without my signature. I strongly support small business participation in State contracting. In March 2006, I issued Executive Order S-02-06, reaffirming the State's historic commitment to 25 percent small business participation in State contracting and ordering a series of measures to expand participation. In July 2006, I built on those steps by issuing Executive Order S-11-06, directing additional actions by Caltrans and the Business, Transportation, and Housing Agency to assist small business and disadvantaged business enterprises in participating in federally funded highway and transit projects. However, I am concerned that this bill, by increasing the existing small business bid preference on State contracts from 5 percent to 10 percent, would result in increased costs to the State. According to the Department of Finance, if this increased preference had been in place in 2005-06, the additional costs to the State could have been up to \$85 million. Given the current fiscal climate, I do not think it is prudent to enact a measure that increases liability for additional costs. For this reason, I am unable to sign this measure. Sincerely, Arnold Schwarzenegger

[AB 639](#)

AUTHOR: Hancock
TITLE: Parole: identification cards.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law provides that after inmates are released from the Department of Corrections and Rehabilitation, they are placed on parole, as specified. This bill would require the department, in collaboration with the Department of Motor Vehicles, to allow the Department of Motor Vehicles to make semiannual visits to the state prison at San Quentin to provide identification cards to eligible inmates upon their release and to inmates who are eligible to be released or released on parole within 6 months. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 639 without my signature. This bill would require the California Department of Corrections and Rehabilitation (CDCR) and the Department of

Vetoed Bills

Motor Vehicles (DMV) to work collaboratively to ensure that certain inmates released from San Quentin State Prison obtain a valid California identification card. I share the author's concern for providing tools to individuals about to be released from prison that will aid them in making a successful transition into the community. The CDCR and DMV have worked together to provide California identification cards to parolees in the past and are currently working on a similar joint pilot at various CDCR facilities. Additionally, this bill will result in parolees receiving services that are not currently available to the general public. For example, the DMV does not perform the function of determining whether or not members of the general public have the ability to pay applicable identification card fees. These services must be applied for through other governmental or non-profit public assistance programs. Sincerely, Arnold Schwarzenegger

[AB 779](#)

AUTHOR: Jones

TITLE: Personal information: state agencies and businesses.

STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing law imposes specified duties upon certain persons or businesses that conduct business in California to, among other things, take reasonable steps to destroy customer records, implement and maintain reasonable security measures, disclose a breach of computerized data, and, upon request, provide specified information to a customer in relation to the disclosure of personal information to 3rd parties. For a violation of any of the above-described provisions, existing law allows an injured customer to institute a civil action to recover damages or for injunctive relief. This bill, on and after July 1, 2008, would prohibit a person, business, or agency, as defined, that sells goods or services to any resident of California and accepts as payment a credit card, debit card, or other payment device, from storing, retaining, sending, or failing to limit access to payment-related data, as defined, retaining a primary account number, or storing sensitive authentication data subsequent to an authorization, as specified, unless a specified exception applies. Upon a violation, and as applicable, the bill would apply specified reimbursement and notice provisions, as described below. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 779 without my signature. Protecting the personal information of every Californian is very important to me and I am committed to strong laws that safeguard every individual's privacy and prevent identity theft. Clearly, the need to protect personal information is increasingly critical as routine commercial transactions are more and more exclusively accomplished through electronic means. However, this bill attempts to legislate in an area where the marketplace has already assigned responsibilities and liabilities that provide for the protection of consumers. In addition, the Payment Card Industry has already established minimum data security standards when storing, processing, or transmitting credit or debit cardholder information. This industry has the contractual ability to mandate the use of these standards, and is in a superior position to ensure that these standards keep up with changes in technology and the marketplace. This measure creates the potential for California law to be in conflict with private sector data security standards. While I support many of the provisions of this

Vetoed Bills

bill, it fails to provide clear definition of which business or agency "owns" or "licenses" data, and when that business or agency relinquishes legal responsibility as the owner or licensee. This issue and the data security requirements found in this bill will drive up the costs of compliance, particularly for small businesses. I encourage the author and the industry to work together on a more balanced legislative approach that addresses the concerns outlined above. Sincerely, Arnold Schwarzenegger

[AB 888](#)

AUTHOR: Lieu

TITLE: Green building standards.

STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law sets forth various requirements for energy and design efficiency in the construction of nonresidential buildings. Existing law authorizes state agencies to submit, and requires the Building Standards Commission to receive and review, proposed building standards for adoption, approval, publication, and codification. This bill would require new commercial buildings for which a public agency deems the application for a development project complete on or after January 1, 2013, and that are 50,000 square feet or greater, be designed, constructed, and operated, to meet the applicable standards described in the United States Green Building Council's Leadership in Energy and Environmental Design gold rating or its equivalent, unless the state adopts specified minimum green building standards, in which case, those commercial buildings would be required to meet the adopted standards.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 888 without my signature. I support the development of green building standards and share the goals of this bill. However, if implemented provisions in this bill would create a bias for certain building materials over others without a clear benefit. For instance, the use of California wood building construction materials is highly discouraged in favor of foreign grown bamboo and wheatgrass. Additionally, building standards should not be statutory. The Building Standards Commission was created to ensure an open public adoption process allowing experts to develop standards and periodic updates to the building codes. Allowing private entities, such as proposed in this bill, to dictate California's building standards usurps the state's authority to develop and adopt those standards and could compromise the health and safety of Californians. I encourage state agencies to review all nationally recognized programs and glean from those programs, standards that promote greener construction, energy and water conservation, and reduce Green House Emissions. It is imperative to expedite the greening of California's building standards. As such, I am directing the California Building Standards Commission to work with specified state agencies on the adoption of green building standards for residential, commercial, and public building construction for the 2010 code adoption process. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[AB 1049](#)

AUTHOR: Solorio
TITLE: Parole: reentry programs.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law, until January 1, 2010, requires the Department of Corrections and Rehabilitation to establish a pilot program in East Palo Alto for parolees returning to East Palo Alto to conduct needs-based assessments of the individual parolees, partner with East Palo Alto police officers, and blend enforcement and programming services, as specified. This bill would require the Department of Corrections and Rehabilitation to establish reentry programs for parolees between 16 and 23 years of age to assist in community reintegration upon discharge from detention, as specified. The reentry programs would include construction training, academic services, counseling, and tracking of graduates after completion of the program. The bill would require the department to maintain statistical information related to the reentry programs, as specified. The bill would also provide that these provisions would be repealed on January 1, 2011.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1049 without my signature. While I appreciate the author's intent, this bill is unnecessary, as the recently established Juvenile Justice Community Reentry Challenge Grant Program will serve many of the same functions as proposed by this bill, and is currently being implemented. It is necessary to allow this program to proceed and gauge its effectiveness, and then determine whether it is successful enough to expand, before creating a new separate but similar program. In addition, while this bill specifies that the pilot program shall be created only to the extent that funds are appropriated for that purpose, it provides no funding for the actual administrative costs that will be necessary for the California Department of Corrections and Rehabilitation to implement the program. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

[AB 1135](#)

AUTHOR: Strickland
TITLE: State government: reports: declarations.
STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing law generally sets out the requirements for the submission of written reports by public agencies to the Legislature, the Governor, the Controller, and state legislative and other executive entities. This bill would require a written report, as defined, submitted by any state agency or department to the Legislature, a Member of the Legislature, or any state legislative or executive body to include a signed statement by the head of the agency or department declaring that the factual contents of the written report are true, accurate, and complete to the best of his or her knowledge. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1135 without my signature. This bill requires written reports submitted to the Legislature to include a signed statement by the head of the agency or department that the contents of the report are true, accurate, and complete. As I stated when I vetoed similar legislation last year, I agree that the Legislature should base their decisions on sound information that is true, accurate and complete. To that end, I noted that state

Vetoed Bills

law already makes it a misdemeanor for a state or local official to submit a written report containing false information to the State Controller. Further, the Legislature already has the authority to question the accuracy of any information presented to it. Finally, this bill would create an inconsistent system in which some of the information submitted by the Administration is subject to declarations of truth while all other information used in the legislature's deliberative process is not. For these reasons, I am again returning this bill without my signature. Sincerely, Arnold Schwarzenegger

[AB 1334](#)

AUTHOR: Swanson

TITLE: Corrections: sexual barrier protection devices.

STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Under existing law, the Secretary of the Department of Corrections and Rehabilitation is responsible for the administration of the state prisons. Existing regulation prohibits inmates from participating in illegal sexual acts. This bill would enact the Inmate and Community Public Health and Safety Act, which would require the secretary to allow any nonprofit or health care agency to distribute sexual barrier protection devices, as specified. The bill would state that the distribution of those devices shall not be considered a crime nor shall it be deemed to encourage sexual acts between inmates. The bill would specify that possession of one of those devices shall not be used as evidence of illegal activity for purposes of administrative sanctions. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1334 without my signature. This bill would enact the Inmate and Community Public Health and Safety Act, which would allow any nonprofit or health care agency to distribute sexual barrier protection devices to inmates in state prisons. As stated in my veto of AB 1677 last year, the provisions of this bill conflict with Penal Code Sections 286 (e) and 288 (e), which make sexual activity in prison unlawful. However, condom distribution in prisons is not an unreasonable public policy and it is consistent with the need to improve our prison healthcare system and overall public health. Local jail systems in both Los Angeles and San Francisco have already implemented condom distribution programs. Therefore, I am directing the California Department of Corrections and Rehabilitation to determine the risk and viability of such a program by identifying one state prison facility for the purpose of allowing non-profit and health agencies to distribute sexual barrier devices. Sincerely, Arnold Schwarzenegger

[AB 1339](#)

AUTHOR: Torrico

TITLE: Problem and pathological gambling.

STATUS: 10/10/2007-Vetoed by Governor.

SUMMARY: Existing law establishes the Office of Problem and Pathological Gambling within the State Department of Alcohol and Drug Programs for the purpose of developing a problem gambling prevention program, including, but not limited to, a public awareness campaign, and

Vetoed Bills

requires the office to develop a statewide plan to address problem and pathological gambling. This bill would specify the programs to be included in the plan, would require the plan to serve as the state's strategic plan for the prevention, intervention, detection, treatment, and research of problem and pathological gambling behaviors, and would require that the plan be updated periodically, at the discretion of the office. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1339 without my signature. This bill would require the Department of Alcohol and Drug Programs (ADP) to develop a problem gambling prevention program, develop a strategic plan, and establish an advisory group. Though I support efforts to address problem gambling, this legislation is duplicative of work being done by ADP. The Department has already established and implemented a problem gambling prevention program, developed and published a statewide strategic plan, contracted with the National Organization for Research at the University of Chicago to publish the 2006 Statewide Problem Gambling Prevalence Survey, and established an 18-member Advisory group to assist ADP with problem gambling prevention and treatment strategies. For the reasons stated above, I cannot support AB 1339. Sincerely, Arnold Schwarzenegger

[AB 1393](#)

AUTHOR: Leno
TITLE: Public records.
STATUS: 10/11/2007-Vetoed by Governor.

SUMMARY: The California Public Records Act requires state and local agencies to make their records available for public inspection and, upon request of any person, to provide a copy of any public record unless the record is exempt from disclosure. This bill would, as of July 1, 2009, require any state agency that publishes an Internet Web site to include on the homepage of that site specified information that is not exempt from disclosure under the act about how to contact the agency, how to request records under the act, and a form for submitting online requests for records. It would authorize any person to bring an action to enforce the duty of a state agency to post this information and would provide for penalties including monetary awards to be paid by the agency, with specified provisions to become operative on January 1, 2009. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1393 without my signature. Ensuring access to public information is one of my Administration's top priorities. That is why last year I issued Executive Order S-03-06 (Order), requiring all state agencies to review their guidelines governing access to public information. In addition, the Order required that every agency identify and train staff to be responsible for ensuring compliance with the California Public Records Act. As I noted in my veto of similar legislation last year, I believe the steps that were taken as a result of the Order, combined with the ongoing efforts of agencies to comply with the law, are working to ensure the needs of the public are met. This bill imposes an unnecessary one-size-fits-all mandate on state agencies. In addition, this bill would require the formation of a task force to consider even more statutory standards to govern the disclosure of public records. Such a task force and such

Vetoed Bills

additional statutory changes are also unnecessary. My Administration's commitment to the Public Records Act is unwavering and I am confident future Administrations will share this attitude. Sincerely, Arnold Schwarzenegger

[AB 1636](#)

AUTHOR: Mendoza

TITLE: Workers' compensation: supplemental job displacement benefits.

STATUS: 10/12/2007-Vetoed by Governor.

SUMMARY: Existing law establishes a workers' compensation system, administered by the Administrative Director or the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. Existing law requires the payment of disability benefits to eligible individuals for injuries sustained in the course of employment that cause permanent disability, and specifies that the amount of those payments be computed in accordance with a prescribed formula. This bill would require, for injuries occurring on or after January 1, 2008, if the employee has not returned to work within 60 days of a disability becoming permanent and stationary, the provision of such a voucher to an injured employee no later than 74 days after the date the disability has been determined to be permanent and stationary. The bill would require the employer, if the percentage of permanent disability has not been determined, to provide a voucher based on the reasonable estimate of the percentage of permanent disability, as specified, and would require the employer, if the percentage of permanent disability is later determined to be higher than that estimate, to provide the additional voucher amount immediately upon determining the correct percentage of permanent disability. The bill would require an employer, if the percentage of permanent disability is later determined to be lower than the estimate, to reissue the voucher in the correct amount, and to notify the employee that any unused portion of the original voucher in excess of the appropriate amount is no longer available. The bill would also require an employer to notify the employee, in a manner prescribed by the administrative director, of an employee's determination of permanent disability consistent with those provisions, and of any delay in determining the employee's correct percentage of permanent disability benefits. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1636 without my signature. This bill attempts to address a legitimate problem in the workers' compensation system. Ensuring that injured workers have access to supplemental job displacement benefit vouchers in a timely manner is an essential component of our comp system. Unfortunately, rather than addressing existing problems this bill will create more problems. The procedures proposed by this bill for the issuance of vouchers are vague and will encourage litigation over when the vouchers are to be issued and in what amount. We have worked too hard to remove unnecessary litigation from the work comp system to now let it back in. I encourage the proponents of this measure to work with employers, insurers, and the Division of Workers' Compensation to find a more appropriate solution to the problems with current law. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[AB 1706](#)

AUTHOR: Committee on Public Safety
TITLE: Sex offenders: registration.
STATUS: 07/27/2007-Vetoed by Governor.

SUMMARY: Existing law requires persons who have been convicted of specified crimes, and other persons as required by a court, to register as a sex offender. Existing law sets forth the procedure for doing so. This bill would reorganize and renumber the provisions that set forth that procedure, and would make conforming technical changes in related provisions of law. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1706 without my signature. While this bill is an effort to make the provisions pertaining to sex offender registration in Penal Code section 290 more coherent, several noticeable errors still remain in the bill. I cannot in good conscience sign clean-up legislation that requires future clean-up. Sex offenders are a major public safety policy concern for Californians. Due to the urgency clause contained in AB 1706, it is not advisable to risk adopting legislation that contains errors that may have an adverse effect on sex offender registration provisions. It is imperative that a clean-up bill that rearranges the provisions that govern released sex offenders should be accurate before it is adopted. For these reasons I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

[AB 1707](#)

AUTHOR: Committee on Labor and Employment
TITLE: Private employment.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Under existing law, employees have a right to inspect employment records. This bill would require employers to maintain employment records for a specified time and to provide inspection and copies within a specified time to current and former employees or their representatives. The bill would authorize those employees to recover a \$750 penalty from an employer for failure to do so and to bring an action to obtain compliance, and it would provide that a violation of its provisions constitutes an infraction.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1707 without my signature. This bill attempts to clarify existing law relative to employees' access to personnel records kept by their employer. While I support the intent of this measure, especially as it relates to non-English speakers and others that may need help in understanding the contents of their personnel records, this bill is too broad and exposes employers to unfair and unnecessary liabilities. I encourage the proponents of this bill to work with the Labor Commissioner to adopt regulations that help ensure that all employees can appropriately avail themselves of their rights under current law. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[AB 1743](#)

AUTHOR: Huffman
TITLE: San Quentin State Prison: condemned inmate facilities.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law requires male state prison inmates who have been sentenced to death to be housed at San Quentin State Prison. An existing appropriation provided money for a new condemned inmate complex on that site. This bill would make findings and declarations about the inadequacy of existing condemned inmate facilities, and the cost overruns of the proposed condemned inmate complex. The bill would prohibit the Department of Corrections and Rehabilitation from spending any money on the proposed condemned inmate complex at San Quentin State Prison until certain conditions are met. One of those conditions is the completion of an evaluation by the Bureau of State Audits on condemned inmate facility alternatives. The bill would express the intent of the Legislature that copies of the evaluation be distributed to certain committees of the Legislature by May 30, 2008.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1743 without my signature. This bill would delay the provision of adequate housing, program, support and treatment space for the condemned inmates housed at San Quentin State Prison, which may create an unnecessary \$20 million General Fund cost. When the current project was funded in 2003 the relevant fiscal, public safety, correctional officer and inmate safety, legal rights, and civil liberty considerations were discussed during the budget deliberation process and it was determined that San Quentin State Prison is the most appropriate place to house the condemned inmates. The only substantial change since that time is increased construction costs because of inflation in the construction industry. Every month this project is delayed results in approximately \$1 million of increased construction costs because of inflation pressures. Further delaying the project will only exacerbate this problem. Sincerely, Arnold Schwarzenegger

[SB 44](#)

AUTHOR: Torlakson
TITLE: Teacher development.
STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing law establishes the California Center on Teaching Careers for the purposes of recruiting qualified and capable individuals into the teaching profession. Existing law requires the California Center on Teaching Careers to perform specified duties, including, among others, creating or expanding a referral database for qualified teachers seeking employment in the public schools. This bill would establish the California Teacher Cadet Program, to be operated by the Superintendent of Public Instruction and the Chancellor of the California State University. The bill would require the California State University to convene an advisory committee to accomplish both of the following: to develop a common core teacher cadet curriculum designed to expose pupils to teaching careers and the education system through the development of a hands-on curriculum that is aligned with prerequisites for entry into teacher preparation programs, specifically blended and integrated credentialing programs, and includes specified elements; and to develop criteria and

Vetoed Bills

standards that would be used to create a request-for-proposal for the competitive grant program established under the bill and described below. The bill would specify the responsibilities of the advisory committee, and would require the chancellor to appoint the membership of the advisory committee in accordance with prescribed criteria. The bill would require the chancellor to submit to the Legislature and the Governor, on or before May 1, 2008, a report that includes the findings and recommendations of the advisory committee with respect to the competitive grant program. The bill would make implementation of the program contingent upon the appropriation of funds for its purposes in the annual Budget Act or other statute. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 44 without my signature. While I believe that California should do more to develop quality teachers in the state, I vetoed a bill similar to this one last year because it was essentially duplicative of currently funded programs that assist with the recruitment and retention of teachers. Furthermore, the 2007 Budget Act does not include funding for these particular purposes, but this bill creates ongoing cost pressures estimated in the millions of dollars in order to implement. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[SB 165](#)

AUTHOR: Ashburn
TITLE: Juvenile crime: programs of supervision.
STATUS: 09/11/2007-Vetoed by the Governor.

SUMMARY: Existing law excludes from eligibility for specified programs of supervision conducted within the jurisdiction of the juvenile court a minor who is alleged to have committed any specified offense, including, among others, certain violent crimes, the sale or possession of a controlled substance, and participation in a criminal street gang, or who has previously been adjudged a ward of the court or participated in a program of supervision, as specified. A minor who is alleged to have committed a felony offense when the minor was at least 14 years of age is also ineligible for these programs of supervision. This bill would specify that these provisions shall not otherwise limit the ability of the court to order a minor who is under 14 years of age to participate in a program of supervision, if the court finds that the order would be in the best interests of the minor and in conformity with the interests of public safety. The bill would limit the exclusion for participation in a criminal street gang to felony violations if the minor is under 14 years of age, thereby permitting a minor under 14 years of age who committed a misdemeanor violation of that offense to be eligible for these programs of supervision.

GOVERNOR'S MESSAGE: I am returning Senate Bill 165 without my signature. Given the state's current problems with gang violence and the special diligence necessary to keep at-risk youths out of gangs, I cannot support a measure that would reduce a minor's accountability for committing gang-related crimes. While I support programs that rehabilitate youth offenders, the terms of the programs for which SB 165 would expand eligibility do not place enough emphasis on accountability. These programs do not require the juvenile offender to admit guilt, provide no penalty for failure to comply with the terms of probation, and the other programs of supervision

Vetoed Bills

only last for six to twelve months. Although I cannot support the approach taken in SB 165, I encourage the Legislature to continue working to reduce gang-related crimes in the state and to protect our state's at-risk youths. In doing so, I hope that it will work closely with my Administration to build on the positive strides that I have already taken in the California Gang Reduction, Intervention and Prevention Program (CalGRIP), which provides a comprehensive strategy for fighting gang violence by coordinating the efforts of state and local law enforcement and faith-based and community organizations. For these reasons I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

SB 171

AUTHOR: Perata
TITLE: Hospitals: lift teams.
STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing law regulates the operation of health facilities, including hospitals. This bill would require each general acute care hospital, as defined, to establish a patient protection and health care worker back injury prevention plan. This bill would require each hospital to conduct a needs assessment to identify patients needing lift teams, and lift, repositioning, or transfer devices. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 171 without my signature. This bill, which imposes a one-size fits all mandate on hospitals to establish a "zero lift" patient handling policy, is similar to measures I have vetoed the last three years. While I continue to support the goal of reducing workplace injuries, I remain convinced that this inflexible mandate is a poor alternative to giving hospitals the flexibility needed to achieve this goal in the manner that most efficiently addresses each hospital's needs and resources. For this reason, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

SB 263

AUTHOR: Romero
TITLE: Rehabilitative programs.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law authorizes the Department of Corrections and Rehabilitation to establish pilot programs that provide training and counseling for parolees to assist in their successful reintegration into the community. This bill would require the department to conduct an interdisciplinary assessment of new inmates and inmates that return to the department's facilities more than 12 months after release, excluding inmates returned for parole violations under certain circumstances. The assessment, conducted by an interdisciplinary team of professionals, would include the collection of data in specified areas, including substance use, criminal activity, and education, among others. Based on the data obtained, the department would be required to develop an offender reentry plan, which would assist the department in determining appropriate treatment, services, and programming for inmates reentering society. This bill contains other related provisions.

Vetoed Bills

GOVERNOR'S MESSAGE: I am returning Senate Bill 263 without my signature. This bill would require the California Department of Corrections and Rehabilitation (CDCR) to conduct interdisciplinary assessments of inmates for developing offender reentry plans and determining the appropriate treatment, services, and programming for inmates re-entering society. While I appreciate and share the author's interest in reducing the recidivism rate in California, this bill is unnecessary and could interfere with CDCR's current reforms. Earlier this year I signed Assembly Bill 900, the Public Safety and Offender Rehabilitation Services Act of 2007. AB 900 requires the CDCR to conduct assessments of all inmates and the data from these assessments will be used to place inmates in programs that will aid in their reentry to society. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

SB 275

AUTHOR: Cedillo
TITLE: Health facilities: patient transporting.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law provides for the licensure and regulation of health facilities by the State Department of Health Care Services. A violation of these provisions is a crime. This bill would prohibit a general acute care hospital, acute psychiatric hospital, or special hospital from causing a patient to be transported to a location other than the residence of the patient without the written consent of the patient, except when the patient is appropriately transferred to another health facility pursuant to other provisions of law. This bill would make the violation of this bill subject to civil penalties, as specified. This bill would declare that these civil penalties shall, upon appropriation, be used exclusively for the provision of posthospital recuperative beds, transitional housing, and mental health counseling programs for the homeless. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 275 without my signature. While I strongly oppose patient dumping and believe those who engage in this behavior should be held accountable, I cannot support this bill. Hospitals already must meet specific discharge planning requirements and make appropriate arrangements for post-hospital care. Federal and state laws already provide sanctions, including potential loss of licensure and funding, against hospitals that violate licensing or certification requirements. Enforcement of existing laws is critical, however, additional penalties are premature. Vigorous enforcement of existing requirements should be complemented by local planning efforts and coordinated service delivery. To that end, last year I signed legislation that requires hospitals to improve post-hospital transition of homeless patients. If this problem persists, in spite of current law and recently enacted requirements, legislation imposing additional penalties in the future may be appropriate. For these reasons, I am returning SB 275 without my signature. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[SB 299](#)

AUTHOR: Romero
TITLE: Department of Corrections and Rehabilitation: Honor Program.
STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Under existing law, the Department of Corrections and Rehabilitation is charged with the care and custody of all state inmates. This bill would require the department to develop and implement an Honor Program for level III and level IV inmates, as defined. The bill would set forth the criteria for eligibility for the program, for which inmates could volunteer. The Honor Program would require the department to establish an Honor Program at all level III or level IV prisons, as specified.

GOVERNOR'S MESSAGE: I am returning Senate Bill 299 without my signature. While I appreciate the author's interest in reducing recidivism and promoting public safety, this bill is unnecessary because the California Department of Corrections and Rehabilitation already has the authority to establish and expand honor programs administratively. For this reason, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

[SB 304](#)

AUTHOR: Romero
TITLE: Prisons: media access.
STATUS: 07/27/2007-Vetoed by the Governor

SUMMARY: Existing law grants certain rights to inmates in state prisons. Existing regulation allows media representatives access to state prisons with prior approval, and allows random interviews with inmates. This bill would require the Department of Corrections and Rehabilitation, upon reasonable notice, to permit representatives of the news media to interview prisoners in person, as specified. The bill would forbid retaliation against an inmate for participating in a visit by, or communicating with, a representative of the news media.

GOVERNOR'S MESSAGE: I am returning Senate Bill 304 without my signature. For the past two years I have vetoed similar measures because these bills would allow the media to glamorize murderers and thereby once again traumatize crime victims and their families. This year I directed the California Department of Corrections and Rehabilitation to address the media access issues by adopting new regulations. Through this process my administration met with stakeholders from both crime victims groups and groups supporting media access to address concerns on both sides. These regulations are pending approval and public comment at the Office of Administrative Law. While the regulations do not go as far as the provisions in this bill, I believe the regulations provide more clear and appropriate access to our prisons and preserve the balance with crime victims and their families. I believe these regulations should be given a chance to work. To the extent that stakeholders believe more media access can be provided while respecting the concerns of crime victims and their families, I encourage them to participate in the public comment period of the regulation process which will take place over the next two months. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[SB 320](#)

AUTHOR: Alquist

TITLE: California Health Care Information Infrastructure Program.

STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Under existing law, the State Department of Health Care Services, the State Department of Public Health, and the California Health and Human Services Agency have various responsibilities relating to the provision of health care. This bill would extend the repeal date to January 1, 2013, and would rename that office the California Office of HIPAA Implementation or CalOHI. The bill would require CalOHI, in consultation with the State Department of Health Care Services, the State Department of Public Health, the Department of Corrections and Rehabilitation, statewide health care information organizations, including the California Regional Health Information Organization (CalRHIO) and the California Healthcare Foundation, the State Chief Information Officer, the State Department of Mental Health, the California Public Employees' Retirement System, the Managed Risk Medical Insurance Board, and the Department of Managed Health Care, no later than March 1, 2009, to develop a plan for implementation of the California Health Care Information Infrastructure Program, and deliver the plan to the Legislature. The program would seek to provide the opportunity for every resident of the state to have an electronic health record. The bill would specify the required elements of the plan. Implementation of the plan would be contingent upon enactment of subsequent statutory authorization. The bill would set forth the other responsibilities of the lead agency that administers the program, including, among others, conducting research, implementing pilot projects as necessary, and pursuing necessary waivers to enable the Medi-Cal program to participate in the statewide information technology infrastructure program. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 320 without my signature. While I am a strong proponent of health information technology and have proposed reforms to improve the quality, safety and efficiency of health care through the use of technology, I am unable to sign this bill. State agencies have already convened experts, developed a state policy agenda to implement and sustain the use of health information technology, and are engaged in a collaborative effort to target investments to increase provider capacity to use health information technology. My comprehensive health care reform proposal would expand this work by increasing the use of standardized personal health records and electronic health records, and ensuring California's health providers have the capacity to e-prescribe by the year 2010. For these reasons, I am returning Senate Bill 320 without my signature. Sincerely, Arnold Schwarzenegger

Vetoed Bills

[SB 455](#)

AUTHOR: Denham
TITLE: Water: Salinas Valley State Prison wastewater treatment plant.
STATUS: 08/31/2007-From SENATE: VETOED.

SUMMARY: Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for publicly owned treatment works and other dischargers in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act. This bill would authorize the Director of General Services to sell, lease, convey, or exchange at fair market value specified real property at the Salinas Valley State Prison containing the prison's wastewater treatment facility to the City of Soledad upon those terms and conditions and subject to those reservations and exceptions as the Director of General Services determines are in the best interests of the state. The bill would require the net proceeds of any moneys received from the disposition of the property to be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund. By increasing the amount transferred into a continuously appropriated fund, this bill would make an appropriation. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 455 without my signature. As stated in the veto messages of similar bills last year, this is a surplus property bill and, as such, it should be included in the Department of General Services' annual omnibus bill. Furthermore, the disposal of this property, and all other surplus property should be exempt from the California Environmental Quality Act (CEQA). The author has not made a compelling case as to why this bill should be treated any differently. Applying the CEQA process to this surplus property prior to sale may result in missed opportunities for the State to reduce its financial obligations under the voter approved Proposition 60A. As a result, I cannot sign this bill. Sincerely, Arnold Schwarzenegger

[SB 511](#)

AUTHOR: Alquist
TITLE: Interrogation: recording.
STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing law provides that under specified conditions the statements of witnesses, victims, or perpetrators of specified crimes may be recorded and preserved by means of videotape. This bill would require the electronic recordation of the entire proceedings of any custodial interrogation of an individual who is in a fixed place of detention and who, at the time of the interrogation, is suspected of committing or accused of a homicide or a violent felony, except as specified. The bill would also prohibit the interrogating entity from destroying or altering any electronic recording made of the interrogation until the final conclusion of the proceedings, as specified. The bill would become operative on July 1, 2008. By imposing these new requirements on local law enforcement, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 511 without my signature. While reducing the number of false confessions is a laudable goal, I cannot support a measure that would deny

Vetoed Bills

law enforcement the flexibility necessary to interrogate suspects in homicide and violent felony cases when the need to do so is not clear. Police interrogations are dynamic processes that require investigators to use acumen, skill and experience to determine which methods of interrogation are best for the situation. This bill would place unnecessary restrictions on police investigators. Sincerely, Arnold Schwarzenegger

[SB 549](#)

AUTHOR: Corbett
TITLE: Employee's right to bereavement leave.
STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing law provides employees with the right to take time off work without discharge or discrimination for a number of reasons. This bill would add the right to inquire about, request, and take time off for bereavement leave. For state employees, if this leave conflicts with a memorandum of understanding, the terms of the memorandum of understanding would be controlling.

GOVERNOR'S MESSAGE: I am returning Senate Bill 549 without my signature. This bill, along with two others I am returning without my signature, would significantly expand California's workplace leave laws. While some expansion of existing law may have merit, these laws in combination are too expansive and also fail to recognize the need for reforms to current law. California has the strongest employment leave and workplace protection laws in the country. While these laws have been enacted with the best of intentions, they have also caused much confusion for employers and employees. Unfortunately, many California-only standards in areas such as family leave, overtime, and meal and rest periods have been developed haphazardly and have resulted in needless litigation that has created a perception that California is not friendly to business. Instead of expanding the confusing network of laws that presently exist, employers and employees should be working together to eliminate confusion and create a system of workplace laws that protects workers, provides reasonable leave requirements, and offers both employers and employees flexibility to meet their respective needs. For these reasons, I am returning this bill without my signature. Sincerely, Arnold Schwarzenegger

[SB 756](#)

AUTHOR: Ridley-Thomas
TITLE: Criminal investigations: eyewitness identifications.
STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing case law regulates suspect identification procedures to ensure that they are not unduly suggestive. This bill would provide that it is the intent of the Legislature that law enforcement officials study and consider the adoption of new policies and procedures, as specified, to ensure that eyewitness identification procedures in California minimize the chance of misidentification of a suspect. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I am returning Senate Bill 756 without my signature. While I support the efforts to improve reliability and accuracy of eyewitness identifications, this bill goes too far in

Vetoed Bills

attempting to address the problems of unreliable eyewitness identifications. This bill would mandate that the Department of Justice (DOJ) and the Commission on Peace Officer Standards and Training (POST) consider questionable recommendations from the California Commission on the Fair Administration of Justice and require all California law enforcement agencies to adopt whichever guidelines DOJ and POST choose. Law enforcement agencies must have the authority to develop investigative policies and procedures that they can mold to their own unique local conditions and logistical circumstances rather than be restricted to methods created that may make sense from a broad statewide perspective. Sincerely, Arnold Schwarzenegger

SB 836

AUTHOR: Kuehl

TITLE: Fair employment: familial status.

STATUS: 10/13/2007-Vetoed by the Governor.

SUMMARY: Existing law, the Fair Employment and Housing Act, protects and safeguards the right and opportunity of all persons to seek, obtain, and hold employment without discrimination or abridgment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation. This bill would include "familial status" as an additional basis upon which the right to seek, obtain, and hold employment cannot be denied.

GOVERNOR'S MESSAGE: I am returning Senate Bill 836 without my signature. California has the strongest workplace laws against discrimination and harassment in the country. These laws provide workers necessary protections from unfair retaliation, discipline, and termination for matters unrelated to job performance. Although I support these laws, expanding workplace protections to include something as ambiguous as "familial status" is not appropriate. This bill will not only result in endless litigation to try and define what discrimination on the basis of "familial status" means, it will also unnecessarily restrict employers' ability to make personnel decisions. For these reasons, I am returning SB 836 without my signature. Sincerely, Arnold Schwarzenegger

SB 851

AUTHOR: Steinberg

TITLE: Mentally ill offenders.

STATUS: 10/14/2007-Vetoed by the Governor.

SUMMARY: Existing law provides for the diversion of specified criminal offenders in alternate sentencing and treatment programs. This bill would authorize superior courts to develop and implement mental health courts, as specified, which may operate as a preguilty plea program and deferred entry of judgment program. This bill would also allow parolees to participate in mental health courts, as specified. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 851 without my signature. Although the provisions of this bill are to be implemented contingent upon the availability of funds, this bill would

Vetoed Bills

place a tremendous cost pressure on the General Fund to increase mental health services provided to inmates and parolees. The California Department of Corrections and Rehabilitation estimates annual costs for the staff necessary to implement this bill would exceed \$14 million annually. While I agree that more efforts need to be made to ensure that prisoners with mental health issues receive appropriate treatment, this bill allows people who have committed crimes to avoid punishment completely because of a mental health issue. This bill would also enable a defendant to not enter a plea or make an admission of guilt. The mental health courts model specified in this bill is an important component of public safety and for managing our criminal justice system and I hope that the author will continue to work on mental health issues, especially as it relates to mentally ill criminal offenders so that California can reduce recidivism rates and provide proper treatment for healthier citizens. Sincerely, Arnold Schwarzenegger

[SB 936](#)

AUTHOR: Perata
TITLE: Workers' compensation: permanent disability schedule.
STATUS: 10/12/2007-Vetoed by Governor.

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 the payment of disability benefits to eligible individuals for injuries sustained in the course of employment that cause permanent disability, and specifies that the amount of those payments be computed in accordance with a prescribed formula. This bill would revise the formula for computing those payments for injuries causing permanent disability, which occur on or after January 1, 2008, as specified.

GOVERNOR'S MESSAGE: I am returning Senate Bill 936 without my signature. In 2004, we enacted historic reforms that replaced a workers' compensation system fraught with inefficiencies and plagued by litigation with a system centered on objective medical findings and helping injured workers return to work. As a result, rates have dropped over 60 percent, employers have saved billions of dollars, and return-to-work rates have increased. One of the reasons the reforms have succeeded is the change made to the way we determine a worker's permanent disability. A highly subjective system that encouraged litigation has been replaced by one that uses objective American Medical Association guidelines as the basis for determining the severity of a worker's injury. Some have expressed concerns that this change has reduced benefits too severely. To that end, my Administration has conducted an extensive review of the data from both the new and old disability rating schedules to determine what, if any, changes need to be made to the new system so that injured workers receive appropriate benefits. This bill, on the contrary, arbitrarily doubles the number of weeks a person may be eligible to receive permanent disability benefits. It substantially increase costs for all permanent disability awards regardless of severity and without relying on empirical data to validate the increase. I cannot support making such arbitrary changes to the system we worked so hard to reform. Instead, I am directing the Administrative Director of

Vetoed Bills

the Division of Workers' Compensation to finalize her review of the new schedule and commence rulemaking as soon as possible to make any changes deemed necessary. Sincerely, Arnold Schwarzenegger

[SB 942](#)

AUTHOR: Migden

TITLE: Workers' compensation: disability.

STATUS: 10/12/2007-Vetoed by Governor.

SUMMARY: Existing Workers' Compensation Law requires employers to secure the payment of workers' compensation, including medical treatment, for injuries incurred by their employees that arise out of, or in the course of, employment. This bill would, instead, provide that, for injuries occurring on or after January 1, 2008, if the injury causes permanent partial disability and the injured employee does not return to work for the employer within 60 days after the disability becomes permanent and stationary, the employee shall be entitled to receive a supplemental job displacement benefit, and would revise the amounts of benefits an injured employee would be eligible to receive, as specified. This bill contains other related provisions and other existing laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 942 without my signature. This bill attempts to address a legitimate problem in the workers' compensation system. Ensuring that injured workers have access to supplemental job displacement benefit vouchers in a timely manner is an essential component of our comp system. Unfortunately, rather than addressing existing problems this bill will create more problems. The procedures proposed by this bill for the issuance of vouchers are vague and will encourage litigation over when the vouchers are to be issued and in what amount. We have worked too hard to remove unnecessary litigation from the work comp system to now let it back in. I encourage the proponents of this measure to work with employers, insurers, and the Division of Workers' Compensation to find a more appropriate solution to the problems with current law. Sincerely, Arnold Schwarzenegger

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
3	SB 40	Sentencing.	Romero
7	AB 900	Prisons: construction.	Solorio
10	SB 101	Budget Act of 2006: augmentation.	Ducheny
24	AB 1323	Tuberculosis testing.	DeSaulnier
71	SB 100	Budget Act of 2006.	Ducheny
85	SCR 11	Correctional Officer Manuel A. Gonzalez, Jr. Memorial Highway.	Negrete McLeod
88	SB 102	Blood transfusions.	Migden
111	AB 924	Crimes: vehicles.	Emmerson
132	AB 367	Court-ordered debts.	De Leon
139	AB 805	Firearms.	Galgiani
142	AB 933	Exempt employee salaries.	Jeffries
171	SB 77	Budget Act of 2007.	Ducheny
172	SB 78	Budget Act of 2007.	Ducheny
175	SB 81	Corrections.	Committee on Budget and Fiscal Review
179	SB 86	State government.	Committee on Budget and Fiscal Review
186	AB 199	State government.	Committee on Budget and Fiscal Review
228	SB 943	Prisons.	Machado
245	SB 99	Prisons: construction.	Committee on Budget and Fiscal Review

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
248	SB 473	State agencies: fingerprinting vendors.	Cox
252	SB 959	Involuntary home detention	Romero
257	AB 191	Juvenile justice.	Committee on Budget
259	AB 67	State and local agencies: bilingual services.	Dymally
268	AB 500	Civil actions: telephonic appearances.	Lieu
269	AB 622	High school equivalency certificates: confined persons.	Mullin
321	AB 754	Public employees.	Committee on Public Employees, Retirement and Social Security
322	AB 756	Memoranda of understanding: addenda.	Committee on Public Employees, Retirement and Social Security
339	AB 1735	Milk and dairy products: standards.	Committee on Agriculture
351	SB 770	Milk.	Cogdill
371	AB 800	Discharge of hazardous substance or sewage.	Lieu
378	AB 106	Immunizations.	Berg
386	AB 329	Chronic diseases: telemedicine.	Nakanishi
408	AB 1199	White collar crime: enhancement.	Richardson
420	AB 1705	Sentencing: enhancement.	Niello

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
427	SB 161	Public works contracts: Internet submissions.	Margett
458	AB 1300	The Family Connection and Young Offender Rehabilitation Act of 2007.	Price
468	SB 39	County welfare agencies and departments: child abuse and neglect: files.	Migden
470	SB 472	Prescription drugs: labeling requirements.	Corbett
506	AB 1178	Medical information: disclosures.	Hernandez
507	AB 1224	Optometrists: telemedicine.	Hernandez
520	SB 52	Teacher credentialing: designated subjects: career technical education.	Scott
526	AB 347	Pupils: high school exit examination: intensive instruction and services.	Nava
527	AB 428	High school curriculum: notification regarding college preparatory courses.	Carter
538	SB 362	Identification devices: subcutaneous implanting.	Simitian
550	AB 682	HIV/AIDS testing.	Berg
552	AB 1687	Confidential information.	Brownley
567	AB 102	Marriage: domestic partnerships: name.	Ma
571	AB 1172	Inmate release.	Runner, Sharon
573	AB 1509	Sex offenders: community placement.	Spitzer
578	SB 449	Crime records: victims of sex offenses.	Aanestad
579	SB 172	Crimes: sex offenders.	Alquist
591	AB 220	Firefighters.	Bass
595	AB 338	Workers' compensation: temporary disability payments.	Coto
597	AB 422	Hazardous substances: water quality.	Hancock

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
598	AB 532	State property: solar energy.	Wolk
600	AB 609	State building construction: energy conservation.	Eng
602	AB 629	Sex education programs: requirements.	Brownley
611	AB 761	State contracts: infrastructure bonds: small businesses.	Coto
645	SB 391	Corrections.	Ducheny
649	SB 518	Juveniles: Youth Bill of Rights.	Migden
683	AB 632	Health care facilities: whistleblower protections.	Salas
695	AB 1253	Water: Salinas Valley State Prison wastewater treatment plant.	Caballero
706	AB 76	Corrections: female inmates.	Lieber
707	AB 110	Drug paraphernalia: clean needle and syringe exchange projects.	Laird
737	AB 932	Convict labor: fire camps: weight training equipment.	Jeffries
740	AB 1539	Sentencing.	Krekorian
747	AB 678	Crimes: vehicular manslaughter: fleeing the scene of an accident.	Gaines

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
AB 67	State and local agencies: bilingual services.	Dymally	259
AB 76	Corrections: female inmates.	Lieber	706
AB 102	Marriage: domestic partnerships: name.	Ma	567
AB 106	Immunizations.	Berg	378
AB 110	Drug paraphernalia: clean needle and syringe exchange projects.	Laird	707
AB 191	Juvenile justice.	Committee on Budget	257
AB 199	State government.	Committee on Budget	186
AB 220	Firefighters.	Bass	591
AB 329	Chronic diseases: telemedicine.	Nakanishi	386
AB 338	Workers' compensation: temporary disability payments.	Coto	595
AB 347	Pupils: high school exit examination: intensive instruction and services.	Nava	526
AB 367	Court-ordered debts.	De Leon	132
AB 422	Hazardous substances: water quality.	Hancock	597
AB 428	High school curriculum: notification regarding college preparatory courses.	Carter	527
AB 500	Civil actions: telephonic appearances.	Lieu	268
AB 532	State property: solar energy.	Wolk	598
AB 609	State building construction: energy conservation.	Eng	600
AB 622	High school equivalency certificates: confined persons.	Mullin	269
AB 629	Sex education programs: requirements.	Brownley	602
AB 632	Health care facilities: whistleblower protections.	Salas	683

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
AB 678	Crimes: vehicular manslaughter: fleeing the scene of an accident.	Gaines	747
AB 682	HIV/AIDS testing.	Berg	550
AB 754	Public employees.	Committee on Public Employees, Retirement and Social Security	321
AB 756	Memoranda of understanding: addenda.	Committee on Public Employees, Retirement and Social Security	322
AB 761	State contracts: infrastructure bonds: small businesses.	Coto	611
AB 800	Discharge of hazardous substance or sewage.	Lieu	371
AB 805	Firearms.	Galgiani	139
AB 900	Prisons: construction.	Solorio	7
AB 924	Crimes: vehicles.	Emmerson	111
AB 932	Convict labor: fire camps: weight training equipment.	Jeffries	737
AB 933	Exempt employee salaries.	Jeffries	142
AB 1172	Inmate release.	Runner, Sharon	571
AB 1178	Medical information: disclosures.	Hernandez	506
AB 1199	White collar crime: enhancement.	Richardson	408
AB 1224	Optometrists: telemedicine.	Hernandez	507
AB 1253	Water: Salinas Valley State Prison wastewater treatment plant.	Caballero	695

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
<u>AB 1300</u>	The Family Connection and Young Offender Rehabilitation Act of 2007.	Price	458
<u>AB 1323</u>	Tuberculosis testing.	DeSaulnier	24
<u>AB 1509</u>	Sex offenders: community placement.	Spitzer	573
<u>AB 1539</u>	Sentencing.	Krekorian	740
<u>AB 1687</u>	Confidential information.	Brownley	552
<u>AB 1705</u>	Sentencing: enhancement.	Niello	420
<u>AB 1735</u>	Milk and dairy products: standards.	Committee on Agriculture	339
<u>SB 39</u>	County welfare agencies and departments: child abuse and neglect: files.	Migden	468
<u>SB 40</u>	Sentencing.	Romero	3
<u>SB 52</u>	Teacher credentialing; designated subjects: career technical education.	Scott	520
<u>SB 77</u>	Budget Act of 2007.	Ducheny	171
<u>SB 78</u>	Budget Act of 2007.	Ducheny	172
<u>SB 81</u>	Corrections.	Committee on Budget and Fiscal Review	175
<u>SB 86</u>	State government.	Committee on Budget and Fiscal Review	179
<u>SB 99</u>	Prisons: construction.	Committee on Budget and Fiscal Review	245
<u>SB 100</u>	Budget Act of 2006.	Ducheny	71
<u>SB 101</u>	Budget Act of 2006: augmentation.	Ducheny	10
<u>SB 102</u>	Blood transfusions.	Migden	88
<u>SB 161</u>	Public works contracts: Internet submissions.	Margett	427

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
SB 172	Crimes: sex offenders.	Alquist	579
SB 362	Identification devices: subcutaneous implanting.	Simitian	538
SB 391	Corrections.	Ducheny	645
SB 449	Crime records: victims of sex offenses.	Aanestad	578
SB 472	Prescription drugs: labeling requirements.	Corbett	470
SB 473	State agencies: fingerprinting vendors.	Cox	248
SB 518	Juveniles: Youth Bill of Rights.	Migden	649
SB 770	Milk.	Cogdill	351
SB 943	Prisons.	Machado	228
SB 959	Involuntary home detention.	Romero	252
SCR 11	Correctional Officer Manuel A. Gonzalez, Jr. Memorial Highway.	Negrete McLeod	85

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Adult Parole</u>			
AB 1339	Problem and pathological gambling.	Torricono	VETOED
AB 1509	Sex offenders: community placement.	Spitzer	573
AB 1706	Sex offenders: registration.	Committee on Public Safety	VETOED
SB 40	Sentencing.	Romero	3
SB 172	Crimes: sex offenders.	Alquist	579
SB 362	Identification devices: subcutaneous implanting.	Simitian	538
SB 391	Corrections.	Ducheny	645
SB 851	Mentally ill offenders.	Steinberg	VETOED
<u>Budgets</u>			
AB 199	State government.	Committee on Budget	186
SB 77	Budget Act of 2007.	Ducheny	171
SB 78	Budget Act of 2007.	Ducheny	172
SB 81	Corrections.	Committee on Budget and Fiscal Review	175
SB 86	State government.	Committee on Budget and Fiscal Review	179
SB 100	Budget Act of 2006.	Ducheny	71
SB 101	Budget Act of 2006: augmentation.	Ducheny	10

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Contracts</u>			
SB 161	Public works contracts: Internet submissions.	Margett	427
SB 473	State agencies: fingerprinting vendors.	Cox	248
<u>Correctional Safety/Investigations</u>			
SB 511	Interrogation: recording.	Alquist	VETOED
<u>Corrections Standard Authority</u>			
SB 959	Involuntary home detention.	Romero	252
<u>Facilities Management</u>			
AB 35	Environment: state buildings: sustainable building standards.	Ruskin	VETOED
AB 422	Hazardous substances: water quality.	Hancock	597
AB 527	Energy efficiency.	Torricono	VETOED
AB 532	State property: solar energy.	Wolk	598
AB 609	State building construction: energy conservation.	Eng	600
AB 800	Discharge of hazardous substance or sewage.	Lieu	371
AB 888	Green building standards.	Lieu	VETOED
AB 900	Prisons: construction.	Solorio	7
AB 1253	Water: Salinas Valley State Prison wastewater treatment plant.	Caballero	695
AB 1743	San Quentin State Prison: condemned inmate facilities.	Huffman	VETOED

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Facilities Management (continued)</u>			
SB 99	Prisons: construction.	Committee on Budget and Fiscal Review	245
SB 455	Water: Salinas Valley State Prison wastewater treatment plant.	Denham	VETOED
SB 943	Prisons.	Machado	228
<u>Fair Employment/Civil Rights</u>			
AB 174	Civil service: employment discrimination.	Price	VETOED
AB 632	Health care facilities: whistleblower protections.	Salas	683
SB 836	Fair employment: familial status.	Kuehl	VETOED
<u>Health Care</u>			
AB 106	Immunizations.	Berg	378
AB 110	Drug paraphernalia: clean needle and syringe exchange projects.	Laird	707
AB 329	Chronic diseases: telemedicine.	Nakanishi	386
AB 682	HIV/AIDS testing.	Berg	550
AB 1178	Medical information: disclosures.	Hernandez	506
AB 1224	Optometrists: telemedicine.	Hernandez	507
AB 1323	Tuberculosis testing.	DeSaulnier	24
SB 102	Blood transfusions.	Migden	88
SB 171	Hospitals: lift teams.	Perata	VETOED

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Health Care (continued)</u>			
SB 275	Health facilities: patient transporting.	Cedillo	VETOED
SB 320	California Health Care Information Infrastructure Program.	Alquist	VETOED
SB 472	Prescription drugs: labeling requirements.	Corbett	470
<u>Human Resources</u>			
AB 67	State and local agencies: bilingual services.	Dymally	259
AB 295	State agencies: collection of demographic data.	Lieu	VETOED
AB 435	Wage discrimination.	Brownley	VETOED
AB 537	Family and medical leave.	Swanson	VETOED
AB 805	Firearms.	Galgiani	139
AB 933	Exempt employee salaries.	Jeffries	142
AB 1707	Private employment.	Committee on Labor and Employment	VETOED
SB 549	Employee's right to bereavement leave.	Corbett	VETOED
<u>Information Technology</u>			
AB 779	Personal information: state agencies and businesses.	Jones	VETOED

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Institutions (Adult)</u>			
AB 76	Corrections: female inmates.	Lieber	706
AB 102	Marriage: domestic partnerships: name.	Ma	567
AB 367	Court-ordered debts.	De Leon	132
AB 639	Parole: identification cards.	Hancock	VETOED
AB 932	Convict labor: fire camps: weight training equipment.	Jeffries	737
AB 1172	Inmate release.	Runner, Sharon	571
AB 1334	Corrections: sexual barrier protection devices.	Swanson	VETOED
AB 1539	Sentencing.	Krekorian	740
SB 263	Rehabilitative programs.	Romero	VETOED
SB 299	Department of Corrections and Rehabilitation: Honor Program.	Romero	VETOED
SB 304	Prisons: media access.	Romero	VETOED
SCR 11	Correctional Officer Manuel A. Gonzalez, Jr. Memorial Highway.	Negrete McLeod	85
<u>Internal Affairs</u>			
AB 220	Firefighters.	Bass	591
SB 756	Criminal investigations: eyewitness identifications.	Ridley-Thomas	VETOED

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Juvenile Justice</u>			
<u>AB 72</u>	Curriculum: social science.	Dymally	VETOED
<u>AB 183</u>	Pupils: high schools: voter registration.	Coto	VETOED
<u>AB 191</u>	Juvenile justice.	Committee on Budget	257
<u>AB 347</u>	Pupils: high school exit examination: intensive instruction and services.	Nava	526
<u>AB 428</u>	High school curriculum: notification regarding college preparatory courses.	Carter	527
<u>AB 508</u>	Food stamps: eligibility: drug felonies.	Swanson	VETOED
<u>AB 622</u>	High school equivalency certificates: confined persons.	Mullin	269
<u>AB 629</u>	Sex education programs: requirements.	Brownley	602
<u>AB 1049</u>	Parole: reentry programs.	Solorio	VETOED
<u>AB 1300</u>	The Family Connection and Young Offender Rehabilitation Act of 2007.	Price	458
<u>AB 1687</u>	Confidential information.	Brownley	552
<u>SB 39</u>	County welfare agencies and departments: child abuse and neglect: files.	Migden	468
<u>SB 44</u>	Teacher development.	Torlakson	VETOED
<u>SB 52</u>	Teacher credentialing: designated subjects: career technical education.	Scott	520
<u>SB 165</u>	Juvenile crime: programs of supervision.	Ashburn	VETOED
<u>SB 518</u>	Juveniles: Youth Bill of Rights.	Migden	649

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Labor Relations</u>			
AB 754	Public employees.	Committee on Public Employees, Retirement and Social Security	321
AB 756	Memoranda of understanding: addenda.	Committee on Public Employees, Retirement and Social Security	322
AB 1393	Public records.	Leno	VETOED
SB 942	Workers' compensation: disability.	Migden	VETOED
<u>Legal Affairs</u>			
AB 500	Civil actions: telephonic appearances.	Lieu	268
AB 1135	State government: reports: declarations.	Strickland	VETOED
SB 449	Crime records: victims of sex offenses.	Aanestad	578
<u>Penalty Bills</u>			
AB 678	Crimes: vehicular manslaughter: fleeing the scene of an accident.	Gaines	747
AB 924	Crimes: vehicles.	Emmerson	111
AB 1199	White collar crime: enhancement.	Richardson	408
AB 1705	Sentencing: enhancement.	Niello	420

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2007

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number/ Vetoed</u>
<u>Prison Authority</u>			
AB 1735	Milk and dairy products: standards.	Committee on Agriculture	339
SB 770	Milk.	Cogdill	351
<u>Risk Management</u>			
AB 338	Workers' compensation: temporary disability payments.	Coto	595
AB 1636	Workers' compensation: supplemental job displacement benefits.	Mendoza	VETOED
SB 936	Workers' compensation: permanent disability schedule.	Perata	VETOED
<u>Small Business & DVBE</u>			
AB 608	State contracting: small business preference.	De La Torre	VETOED
AB 761	State contracts: infrastructure bonds: small businesses.	Coto	611