Bills Signed by Governor Gray Davis

SACRAMENTO – As of Oct 1, 2002 Governor Gray Davis has signed the following bills pertaining to the California Community Colleges:

AB 4 by Assemblywoman Patricia C. Bates and Assemblyman Dennis Cardoza – This bill is to require sex offender registrants to register additionally at university campuses, as defined, where they work or are enrolled, as specified. (10/7/01)

AB 14 by Assemblywoman Jackie Goldberg – This bill implements the expenditure of $100 million for charter school facilities provided in legislation past this year. (9/27/02)

AB 16 by Assemblyman Robert M. Hertzberg and Assemblyman Bill Leonard – This bill authorizes the Kindergarten-University Public Education Facilities Bond Acts of 2002 and 2004 and specifies procedures for the expenditure of the funds. Specifically, the conference committee amendments delete all provisions of this bill. (4/29/02)

AB 27 by Assemblywoman Gloria Negrete McLeod - This bill provides that a community college may exchange for value, sell for cash, or donate any personal property belonging to the district if certain conditions are met. (7/24/01)

AB 42 by Assemblywoman Gloria Negrete McLeod – This bill authorizes the member of the CalPERS Board who is an elected official of a contracting agency to designate a deputy to act in his or her place on the CalPERS Board. (9/20/02)

AB 46 by Assemblywoman Carl Washington – This bill authorizes the Technology, Trade, and Commerce Agency (TTCA) to designate three new enterprise zones (EZ) in the state. (10/9/01)

AB 87 by Assemblywoman Hannah-Beth Jackson and Assemblywoman Helen Thomson – This bill requires the Chancellor of the California Community Colleges to award grants to community college districts for the purpose of developing curricula and pilot programs that provide training to licensed nurses. (10/5/01)

AB 117 by Assemblywoman Carole Migden - This bill, subject to certain conditions, allows cities and counties to aggregate their electric loads and provide service directly to their residents. (9/24/02)

AB 128 by Assemblywoman Jackie Goldberg – This bill allows school districts and community college districts, that have not adopted a civil service merit system for its classified employees, to submit employee disciplinary cases to impartial third party hearing officers. (10/13/01)
AB 135 by Assemblywoman Sally Havice – This bill increases the minimum purchasing power guarantee from the State Teachers' Retirement System (STRS) supplemental Benefit Maintenance Account from 75% to 80% of the member's initial monthly allowance. (10/13/01)

AB 139 by Assemblyman Dean Florez and Assemblywoman Dion Aroner - This bill clarifies and expands the authority of County Superintendents of Schools in their oversight responsibilities relative to local school district financial matters. (10/9/01)

AB 201 by Assemblywoman Roderick Wright – This bill makes various technical and substantive changes to the laws relative to the regulation of private postsecondary and vocational education and the authority of the Bureau for Private Postsecondary and Vocational Education (Bureau). (10/9/01)

AB 212 by Assemblyman Lou Correa – This bill requires a portion of the former Tustin Marine Corps Air Station (MCAS Tustin) be transferred to the Santa Ana Unified School District (Santa Ana USD) and the Rancho Santiago Community College District (Rancho Santiago CCD) for construction of school and college facilities. (7/30/01)

AB 306 by Assemblyman Dario Frommer - This bill would: -Provide that a school district, special education local plan area, or county office of education may reinforce braille instruction using a braille instructional aide who holds an appropriate credential, as determined by the Commission on Teacher Credentialing. - Require that any of the above entities that employ a braille instructional aide to provide the aide with specified information regarding teaching credential programs. -Appropriate $227,000 from the General Fund to the California Community Colleges for allocation to at least 15 districts to enable each district to offer at least one additional course to train individuals in braille instruction. (10/11/01)

(Signing message)

I am signing Assembly Bill 306 with a deletion. This bill would authorize local education agencies (LEA) to reinforce Braille instruction using a Braille instructional aide; allow Braille instruction for the functionally blind, require LEAs to provide instructional aides with notification of the specified teaching credential programs listed in the bill; appropriate $227,000 General Fund to the California Community Colleges to offer additional training in Braille and require publishers of instructional materials to provide the state with free electronic versions of each state adopted literary title if the publisher doesn't already offer a large print version or other specialized media version.

I believe this bill will encourage earlier and greater Braille proficiency and lead to greater employment levels for Californians who are blind. However, given the rapid decline of our economy and a budget shortfall of $1.1 billion through the first three months of this fiscal year alone, I have no choice but to reduce the appropriation in the bill from $227,000 General Fund to $100,000 General Fund.
AB 349 by Assemblyman Jay La Suer - This bill amends the requirements of annual sex offender registration to expressly require registrants to provide current vehicle information, current fingerprints and a current photograph, as specified. (10/13/01)

AB 365 by Assembly Joe Nation – This bill provides that classified employees in school districts or community college districts which have not adopted a civil service merit system be able to return to their previous classification if they fail to pass probation in a new position. (10/13/01)

AB 425 by Assemblywoman Jenny Oropeza - This bill would make appropriations for support of state government for the 2002-2003 fiscal year. (9/5/02)

AB 430 by Assemblyman Tony Cardenas - This bill represents the omnibus health budget trailer bill. (8/10/01)

AB 440 by Assemblyman Dennis Cardoza, Assemblywoman Barbara S. Matthews, Assemblyman Mike Briggs, and Assemblyman Richard L. Dickerson - This bill amends the 2001-02 Budget Act to make various augmentations. (8/13/01)

AB 442 by the Committee on Budget - This is the Omnibus Health Trailer Bill. It contains the necessary changes to implement the Budget Act of 2002. (9/30/02)

(Signing message)

I am signing Assembly Bill 442, the Omnibus Health trailer bill, which, among other things, rescinds the 2000-01 Medi-Cal provider rate increases in their entirety, with specified exemptions.

The intent of the Legislature was to rescind the provider rate reductions proposed in the May Revision and maintain those reductions proposed in the January 10 Governor’s Budget. However, due to the late enactment of the 2002-03 Budget, the Department of Health Services (DHS) would be unable to implement the partial rate reductions until January 2003. This late implementation of the rate reductions would place the DHS in the position of paying providers rates that are higher than those statutorily authorized. If the rate reductions were implemented, providers would be forced to return overpayments or the DHS would withhold significant payments to make up for the difference. Return of overpayments or significant withholding of payments could cause providers to drop out of the Medi-Cal program, thus reducing access.

For these reasons, I will also be signing AB 3006.

AB 449 by Assemblyman Marco Antonio Firebaugh – This bill increases from eight to 12 years the maximum amount of service credit a classified employee may receive while on an approved leave of absence serving as an elected officer of an employee organization. (9/10/01)

AB 458 by Assemblyman Rod Pacheco - This bill prohibits school districts from assigning extra grade weighting, as specified, for courses that are required for admission
to the University of California (UC) or the California State University (CSU) unless the course has been approved by UC as an "honors" course, as specified. (10/1/01)

**AB 493 by Assemblywoman Carole Migden** – This bill is an urgency measure, would provide that funding for the implementation and provision of baccalaureate degree programs on the Canada College campus, offered by the faculty of Canada College and the San Francisco State University, be contingent upon an appropriation in the annual Budget Act. (10/5/01)

**AB 500 by Assemblywoman Jackie Goldberg** – This bill requires governing boards of school districts and community colleges, before employing a short-term employee, to formally specify the service required to be performed by the employee and certify the estimated ending date of the service. (9/26/02)

**AB 521 by Assemblyman Paul Koretz** – This bill would ask the governing bodies of all California colleges and universities to adopt policies to educate students about credit card debt and restrict the marketing of credit cards to students. The bill would be mandatory for the California State University and California Community Colleges. (9/12/01)

**AB 540 by Assemblyman Marco Antonio Firebaugh and Assemblyman Abel Maldonado** – This bill qualifies long-term California residents, as specified, regardless of citizenship status, for lower "resident" fee payments at the California Community Colleges (CCC) and the California State University (CSU). Specifically, this bill: 1) Exempts non-residents from paying resident tuition at CSU and CCC provided they: a) Attended high school in California for three or more years. b) Graduated from a California high school or attainment of the equivalent thereof. c) Have registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001-02 academic year. d) Have, if he or she is an alien without lawful immigration status, filed an affidavit, as specified. (10/13/01)

**AB 585 by Assemblyman Joe Nation** - This bill modifies existing examination, education and experience requirements for certified public accountant applicants, establishes new education, examination and experience requirements to conform to the national Uniform Accountancy Act, and creates a peer review process for registered firms who wish to provide attest services. (10/11/01)

**AB 647 by Assemblyman Jerome Horton** – This bill expands provisions of the Reporting by Community College Employees of Improper Governmental Activities Act to authorize community college employees to file retaliation complaints with the State Personnel Board. (10/2/01)

**AB 649 by Assemblywoman Gloria Negrete McLeod** – This bill ratifies the memoranda of understanding (MOU) between the state and State Bargaining Units (Units) 5 (represented exclusively by the California Association of Highway Patrolmen) and 8 (represented exclusively by the California Department of Forestry Firefighters). (9/27/01)
AB 824 by Assemblywoman Rebecca Cohn - This bill expands eligibility for the California Public Employees' Retirement System's long-term program to include adult siblings of active or retired California public employees. (8/13/01)

AB 844 by Assemblywoman Wilma Chan – This bill resets the date when the statute authorizing Alternative Education and Work Centers (AEWCs) becomes inoperative, and reinstates previously repealed authorization for the educational clinics. (8/13/01)

AB 1000 by Assemblyman S. Joseph Simitian – This bill authorizes specified community college governing boards to enter into design build contracts for construction of school facilities costing in excess of $10 million. (9/18/02)

AB 1014 by Assemblyman Louis J. Papan – This bill requires state and local agencies to assist the public in making requests for public records and to state the estimated date and time when disclosable public records will be made available. (9/27/01)

AB 1018 by Assemblywoman Carol Liu – This bill creates the Industry-Based Certification Incentive Grant Program for the purpose of awarding grants to selected school districts, county offices of education and regional occupational centers and programs and to establish industry-based certification programs within their career technical programs. (10/13/01)

AB 1084 by Speaker Herb J. Wesson, Jr. - This bill establishes a new type of small business known as a "microbusiness," and provides the same rights and benefits to a microbusiness as a certified small business. Specifically, this bill: 1) Establishes a "microbusiness" category, which is defined as a small business that, together with its affiliates, has average annual gross receipts of $2.5 million or less over the previous three years, or is a manufacturer with 25 or fewer employees. 2) Qualifies microbusinesses for the preferences currently afforded small businesses under the Small Business Procurement and Contract Act for state agency contracts. 3) Increases the upper limit for simplified contracting procedures for construction contracts to $200,000 (from $100,000). 4) Requires awarding agencies to report to the Governor and the Legislature on the level of participation of business enterprises, by race, ethnicity and gender of the business owner, for specified contracts. (10/14/02)

AB 1087 by Assemblyman Thomas M. Calderon - This is a clean up bill to clarify the intent of the original 1999 legislation that established State certification for electricians. Specifically, this bill provides a two-year phase-in period for electricians to gain State certification by January 1, 2005 and it clarifies that the certification program applies only to high-voltage electricians. It also establishes a curriculum committee of community college, education, and Department of Industrial Relations representatives to establish training standards. The bill grandfathers in those electricians who have sufficient experience so that they do not have to take the certification exam and it authorizes a separate and lower certification fee of $25, rather than the standard $75. Finally, AB
1087 requires the Department of Industrial Relations to report to the Legislature by January 1, 2004 on the progress of the certification program. (5/29/02)

**AB 1122 by Assemblywoman Ellen M. Corbett** – This bill conforms numerous provisions of California personal income and corporation tax law to federal income tax law. (5/8/02)

**AB 1131 by Assemblyman Dario Frommer** - This bill restricts state funding of apprenticeship training programs to those programs which have been approved by the Division of Apprenticeship Standards of the State Department of Industrial Relations. (3/11/02)

**AB 1140 by Assemblywoman Helen Thomson** – This bill requires the Board of Registered Nursing to collect, analyzes, and reports on workforce data from its licensees for future workforce planning. The information - which will include job satisfaction, future work intentions, hours of work, time spent in direct patient care, type of employer, reason for leaving or reentering nursing - will be helpful in recommending steps the state might take in increase job satisfaction and recruit more students into the profession. (9/29/02)

**AB 1146 by Assemblywoman Wilma Chan** – This bill codifies existing case law which tolls the statutory time period by which employment discrimination complainants must initiate a civil action under state law for a specified period in particular cases. Specifically, this bill: 1) Tolls the time period for suit under the Fair Employment and Housing Act (FEHA) when the Department of Fair Employment and Housing (DFEH) has issued a right-to-sue notice but federal administrative remedies are still available to resolve the complaint. 2) Commences the judicial limitations period on FEHA claims at the same time as the cognate federal period commences. (8/28/02)

**AB 1241 by Assemblyman Robert Pacheco** – This bill would require the California Community Colleges to prepare a report by 1/1/03 on the feasibility of establishing a uniform teacher preparation curriculum for community college students. (10/11/01)

**AB 1245 by Assemblywoman Elaine Alquist** – This bill requires that reappointment rights for specified community college part-time faculty be a mandatory subject of negotiation for community college part-time faculty. (10/13/01)

**AB 1287 by the Committee on Higher Education** - This bill adjusts the amounts appropriated in the Budget Act of 2001 for various outreach programs. They specifically allocate $2 million in funding reductions made by the Governor. (10/7/01)

**AB 1342 by Assemblywoman Elaine Alquist** – This bill encourages the State's colleges and universities to maintain and enhance, as their resources permit, international education, foreign language, and exchange programs. (9/12/02)
AB 1402 by Assemblyman Joseph Simitian - This bill authorizes school districts to enter into design-build contracts for construction of school facilities costing in excess of ten million dollars ($10,000,000). (10/2/01)

AB 1412 by Assemblyman Roderick Wright and Assemblyman Mark Wyland - This bill (1) specifies that the terms vocational-technical education and career technical education for purposes of the Education code have the same meaning, as specified; (2) requires the Superintendent of Public Instruction (SPI) to develop and State Board of Education (SBE) to adopt standards for a career technical education course of study by January 1, 2005, and (3) requires the Trustees of the California State University (CSU) and requests the Regents of the University of California (UC) to develop procedures that will allow courses to satisfy coursework admission requirements. (9/27/02)

(Signing message)

I am signing Assembly Bill 1412, which would require the Superintendent of Public Instruction to develop, and the State Board of Education to adopt, model curriculum standards for career-technical education by January 1, 2005.

This bill would also require the California State University (CSU) and request the University of California (UC) to develop model academic standards and develop a process by which high schools may obtain approval of their career courses as meeting UC and CSU admissions requirements.

Finally, the bill states legislative intent that school districts are not required to make changes in curriculum pursuant to this act. I fully support encouraging school districts to improve career-technical education through development of voluntary standards and I commend the author for his work in this area.

However, I am signing this bill with the understanding that the curriculum standards are to be completed and adopted using federal Perkins Vocational and Technical Education Act funds currently allocated for state administration. I do not support redirecting for state administrative purposes any federal Perkins funds available for local grants.

AB 1506 by Speaker Herb J. Wesson, Jr. and Assemblywoman Gloria Negrete McLeod – This bill requires an awarding body choosing to use funds for a public works project, from either the Kindergarten-University Public Education Facilities Bond Act of 2002, or the Kindergarten-University Public Education Facilities Bond Act of 2004, to initiate and enforce, or contract with a third-party to initiate and enforce, a labor compliance program. (9/26/02)

AB 1543 by Assemblyman Marco Antonio Firebaugh – This bill provides specified legal protections to the University of California (UC), California State University (CSU) and the California Community Colleges (CCC) if a state court finds unlawful Education Code Section 68130.5 or any similar regulation. (4/8/02)

AB 1609 by Assemblyman Thomas Calderon - This bill excludes 9th grade students from taking the exit exam, requires that the test be given once in tenth grade, requires that
a second independent study be made of the exam and authorizes the State Board of Education to delay the requirement to pass the exam as a condition of graduation. (10/11/01)

**AB 1611 by Assemblyman Fred Keeley** – This bill authorizes the California Educational Facility Authority (CEFA) to enter into agreements with nonprofit entities to finance the cost of constructing student, faculty, and staff housing near the campuses of the University of California (UC), the Hastings College of Law, the California State University (CSU), the California Community Colleges (CCC), or participating private college. (10/7/01)

**AB 1634 by Assemblywoman Wilma Chan** – This bill: 1) Requires the Department of Education (SDE) to develop nutrition education curriculum to be incorporated into existing health education taught at every grade level between kindergarten and grades 1-12, inclusive; and 2) Requires SDE to make competitive grants available for school districts and county offices of education to start up or expand instructional school gardens and school garden salad bars with a compost program. (9/30/02)

(Signing message)

I am signing Assembly Bill 1634, which would require new curriculum development in nutrition and would create a new school garden grant program.

I certainly share the author’s belief in the importance of nutrition education. Many studies have demonstrated that infancy, toddler years, and early childhood are the most important developmental stages for children. During these early years of a child’s development, it is essential to establish healthy eating and exercise patterns.

As evidenced by a letter to the Assembly Journal, the author intended that the $200,000 appropriation contained in this bill would be a subset of an appropriation contained in the Budget Act for similar purposes. While she has committed to carrying cleanup language next year to rectify the error, a more expeditious remedy is for me to strike the $200,000 appropriation from this legislation.

Lastly, it is my intent that the State Department of Education will develop the nutrition curricula and related best practices from existing departmental resources.

With that understanding, I am pleased to sign this legislation, but am vetoing the $200,000 appropriation.

**AB 1683 by the Committee on Public Employees, Retirement and Social Security** - This bill makes various technical and clarifying changes to various sections of the Government Code relating to the Public Employees Retirement System. (10/13/01)

**AB 1692 by the Committee on Human Services** - This bill clarifies current law to give counties the option of offering the U.S. Department of Labor Welfare-to-Work grant program to recipients in the community service phase of CalWORKs. (10/10/01)
AB 1720 by the Committee on Higher Education – This bill specifies that the Joint Legislative Sunset Review Committee shall cooperate with the California Postsecondary Education Commission in evaluating and reviewing the Bureau for Private Postsecondary and Vocational Education. (10/1/01)

AB 1721 by the Committee on Higher Education - This bill requires the California Postsecondary Education Commission to periodically study the percentages of high school students eligible for admission to the University of California and the California State University, as specified. (10/8/01)

AB 1746 by Assemblywoman Carol Liu – This bill provides free tuition to any UC, CSU, community college or the Hastings School of Law for the children of those killed in the attacks. It also extends free tuition for children of police officers and firefighters killed in the line of duty to community colleges. Existing law applied only to UC and CSU schools. "This expands on a bill I signed earlier this year, which provided $5,000 college scholarships for the children left behind on 9-11," Governor Davis said. "AB 1746 invests in the future of the families of California heroes. (9/10/02)

AB 1797 by Assemblyman Tom Harman – This bill requires state or local public officials, when they have a financial interest in a pending decision, to publicly identify the financial interest and to recluse themselves and leave the room until the matter is concluded. The bill exempts members of the Legislature from the above requirement. (8/26/02)

AB 1818 by the Committee on Higher Education – This bill is the annual omnibus education bill that makes a number of non-controversial, conforming, correcting, and technical changes to various education statutes and budget items. (9/30/02)

AB 1863 by the Committee on Higher Education – This bill extends the sunset on the law that exempts the CSU system from the procedures set forth in the Administrative Procedures Act (APA) that apply to all other State agencies for promulgating regulations. It also requires CSU to provide an annual report to the Governor and the Legislature on all regulatory actions taken during the previous calendar year. (7/15/02)

AB 1908 by Assemblywoman Rebecca Cohn – This bill provides CalPERS member employers the option of participating in premium payments for the CalPERS Long-Term Care insurance program on behalf of their enrollees. The bill accomplishes that by eliminating the statutory provision that requires employees to pay the full cost of premiums. (9/26/02)

AB 1945 by Assemblyman S. Joseph Simitian – This bill subjects the willful disclosure of confidential information discussed during local legislative closed meetings to formalized penalties. (9/30/02)

AB 1965 by Assemblyman Russ Bogh and Assemblyman Ed Chavez – This bill provides California State University (CSU) and California Community College (CCC)
tuition and fee waivers to Congressional Medal of Honor (Medal) recipients and their dependants, as specified. (7/29/02)

**AB 1974 by assemblyman Anthony Pescetti** – This bill allows CalPERS to pool the assets of contracting agencies, county offices of education, and school districts that have fewer than 100 active employees (applies to over 1400 retirement plans). The bill would establish the method of determining employer contribution rates, and would require that these rates take into account assets and liabilities brought into the pool. Finally, this bill specifies that county offices of education, school districts and community college districts may only participate in a risk pool if the retirement formula of the risk pool is higher than the retirement formula applicable to school members. (9/30/02)

**AB 2006 by Assemblyman Gil Cedillo** – This bill prohibits the governing body of a public agency with a population in excess of 4 million, or the boards and commissions designated by the governing body, from discriminating against employees by removing or disqualifying them from a health benefit plan, or restricting their ability to participate in a health benefit plan, on the basis that the employees have selected or supported a recognized employee organization. These provisions would be retroactive to July 1, 2001. (9/28/02)

**AB 2009 by Assemblyman George Nakano** - This bill redefines the term swap meet to include open air market and flea market and creates special reporting requirements for vendors and operators of swap meets who sell or display new merchandise. (9/3/02)

**AB 2023 by Assemblyman Dario Frommer** – This bill authorizes local agencies and counties and districts to classify local prosecutors, local public defenders, and local public defender investigators as safety members of the various retirement systems and authorizes the exclusion of these employees from Social Security coverage. (9/30/02)

**AB 2034 by Assemblyman Jerome Horton** – This bill would authorize the State Personnel Board (SPB) to recover costs for specified hearings from local community college districts instead of the Board of Governors. (6/30/02)

**AB 2146 by Assemblywoman Judy Chu** – This bill makes a number of technical changes to the collective bargaining process for part-time community college instructors so that local community college districts can negotiate whether these faculty member can teach winter session terms without qualifying as permanent part-time employees. (6/30/02)

**AB 2217 by Assemblywoman Virginia Strom-Martin** – This bill creates a commission to develop a Quality Education Model, to identify the educational components, educational resources and corresponding costs, that are necessary to provide the opportunity for a quality education to every pupil in California. (9/28/02)

*(Signing message)*
I am signing Assembly 2217, which would establish the California Quality Education Commission to, among other things, develop a model for prototype schools and provide information to the Legislature and other policy makers regarding the costs associated with developing schools most likely to produce high quality outcomes.

However, I am concerned about the fiscal impact of establishing the proposed Commission. Therefore, I am signing this bill with the expectation that the Office of the Secretary for Education, the State Board of Education, the Legislative Analyst’s Office, and the Department of Education will support the Commission from their existing budgets and that the members of the Commission would not be compensated or reimbursed for their participation.

Further, given the austere financial conditions likely to be facing the State for a number of years, I expect the Commission to limit its recommendations to options that can be funded within the Proposition 98 guarantee and that also preserve current education reform programs and core local instructional resources. Finally, I am requesting that the Commission consider the effectiveness of existing programs and possible efficiencies that would help school districts focus on improving student achievement.

**AB 2295 by Assemblywoman Jenny Oropeza** – This bill requires the State Department of Education and the California Postsecondary Education Commission to jointly contract with an independent evaluator to prepare a report on interscholastic athletics in the state. (9/29/02)

**AB 2314 by Assemblywoman Helen Thomson** – This bill create a more efficient and accessible education process and allow nursing students to complete their education faster. It requires the Chancellors of the California Community Colleges and the Chancellor of the California State University system to standardize all nursing programs statewide. Both Chancellors will be required to implement the recommendations of a program that will ensure that students transferring from the community college system to a state university are academically prepared and avoid repeat coursework. (9/29/02)

**AB 2398 by Assemblyman Rod Pacheco** – This bill expands existing law to allow community colleges to exchange, sell, or donate surplus property to any public entity, not just other community colleges or public schools. This bill also increases the maximum value of community college property that can be sold at a private sale from $2,500 to $5,000. (6/30/02)

**AB 2412 by Assemblyman Manny Diaz** – This bill provides for enforceability of existing rights of employees to inspect and copy their payroll records. Specifically, this bill provides that: 1) An employer who receives a request from a current or former employee to inspect or copy his or her payroll records shall comply as soon as practicable, but in any event within 21 calendar days. 2) A violation of the provisions of this bill is an infraction and that impossibility of performance, not caused by or a result of a violation of law, is an affirmative defense for an employer in any action alleging a violation of this bill. 3) Provides that an employer may designate the person to whom a request under this bill will be made. 4) Provides that a violation of this provision entitles the employee or the Labor Commissioner (LC) to recover a $750 penalty from the employer. 5) Provides that an employee may also bring an action for injunctive relief to
ensure compliance, and in such an action is entitled to an award of costs and reasonable attorney's fees. 6) Clarifies that, no reimbursement is required by this bill pursuant to the Constitution because the only costs incurred by a local agency or school district will be incurred because this bill creates an infraction. (9/26/02)

**AB 2428 by Assemblyman Lou Correa** - This bill expands the definition of veteran for purposes of eligibility for home mortgage financing through the State Department of Veterans Affairs. (9/9/02)

**AB 2506 by Assemblyman Darrell Steinberg** – This bill requires the California State Teachers' Retirement System (CalSTRS) to establish a vendor registration process where information about tax-deferred retirement investment products will be made available to employees of local school districts, community college districts and county offices of education. CalSTRS will maintain the information on its Internet Web site. (9/29/02)

*(Signing message)*

*I am signing Assembly Bill 2506.*

*This bill requires the California State Teachers’ Retirement System (CalSTRS) to establish a vendor registry where information about tax-deferred retirement investment products will be made available to employees of local school districts, community college districts, and county offices of education. CalSTRS will maintain this registry and investment information on its web site.*

*However, it should be made clear that providing this information is not an endorsement or a validation by CalSTRS of the information provided to them by various vendors.*

*With this understanding, I am signing this measure.*

**AB 2533 by Assemblywoman Hannah-Beth Jackson** – This bill requires all public and private college and university campuses to submit information to the California Post Secondary Education Commission on their compliance with federal crime reporting requirements and provide for additional reporting to the Legislature on campus violence. (9/23/02)

**AB 2541 by Assemblywoman Gloria Negrete McLeod** - This bill requires an applicant for a School-to-Career (STC) Interagency Partnership grant, to demonstrate, in addition to other existing requirements, an instructional program advising pupils of an employee's and an employer's rights and obligations in the workplace. (7/12/02)

**AB 2549 by Assemblyman Joe Nation** - This bill allows part-time faculty of the California State University (CSU) who teach six teaching units for two consecutive semesters or three consecutive quarters to qualify for membership in the California Public Employees' Retirement System (CalPERS) on or after July 1, 2004 if agreed to through collective bargaining. (9/28/02)

*(Signing message)*
I am signing Assembly Bill 2549 with the express understanding that the proponents of this measure have agreed not to seek implementation of this measure before July 1, 2005 through the collective bargaining process.

**AB 2583 by Assemblywoman Judy Chu** – This bill provides for the creation of a statewide task force on sexual assault for the purposes of gathering data on sexual assaults on California colleges and universities and submitting a report to the Legislature. Specifically, this bill: 1) Establishes a 15-member California Campus Sexual Assault Task Force (Task Force), and provides for the appointment of those members and their duties. 2) Requires the Task Force to be staffed by an entity selected through a competitive bidding process and to gather data about sexual assault issues from the various campuses of the University of California, the California State University, and the California Community Colleges, and from a sample of the private institutions of higher education in the state. 3) Requires the Task Force to submit a "Campus Blueprint to Address Sexual Assault" incorporating this data to the Legislature on or before April 1, 2004. 4) Requires the Office of Criminal Justice Planning (OCJP) to administer the Task Force and to administer the competitive bidding process used to select the nonprofit organization. (9/29/02)

*(Signing message)*

I am signing Assembly Bill 2583.

This bill would establish the California Campus Sexual Assault Task Force to develop a uniform system for gathering information pertaining to campus sex crimes and to create a set of model guidelines for addressing these crimes on higher education campuses. The 15-member task force would be required to present a report to the Legislature by April 1, 2004. The bill also appropriates $125,000 to the Office of Criminal Justice Planning (OCJP).

Addressing campus sex crimes is a worthwhile endeavor.

This bill appropriates $125,000 General Fund at a time when the State is experiencing a server revenue shortfall. Therefore, I am deleting the funding and directing OCJP to absorb the costs of the task force from within existing resources.

**AB 2678 by Assemblyman Samuel Aanestad** – This bill authorizes Butte County to amend its contract on or before February 1, 2003, to authorize the surviving spouse of a member of the California Public Employees' Retirement System (CalPERS) to receive specified additional death benefits if the member was eligible to retire and was a public safety officer killed in the line of duty between July 26, 2001, and February 1, 2003. (9/27/02)

**AB 2709 by Assemblyman Mark Wyland** – This bill requires instruction in the area of social sciences to include instruction on World II and America's role in that war, as specified. (9/20/02)
AB 2743 by Assemblyman Alan Lowenthal – This bill allows licensed apprentices in barbering, cosmetology, skin care, or nail care who have completed at least 75% of their apprenticeship program to submit an application for admittance to the Bureau of Barbering and Cosmetology’s (Bureau) examination for licensure. (9/16/02)

AB 2750 by Speaker Herb J. Wesson, Jr. - This bill permits increases in the average daily attendance calculations for classes for adults in correctional facilities. (9/29/02)

(Signing message)

I am signing Assembly Bill 2750, which, beginning with the 2003-04 fiscal year, would adjust the funding formula for adult education in correctional facilities by increasing the maximum average daily attendance (ADA) a school district could claim by 2.5 percent over the previous fiscal year.

I am supportive of ensuring that jail-based adult education, particularly in the areas of domestic violence and substance abuse prevention, is available in the counties that experience the greatest need. I am also aware that the current method for allocating state funding for these programs does not protect providers from short-term enrollment fluctuations and may contribute to overall declines in the number of prisoners served by this program. However, as drafted, this bill provides all school districts, whether they are experiencing enrollment increases or not, a 2.5 percent annual growth entitlement.

I am therefore signing AB 2750 with the understanding that subsequent legislation will be proposed next year that will further refine the funding formula to:

1) Establish a base year and methodology to compute the baseline ADA for the program.

2) Ensure that additional funding only goes to those programs that experience enrollment growth.

3) Ensure that programs with static or declining enrollment are held harmless by providing that their ADA will not be reduced below the base level or their highest adjusted level determined by actual enrollment.

4) Eliminate legislative intent language stating that additional adjustments to increase allocations will be provided in a subsequent measure.

AB 2811 by Assemblywoman Carole Migden – This bill eliminates the sunset date for the existing Child Development Teacher and Supervision Grant Program. (9/18/02)

AB 2880 by Assemblyman Ed Chavez – This bill increases training standards for security guards from the existing three hours to 40 hours total, effective July 2004. This bill also requires the Bureau of Security and Investigative Services to develop and approve the curriculum for increased training. AB 2880 will also raise security guard initial registration fees from $40 to $50 and biennial renewal fees from $30 to $35 to pay for the costs associated with implementing the bill. This bill also requires private patrol operators to provide eight hours of annual review and practice training to security guards. (9/26/02)
AB 2967 by Assemblyman Roderick Wright – This bill makes various changes related to the oversight of private and vocational colleges by the Bureau for Private Postsecondary and Vocational Education and to the collection of Student Tuition Recovery Fund assessments. (9/16/02)

AB 2982 by the Committee on Public Employees, Retirement and Social Security - This bill makes grammatical, technical and conforming changes to the State Teachers Retirement System Law to facilitate efficient administration of the State Teachers Retirement System. (9/5/02)

AB 3040 by the Committee on PERS - This bill makes various changes regarding public employee benefits and retirement. (9/30/02)

AB 3045 by the Committee on Higher Education - This bill (1) makes a variety of technical and conforming changes to the Golden State Scholarshare program, and (2) makes a variety of conforming and other changes, including transferring from the State Treasurers Office to the Victims Compensation and Government Claims Board specified responsibilities as it relates to the California Memorial Scholarship Program. (9/9/02)

ACR 158 by Assemblywoman Patricia Wiggins - This resolution states that the Legislature is committed to improving career and technical education programs and practices and ensuring that they are a major component in efforts to improve K-12 education. (9/16/02)

ACR 215 by Assemblywoman Dion Aroner - This resolution urges the California Community Colleges (CCC), the California State University (CSU), and the University of California (UC) to expand their enrollment in social work preparation programs. Additionally, requests the development of a state master plan for social work education that addresses the shortage of social workers and reflects the state's diverse population. (9/16/02)

SB 4 by Senator Tom Torlakson - This bill extends the operation of the Governor's Commission on Veterans Homes (Commission) until January 1, 2003, and specifically includes Shasta County, the Central Valley, and Los Angeles County within the possible sites for the homes. This bill incorporates changes made by AB 494 (Cardoza) that will become operative if both bills are enacted and this bill is enacted after AB 494. (10/9/01)

SB 26 by Senator Liz Figueroa – This bill requires the Institute of Medical Quality to study peer review, requires an enforcement monitor to be appointed to monitor the Dental Board of California (DBC), requires an independent review of the scope of practice of dental auxiliaries, places the Osteopathic Medical Board of California (OMBC) under the jurisdiction of DCA, and makes additional technical and clarifying changes to various regulatory boards under DCA. (10/9/01)

SB 54 by Senator Richard Polanco – This bill makes various changes to the laws governing the California Public Employees' Retirement System (CalPERS) that are
needed in order to properly administer SB 400 (Ortiz), Chapter 555, Statutes of 1999. Updates a cross-reference in a provision of the Open Meeting Act which was inadvertently superceded by AB 2889 (CPGE&ED Committee), Chapter 1005, Statutes of 2000. (6/27/01)

**SB 57 by Senator Jack Scott** - This bill (1) requires the Commission on Teacher Credentialing to waive specified requirements for teachers with a minimum of six years of experience at a private school, and (2) implements a process whereby participants in teaching internship programs may receive their preliminary teaching credential on an expedited basis. (9/10/01)

**SB 165 by Senator Jack O’Connell** - This bill allows CalPERS members who have at least five years of accredited service and become employed in service that requires membership in the CalSTRS to elect to remain in CalPERS. (7/19/01)

**SB 176 by Senator Deborah Ortiz** - This bill makes several technical and clarifying changes to the recently enacted Cal Grant A, B and Transfer Entitlement program. Specifically, this bill: 1. Clarifies that a guaranteed Cal Grant B award is available only to students who have graduated from high school or its equivalent during or after the 2000-01 academic year. 2. Makes a technical correction to include high school graduates from the 2000-01 academic year in the Community College Transfer Entitlement Program. 3. Clarifies that students participating in the competitive Cal Grant A and B award programs may use a college grade point average (GPA), if they have one, in lieu of a high school GPA. 4. Clarifies that the competitive Cal Grant A and B awards are not limited to recent high school graduates. (5/4/01)

**SB 178 by Senator Jim Costa** - This bill revises fiscal penalties for school districts that fail to maintain strict compliance with the instructional time requirements of the "Longer Day and Year Incentives" enacted by SB 813 (Chapter 498, Statutes of 1983). (10/7/01)

**SB 192 by Senator Betty Karnette** – This bill sets up guidelines for allocating $41 million in the recently enacted federal "No Child Left Behind Act" that has been earmarked for technology education programs in California. This bill complements the State's other "digital divide" programs and focuses on middle and elementary schools. (9/16/02)

**SB 202 by Senator Nell Soto** - This bill recasts provisions of law when public agencies amend their contract under the Public Employees Medical and Hospital Care Act and, upon approval by the governing body of a contracting agency, authorizes the contracting agency to give employees hired prior to the contract amendment the right to elect to be subject to those provisions, and requires the contracting agency also to pay 100% of the required health premium for annuitants who retired for disability and annuitants who retired with 20 or more years of service credit with the contracting agency and who meet specified criteria. (10/13/01)
SB 214 by Senator Dede Alpert - This bill adjusts the statutory ceiling on compensation for members of a school board, a county board of education, or a community college board. (10/1/01)

SB 231 by Senator Deborah Ortiz - This bill requires the State Department of Health Services (DHS) to amend the Medicaid state plan with respect to the billing option for services by Local Education Agencies (LEAs) to ensure that schools are reimbursed for all eligible services they provide that are not precluded by federal requirements. Requires DHS to regularly consult with specified entities to assist in the formulating of the state plan amendments. Permits DHS to enter into a sole source contract to comply with the requirements of this bill. Authorizes DHS to undertake all necessary activities to recoup matching funds from the federal government for reimbursable services that have already been provided in the State's public schools. (10/10/01)

SB 235 by Senator John Vasconcellos - This bill requires local community colleges' consultative bodies to include representation from the classified employees of the college, as specified. (10/13/01)

SB 245 by Senator Charles Poochigian and Deborah Ortiz - This bill eliminates various statutory deadlines for the reporting of STAR test scores in order to accommodate non-traditional school calendars. (6/15/01)

SB 253 by Senator Don Perata - Authorizes stem cell research from any source, including human embryonic stem cells, that is reviewed by an approved institutional review board. The new law also will facilitate the voluntary donation of embryos for stem cell research. (9/22/02)

SB 273 by Senator Betty Karnette - This bill authorizes the State Board of Education to waive specified requirements for the receipt of funding under the Pupil Textbook and Instructional Materials Incentive Program. (10/7/01)

SB 284 by Senator Richard Polanco - Requires the California Energy Commission, in consultation with the Department of Education, the Division of the State Architect and the Office of Public School Construction, to recommend the best design practices that include energy efficiency measures for new public schools. (9/12/02)

SB 294 by Senator Jack Scott - Assembly amendments delete Senate version which made minor clarifying and technical changes with respect to certain provisions of law that require the Governor, commencing in 2002, to submit annually a five-year infrastructure plan to the Legislature in conjunction with the submission of the Governor's January Budget. This bill now increases the fees for firearm dealer inspections by the Department of Justice (DOJ) from $85 to $115 for inspection per inspection and requires the California Victim Compensation and Government Claims Board to establish up to five Victim Recovery, Resource and Treatment Programs. Converts this bill to a general government Budget trailer bill. (8/6/01)
SB 329 by Senator Bill Morrow – This bill adds a course in "computer applications in real estate" to the list of optional real estate courses that qualify as part of the educational requirements to obtain an original real estate broker's license. (7/11/01)

SB 334 by Senator Deborah Ortiz - This bill provides, to members of the State Teachers Retirement System who retired before January 1, 1999, the opportunity to gain benefit enhancements currently available only to those who retired after January 1, 1999, if the State Teachers Retirement System member who retired before January 1, 1999, reinstates to active service for at least two years. (10/13/01)

SB 379 by Senator Richard Alarcon - This bill extends procedural protections to civilian employees of police departments. (10/13/01)

SB 406 by Senator Deborah Ortiz – This bill provides a minimum allocation of $100,000 per jurisdiction, with the remainder to be allocated on a per capita population percentage basis. Funds will be distributed quarterly and require the submission of a plan and budget for its use. Counties would be prohibited from receiving these funds if they have received funding for these purposes from the federal government or from another source. (9/6/02)

SB 446 by Senator John Vasconcellos - This bill requires health plans, disability insurers, and the State Public Employees' Retirement System's (PERSs) self-funded plans to cover a vaccine for acquired immune deficiency syndrome (AIDS) that is approved for marketing by the federal Food and Drug Administration. The health plans will not be required to provide coverage for vaccines used in clinical trials. (10/9/01)

SB 489 by Senator Gloria Romero – This bill strengthens safeguards on biological and hazardous waste by directing the State Department of Toxic Substances Control to identify hazardous wastes and reportable quantities, which require special handling restrictions based on potential harm to the public in a terrorist or other criminal attack. (9/17/02)

SB 499 by Senator Nell Soto - This bill makes the following changes to the State Teachers' Retirement System Law. 1. Eliminates the requirement that beginning January 1, 2002 a dependent child between the ages of 18 and 22 must maintain full-time student status to remain eligible for the child's portion of a disability allowance. 2. Increases the loan limit for home loans under State Teachers' Retirement System's Home Loan Program from $350,000 to two times the conforming loan limits set by Federal National Mortgage Association or the Federal Home Loan Mortgage Association. 3. Allows Cash Balance Benefit Program participants to purchase Defined Benefit Program service credit on their prior Cash Balance Benefit Program based employment, after they become Defined Benefit Program members. 4. Appropriates $1 million from the State Teachers' Retirement Fund to the Teachers' Retirement Board for the administrative costs of implementing benefit changes, as specified. (10/13/01)
SB 501 by the Committee on Public Employment - This bill is the annual State Teachers Retirement Systems technical housekeeping bill, which makes various grammatical, technical and conforming changes to the Teachers' Retirement Law to facilitate efficient administration of the system. (10/13/01)

SB 508 by Senator John Vasconcellos and Bruce McPherson - This bill is the product of the Low Performing Schools Conference Committee. The bill contains technical clean-up and clarifying provisions to AB 961, which implemented the new High Priority Grant Program for Low Performing Schools. (5/16/02)

SB 517 by Senator Tom Torlakson - This bill requires the California Postsecondary Education Commission to (1) consider the development of joint-use facilities and (2) recommend to the Legislature criteria and processes to use bond funds for joint-use facilities. (10/7/01)

SB 614 by Senator John Burton - This bill makes several technical changes to the procedures that must be followed in implementing the fair share fee provisions of existing law. (10/13/01)

SB 657 by Senator Jack Scott – This bill conforms several provisions of state tax law to federal tax law. (5/8/02)

SB 688 by Senator Jack O’Connell – This bill protects the victims of the September 11, 2001 terrorist attacks from making a hurried decision regarding section of the forum and method for seeking compensation for their loss. It also puts California into the mainstream of other states regarding its time limits for bringing an action for personal injury. Extending the time for filing an action will give parties a better opportunity to investigate claims and resolve claims without resorting to litigation. Finally, this bill levels the playing field for all parties when a motion for summary judgment is filed and provides an opportunity to fully present arguments in opposition to a reviewing court. (9/10/02)

SB 786 by Senator Jack Scott - This bill requires school districts to purchase instructional materials within two years of curriculum adoption, unless certain conditions are met. (10/14/01)

SB 838 by Senator Jack Scott - This bill provides that educational administrators within the California Community Colleges hired under certain circumstances are not entitled to tenure. (8/6/01)

SB 844 by Senator Wesley Chesbro - This bill now provides $5.8 million in reimbursement authority, in augmentation to authority provided in the 2000-01 Budget Act, for the renovation of the Lincoln Theater at the Veterans' Home of Yountville. (9/4/02)
SB 953 by Senator John Vasconcellos – This bill creates the California Coordinated Elder Care and Involvement Act of 2002. (9/15/02)

SB 955 by Senator Dede Alpert – This bill makes changes to the law pertaining to charter schools. (10/8/01)

SB 993 by Senator Liz Figueroa – This bill amends provisions related to the scope of practice for nurse practitioners (NPs) and certified nurse-midwives (CNMs) to allow nurses in "solo practice" to prescribe medications under current standardized protocols and procedures. This bill also specifies that any regulations that affect the scope of practice of a NP or CNM shall be developed in consultation with the Board of Registered Nursing. (9/21/02)

SB 1045 by Senator Richard Polanco - This bill declares the intent of the Legislature to reaffirm diversity as a public policy goal in public employment and public contracting. The bill authorizes governmental agencies to engage in various general recruitment and outreach programs and focused outreach activities to increase diversity in public employment and public contracting. The bill, beginning January 1, 2003, requires each state department or agency awarding a contract or procuring goods or services, and authorizes each local agency receiving state funds, to collect information and report annually to the Governor and the Legislature on the participation level of minority, women, and disabled veteran-owned business enterprises in these contract and procurement activities. (9/30/02)

SB 1129 by Senator Jack O’Connell - This bill permits school facilities improvement districts (consisting of a portion of the territory of a school district or community college district) to issue general obligation bonds with the approval of 55% of the voters rather, than the currently required 2/3 of the voters. (7/31/01)

SB 1180 by the Committee on Public Employment and Retirement – This bill includes Protection and Advocacy, Inc., within the definition of "contracting agency" under the Public Employees' Medical and Hospital Care Act (PEMHCA), allowing them to elect to provide health benefits coverage to their employees provided they obtain an opinion from the United States Department of Labor stating that the organization is an agency or instrumentality of the state. (10/3/01)

SB 1236 by Senator Richard Alarcon – This bill implements the Governor's Reorganization Plan No. 1 of 2002, which creates a Labor and Workforce Development Agency (Agency) in state government and creates a Secretary of Labor and Workforce Development (Secretary). Specifically this bill: 1) Creates an Agency in state government, consisting of the Department of Industrial Relations (DIR), the Employment Development Department (EDD), the Agricultural Labor Relations Board (ALRB) and the Workforce Investment Board (WIB). 2) Specifies that the Agency will be under the supervision of an executive officer known as the Secretary, to be appointed by the Governor, subject to confirmation of the Senate, and to hold office at the pleasure of the Governor, as specified. 3) Specifies that the Secretary shall receive an annual salary of
$91,054, as adjusted by increases comparable to, but not in excess of, the percentage of the general salary increases provided for state employees. 4) Authorizes the Governor to appoint two deputies, to assist the Secretary. These deputies must be confirmed by the Senate and will serve at the pleasure of the Agency Secretary. 5) Provides that funding for the new Agency be achieved from reallocation of existing resources except that no funds shall be provided by the ALRB. Specifies that no appropriation of new General Fund monies will be permitted to implement this bill. 6) Provides for the Director of DIR, after January 1, 2003, to receive an annual salary of $85,402, as adjusted by increases comparable to, but not in excess of, the percentage of the general salary increases provided for state employees. (9/25/02)

SB 1264 by Senator Dede Alpert – This bill exempts from the CALWORKs definition of family income, consideration of any award or scholarship provided by a public or private entity to, or on behalf of, a dependent child. It also allows a teenager who is 16 or 17 old and graduates early from high school to enroll in college instead of being required to work until they were 18 or face family payment sanctions. (9/9/02)

SB 1350 by Senator Bruce McPherson – This bill creates the Emergency Response Training Advisory Committee, comprised of representatives from state and local law enforcement, fire services, emergency medical and port security. The bill creates the Emergency Response Taskforce to develop uniform terrorism awareness training standards for "first responders" to terrorist attacks. (9/17/02)

SB 1419 by Senator Richard Alarcon – This bill establishes standards for the use of personal service contracts by school and community college districts for the performance of services currently or customarily performed by classified school employees. The standards mirror those currently in effect for State government agencies. (9/26/02)

SB 1464 by Senator Nell Soto – This bill increases the minimum amount local governments have to contribute for health insurance from $16 per month per employee or annuitant to $97 per month per employee or retiree, for those local governments that participate in the California Public Employees' Retirement system Public Employees' Medical and Hospital Care Act program. (9/26/02)

SB 1476 by Senator Jack O'Connell – This bill requires a school principal, at the request of the parent of a pupil with special needs, to apply to the local school board for a waiver from the High School Exit Exam graduation requirement. (9/23/02)

SB 1493 by Senator Dede Alpert - This bill now permits the State Department of Health Services (DHS) to negotiate or renegotiate settlements with any acute care in San Diego County that has a distinct part pediatric convalescent facility and that has violated any Medi-Cal reimbursement policy or procedure governing the operation of acute care hospitals (intended to describe San Diego Children's Hospital and Health Care Center). The bill permits DHS to waive all or part of any overpayment made to any acute care hospital above that would otherwise be reimbursable to DHS by that acute care hospital in any settlement negotiated or renegotiated pursuant to this bill. (9/12/02)
I am signing Senate Bill 1493, which expresses the Legislature’s intent to permit the Department of Health Services (Department) to waive all or part of any Medi-Cal overpayment made to any acute care hospital in San Diego County that operates a pediatric convalescent facility. There is only one hospital in San Diego County that meets the criteria of this bill. San Diego Children’s Hospital is seeking debt relief that accrued between ten and twenty years ago, which is hindering their ability to begin construction on a replacement pediatric Children’s Convalescent Hospital.

This urgency measure is necessary to provide improved access to quality pediatric sub-acute services; however, the language in the bill does not clearly reflect the intent of the Legislature to limit the bill to just one particular audit period for one facility. I am therefore directing the Department to pursue technical amendments in the 2003 session to clarify that the Department’s authority to forgive past debt is limited in scope to the audit findings for services rendered prior to July 1, 1989, related to San Diego Children’s Hospital and is not intended to allow forgiveness of any future Medi-Cal overpayments.

SB 1536 by Senator Nell Soto - Makes various changes to the Public Employees' Medical and Hospital Care Act (PEMHCA) related to the provision of cost effective medical benefits for public employees by the California Public Employees' Retirement System (CalPERS) and authorizes the CalPERS board member who is an elected official of a contracting agency to designate a deputy to act in his or her place on the board. (9/26/02)

I am signing Senate Bill 1536, which makes broad changes to the Public Employees’ Medical and Hospital Care Act, and is intended to assist the California Public Employees’ Retirement System (CalPERS) Board of Administration to achieve two goals: 1) to manage health care costs; and 2) to minimize adverse selection.

In signing this measure, I am directing the Director of Finance to personally review all requests for appropriations pursuant to this legislation.

SB 1566 by Senator Richard Polanco – This bill reauthorizes the California Community Colleges Economic Development Program as the California Community Colleges Economic and Workforce Development Program. This bill also extends the program's sunset date to January 1, 2008. (9/15/02)

SB 1580 by Senator John Burton – This bill modifies appointments to the 12-member State Teacher's Retirement System (STRS) Board, which represents some 585,000 individuals in the education profession. It converts three of the Governor's eight appointments to elected positions and it removes the limits on the Governor's remaining five appointments. This bill requires Senate confirmation for the five Gubernatorial appointments. (9/28/02)
**SB 1595 by Senator Martha Escutia** – This bill entitles parents and guardians of English Learners (ELs) to participate in the education of their children by informed writing of specified provisions. (9/28/02)

(Signing message)

*Senate Bill 1595 would restate, specifically for parents of English learner pupils, various parental rights currently contained in the Education Code. The bill would also encourage schools to provide surplus instructional materials and to establish parent centers to support parents of English learners.*

*I am signing the measure with the understanding that the author will introduce clean-up legislation to address each of the following: (1) clarify that the advance parental notification requirements related to pupil promotion and retention policies do not exceed existing requirements; (2) stipulate that requirements to provide parental notification in English and a pupil’s primary language shall not exceed current state and federal law; and (3) clarify language that any required written notification be in English and the pupil’s home language pursuant to “any other applicable law”. These necessary technical modifications will clarify the policy intent of ensuring conformity with federal law without inadvertently creating a state-mandated local program.*

**SB 1624 by Senator Gloria Romero** – This bill authorizes the California Educational Facilities Authority (CEFA) to finance the cost of constructing faculty housing and establishes a grant program for expanded outreach efforts in schools with low rates of college participation. Specifically, this bill: 1) Authorizes CEFA to offer financing from tax-exempt revenue bonds for faculty housing owned by private colleges. 2) Authorizes CEFA to make up to a total of $2 million in grants in aid to private colleges to provide a program of academic assistance to high school pupils attending a qualified school, as defined, in accordance with prescribed selection criteria. 3) Sunsets this act on January 1, 2008. (9/29/02)

(Signing message)

*I am signing Senate Bill No. 1624 that would authorize the California Educational Facilities Authority (CEFA) to award $2 million in grants of up to $250,000 each to private colleges for academic assistance to high school pupils. The grant program would sunset January 1, 2009. The bill also states Legislative intent that the appropriation be made on a one-time basis from existing resources.*

*I am signing this bill with the understanding that it will not be effectuated before the 2003-04 fiscal year. In addition, the Administration will work with the Treasurer’s Office to determine an appropriate implementation timeframe and to ensure $2 million will be the entire amount provided for the purpose of this measure notwithstanding the sunset date of January 1, 2009.*

**SB 1629 by Senator Nell Soto** - This bill addresses the shortage of qualified paramedics by authorizing the California Fire Fighter Joint Apprenticeship Program to use federal funds to offset the high cost of cross-training their firefighters as paramedics. (9/28/02)
SB 1661 by Senator Sheila Kuehl – This bill establishes the Family Temporary Disability Insurance program within the existing Disability Insurance program. This new program will expand disability coverage to individuals who demonstrate to a physician the need to take time off from work to care for a sick or injured family member, or for the birth, adoption, or foster care placement of a new child. (9/26/02)

SB 1809 by Senator Michael Machado – This bill creates a new license category for a "medical laboratory technician (MLT)," authorizes licensees to perform certain laboratory tests and examinations, specifies their licensing requirements, and provides for an application fee. (9/3/02)

SB 1934 by Senator Bruce McPherson - This bill requires the Superintendent of Public Instruction (SPI) to develop a curriculum framework for career technical education. (9/27/02)

(Signing message)

I am signing Senate Bill 1934, which requires the State Board of Education to adopt model curriculum standards for career-technical education by June 1, 2005. Upon adoption of the standards, the Superintendent of Public Instruction shall develop a voluntary curriculum framework for career-technical education by June 1, 2006. Additionally, the bill encourages districts to provide a course of study that integrates academic and career skills, incorporates applied learning in all disciplines, and prepares all students for high school graduation and career entry. The development of both the curriculum standards and the frameworks for career-technical education would only be implemented if federal funds are available for this purpose.

I support encouraging school districts to improve career-technical-education through development of voluntary frameworks, however I am not supportive of redirecting any federal Perkins funds available for local grants to complete these frameworks. Therefore, I am signing this bill with the understanding that the curriculum frameworks are to be completed and adopted using federal Perkins Vocational and Technical Education Act funds currently allocated for state administration and leadership.

SB 1983 by Senator Nell Soto – This bill makes minor changes to the benefit and investment program administered by the California State Teachers' Retirement System (CalSTRS). The bill allows a member of the Defined Benefit Program receiving an allowance under Options 6 or 7 to name a new beneficiary after a member's beneficiary dies. The bill also changes the basis for calculating the post retirement compensation limitation from the All Urban Consumer Price Index to the average earnable salary of active members. SB 1983 further allows CalSTRS to acquire and develop surplus land owned by school districts through joint ventures and limited partnerships for sale to third parties and leaseback to school districts, if the transaction is otherwise consistent with CalSTRS' fiduciary standards established under state law and the Internal Revenue Code. (9/26/02)

SB 1984 by Senator Nell Soto - This bill provides State Public Employees' Retirement System (PERS) Industrial Disability Benefits (50% of pay for life) for state miscellaneous members in State Bargaining Unit 12 and for State Department of
Transportation (DOT) highway workers who are injured in the course of their official duties, and PERS "Special Death Benefit" for DOT highway workers who are killed in the course of their official duties. (9/30/02)

**SB 2012 by Senator Bob Margett** - Conforms California's special education statutes to federal laws and regulations relating to the Individuals with Disabilities Education Action in the area of interagency agreements. (9/16/02)

**SB 2028 by John Vasconcellos** – This bill creates the Equal Employment Opportunity Fund (Fund) within the State Treasury to be administered by the Board of Governors of the California Community Colleges (CCC), for the purpose of promoting equal employment opportunity in hiring and promotion within CCC. (9/30/02)

*(Signing message)*

I am signing Senate Bill 2028, which reconstitutes an existing employment outreach program at the California Community Colleges. However, I am concerned that there is no accessible revenue source for the Equal Employment Opportunity Fund that is established by the bill. I also believe that allowing up to 25 percent of this fund for technical assistance, service, monitoring, and compliance functions is excessive and limits the availability of resources that allow local community college districts to perform the activities described in this bill.

Therefore, I sign this bill with the understanding that clean-up legislation will be introduced next year to:

- Authorize the Board of Governors to transfer funding in the 2002-03 Budget Act currently available for the Faculty and Staff Diversity program to the Equal Employment Opportunity Fund established by this bill.

- Significantly reduce the maximum percentage of the Equal Employment Opportunity Fund that may be set-aside for technical assistance, service, monitoring, and compliance functions.

**SB 2083 by Senator Richard Polanco** - This bill, an urgency measure, establishes the English Learner and Immigrant Pupil Federal Conformity Act, which is meant to ensure that instructional services are provided to pupils with limited English proficiency in conformity with federal requirements as specified in Title III of the No Child Left Behind Act of 2001 (NCLB). (9/27/02)

*(Signing message)*

I am signing Senate Bill 2083, which provides guidelines for implementing Title III (English Language Acquisition Program) of the new federal No Child Left Behind Act. Specifically, the bill details definitions and requirements consistent with the act for parental notification, local plans, teacher qualifications, funding for immigrant education programs, and application for and awarding of funds.

I am signing the measure with the understanding that clean-up legislation will be introduced to ensure that the bill is consistent with and neither exceeds nor revises federal requirements, and correctly references the State Board of Education, rather than the State Department of
Education, as the State’s lead education agency. These technical modifications are necessary to clarify the policy intent of ensuring federal compliance without inadvertently creating a state-mandated local program.

I am directing my Secretary of Education to approach an author with clean up language to be introduced next year.

**SB 2094 by the Committee on Public Employment and Retirement** – This bill allows members of the California Public Employees' Retirement System (CalPERS) to purchase up to three years of service credit for service performed as a volunteer in AmeriCorps. (9/15/02)

**SCR 15 by Senator Nell Soto** – This bill makes various statements regarding the rights of retirees of the California Public Employees' Retirement System (CalPERS) and the adequacy of the benefits they receive, and encourages the establishment of an appropriate system to annually determine a minimum standard of pension adequacy for these retirees. (9/26/01)

**SCR 93 by Senator Dede Alpert** - This resolution expresses legislative support for the Joint Education Doctorate Initiative of the California State University and the University of California. This resolution encourages the Joint Ed.D. Board and the respective universities to take actions, including the submission of periodic joint reports to the Legislature, that will implement these joint doctoral programs. (9/11/02)

**SJR 4 by Senator Nell Soto** - This measure would memorialize the President and Congress of the United States to enact legislation to limit the application of the government pension offset and the windfall elimination provision of the Social Security Act. (7/21/01)
Bills Vetoed by Governor Gray Davis

SACRAMENTO – As of Oct 1, 2002 Governor Gray Davis has vetoed the following bills pertaining to the California Community Colleges:

**AB 148 by Assemblywoman Charlene Zettel** - This bill requires the Superintendent of Public Instruction (SPI) to assess the cost of providing Internet access to every middle or junior high school classroom in the state. *(1/5/01)*

*(Veto message)*

*I am returning Assembly Bill 148 without my signature.*

*This bill would have required a study to determine the cost and the most cost-effective means of providing Internet access to every middle and junior high school. While I am most supportive of technology in schools, AB 148's study is duplicative of existing and very current information.*

*Last year, I authorized $2 million in the budget for the California Technology Assistance Project to conduct the 2001 School Technology Survey. This very detailed survey was just completed in August and contains much of the information requested in the AB 148 study. Further, the California Technology Assistance Project is currently examining how to connect schools to the Digital California Project as well as developing a Digital California Project instruction manual for schools. These two items, alone or in concert, should be able to provide the information the author of AB 148 would like. Moreover, we cannot afford anymore new General Fund spending since our economy is rapidly declining and revenues are running $1.1 billion below budget predictions in the first three months alone.*

*I applaud Assemblywoman Zettel's intentions and am pleased that she shares my vision for bringing technology to our schools and to our students.*

**AB 164 by Assemblyman Tom Harman** - Requires the State Department of Education (SDE) to establish a statewide program of grant funding in support of special education alternative dispute resolution programs that meet specified criteria. *(9/29/02)*

*(Veto message)*

*I am returning Assembly Bill 164 without my signature.*

*This bill would require the State Department of Education (SDE) to establish and administer a statewide program of grant funding to establish alternative dispute resolution (ADR) programs for special education.*

*Although I support establishing ways to resolve disputes, current law already allows for the non-adversarial resolution of special education issues through mediation prior to filing for due process. This bill appropriates $300,000 to the SDE for administration of the ADR program and could result in local assistance costs between $17.8 and $13.1 million for three years and ongoing costs of between $3.3 million and $4.4 million annually. Since the proposed 2002-03 budget appropriates $8.9 million for dispute resolution services including mediation and fair*
hearing services, and this bill would redirect federal funds, which are necessary to provide essential services to students with disabilities, I am unable to support this measure.

**AB 199 by Assemblyman Lou Correa** – This bill allows members of the California Public Employees' Retirement System (CalPERS) whose retirement accounts have been separated due to divorce or legal separation to maximize their retirement benefit without creating an increased liability to the employer. *(10/12/01)*

*(Veto message)*

I am returning Assembly Bill 199 without my signature.

>This bill would allow members of the California Public Employees Retirement System whose retirement accounts have been separated due to a community property settlement to purchase retirement service credit awarded by re-depositing retirement previously withdrawn from the member's account.

>Furthermore, this bill would increase the retirement liabilities of the state and local contracting agencies as a result of providing a higher retirement allowance to members upon separation of accounts.

>In addition, this bill works a hardship on married families who would be forced to subsidize a double dip by members who divorce.

**AB 230 by Assemblywoman Jackie Goldberg** – This bill permits governing boards of non-merit school districts and community colleges, pursuant to the terms of a collective bargaining agreement, to submit employee disciplinary cases against classified employees, except peace officers, to third party arbitration. *(8/20/01)*

*(Veto message)*

I am returning Assembly Bill 230 without my signature.

>School district governing boards are given the responsibility to determine discipline for their classified employees and are held accountable for their actions. Districts need to retain a wide range of authority in order to fully implement the state's accountability objectives. Responsibilities should not be delegated to an outside arbitrator the local voters can not hold accountable.

>For these reasons, I am returning AB 230 without my signature.

**AB 231 by Assemblywoman Jackie Goldberg** – This bill authorizes the Torrance Unified School District and the Poway Unified School District to implement an alternative class size reduction (CSR) pilot program to allow class size in grades K-5 to average 23 pupils. Specifically, this bill: 1) Requires that all current provisions of law applying to the current K-3 CSR program continue to apply to this alternative, except that classes shall also be reduced in grades 4 and 5 and the class size shall average 23 pupils rather than 20 pupils, with the exception that grades 4 and 5 in a participating school would be eligible if the total average enrollment in grades 4 and 5 in a participating
school is not higher than 23.4, subject to an agreement with the exclusive representative for collective bargaining. The program may only be implemented on a pilot project basis. 2) Requires that a school district participating in the pilot project authorized by this legislation be subject to the following limitations: a) It must not receive funding for more funding for CSR than the amount it would receive if it were implementing the CSR program only in kindergarten and grades 1 to 3, inclusive. b) Requires that the participating school district must not receive facilities funding, from either the General Fund (GF) or the State School Facilities Program, for grades 4 and 5 in addition to the funding it would receive if it were implementing the class size reduction program only in kindergarten and grades 1 to 3, inclusive. (10/5/01)

(Veto message)

I am returning Assembly Bill 231 without my signature.

This bill would allow the Torrance Unified School District and the Poway Unified School District to enter into a 5-year pilot project to implement a class size reduction (CSR) program to reduce class size in kindergarten and grades 1-5, inclusive. It would also allow the average student to teacher ratio for the pilot project program participants to increase from 20:1 to 23:1.

The additional CSR program flexibility provided in this bill allowing the student teacher ratio for the pilot project to increase from 20:1 to 23:1 would conflict with my goal to ensure that classes in participating grades do not exceed 20:1. All evidence to date shows that class size reduction (20:1) is resulting in higher student achievement.

Also, given that some districts have not implemented, or fully implemented, the existing CSR program, I believe it would be more appropriate to continue to focus resources and efforts on the existing program. For these reasons, I am unable to sign the bill.

AB 259 by Assemblyman Ed Chavez – This bill requires that any adult education average daily attendance (ADA) audit adjustment for the 1990-01, 1991-92, 1992-93 fiscal years (FY) that the Superintendent of Public Instruction (SPI) determines has not been finally resolved, shall be referred to the Education Audit Appeals Panel for resolution. (9/29/02)

(Veto message)

I am returning Assembly Bill 259 without my signature.

Unfortunately, the recently created Education Audit Appeals Panel is not staffed nor budgeted to address adult education audits. I am directing the Secretary of Education to work with the new Superintendent of Public Instruction to suggest a plan of action to address this issue.

AB 348 by Assemblyman Roderick Wright – This bill requires the Superintendent of Public Instruction to adopt standards for a career technical education course of study by May 1, 2003. Requires the California State University, and requests the University of California, to develop procedures that will allow career technical courses to satisfy system admission requirements. (10/13/01)
(Veto message)

I am returning Assembly Bill 348 without my signature.

This bill would make various changes regarding curriculum, model academic standards, and the attributes of career technical education courses within grades 7 through 12. These changes include revising the process by which the Superintendent of Public Instruction develops and the State Board of Education adopts curriculum standards, requiring development of model curriculum standards by May 1, 2003 for career technical education courses, and requiring CSU, as well as requesting UC, to develop model academic standards and a high school accreditation process related to recognizing career technical education as university preparation. The bill states it is the intent of the Legislature to appropriate funds for this purpose in the 2001-02 Budget Act.

I am supportive of improving career technical education, as evidenced by the $5.5 million included in the 2001-02 budget for this purpose. I am also supportive of the concept of having a role for employers and stakeholders in developing the model curriculum standards.

However, the funds appropriated in the 2001-02 Budget Act could not be used by the Department of Education to develop the model curriculum because they are only available for allocation to local education agencies. As a consequence, this bill would impose new General Fund costs in the hundreds of thousands of dollars on the Department of Education. I am also concerned that this bill may have the potential for significant local assistance cost pressures by compelling districts to change curriculum to meet new requirements of the postsecondary institutions. Given the rapid decline of our economy and a budget shortfall of $1.1 million through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending.

**AB 367 by Assemblywoman Carole Migden** – This bill requires the State Department of Education (SDE) to ensure that all school districts are in compliance with physical education requirements as specified in law, and develop content standards for physical education. (10/10/01)

(Veto message)

I am returning Assembly Bill 367 without my signature.

This bill would require school district governing boards to submit physical performance test results in writing to the parent or guardian of a student in grades 5, 7, and 9; require K-8 schools to double the physical education requirement for 7th and 8th grade students; require the California Department of Education (CDE) to develop curriculum content standards for school district physical education and ensure that districts are in compliance with statutory physical education requirements; and extend the sunset date for CDE’s oversight of physical education from January 1, 2002 to January 1, 2007.

This bill would impose significant state-mandated costs upon school district governing boards by requiring school districts to report school physical fitness test results, in writing, to each pupil’s parent or guardian. This bill’s mandated reporting requirement would be reimbursable, resulting in General Fund costs in the millions of dollars. More significantly, the requirement to increase
by 50% physical education time would result in additional costs of approximately $300 million annually. Given the rapid decline of our economy and a budget shortfall of $1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending.

I agree with the intent of this legislation to encourage a higher level of physical fitness in our state’s youth and I support the extension of CDE’s oversight of physical education until January 1, 2007. However, I do not believe that increasing reporting requirements of local school districts is the proper way to improve student fitness. I would consider legislation that meets the goal of increasing students’ physical fitness without mandating additional requirements on school districts.

For these reasons, I cannot support AB 367.

AB 481 by Assemblyman Marco Antonio Firebaugh – This bill requires a credentialed school nurse to provide assistance to pupils with diabetes, as specified, if the pupil is unable to perform certain tasks. Provides for other designated school personnel to administer the specified assistance to pupils with diabetes in the absence of a credentialed school nurse. (9/26/02)

(Veto message)

I am returning Assembly Bill 481 without my signature.

This bill would require a credentialed school nurse or other licensed nurse, or in the absence of a nurse, teachers who have volunteered and school administrators with appropriate DHS-approved training, to administer insulin or glucagon and perform testing and monitoring of a pupil's blood glucose level in accordance with instructions set forth by the pupil's physician. Designated school personnel would be prohibited from being required to administer assistance to pupils with diabetes unless the parent or guardian has signed a waiver of liability. In addition, pupils can test their blood glucose level and provide diabetes self-care in any area of the school or during school-related activities at the request of a parent or guardian and with physician authorization.

Existing law already provides that any pupil who is required to take prescription medication during the regular school day may be assisted by school personnel if a written statement is obtained from a physician and a written request is made by the pupil's parent/guardian.

This bill, while well-intentioned, would create a costly new state reimbursable mandate estimated by the Department of Finance to be potentially tens of millions of dollars. Neither this bill, nor the 2002 Budget Act contains an appropriation for this purpose. In addition, I am advised by school district personnel that the immunity from liability language may protect neither the school district or school personnel from liability.

For these reasons, I cannot sign this measure.

AB 484 by Assemblyman George Runner – This bill provides a specific community college joint facilities exemption from the Field Act. Specifically, this bill: 1) Authorizes joint facilities, those designed for community college purposes and to be used to house classes of the California State University (CSU) or the University of California (UC), to
be built in accordance with either the Field Act or the California Uniform Building Standards Code (UBC). 2) Requires a community college district governing board that proposes to construct a school building under this bill, that does not comply with the Field Act, to provide appropriate public notice, including the holding of a public hearing, as specified. 3) Corrects an erroneous cross-reference in the Field Act. (9/19/01)

(Veto message)

I am returning Assembly Bill 484 without my signature.

This bill would allow higher education joint-use instructional facilities constructed after January 1, 2002, to be built to the standards contained in the California Building Standards Code rather than the Field Act if the Trustees of the California State University system or the Regents of the University of California are constructing the facilities.

I strongly support the Field Act, which provides greater earthquake protections for California schools than the California Building Standards Code. An exemption would be inconsistent with the State's policy of ensuring structural safety.

AB 631 by Assemblywoman Jenny Oropeza – This bill requires the California Transportation Commission (CTC), in conjunction with the Department of Transportation (Caltrans), and regional transportation planning agencies, to prepare and submit to the Governor and the Legislature, a statewide inventory of assessments of the condition, performance, and deficiencies of the state's transportation system, including a goods movement and transit equity assessment every five years, beginning on 7/1/03.

(10/10/01)

(Veto message)

I am returning Assembly Bill 631 without my signature.

This bill would require the California Transportation Commission (CTC), in conjunction with the Department of Transportation (Caltrans), and the state's regional transportation planning agencies, to prepare and submit to the Legislature a comprehensive transportation needs assessment every five years.

Two years ago, both the CTC and Caltrans completed and delivered an exhaustive transportation needs assessment which identified the same transportation needs that the study required by this bill would presumably identify. That study provided the public, Legislature, and my Administration, important information on the state's transportation infrastructure that is both current and relevant. To duplicate such an effort at this time would not be financially prudent.

Nonetheless, as an ongoing transportation needs assessment and report as envisioned by this bill would be useful to transportation policymakers at all levels of government. Accordingly, I am directing the Secretary of the Business, Transportation and Housing Agency and the Director of Caltrans to provide recommendations on the types of fiscal and operational requirements that would be useful in developing such a report, as well as other information that would be beneficial to transportation policymakers.
**AB 741 by Assemblyman Marco Antonio Firebaugh** – This bill makes various changes to the Public Schools Accountability Act (PSAA) in references to English learner (EL) issues. It also requires that the reclassification criteria for ELs include the mastery of academic content, as measured by the California Standards Tests that are appropriate for the pupil's age or grade. *(10/13/01)*

(Veto message)

*I am returning Assembly Bill 741 without my signature.*

This bill would add new requirements on local education agencies and the State related to pupils of limited English language proficiency. The bill would change the criteria for reclassifying English learner pupils as English proficient. I believe that English literacy reclassification should continue to be based solely on students' English proficiency. With respect to instructional materials, the State Board of Education is already adopting instructional materials for English language arts and English language development that respond to the needs of English learners. Furthermore, development and purchase of separate materials would entail substantial costs beyond the State's current resources.

Finally, I have concerns that the bill would threaten the credibility of the state's accountability system for schools. While I agree with the bill's intent to promote improved academic performance among English learners, the bill's proposal to compare year-to-year growth in the Academic Performance Index scores for English learners does not consider changes in the English learner population due to literacy reclassification, and thus would not measure and reward schools for actual improvement in pupil performance. Also and very importantly this measure according to the Department of Finance, would result in hundreds of millions of additional dollars for new instructional materials. For those reasons, I cannot support this measure.

**AB 745 by Assemblyman Dave Cox** – This bill modifies procedures public agencies must follow in order to receive reimbursement for costs imposed by state-mandated programs. *(10/10/01)*

(Veto message)

*I am returning Assembly Bill 745 without my signature.*

This bill would (1) add an alternate public member to the Commission on State Mandates, (2) limit the Commission from representing itself in court actions, (3) extend the time period by which local government agencies and school districts can file a claim for reimbursement, (4) reduce the time period by which the State Controller's Office can audit a claim, (5) change the way claims are reimbursed through the State Mandates Claims Fund, and (6) change the way claims are removed from the State Mandates Apportionment System.

I believe that the existing timeframes for filing reimbursement claims with the state are quite generous and provide sufficient opportunity for local entities to submit reimbursement claims, therefore the changes proposed by this bill are unnecessary. In addition, by restricting the time period for the State Controller's Office to audit claims, this bill exposes the state to higher mandate claim costs. Further, while the state is required to reimburse local entities for costs
mandated by the state, it should not be the State's responsibility to monitor the submission of claims by local governments and school districts to ensure claims are filed by the statutory timeframes. Accordingly, I am returning AB 745 without my signature.

**AB 769 by Assemblywoman Jackie Goldberg** – This bill establishes the School-to-Career Technology Training Center Program (program) to improve career technical education by promoting coalitions among local industries, county welfare-to-work programs and high schools to establish school-to-career technology training centers. *(10/13/01)*

*(Veto message)*

This bill would establish the School-to-Career Technology Training Center Program. Twenty work force coalitions would each receive $25,000 grants to develop training centers to provide technology instruction to CalWORKs recipients. These centers would be open for at least four hours per day and also would allow these recipients to access centers after normal school hours. Participating high schools would receive funding through either existing programs or, if providing after-school service, adult education average daily attendance (ADA) funds. Participating industries would be required to provide specified benefits to program graduates.

I am concerned that this bill would permit school districts or county offices of education to use a variety of fund sources that are currently dedicated to other programs or services, including core academic instruction. If participating schools are unable to redirect existing funds, the bill could create a Proposition 98 General Fund cost pressure of up to $10 million. Furthermore, this bill creates an ongoing cost of at least $1.1 million to provide adult education ADA for adults who utilize the training centers after regular school hours, and a one-time cost of $500,000 for planning grants. Given the rapid decline of our economy and a budget shortfall of $1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending.

For these reasons, I cannot support this measure.

**AB 878 by Assemblywoman Carol Liu** – This bill requires the California Student Aid Commission (CSAC) to provide Cal Grant recipients with additional information on award payment options and allow specified recipients to postpone the payment of their award. Additionally, authorizes the creation of a database of award recipients by the California Community College (CCC) Chancellor's office. *(9/29/02)*

*(Veto message)*

I am returning Assembly Bill 878, which addresses various aspects of the Cal Grant program, without my signature. Specifically, the bill would codify current administrative practice allowing Cal Grant B awards to be reserved for later use, authorize the California Community Colleges (CCC) Chancellor’s Office to develop a database to assist in the transfer of students from community colleges to four-year institutions, and require the California Student Aid Commission (CSAC) to send information to all Cal Grant recipients about maximizing their financial aid benefits.
While the bill is well intentioned, CSAC is currently providing information on the Cal Grant program. In addition, this bill creates cost pressures on CSAC and the CCC Chancellor’s Office that cannot be supported given the State’s fiscal situation.

**AB 1073 by Speaker Herb J. Wesson, Jr.** – This bill allows a school district or county board of education (CBE) to report an increase in average daily attendance (ADA) as specified for school or classes for adults in correctional facilities if that increase is attributable to an increase in domestic violence and substance abuse classes. *(10/14/01)*

*(Veto message)*

I am returning Assembly Bill 1073 without my signature.

This bill would allow Adult Education in Correctional Facilities programs to increase their Average Daily Attendance (ADA) by up to 5.0 percent above the current statutory increase of 2.5 percent from 2002-03 to 2005-06, inclusive, if the increase is a result of an increase in the number of courses in the prevention of domestic violence and substance abuse. Programs that receive this proposed increase would be required to maintain, for three years, records on inmate enrollment in these courses and completion rates.

I support the Adult Education in Correctional Facilities Program and the services they provide to help reduce recidivism. This bill would triple the statutory growth in funding from 2.5 to 7.5 percent. Given our declining economy and the loss of $1.1 billion in revenues in the first 3 months of the fiscal year alone, we cannot commit to such an increase. In fact, I recently asked all of my departments outside of law enforcement to prepare budget cuts of 15 percent.

Finally, if these classes have demonstrated their effectiveness in reducing recidivism, I would expect correctional facilities to provide these classes on a priority basis from within existing resources.

For these reasons, I cannot support this measure.

**AB 1462 by Assemblyman George Nakano** - This bill requires the Superintendent of Public Instruction to convene a 15-member committee of experts to determine programs and processes that will increase the number and improve the quality of career technical education teachers. The study is to be funded by federal funds. *(9/29/02)*

*(Veto message)*

I am returning Assembly Bill 1462 without my signature.

This bill would require the Superintendent of Public Instruction (SPI) to convene a 15-member committee of experts to develop guidelines and topics needed for conducting an independent study to determine programs and processes that will increase the number of, and improve the quality of, career technical education teachers.

While the study deserves merit, this bill fails to provide the State Board of Education with the opportunity to modify the parameters of questions that would be developed by the advisory committee created by this bill. I believe this bill misses an important step by not allowing the
State Board to balance the desires of the committee with current policy direction and the needs of all students.

I continue to support the need to provide high quality instruction and professional development to California's teachers. However, as the federal regulations for No Child Left Behind are not finalized, this bill is premature. In light of the State's current fiscal condition, I believe it is important to focus available funds on programs that have already been determined to be beneficial to our students in meeting their core academic needs. Therefore, I am unable to support this bill, which could direct funds away from these programs.

**AB 1603 by Assemblywoman Elaine Alquist** – This bill requires the Board of Governors of the California Community Colleges (BGCCC) to maintain the California Articulation Number System (CAN) as the common numbering system for use by each campus within the California Community College (CCC) system. Specifically, this bill:
1) Requires BGCCC to maintain CAN as the common course numbering system, to lead expansion of CAN so it can be applied to all transferable courses at CCC, and develop best practices for making the CAN system user friendly. 2) Requires local districts to include participation in CAN as a minimum standard, implement CAN on campus, and include the CAN system in course catalogs and schedules. 3) Requires the President of the University of California (UC), the Chancellor of the California State University (CSU), and the Chancellor of CCC to facilitate the inclusion of CAN courses in articulation agreements to facilitate the transfer of CCC students to the public four-year universities. 4) Requires BGCCC to annually report, starting January 2003, and until 2007, on the use of CAN within CCC and across segments. *(10/14/01)*

*(Veto message)*

I am returning Assembly Bill 1603 without my signature.

This bill would require the Board of Governors of the California Community Colleges to maintain the California Articulation Numbering (CAN) system as the common course numbering system and lead the expansion of CAN so it can be applied to all transferable courses at the California Community Colleges (CCC), and require the three higher education segments to facilitate the inclusion of the CAN system in articulation agreements.

I am supportive of activities that simplify the transfer process for community college students. This bill, however, would create a reimbursable state mandate to community colleges to participate in the CAN system, which is an unnecessary duplication of efforts already under way. In my Administration's partnership agreements with all three segments of higher education, they have agreed to improve the ability of students to transfer between the three segments. Course articulation is one of the means they are using already to increase transfer rates.

**AB 1710 by Assemblyman Gil Cedillo** – This bill makes part-time classified employees of community college districts eligible to participate in the California State Teachers’ Retirement System’s (CalSTRS) Cash Balance (CB) Benefit Program, requires community college districts to offer Social Security coverage and an alternative retirement plan to part-time employees and imposes a minimum contribution rate for employers of 4% of salary and requires the sum of the employer and employee contributions to be at least 8% of salary. *(9/30/02)*
(Veto message)

I am returning Assembly Bill 1710 without my signature.

This bill would require community college districts to provide an alternative retirement plan for their part-time classified employees in lieu of Social Security. Under federal law, if a public employer does not provide a qualified retirement plan, the employees and the employer must contribute to Social Security.

This bill requires community college districts to pay a minimum of 4 percent of employees' salary as a contribution to an alternative retirement plan if an employee chooses to participate in the alternate plan. This is likely to increase costs for many districts.

The Department of Finance estimates additional costs of $44 million to the General Fund. These increased costs would come at a time when community college districts are having to confront significant fiscal constraints. Consequently, I do not believe that it is in the best interests of the community college districts to mandate this increase in their costs.

AB 1794 by Assemblyman Ed Chavez – This bill allows a school district to include in its adult education program courses of supplemental instruction in preparation for the high school exit examination (HSEE) for persons who complete grade 11 and have not passed HSEE. (9/26/02)

(Veto message)

I am returning Assembly Bill 1794 without my signature.

This bill would:

1. Authorize an adult education program to offer supplemental instruction in preparation for the California high school exit examination (CAHSEE), notwithstanding any other provision of law, exclusively to a person who completed grade 11, and be reimbursed for instruction hours through the supplemental instruction program currently provided for pupils enrolled in grade 7 through 12.

2. Authorize reimbursements from supplemental instruction entitlements for pupil hours attributable to any adult or high school student enrolled in supplemental instruction in preparation for the CAHSEE. It is unclear whether the reimbursement could be claimed by the adult education program or the regular K-12 district.

3. Increase the percent of adult education funds that could be provided for alternative methods of delivery, such as distance education and independent study from 5 percent to 10 percent.

4. Require that any pupil who successfully passes the CAHSEE after completing grade 12 be eligible for a regular high school diploma.

I am concerned that this bill would create Proposition 98 General Fund costs in the tens of millions of dollars annually by allowing Adult Education programs to receive funding provided to the Supplemental Instruction Program. Furthermore, it appears that adult education programs
would be authorized to receive both adult education funds and supplemental instruction funds for any adult, as well as grade 12 students enrolled in adult education courses designated as CAHSEE preparation. Such an incentive of double funding for the same student could lead to districts redefining related existing courses as CAHSEE preparation to gain additional funding for course that they already provide.

Furthermore, by authorizing grade 11 completers to enroll in adult education programs for CAHSEE preparation notwithstanding any other provision of law, this bill appears to waive existing laws that cap the level of concurrently enrolled and funded high school students in adult education programs. This change would erode adult education reforms of the early 1990s, further increasing state costs per student.

I would also note that by increasing the percentage of adult education funds that could be delivered through alternative instructional methods, this bill is inconsistent with recent policies governing independent study to reduce funding and discourage its expansion. I am not aware of any evidence demonstrating that alternative methods of delivering instruction are more effective than classroom instruction and therefore believe that the existing five percent cap is warranted.

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

**AB 1802 by Assemblyman Joe Nation** - This bill allows classified employees of school districts and community college districts to use sick leave and long-term differential pay leave consecutively, instead of concurrently as now required. *(9/28/02)*

*(Veto message)*

*I am returning Assembly Bill 1802 without my signature.*

*I have great respect for classified school employees. Without their outstanding efforts, we would not have clean, well-lit, well-run schools and community colleges. California citizens are all in their debt for their dedicated efforts.*

*However, I am concerned that this bill may cause a significant increase in costs for local school and community college districts at a time of great financial stress. Therefore, I believe that this extended sick leave benefit is better dealt with through collective bargaining. In the bargaining process experienced negotiators can find savings to offset and balance out the cost.*

*For these reasons, I cannot sign this bill.*

**AB 1959 by Assemblywoman Ellen M. Corbett** - Provides certain counties the option to extend the California Work, Opportunity, and Responsibility to Kids (CalWORKs) time limit for recipients enrolled in Registered Nursing (RN) programs. *(9/27/02)*

*(Veto message)*

*I am returning Assembly Bill 1959 without my signature.*

*AB 1959 significantly alters the CalWORKs 18- or 24-month welfare-to-work participation period by allowing Alameda, San Diego, Santa Clara and Ventura counties, at their option, to implement a pilot project in which CalWORKs recipients in an approved registered nurse*
training program would be allowed to remain in that program for a cumulative period of up to 48 months, after they sign their initial welfare-to-work plans. Under current law, educational or training hours only count towards the first 18-24 months of CalWORKs, after which time the recipient must meet their work participation requirement solely through employment and/or community service. These recipients would be able to receive more time for education and training than recipients that are preparing for careers in other occupational fields.

This bill would also change the 18- or 24-month time limit by requiring that it be extended for a period of up to 12 months for participants diagnosed as having a physical, mental, or emotional condition or learning disability that prevents full-time employment. Additionally, CalWORKs recipients with learning disabilities already receive credit towards the 18- or 24-month time limit if the disability is determined after the person became a CalWORKs recipient.

This bill may also impact the state’s ability to meet federal work participation requirements, by allowing extended participation in educational and training activities. Program costs will increase because of the lengthier participation in activities and the delay of participants’ entry into the labor force.

Because the budget allocates the entire amount of available federal Temporary Assistance for Needy Families Block Grant and State maintenance-of-effort (MOE) funds for support of the CalWORKs program, this bill would result in General Fund costs above the federally-required MOE level. Given the significant reduction in General Fund revenues, I cannot support an expansion of the CalWORKs program. Further, I have committed $60 million for a Nurse Workforce Initiative. This initiative is intended to address the shortage of nurses in California through training, recruiting, and retention programs.

**AB 1975 by Assemblyman Paul Koretz** - Requires that a community college district grant any employee, upon request, a leave of absence to serve as an employee of a public employee organization, as specified. (9/29/02)

*(Veto message)*

I am returning Assembly Bill 1975 without my signature.

This bill would require governing boards of community college districts to grant leaves of absence to their employees to allow them to work as employees of any public employee organization for up to eight years. Additionally, this bill would limit the total allowable leave time for each campus to the annual time base of one full-time equivalent employee and permit governing boards to deny requested leaves if they would reasonably result in an employee shortage or hardship to the district.

Community college district employees are covered by the Higher Education Employer-Employee Relations Act (HEERA) which allows them to bargain over matters including wages, benefits, and terms and conditions of employment. Therefore, the changes in leave of absence provisions sought by this bill are unnecessary and should be bargained rather than legislated.

**AB 1986 by Assemblyman Manny Diaz** – This bill reinstates optional membership rights to participate in the California Public Employees' Retirement System (CalPERS) to elected and appointed officials. (9/28/02)
I am returning Assembly Bill 1986 without my signature.

This bill would eliminate the prohibition of local agency elective or appointive officials from obtaining retirement coverage under the California Public Employees’ Retirement System. I believe that this should be at the discretion of each local agency and not mandated.

I would be willing to sign a bill once there has been either a vote of the people or the adoption of an appropriate resolution at a duly noticed public meeting by the governing body.

AB 2004 by Assemblyman Lou Correa - This bill authorizes a county board of supervisors, in counties operating retirement systems under the County Employees' Retirement Law of 1937 (‘37 Act), to allow active members of the retirement system to purchase up to 5 years of service credit for additional retirement credit. (9/29/02)

I am returning AB 2004 without my signature.

This bill confers a special benefit on legislative employees not available generally to all State employees.

AB 2254 by Assemblyman Simon Salinas - This bill makes various clarifying and technical changes to the school district reorganization laws. (9/15/02)

I am returning Assembly Bill No. 2254 without my signature. This bill would make various clarifications, changes, and adjustments to current laws governing school district reorganizations. Among the more significant changes, the bill would: require county committees on school district reorganizations to hold public hearings on reorganization proposals from school boards; permit mail ballots for reorganization elections; and provide county committees with expanded authority to approve specified reorganization proposals.

By increasing the responsibilities of county committees, this bill could create new Proposition 98 General Fund costs through the imposition of reimbursable mandates. In this regard, I am particularly concerned by the provision that would expand the circumstances in which county committees must hold public hearings to consider reorganization proposals.

Lastly, by providing county committees discretion to approve certain reorganizations, this bill may result in local entities using this authority to take actions that would not incorporate a statewide perspective on the funding and other ramifications of a reorganization. These decisions should be left to the State Board of Education, as it would provide a broader perspective on these matters.

AB 2363 by Assemblyman Marco Antonio Firebaugh – This bill prescribes qualifications for four members of the State Board of Education (SBE). (9/18/02)
(Veto message)

I am returning Assembly Bill 2363 without my signature.

This bill would require four members of the State Board of Education (SBE) to meet specified qualifications and require the SBE to comply with certain notice requirements regarding its public meetings.

This bill would reduce the flexibility of a Governor to appoint members that are highly qualified and have diverse experience and insight and are dedicated to improving student achievement, but do not meet the criteria specified in the bill.

Moreover, I am proud of the world class academic standards adopted by the current Board.

**AB 2367 by Assemblyman Lou Correa** - This bill allows members of the State Public Employees Retirement System whose retirement accounts have been separated due to divorce or legal separation, to maximize their retirement benefit without creating an increased liability to the employer. This bill also provides a new method for calculating a member's benefit when the nonmember spouse elects to receive a retirement allowance rather than a return of contributions at the time of divorce. (9/30/02)

(Veto message)

I am returning Assembly Bill 2367 without my signature.

This bill would allow members of the California Public Employees' Retirement System (CalPERS) whose retirement accounts have been separated due to a community property settlement to purchase retirement service credit awarded by re-depositing retirement contributions previously withdrawn from the member's account. This bill is identical to AB 199 (2001), which I vetoed last year.

This bill would change the method of calculating retirement benefits for divorced CalPERS members. It could result in a higher total benefit being paid to divorced members than for members who do not divorce.

The value of the retirement benefits paid to a divorced member should be the same as for members who do not divorce. Furthermore, this bill would increase retirement liabilities of State and local contracting agencies during a difficult financial environment.

**AB 2386 by Assemblyman Fred Keeley** - Provides 12-month extensions to the 18- to 24-month California Work Opportunity and Responsibility to Kids (CalWORKs) time limit under specified circumstances. (9/26/02)

(Veto message)

I am returning Assembly Bill 2386 without my signature.

This bill would create an exemption from the CalWORKs work participation requirement for recipients who are enrolled in an educational, vocational, or job training program and have been
diagnosed with a physical, mental, or emotional condition or learning disability that prevents full-time participation in or completion of the program.

This bill would expand the CalWORKs program by allowing certain CalWORKs recipients to remain on aid for longer periods of time than they would under current law. It could also hinder the ability of the State to meet the federally-required work participation rate. Because the budget allocates the entire amount of available federal Temporary Assistance for Needy Families Block Grant and State maintenance-of-effort (MOE) funds for support of the CalWORKs program, this bill would result in General Fund costs above the federally-required MOE level.

Given the significant reduction in General Fund revenues, I cannot support an expansion of the CalWORKs program.

**AB 2451 by Assemblyman Simon Salinas** - Requires that part-time community college faculty who are participating in an alternative retirement plan receive credit for their unused sick leave at the time of retirement. (9/29/02)

(Veto message)

I am returning Assembly Bill 2451 without my signature.

This bill would provide retirement service credit for unused sick leave to adjunct temporary faculty members of community college districts who retire on or after January 1, 2004. The benefit would be limited to those community college districts that participate in the California State Teachers' Retirement System's Cash Balance Benefit Program or an alternative retirement plan.

Unfortunately, due to the current fiscal limitations facing the State, I cannot sign this bill.

**AB 2588 by Assemblyman Robert M. Hertzberg** – This bill expresses legislative intent and establishes the School Facilities Collaborative Implementation Advisory Commission with duties related to joint use school construction projects as specified. (9/29/02)

(Veto message)

I am returning Assembly Bill 2588 without my signature.

This bill would establish the School Facilities Collaborative Implementation Advisory Commission (Commission) to review and consider best practices on strategic planning for school facilities, facility planning and architectural design, and joint-use facility planning. This bill would also amend the Joint-Use Facilities Program to authorize the use of available funds as provided by Chapter 33, Statutes of 2002 (AB 16) to fund the local planning costs associated with collaboration between school districts and their joint-use partners engaged in the development of joint-use facilities.

While I am supportive of cooperation between the local governmental jurisdictions, I am opposed to this bill for several reasons. First, requiring that at least twenty percent ($10 million) of the funds available for joint-use projects be used to pay for the planning costs associated with the development of K-12 joint-use projects would result in fewer resources for joint-use construction and more funding for program administration. Second, many of the duties proposed for the new
Commission a re either already performed by existing state and private agencies, or could easily be incorporated into the duties of existing agencies.

For example, as staff to the SAB, the Office of Public School Construction (OPSC) implements and administers the State School Facilities Program (SFP), which includes the New Construction and Modernization grant programs. OPSC possesses extensive programmatic knowledge on school facilities and school site experience. To the extent that additional review and recommendations of best practices for school facilities are needed, it would seem reasonable to maximize the provision of services through existing agencies and departments, such as OPSC, prior to establishing new service providers.

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

**AB 2600 by Assemblywoman Fran Pavley and Assemblyman Louis J. Papan** – This bill is an urgency bill that requires the Superintendent of Public Instruction (SPI), with the approval of the State Board of Education (SBE) to develop guidelines regarding the method and content of alternate assessment to the high school exit exam (HSEE). (9/26/02)

*(Veto message)*

I am returning Assembly Bill 2600 without my signature.

This bill would require the Superintendent of Public Instruction and an associated advisory committee to develop guidelines regarding the method and content of an assessment alternative to the high school exit examination (HSEE) for individuals with exceptional needs who cannot participate in the examination regardless of accommodations or modifications. The State Board of Education (SBE) would be required to adopt the standards effective for the 2003-04 school year.

These assessments are now required to come into compliance with the federal No Child Left Behind Act. Detailed federal guidelines for this purpose are expected to be provided to states soon, and the 2002 Budget Act provides $3.5 million for the State Department of Education to develop alternate assessments aligned with those guidelines for pupils who cannot participate in the HSEE with accommodations or modifications.

In addition, the SBE is already required to study the appropriateness of other criteria by which high school pupils, who are regarded as highly proficient but unable to pass the HSEE, can demonstrate their competency and receive a high school diploma. The SBE is required, if it determines that other criteria are appropriate and do not undermine the intent of the HSEE, to forward its recommendations to the Legislature for enactment. Finally, this bill would cost $150,000 in state and $1 million in federal funds.

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

**AB 2607 by Assemblywoman Lynne Leach** - This bill permits a highly gifted pupil to take a State Department of Education (SDE) administered exam to verify proficiency in basic skills and establishes these students' eligibility to receive a California high school equivalency certificate. (9/29/02)
(Veto message)

I am returning Assembly Bill 2607 without my signature.

This bill would allow highly gifted pupils to have their proficiency in basic skills verified according to criteria established by the State Department of Education (SDE) and to receive a certificate of proficiency equivalent to a high school diploma. The basic skills included in the old State proficiency test are not aligned to California standards, therefore these students would not be required to meet the rigorous standards California is requiring for all other students.

Current law already allows the governing board of any school district to authorize pupils to attend a community college as special part-time students and provides for the authorization of a student's attendance at a community college as a special full-time student.

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

AB 2626 by Assemblywoman Lynne Leach – This bill expands current provisions dealing with K-12 age students who attend California Community Colleges (CCC) as a special part-time student. Specifically, this bill: 1) Specifies that a school district is responsible for the cost of the enrollment fees and the textbooks and other required course materials of its pupils who attend a CCC but is not responsible for the cost of the pupil's transportation to and from the campus. 2) Expresses that programs for gifted and talented pupils should include elements that make it easier for highly gifted pupils to enroll in college courses and thus permit these pupils to examine relevant research, have access to professors, observe exemplary instruction, and benefit from individualized instruction that maximizes their abilities and performance. (9/29/02)

(Veto message)

I am returning Assembly Bill 2626 without my signature.

This bill would authorize K-12 school districts to meet the educational needs of “exceptionally gifted pupils” by allowing independent study programs to include enrollment in community college courses. This bill authorizes K-12 governing boards to pay for these students’ fees, tuition, instructional materials and other supplies. Finally, it provides that the average daily attendance apportionments for this population of students, goes to school districts, but not to community college districts.

This bill creates additional General Fund pressures of more than $1 million a year. Moreover, it requires the State for the first time to pay more than is required by current law to educate a student at the California Community Colleges. Given the State’s current fiscal situation, I cannot sign this measure.

AB 2903 by Assemblywoman Christine Kehoe – this bill allows a school employee organization to communicate with its members for the purpose of urging the support or defeat of any ballot measure or candidate. Provides that the employee organization shall reimburse the public school employer for its direct costs attributable to that use. (9/28/02)
I am returning Assembly Bill 2903 without my signature.

I have no problem with employee organizations disseminating their own political recommendations through all appropriate private vehicles, such as employee lockers, mail boxes, and electronic mail.

However, I object to postings on billboards or other places that may be seen by members of the public as opposed to just members of the employee organization.

**AB 2922 by Assemblyman Joseph Simitian** – This bill requires each state agency to provide to the California Office of Privacy Protection (COPP), in the Department of Consumer Services, a description of its system of records to create a State Personal Information Inventory (SPII) containing a description of its system of records using specified categories by January 1, 2004. Requires SPII to make its record inventory available to the public by March 1, 2004. (9/30/02)

I am returning Assembly Bill 2922 without my signature.

AB 2922 requires state agencies to provide to the Office of Privacy Protection (OPP) descriptions of the categories of personal information contained in their systems of records, and requires the OPP to create the State Personal Information Inventory.

While I support the goals of this bill, I am concerned about the potential costs to State agencies to comply with the provisions of this bill. For example, the Department of Health Services alone estimates complying with this bill would cost almost $4.4 million. At a time of a $24 billion budget deficit, and when the Legislature has asked agencies to reduce budgets by 20%, I cannot sign this bill.

**SB 41 by Senator Dede Alpert** - This bill enables the State Librarian to establish a competitive grants program for the development of educational materials on California Native American history, culture, and tribal sovereignty for use in grades K-12. The bill also requires the State Librarian to develop the California's American Indian Nations Information Project. (10/13/01)

I am signing Senate Bill 41, which requires the State Librarian to develop instructional resources for use in public schools and an information project to educate the general public on the State's Native Americans.

While I believe this new project will have a significant impact on how our students learn about Native Americans, I must reduce the appropriations as follows: The sum of four hundred twenty-five thousand dollars ($425,000) $175,000 is hereby appropriated from the General Fund for the purposes of this act as follows: a) Two hundred fifty thousand dollars ($250,000) $100,000 to the State Librarian for the purpose of Part 8.7 (commencing with Section 13040) of the Education Code. b) Seventy-five thousand dollars ($75,000) $25,000 to the State Librarian for
the purposes of Section 3 of this act. c) One hundred thousand dollars ($100,000) $50,000 to the
State Department of Education for supporting the Curriculum Development and Supplemental
Materials Commission and the State Board of Education in the review of the standards-based
instructional resources pursuant to this act.

SB 43 by Senator Kevin Murray – This bill establishes the State Civil Service Equal
Employment Opportunity Program (Program) and assigns to the State Personnel Board
(SPB) the responsibility for providing statewide program leadership, coordination,
monitoring and enforcement of the Program, and makes various other changes to ensure
equal employment opportunity in state government. (9/29/02)

(Veto message)

I am returning Senate Bill 43 without my signature.

This bill would establish the State Civil Service Equal Employment Opportunity (EEO) Program,
to be administered by the State Personnel Board (SPB), whose staff would be responsible for
providing statewide program leadership, coordination, monitoring, and enforcement. This bill
would also place new requirements on all State agencies to conduct studies and implement EEO
programs.

I strongly support EEO programs for all State civil service employees and believe that the State
of California is a leader in ensuring fair employment practices are in place to protect its State
employee workforce. However, this bill would establish a new statewide EEO Program and add
requirements that would increase workload for all State agencies at a time when all State agency
resources are stretched thin by a hiring freeze and staffing reductions. Moreover, these
additional requirements come at a time when the Legislature has asked the Administration to
reduce 7,000 positions in this current year.

SB 147 by Senator Debra Bowen – This bill prohibits an employer from monitoring
employee electronic mail (e-mail) or other computer records without first advising the
employee of the employer's workplace privacy and monitoring policy. (10/5/01)

(Veto message)

I am returning Senate Bill 147 without my signature.

This bill would require employers, by March 1, 2002, to execute signed or electronically
verifiable agreements between an employer and employees regarding the right of the employer to
monitor the e-mail traffic and computer files of employees. If such agreements are not provided,
the bill prohibits employers from monitoring business computers by employees to guard against
inappropriate business or personal uses.

As I previously have, when considering this issue, I start from the common-sense presumption
that employees in today's wired economy understand that computers provided for business
purposes are company property and that their use may be monitored and controlled.

Under current law, employers are potentially liable if the employer's agents or employees use the
employer's computers for improper purposes, such as sexual harassment, defamation and the
like. It therefore follows that any employer has a legitimate need to monitor, either on a spot
basis or at regular intervals, such company property, including e-mail traffic and computer files stored on either employer-owned hard drives, diskettes or CD ROMs.

This bill places unnecessary and complicating obligations on employers and may likely to lead to litigation by affected employees over whether the required notice was provided and whether it was read and understood by the employee. I support reasonable privacy protections for employees in the workplace and my Administration proposed amendments which would carry out the intent of the bill without imposing undue regulatory burdens and potential legal exposure to businesses for doing what any employee should assume is the employer's right when they accept employment. Senator Bowen rejected the proposed amendments. Thus, I must veto the bill a third time.

**SB 347 by Senator Jack O’Connell** - Assembly Amendments delete the Senate version of the bill concerning the omnibus deficiency bill. Assembly amendments contain the provisions necessary to implement the K-12 provisions of the State Budget, as specified below. *(10/13/01)*

*(Veto message)*

*I am returning Senate Bill 347 without my signature.*

Subsequent to enrollment, members of the Legislature raised concerns about certain provisions of this education trailer bill. Ensuing negotiations between the Legislature and the Administration led to the drafting of a new education trailer bill, Senate Bill 735.

Therefore, I am vetoing Senate Bill 347, as it is now unnecessary and in conflict with the new education trailer bill.

**SB 361 by Senator Nell Soto** - This bill requires county retirement systems to grant a service-connected disability retirement to health care workers and other county employees as specified, if they develop a blood borne infectious disease. Allows the County of San Luis Obispo and the City and County of San Francisco to adopt a resolution making the disability retirement benefits available for safety employees applicable to specified health care workers. *(10/12/01)*

*(Veto message)*

*I am returning Senate Bill 361 without my signature.*

This bill would increase retirement-related expenses for the counties by providing service-related disability retirements to employees whose illnesses have not been shown to be work related. It would go further by prohibiting the employer from introducing evidence that the disease was related to a pre-existing condition. In addition, this bill would expand a presumption to include workers who were not previously considered to be at risk. There is no evidence that employees are being denied service-related retirement benefits for illnesses that are work related.

**SB 362 by Senator Nell Soto** - This bill now makes various changes needed by local contracting agencies of the State Public Employees' Retirement System and counties operating retirement systems under the County Employees' Retirement Law of 1937
adoption the new retirement formulas authorized by the Legislature last year for miscellaneous and general members. (9/28/02)

(Veto message)

I am returning Senate Bill 362 without my signature.

This bill would allow a CalPERS local contracting agency or a '37 Act county, when adopting either the 2.5% at age 55 formula, the 2.7% at age 55 formula, or the 3% at age 60 formula, the option of making the new retirement formula applicable to either members who are employed by the agency on or after the agency has elected to be subject to the formula, or to past and current employees who retire after the new formula is adopted.

The bill also eliminates a '37 Act county's ability to provide, after January 1, 2003, different retirement benefits for any subgroup of members within a membership classification including newly hired employees.

The cost of enhanced retirement benefits places a significant burden on future generations if the benefits of former employees are increased along with those of current employees. When the new formulas were added last year, it was with the understanding that they would only be applicable to current and future employees of local public agencies in order to contain retirement costs. I see no need to change this position.

I also believe that the '37 Act counties should have the ability to negotiate tiered retirement benefits during collective bargaining as a cost containment strategy.

SB 380 by Senator Kevin Murray - This bill allows certain CalWORKs program recipients, who participate in welfare-to-work activities, to have an hour of study each hour in the classroom, up to a maximum of six hours per week, to apply toward their weekly hourly work requirement. This bill will apply to students who would otherwise qualify for the welfare-to-work program. (9/28/01)

(Veto message)

I am returning Senate Bill 380 without my signature.

This bill would permit CalWORKs recipients in a self-initiated program to apply one hour of study for each hour of classroom instruction toward their CalWORKs work participation requirement, up to a maximum of six hours per week.

While well-intentioned, this bill reduces the work requirement for students who are already receiving CalWORKs services.

For this reason, I cannot support this bill.

SB 554 by Senator John Vasconcellos - This bill 1) establishes the Statewide Service Learning Center; 2) expands the Student Academic Partnership Program; and 3) requires the California Postsecondary Education Commission to develop a Master Plan for Service Learning. (10/15/01)
(Veto message)

I am returning Senate Bill 554 without my signature.

This bill would require the California Postsecondary Education Commission to develop a Master Plan for Service Learning, and would establish a Statewide Service Learning Center within the proposed Governor's Office on Service and Volunteerism. It would also expand the Student Academic Partnership Program from grades K-6 to K-12.

This bill would appropriate $148,350 to comply with the service learning provisions. It would also result in pressure to provide permanent funds for the Center. This bill would also create pressure to provide at least $4 million Proposition 98 General Fund to backfill one-time federal funding under Goals 2000 currently provided for grades 7-12 under the Student Academic Partnership Program.

In 1999, I sent a written request to the U.C., C.S.U. and community colleges to encourage public service as part of their curricula. In part because of my request, all segments of higher education operate programs that encourage community service and incorporate active learning opportunities, such as service learning, into student courses. Therefore, this program is unnecessary.

For these reasons and given the rapid decline of our economy and a budget shortfall of $1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending.

SB 631 by Senator Richard Polanco - There are five segments of postsecondary education in California. They are private postsecondary education and vocational institutions; California Community Colleges, the California State University, the University of California and the private and independent colleges and institutions. Many of these segments have formal and informal programs which allow students to study abroad and vice versa. This bill specifies legislative intent that the California Postsecondary Education Commission (CPEC) develop a proposal for establishing a reciprocal program that would enable up to 1,000 California residents to attend postsecondary institutions in Mexico and 1,000 Mexican residents to attend postsecondary institutions in California. (9/29/02)

(Veto message)

I am returning Senate Bill 631 without my signature.

This bill would require the California Postsecondary Education Commission (CPEC) to develop a proposal for an international student exchange program between California and Mexico. This program would include provisions to exempt participating students from paying nonresident tuition and to allow them to participate in financial assistance programs available to local students. The bill would also appropriate $75,000 General Fund for CPEC to develop the proposal.
Although I am very supportive of programs that encourage cooperation and assistance between Mexico and California, I cannot support these provisions that will create additional annual costs in excess of $1 million and duplicate existing student exchange programs given our current General Fund situation.

Furthermore, CSU already has statutory authority to waive tuition for nonresident students who are citizens and residents of a foreign country. UC also has broad constitutional autonomy to create similar programs, if so desired. I encourage both UC and CSU to actively engage in these types of exchanges already authorized under current law.

**SB 664 by Senator Charles Poochigian** - This bill requires the California Postsecondary Education Commission to conduct a review of the California Community Colleges admission procedures and attrition rates for nursing programs. Assembly Amendments reduce the appropriation form $150,000 to $130,000. *(10/2/01)*

*(Veto message)*

*I am signing SB 664, legislation requires the California Postsecondary Education Commission (CPEC) to conduct a review and analysis of admission procedures and attrition rates for two-year associate degree nursing programs.*

*Nursing programs in the California Community Colleges are currently impacted and the system should take steps to ensure that students admitted into the program are academically prepared. This study should help identify strategies to maximize the number of nursing students that can graduate and help meet California's high demand for nurses. However, due to our rapidly declining economy, I am vetoing the appropriation of $130,000 and requesting that CPEC conduct the study or contract out within existing resources.*

**SB 695 by Senator Betty Karnette** - Would authorize PERS local contracting agencies and counties participating in the County Employees Retirement Act of 1937 ('37 Act) to classify hazardous material services employees as "safety members" for retirement purposes. *(9/28/02)*

*(Veto message)*

*I am returning Senate Bill 695 without my signature.*

*This bill would allow local government, other than fire districts and fire departments, to provide safety retirement benefits to employees whose function includes hazardous materials services. Current law extends this option to employees of fire departments, who may not be firefighters, when the employer is covered by the California Public Employees’ Retirement System. This option also exists for counties subject to the County Employees’ Retirement Law of 1937.*

*The purpose of safety retirement benefits is to encourage a younger, more physically fit emergency work force better able to endure the physical demands of emergency situations for the protection of the public or property. The higher cost of safety retirement benefits is justified under these conditions.*

*This bill introduces two new criteria to justify safety retirement: the probability of regular exposure and risk. This would result in tremendous pressure to grant safety retirement to many*
other types of employment. I am not willing to consider these new elements as justification to
provide safety retirement benefits. Also, this new criteria does not explain the necessity of why
individuals in such positions need to be provided a retirement benefit that encourages early
retirement at a higher benefit. I believe there are adequate protections currently available to
workers in the form of workers’ compensation benefits and disability retirement benefits that are
available through CalPERS and counties subject to the County Employees Retirement Act of
1937.

Moreover, this bill would put additional cost pressures on local pension funds at a time when
their assets are severely strained.

SB 735 by the Committee on Budget and Fiscal Review - This bill contains provisions
necessary to implement the education provisions of the Budget, and contains various
community college appropriations. (10/13/01)

(Veto message)

I am signing Senate Bill No. 735, however I am reducing the $98 million appropriation to the
Chancellor of the California Community Colleges in Section 34(a) by a total of $66 million.
Given the rapid decline in our economy and a budget shortfall of $1.1 billion through the first
three months of this fiscal year alone, I have no choice but to reduce the level of General Fund
expenditure to these programs. My Administration has strongly supported the Community
College system. Last year alone I increased the Partnership for Excellence funding for
Community Colleges to $300 million – more than double the level of funding from the previous
year. However, given the expected budget shortfall in the next fiscal year, if we do not make
difficult decisions on expenditures for maintenance and equipment today, we will need to make
even more drastic reductions in instructional programs tomorrow.

My office worked with the Chancellor's office and members of the Community College Board of
Trustees to identify specific funding needs related to equipment for academic programs or safety-
related deferred maintenance projects. The $32 million remaining should provide sufficient
resources to fund the most critical fire and life safety hazards and the most essential instructional
materials acquisition needs of the colleges. I have also sustained the full $14.9 million requested
in Section 34(b) from the 1998 Higher Education Capital Outlay Bond Fund for 34 capital
outlay projects for a total of nearly $47 million. Additionally, I am signing this bill with the
understanding that clean-up language will be introduced to correct a technical error which may
reduce funding for the Targeted Instructional Improvement Grant Program below the current
base level.

I am revising Section 34(a) of SB 735 to conform to this action as follows:

SEC. 34. (a) (1) The sum of ninety-eight million dollars ($98,000,000) thirty-two million dollars
$32,000,000 is hereby appropriated, for allocation in the 2001-02 fiscal year, to the Chancellor
of the California Community Colleges, in augmentation of Item 6870-101-0001 of Section 2.00 of
the Budget Act of 2001, for allocation to community college districts as follows:

(A) Seventeen million dollars ($17,000,000) from the Proposition 98 Reversion Account for
allocation for scheduled maintenance and special repair projects.
(B) Thirty-two million dollars ($32,000,000) from the General Fund for allocation for scheduled maintenance and special repair projects.

(C) Forty-nine million dollars ($49,000,000) Fifteen million dollars ($15,000,000) from the General Fund for allocation for the purchase of instructional equipment and library materials.

(2) The amount appropriated in paragraph (1) shall be allocated by the Chancellor of the California Community Colleges to community college districts for the purposes of scheduled maintenance and special repair projects and instructional equipment and library materials.

(3) The chancellor shall allocate the funding for scheduled maintenance and special repair so that, for every dollar of funds allocated pursuant to subparagraphs (A) and (B) of paragraph (1), a recipient district shall provide one dollar in matching funds. Priority for the allocation of funding provided for scheduled maintenance and special repairs shall be given to fire and life safety, seismic safety, and other critical need projects. The amounts appropriated in subparagraphs (A) and (B) of paragraph (1) shall be available for encumbrance until June 30, 2003.

(4) The chancellor shall allocate the funding for instructional equipment and library materials so that, for every three dollars of funds allocated pursuant to subparagraph (C) of paragraph (1), a recipient district shall provide one dollar in matching funds. In expending the funds provided under this section for instructional equipment and library materials, a district shall give first priority to making payments on any multiyear lease agreements. (2) The amount appropriated in paragraph (1) shall be allocated by the Chancellor of the California Community Colleges to community college districts for the purposes of scheduled maintenance and special repair projects and instructional equipment and library materials.

**SB 737 by Senator Richard Alarcon and Jack Scott** - This bill requires the Board of Governors of the California Community Colleges to develop recommendations for a new enrollment growth funding formula based on the statewide increase in full-time equivalent students. (9/29/02)

(Veto message)

I am returning Senate Bill 737 without my signature.

This bill would require the Board of Governors (BOG) of the California Community Colleges (CCC) to develop enrollment growth funding recommendations, and report those recommendations to the Governor and the Legislature.

I am aware of the significant growth the CCC system has seen in the last few years and know that the CCC will continue to face significant demand in coming years. Given these pressures, it is important that we continue to fund enrollment growth at appropriate levels for districts with documented demand. It is equally vital that the CCC system appropriately targets enrollment growth funding to ensure that the highest priority courses—those related to transfer, basic skills, and vocational training—are the first to be provided.

I am a strong supporter of increased access to higher education for all Californians, and I am proud of the fact that the community colleges have received growth in excess of demographic projections during every year I have been in office. However, starting with the 2003-04 fiscal
year, this bill could impose an annual Proposition 98 General Fund cost pressure of up to $120 million to fund higher levels of enrollment growth.

Consequently, I direct the Secretary for Education, the Director of the Department of Finance, and the Executive Director of the California Postsecondary Education Commission to participate in a working group with the BOG to examine these matters.

SB 739 by Senator Steve Peace - This bill, authored by Senate Budget and Fiscal Review Committee, was intended to be a possible Trailer bill relative to administration of state government. This bill contains the contents of SB 75 (Peace), the 2000-01 State Budget Bill with various changes. (7/26/01)

SB 894 by Senator Jack Scott, Dede Alpert, and Bruce McPherson - This bill requires the Chancellor of the California Community Colleges (CCCs) to contract with an institution of higher education to operate an institute to provide leadership training to CCC faculty, classified staff, trustees and administrators, as specified. (10/10/01)

(Veto message)

I am returning Senate Bill 894 without my signature.

This bill would establish a Community College Leadership Institute at an institution of higher education within California to help community college faculty, classified staff, trustees, and administrators assume leadership roles in their institutions. The program would be operational until June 30, 2008.

The 2001 Budget Act contains $500,000 from the General Fund on a one-time basis to provide the California Community Colleges funding to contract with an institution of higher education within California to operate a Community College Leadership Institute. SB 894 would be operative until June 30, 2008, and requires the institute to provide leadership development services, including fellowship programs, intensive workshops, regional seminars, mentoring programs, and research and information dissemination. Full operation, as proposed by this bill is estimated to cost an additional $980,000 in 2001-02 and nearly $3 million annually until June 30, 2008. This bill, however, is not necessary. I believe that existing programs for educating and training community colleges leaders are sufficient to meet the leadership needs of the system.

Given the rapid decline of our economy and a budget shortfall of $1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending.

SB 902 by Senator Betty Karnette - Assembly Amendments deleted Senate version which substituted county elections official for the term "county clerk" in two sections of the Elections Code to conform with present law. This bill now requires community college and California State University (CSU) campuses to post notices in specified locations promoting the service of precinct board members. (9/12/02)

(Veto message)

I am returning Senate Bill 902 without my signature.
This bill seeks to recruit college and university students as poll workers by requiring notices to be posted year-round at all campuses of the California State University (CSU) and California Community Colleges (CCC) and requesting the University of California (UC) to post notices about the benefits of becoming a poll worker.

While I support voluntary activities that encourage and facilitate the recruitment of college students for the purpose of becoming poll workers, this bill would result in state reimbursable mandated costs. The bill does not define how the CSU and the CCC would comply with these requirements; therefore those costs could be significant. In addition, county election offices would be required to provide assistance and information to the CCC board of governors, the CSU trustees and the UC regents.

I strongly encourage these public educational institutions to support civic engagement and responsibility among their student bodies.

SB 1016 by Senator Betty Karnette - This bill replaces the term "foreign language" in the Education Code with "world language." (10/5/01)

(Veto message)

I am returning Senate Bill 1016 without my signature.

This bill would delete references in the Education Code to the term "foreign language" and instead, substitute the term "world language". While I appreciate the intent of the bill to eliminate any negative connotations, this bill is not necessary. The term "foreign language" is used and acknowledged throughout the nation. The term was never meant to be derogatory in nature.

I am also concerned about the additional cost to taxpayers for publishers to conform textbooks and local governments to change numerous laws to conform to this change in law.

SB 1018 by Senator Don Perata - This bill creates a new statewide local safety retirement category for local prosecutors, local public defenders, and local public defender investigators. (10/15/01)

(Veto message)

This bill allows local jurisdictions to provide local prosecutors, local defenders, and local public defender investigators the same retirement benefits as peace officers and firefighters. The bill authorizes contracting agencies and counties and districts to include local prosecutors, local public defenders, and local public defender investigators, as defined, within the local safety member classification under the Public Employees' Retirement System, or within the safety member classification under the County Employees Retirement Law of 1937 and thereby excludes them from coverage under Social Security.

The work of prosecutors and defenders is integral to our criminal justice system. I have the highest regard for their contributions.

However, this level of enhanced benefit historically has been restricted to sworn law enforcement officers and firefighters who are required to maintain a high level of physical performance as
they confront life-threatening danger. They uniquely put themselves in harms way day in and day out. This human toll can be extraordinarily high, as we have recently observed.

Given the recent murder of a prosecutor in the State of Washington, however it may be time to revisit the question of who should qualify for a public safety retirement and under what circumstances.

Therefore, I am directing the Department of Personnel Administration in consultation with the Public Employees Retirement System to review the issue of public safety retirement and report back to me by April 30, 2002 appropriate recommendations.

SB 1051 by Senator Bruce McPherson and John Vasconcellos - This bill requires the Superintendent of Public Instruction to develop a curriculum framework for career technical education, following adoption of model curriculum standards. *(10/13/01)*

*(Veto message)*

*I am returning Senate Bill 1051 without my signature.*

This bill required the Superintendent of Public Instruction (SPI) to develop a career/technical education curriculum framework by June 1, 2004, and required local districts with high schools to provide a course of study that integrates academic and career skills in all disciplines that prepares students for graduation, career entry, college-level studies, and adult life. The bill would also appropriate $5 million to expand the existing School-to-Career Initiative (Proposition 98) within the Office of the Secretary of Education (OSE).

This bill would result in General Fund costs of $600,000 to develop the prescribed curriculum and up to $400,000 for each additional curriculum framework. Furthermore, this bill creates a reimbursable state mandated program with costs in the millions of dollars to require local governing boards of any school district with a high school to change courses of study to conform with the prescribed curriculum.

The bill also appropriates $5 million General Fund to the School-to-Career program. Due to the rapid decline of our economy and a budget shortfall of $1.1 billion through the first three months of this fiscal year alone, I have no choice but to oppose additional General Fund spending.

However, as I am supportive of the School-to-Career program, I am directing the Health and Human Services Agency to look for alternative funding to expand the program.

For these reasons, I cannot support this measure.

SB 1289 by Senator Ray Haynes – This bill authorizes the State Board of Education to waive the Education Code for one situation. Specifically, this bill permits SBE to waive appropriate provisions of the education code only to allow Riverside and Alvord Unified school districts to fulfill their 2001-02 adult education contract. *(9/29/02)*

*(Veto message)*

*I am returning Senate Bill 1289 without my signature.*
SB 1289 would specify that for the 2001-02 fiscal year only, for the contract between Alvord Unified School District and Riverside Unified School District to provide adult education services, the State Board of Education (SBE) would be authorized to allocate average daily attendance (ADA) for apportionment to the district contracting for the education services (Alvord) rather than the district providing the services (Riverside).

I am pleased that the Riverside Unified School District is operating a successful adult education course. In these difficult times, we are unable to provide more reimbursement than current law allows.

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

SB 1308 by Senator Dede Alpert – This bill adjusts the statutory ceiling on compensation for members of a school board, a county board of education, or a community college board. Specifically, this bill: 1) Adjusts the compensation limits for members of the governing boards of school districts to reflect 2.5% annual increases in limits since the last statutory increases in 1984 through December 31, 2001, 2) Adjusts the compensation limits for governing board members of county offices of education and community college districts to reflect 2.5% annual increases in the limits since the last statutory increase in 1984 (community colleges) and 1987 (county offices) through December 31, 2001. 3) Repeals the provisions that authorize referendums in order to reject increases in compensation approved by a county board of education, governing board of a school district, or the governing board of a community college district. (7/9/02)

(Veto message)

I am returning Senate Bill 1308 without my signature.

This bill would authorize retroactive increases of up to 60 percent in the compensation levels currently applicable to governing board members of school districts, county offices of education, and community college districts.

I greatly appreciate the important role of governing boards and recognize the many demands placed upon their members. That is why I signed legislation last year authorizing prospective compensation increases of up to five percent per year (Chapter 401, Statutes 2001). However, given the current fiscal situation facing many school districts throughout the state, I am not able to support the significant retroactive compensation increases proposed in this bill.

These increases could shift funding away from the classroom.

Therefore, I am returning this bill without my signature.

SB 1382 by Senator Betty Karnette - This bill requests the California Community College Board of Governors to review and report to the Legislature, as specified, on its policies regarding the percent of instruction to be taught by full-time faculty. (9/3/02)

(Veto message)
I am returning Senate Bill 1382 without my signature.

This bill requests the Board of the Governors (BOG) of the California Community Colleges to review its policies regarding the use of full-time and part-time faculty. This bill also requests that the BOG submit a report of its findings to the appropriate legislative committees by January 15, 2004.

While the bill states that the BOG is to use existing resources, the additional workload created by the bill could create a cost pressure on the BOG. State agencies and departments have lost significant funding and staffing resources because of various budget and position reductions imposed in the current and prior fiscal years.

Consequently, their ability to perform new duties within existing resources is severely constrained.

SB 1409 by Senator Nell Soto - This bill states that it is the intent of the Legislature to establish a Deferred Retirement Option Program as a voluntary program in the State Public Employees' Retirement System for those local safety members whose employing agency elects to be subject to the program. The program will provide eligible members access, upon retirement, to a lump sum or additional monthly payments in addition to a monthly retirement allowance. (9/30/02)

(Veto message)

I am returning Senate Bill 1409 without my signature.

This bill would provide a Deferred Retirement Option Program (DROP) to local safety members of CalPERS-covered employers. The DROP created by this bill has significant costs to local government retirement programs. It also has significant administrative costs to CalPERS which would reduce investment earnings that are credited to employer retirement accounts.

SB 1412 by Senator Gloria Romero - This bill enacts the Student Voter Registration Act of 2002 which requests the Regents of the University of California, and requires the Trustees of the California State University and the board of governors of each community college district, to distribute voter registration forms, as well as information on how to obtain those forms to students and requires those officials to make voter registration forms available at central campus locations. (9/18/02)

(Veto message)

This bill would require the Trustees of the California State University (CSU) and the governing board of each community college district (CCC), and request the Regents of the University of California (UC), to direct campus officials to distribute voter registration forms to students at the beginning of each term, as specified. The bill would also require each institution’s officials to provide information on how to obtain voter registration forms and make voter registration materials available at central campus locations.

In 1999, I vetoed a similar bill, AB 164 because it imposed a state-mandated cost on the California community college districts. Instead of alleviating these state-mandated costs, this bill
increases them by increasing the frequency of distribution of voter registration forms and the number of students required to receive these forms.

While I support good faith efforts to distribute voter registration materials at our institutions of higher learning, I continue to believe that it is not necessary to impose costs or create a mandate for an activity that could easily be undertaken by campus groups or other civic groups.

**SB 1539 by the Committee on PERS** - This bill makes various minor and technical amendments to various sections of the Government Code administered by the State Public Employees' Retirement System. (9/30/02)

*(Veto message)*

*I am returning Senate Bill 1539 without my signature.*

This bill makes many technical and clarifying changes to the California Public Employees' Retirement Law, the Judges' Retirement Law, the Judges' Retirement System II Law, the Volunteer Firefighters' Length of Service Award System and the Legislators' Retirement System. In addition to these changes, the bill contains issues that should be considered not only on the basis of their administrative impact but also for their policy impact.

In particular, Section 25 of the bill requires that when a State employees' contribution rate is reduced, funds will be transferred without the consent or agreement of the employer.

*I want to assure State retirees that their retirement benefits will continue without interruption or reduction. I would be willing to reconsider the technical changes contained in this bill next year.*

**SB 1731 by Senator Richard Alarcon** - This bill establishes the California Mexico Border Infrastructure Financing Authority as a nonprofit corporation authorized to issue revenue bonds. (9/27/02)

*(Veto message)*

*I am returning Senate Bill 1731 without my signature.*

This bill would establish the California and Mexico Border Economic Infrastructure Financing Authority to issue revenue bonds for the acquisition, construction, and improvement of infrastructure projects along a 100-kilometer band on either side of the California-Mexico border.

*Although it is widely known that the California-Mexico border areas need economic infrastructure financing, California already has a program through Senate Bill 207 (Peace) that I signed into law in 1999. That program authorizes California counties and cities to create infrastructure financing districts within three miles of the California-Mexico border to finance public works that provide significant benefits to the border development zone. Those public works include but are not limited to: highways; roads; facilities for sewage collection, flood control, child care, and waste disposal; libraries and parks. In addition, Mexico and the United States participate as equal partners in the North American Development (NAD) Bank, a bilaterally-funded, international financial institution, created for the purpose of financing*
environmental infrastructure projects on both sides of the United States-Mexico border. The authorized capital of NAD Bank totals $3 billion.

Furthermore, this bill does not provide Mexican government officials and the community with equal participation in decision-making processes. This difference may pose troublesome questions regarding California’s right to approve and fund infrastructure projects in Mexico without Mexico’s equal participation and approval of these projects. While the goals of Senate Bill 1731 are praiseworthy, numerous state, federal and binational programs are currently addressing the border region's significant infrastructure needs.

**SB 1796 by Senator Richard Polanco** – This bill makes specific misdemeanors that do not cause actual or threatened harm punishable by two days in the county jail, a fine not to exceed $100, or by both imprisonment and that fine if the motive for the crime is political expression. *(9/29/02)*

*(Veto message)*

I am returning Senate Bill 1796 without my signature.

This bill would reduce the punishment for specific misdemeanors when the violation is non-violent and the motive for the violation is political expression. The punishment would be limited to a fine of up to $100, imprisonment in a county jail for up to two days, or by both that fine and imprisonment.

Civil disobedience has played a critical role in this country's great movements for social change. This bill broadly defines political expression as any matter of general interest to society. Lowering the penalties for such a broad category of actions could potentially lead to abuses.

This bill has the potential to increase the demand for jury trials, creating financial burdens for the state and its counties. Also, the bill's language creates multiple avenues for post-conviction appeals on the issue of what is "politically motivated."

Politically motivated protests and demonstrations can be performed, allowing participants to support their cause, without disregarding laws. For these reasons, I cannot support this measure.

**SB 1988 by Senator Richard Polanco** - This bill creates an Environmental Education Fund for the purpose of providing (1) grants for environmental education to public schools and (2) funding to a non-profit organization for training district attorneys and others on the fair and uniform enforcement of environmental laws and the advancement of environmental justice. Funding from public or private organizations and judgements of a state or federal court could be deposited into the fund. *(9/27/02)*

*(Veto message)*

This bill would create an Environmental Education Fund for the purpose of providing grants to public schools for environmental education and funding to non-profits for training district attorneys and others on the enforcement of environmental laws and the advancement of environmental justice.
While I support environmental education, I cannot support this measure. The State Department of Education (SDE) already receives funding from the California Environmental License Plate Fund to promote students’ understanding of and responsibility for the environment. Also, this bill creates a presumption that environmental education and environmental justice is a priority use of funds over other vital uses, such as environmental cleanups.

I believe it is imperative that any new efforts are coordinated with existing State programs to ensure cost efficiency, particularly when the state is dealing with a $24 billion shortfall. Last year, I signed legislation that created the Office of Integrated Environmental Education at the Integrated Waste Management Board to create a unified environmental education strategy for all State departments. I have also just signed two bills creating programs within the California Environmental Protection Agency: AB 2312 establishes an environmental justice grant program and AB 2486 funds local environmental enforcement and training. SB 1988 is not consistent with these programs.

For these reasons, I cannot sign this bill.

SB 2008 by Senator Jackie Speier – This bill establishes the Assumption Program of Loans for Nursing Education (Nursing APLE) under the administration of the California Student Aid Commission (CSAC). (9/29/02)

(Veto message)

I am returning Senate Bill 2008 without my signature.

This bill would establish a special state loan repayment program for registered nursing students: the Assumption Program of Loans for Nursing Education Program, to be administered by the California Student Aid Commission. The bill provides for loan assumption benefits up to $11,000 for qualified nursing students and up to 250 loan repayment agreements, subject to funds being available in the annual Budget Act or an appropriation in another measure.

The agree with bill’s goal of providing incentives to increase the number of registered nurses in California and earlier this year announced a three-year, $60 million dollar, Nurse Workforce Initiative to establish a variety of incentives to increase the number of nurses and job satisfaction in the nurse workforce. This program is funded by federal Workforce Investment Act funds. This initiative is expected to generate up to 5,000 licensed nurses and the first of these grants will be announced shortly.

An existing program administered by the Office of Statewide Health Planning and Development called the Health Professions Education Foundation has dispersed scholarship and loan repayments totaling over $6.7 million since its inception since 1990, assisting nearly 1,400 economically disadvantaged and demographically underrepresented students in 49 of California's 58 counties.

In addition, I have recently signed AB 2314 (Thomson), which will for the first time require the Community Colleges and the CSU systems to standardize all nursing program prerequisites on a statewide basis and requires the CSU Chancellor to require CSU campuses that maintain nursing education programs to negotiate and implement articulation agreements with CCC districts from which they receive a significant number of nursing students. Finally, I have signed AB 1140
(Thomson) which requires the Board of Registered Nursing to collect practice status-related data from its licensees which will be helpful in assessing the current status of nursing in CA.

The combination of these activities should assist California in making real progress in making nursing a more attractive career option.

I cannot support this bill, however, because it creates an annual General Fund cost pressure in excess of $2.8 million during a time of necessary fiscal constraint.

SB 2064 by Senator John Burton - This bill amends existing law to include a reference to exclusive representative notification requirements resulting from a 1999 Ninth Circuit Court of Appeals case. The bill also requires a school employer to transmit money collected or deducted from an employee's salary for employee organization dues or fair share fees to transmit the money to the employee organization within 15 days, imposes upon the employer an interest penalty if this requirement is not met. (9/30/02)

(Veto message)

I am returning Senate Bill 2064 without my signature.

A school employer should be required to expeditiously transmit membership dues and agency fees to an exclusive representative.

However, this bill imposes penalties for delays that are far too severe and may jeopardize the financial security of school districts.