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Unfinished business: Governor still must sign best bills into law

Mercury News Editorial

Last year, Gov. Arnold Schwarzenegger and the Legislature were at war. This year, after his failed ``Year for Reform,'' Schwarzenegger did an about-face and made this the year to get something done.

He and the Legislature actually did. The budget was on time. They compromised on a $37.3 billion bond package for the November ballot. They agreed on a higher minimum wage, on cheaper prescription drugs, on requirements for more solar power and on a massive reduction in greenhouse gases.

But there are also hundreds of bills that legislators passed that Schwarzenegger has not stated his position on. They've been piling up on his desk.

By Sept. 30, he must sign or veto them. What follows are our recommendations on some issues we've been following.

Education

As always, the Legislature passed a spate of education bills this year -- not all of them good. Two that the governor should veto:

AB 2975: It would dumb down expectations of California students by making passage of the high school exit exam the standard for measuring achievement. The exit exam tests only 10th-grade English language arts and middle school math skills. The exit exam would become the ceiling, not the floor, of what we want students to achieve.

SB 1769: It would require the state to create, and then allow districts to choose, separate curriculum materials, in English, for English learners in subjects like science and history. The intent is to make the material easier to understand. The problem is it would create a double standard, giving English learners a less rigorous, less demanding education.

Three bills Schwarzenegger should sign:

SB 1655: It would allow principals in low-performing schools more say over hiring. They would not be forced to accept veteran teachers that other schools didn't want.

SB 160: The California DREAM Act would allow illegal immigrants attending public colleges and universities to apply for financial aid. (They already are entitled to in-state tuition rates.) The estimated cost of $7.3 million a year is tiny compared with the benefit of encouraging smart, low-income kids to reach their potential.

AB 2167: It would require a reliable formula to determine graduation rates and help districts better collect data on dropouts, who far outnumber what the state claims.

Law enforcement

Two bills would turn the recommendations of the California Commission on the Fair Administration of Justice into law. They would also help prevent the types of false convictions highlighted by Mercury News reporter Rick Tulsky in his series ``Tainted Trials, Stolen Justice.''

SB 1544: It would require police and county sheriff's departments to adopt procedures for lineups and photo identifications to prevent false charges based on witnesses' mistaken identifications.

SB 171: It would require police agencies to record the full interrogations of those facing charges for serious crimes, in order to deter false confessions by those vulnerable to coercion.

Nutrition

Because of unwieldy paperwork and a lack of promotion, 2 million Californians aren't getting the food stamps they're eligible for. California is near the bottom of states in food-stamp participation; about half of those who qualify receive them.

AB 2205: It would make it easier to enroll in the federal program by extending food stamps to those who are on Medi-Cal, the state's medical program for low-income families. They would no longer have to apply separately and face an outdated, harsh asset test, disqualifying those with more than $2,000 in savings. Children also would be automatically eligible for reduced and free meals at school.

As high rates of childhood diabetes and obesity indicate, families have not been buying nearly enough fruits and vegetables.

AB 2384: It would set up a pilot program to encourage mom-and-pop groceries in poor neighborhoods to sell more fruits and vegetables. And it would create financial incentives -- a credit toward future food-stamp purchases -- to families who bought fruits and vegetables. No other state has tried this idea.

Technology

Among the most controversial bills on the governor's desk are the one that deals with using cell phones while driving and another that radically changes the competitive landscape between phone and cable companies. One we strongly favor, the other we give a soft thumbs down.

SB 1613: It would require drivers who talk on their cell phones to use a hands-free device to allow them to keep both hands on the wheel. This law will save lives.

AB 2987: It would allow telephone companies to sign a single statewide franchise agreement for providing video services over phone lines, rather than negotiate with individual cities or counties. While it would allow more competition, we side with opponents who fear that phone companies would only provide this service to their most lucrative customers.

Health care

The Legislature and the governor saw to it that the state's two most pressing health care issues -- skyrocketing costs and the growing number of uninsured -- will be left unresolved for another year. The governor has announced he will veto a single-payer, universal health care bill.

But he should sign three worthy pieces of health care legislation:

AB 2911: It would provide prescription drug cost relief to nearly 6 million poor Californians who lack coverage. The bill also will force pharmaceutical companies to participate or risk losing state government contracts.

SB 1534: It affirms cities' and counties' rights to provide health coverage to undocumented workers. California's cities and counties need to be able to first maintain public health without the threat of a lawsuit. Providing poor, undocumented people with needed inoculations is in the best interests of all Californians.

AB 774: It would provide consumer protections to patients without insurance, helping them to be assured of fair charges when they require hospital treatment.

Environment

Schwarzenegger has already announced, after exhaustive negotiations, that he will sign **AB 32**, which mandates a massive reduction of carbon dioxide, the main greenhouse gas contributing to global warming, by 2020. The state's biggest polluters -- refineries, power plants, factories -- would have incentives to cut emissions.

AB 32 is the grand environmental achievement of the session. Were it not for carbon monoxide and methane in the smoke, it would deserve passing out his cigars.