

STAFF SUMMARY FOR DECEMBER 12-13, 2018

4B. ACTING EXECUTIVE DIRECTOR'S REPORT – LEGISLATIVE UPDATE**Today's Item****Information** ☒**Action** ☐

Review and discuss legislation of interest and provide staff direction.

Summary of Previous/Future Actions

- | | |
|--|--------------|
| • Legislature convenes 2019-20 regular session | Dec 3, 2018 |
| • Most new state statutes take effect | Jan 1, 2019 |
| • Legislature returns from winter break | Jan 7, 2019 |
| • Governor must submit 2019-20 budget | Jan 10, 2019 |
| • Last day for state bills to be introduced | Feb 22, 2019 |

Background

FGC staff typically prepares a list of state legislation that may affect FGC's resources and workload; since the California State Legislature has completed its 2017-18 regular session, there are no state bills currently under consideration as of the writing of this summary. Once the legislature returns from winter break and begins introducing bills, DFW staff will also prepare a list of state legislation potentially affecting DFW. FGC staff has also summarized federal legislation of interest.

Today is an opportunity for FGC to provide direction to staff concerning legislation.

State Legislation

The California State Legislature had not yet convened for the 2019-20 regular session at the time this staff summary was prepared. Related to the 2017-18 regular session, there is a history of the California State Senate's actions (Exhibit 1) and all California State Assembly bills vetoed by Governor Brown (Exhibit 2).

Federal Legislation

Below is a list of federal bills that FGC has previously shown an interest in, or may be of interest, and the status as of November 30, 2018.

- *S. 793 Shark Finning – Shark Fin Trade Elimination Act of 2017*: Sen. Cory Booker (NJ).

Status: Senate – 11/27/2018 Placed on Senate Legislative Calendar under General Orders. Calendar No. 675. Summary: This bill makes it illegal to possess, buy, sell, or transport shark fins or any product containing shark fins. A person may possess a shark fin that was lawfully taken consistent with a license or permit under certain circumstances. Penalties are imposed for violations under the Magnuson-Stevens Fishery Conservation and Management Act. The maximum civil penalty for each violation shall be \$100,000, or the fair market value of the shark fins involved, whichever is greater.

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- S. 2773 Driftnet Modernization and Bycatch Reduction Act*: Sen. Dianne Feinstein (CA).
 Status: Senate – 09/05/2018 Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
 Summary: This bill calls for prioritizing the phase-out of large-scale driftnet fishing within the nation's exclusive economic zone and promoting alternative fishing methods and gear types, in order to reduce the incidental catch of living marine resources. The bill adds language to the Magnuson-Stevens Fishery Conservation and Management Act to instruct the U.S. secretary of commerce to coordinate a transition program to assist in phasing out large-scale driftnet fishing and adopting alternative fishing methods. The secretary is authorized to provide funding to individuals who surrender their permit for large-scale driftnet fishing, or surrender any gear associated with that permit, and purchase new fishing gear that minimizes the incidental catch of living marine resources. The bill authorizes \$450,000 for each of the fiscal years 2018 through 2020 for the purposes of providing the funding to individuals.

Per direction from FGC at its Oct 17, 2018 meeting, staff distributed a letter of support signed by President Sklar to Chairman John Thune and Ranking Member Bill Nelson of the U.S. Senate Committee on Commerce, Science, and Transportation, with copies to committee members, various congressional staff, and state agency representatives (Exhibit 3).
- H.R. 200 – MSA Reauthorization – Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act*: Rep. Don Young (AK).
 Status: Senate - 07/12/2018 received in the Senate and read twice and referred to the Committee on Commerce, Science, and Transportation. Summary: To amend the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to provide flexibility for fishery managers and stability for fishermen, and for other purposes. This bill revises and reauthorizes MSA through Fiscal Year 2022. No revisions have been made since the previous report.
- H.R. 1456 – Shark Fin Sales Elimination Act of 2017*: Rep. Edward Royce (CA).
 Status: Introduced 03/09/17; Referred to House Committee on Natural Resources; 3/20/17 referred to the Subcommittee on Water, Power and Oceans; 4/17/18 subcommittee hearings held. Summary: This bill makes it illegal to possess, buy, or sell shark fins or any product containing shark fins. A person may possess a shark fin that was lawfully taken consistent with a license or permit under certain circumstances. Penalties are imposed for violations under the Magnuson-Stevens Fishery Conservation and Management Act.
- H.R. 5638 Driftnet Modernization and Bycatch Reduction Act*: Ted Lieu (CA).
 Status: House – 05/08/2018 Referred to the Subcommittee on Water, Power and Oceans. Summary: This is the companion bill to S. 2773, which calls for prioritizing the phase-out of large-scale driftnet fishing within the nation's exclusive economic zone and promoting alternative fishing methods and gear types, in order to reduce the incidental catch of living marine resources.

Significant Public Comments (N/A)

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Recommendation (N/A)

Exhibits

1. [California State Legislature's *Senate Journal*, dated Oct 1, 2018](#)
2. [California State Legislature's *Supplemental Recess Assembly File* \[with\] *Governor's Vetoes*, dated Oct 4, 2018](#)
3. [Comments from FGC to Chairman Thune and Ranking Member Nelson of the U.S. Senate Committee on Commerce, Science, and Transportaton, dated Nov 7, 2018](#)

Motion/Direction (N/A)

CALIFORNIA LEGISLATURE
2017–18 REGULAR SESSION

SENATE JOURNAL

IN RECESS

Senate Chamber, Sacramento
Monday, October 1, 2018



COMMUNICATIONS AND PETITIONS

The following letters were ordered printed in the Journal:

August 28, 2018

Mr. Daniel Alvarez
Secretary of the Senate

Dear Mr. Alvarez: The Legislative Analyst's Office has posted on our website our office's fiscal analysis of the proposed memorandum of understanding between the Governor and Bargaining Unit 9. This analysis was only released in an online version (<https://lao.ca.gov/Publications/Report/3880>). This analysis is required to be submitted to the Legislature pursuant to Section 19829.5 of the Government Code. On August 22, 2018, the Department of Human Resources transmitted to the Legislature the agreement and the administration's estimate of the agreement's fiscal effects.

Sincerely,
MAC TAYLOR
Legislative Analyst

August 28, 2018

Mr. Daniel Alvarez
Secretary of the Senate

Dear Mr. Alvarez: The Legislative Analyst's Office has posted on our website our office's fiscal analysis of the proposed memorandum of understanding between the Governor and Bargaining Unit 10. This analysis was only released in an online version (<https://lao.ca.gov/Publications/Report/3881>). This analysis is required to be submitted to the Legislature pursuant to Section 19829.5 of the Government Code. On August 24, 2018, the Department of Human Resources transmitted to the Legislature the agreement and the administration's estimate of the agreement's fiscal effects.

Sincerely,
MAC TAYLOR
Legislative Analyst



REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, September 4, 2018

Madam President: The Committee on Rules has examined:

SCR 83	SCR 87	SCR 101	SCR 139
SCR 151	SCR 156	SCR 161	

And reports the same have been correctly enrolled and presented to the Secretary of State on the 4th day of September, 2018, at 3 p.m.

ATKINS, Chair

Senate Chamber, September 5, 2018

Madam President: The Committee on Rules has examined:

SB 399	SB 759	SB 819	SB 830
SB 833	SB 834	SB 896	SB 933
SB 978	SB 981	SB 987	SB 989
SB 1005	SB 1019	SB 1021	SB 1035
SB 1055	SB 1104	SB 1106	SB 1108
SB 1110	SB 1119	SB 1124	SB 1126
SB 1127	SB 1144	SB 1145	SB 1152

And reports the same have been correctly enrolled and presented to the Governor on the 5th day of September, 2018, at 3:30 p.m.

ATKINS, Chair

Senate Chamber, September 6, 2018

Madam President: The Committee on Rules has examined:

SB 183	SB 215	SB 221	SB 224
SB 237	SB 261	SB 273	SB 327
SB 343	SB 354	SB 501	SB 700
SB 720	SB 746	SB 824	SB 861
SB 917	SB 937	SB 957	SB 964
SB 998	SB 1000	SB 1013	SB 1014
SB 1016	SB 1054	SB 1072	SB 1085
SB 1100	SB 1129	SB 1147	SB 1187
SB 1194	SB 1196	SB 1223	SB 1227
SB 1239	SB 1251	SB 1263	SB 1265
SB 1281	SB 1283	SB 1288	SB 1403
SB 1477			

And reports the same have been correctly enrolled and presented to the Governor on the 6th day of September, 2018, at 4 p.m.

ATKINS, Chair



Senate Chamber, September 7, 2018

Madam President: The Committee on Rules has examined:

SB 100	SB 1391	SB 1393
SB 1421	SB 1437	

And reports the same have been correctly enrolled and presented to the Governor on the 7th day of September, 2018, at 4 p.m.

ATKINS, Chair

Senate Chamber, September 10, 2018

Madam President: The Committee on Rules has examined:

SB 320	SB 816	SB 826	SB 828
SB 835	SB 836	SB 846	SB 862
SB 867	SB 869	SB 873	SB 875
SB 876	SB 877	SB 878	SB 879
SB 881	SB 905	SB 960	SB 966
SB 968	SB 970	SB 973	SB 1017
SB 1041	SB 1045	SB 1050	SB 1071
SB 1083	SB 1087	SB 1097	SB 1115
SB 1123	SB 1131	SB 1138	SB 1148
SB 1156	SB 1164	SB 1177	SB 1287
SB 1293	SB 1301	SB 1309	SB 1312
SB 1320	SB 1328	SB 1361	SB 1367
SB 1375	SB 1376	SB 1387	SB 1397
SB 1406	SB 1415	SB 1416	SB 1424
SB 1440	SB 1482	SB 1491	SB 1493

And reports the same have been correctly enrolled and presented to the Governor on the 10th day of September, 2018, at 4 p.m.

ATKINS, Chair

MESSAGES FROM THE GOVERNOR

Signing Messages

Governor's Office, State Capitol
September 10, 2018

To the Members of the California State Senate:

Senate Bill 100 continues California's leadership in advancing clean energy and climate protection by increasing the current Renewables Portfolio Standard target from 50 to 60 percent by 2030, and setting a goal to meet 100 percent of the state's retail electricity supply with zero-carbon resources by December 31, 2045.

SB 100 sends a clear signal to markets to expand clean energy generation. The next step is to integrate these goals into our existing clean energy efforts, including the Integrated Resource Planning process, which will ensure that Californians continue to have safe, reliable, and affordable electricity.



To get to 100 percent clean energy in a manner that ensures reliability and reduces cost, we must use a variety of strategies. Energy storage, increased efficiency and adjusting energy use to the time of day when we have the most power will all help with the transition. Additionally, we must join our neighbors in a power system that integrates utilities across the West. A regionalized electric grid would enhance California's low-carbon grid by allowing us to share renewable resources with our neighboring states, while reducing costs and increasing resiliency of our grid. By doing so, we could improve reliability, reduce climate pollution and enable better integration of wind, solar, and other clean energy technologies throughout the region.

Let's not forget, our electricity sector is responsible for only 16 percent of California's current carbon emissions. To truly stop global warming, cleaning up our electricity grid is not enough. We must transition to carbon neutrality and that will not be easy. It will require large investments across all sectors—energy, transportation, industrial, commercial and residential buildings, agriculture, and various forms of sequestration, including natural and working lands.

California is committed to doing whatever is necessary to meet the existential threat of climate change. This bill, and others I will sign this week, help us go in that direction. But have no illusions, California and the rest of the world have miles to go before we achieve zero-carbon emissions.

Sincerely,

EDMUND G. BROWN JR., Governor

Veto Messages

Governor's Office, State Capitol
September 10, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1451** without my signature.

This bill adopts mandatory minimum penalties against retailers who sell cannabis to underaged individuals, including revocation of a license for a third violation occurring at the same location within 36 months.

As currently written, this bill restricts the Bureau of Cannabis Control's (Bureau) regulatory discretion and limits its ability to carryout enforcement actions based on the pertinent facts of a violation. This bill is not necessary. The Bureau already has the authority to revoke, suspend, and assess fines if a licensee sells to a minor.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Receipt of Bills

I acknowledge receipt this 10th day of September, 2018 at 2:07 p.m., of the following Senate Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 1451

BERNADETTE MCNULTY
Acting Secretary of the Senate

Governor's Appointments

Governor's Office, State Capitol
September 10, 2018

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

KIMBERLY A. SEIBEL, has been appointed associate director of the Reception Centers Institutions at the California Department of Corrections and Rehabilitation, where she has been acting associate director since 2018. Seibel was warden at Deuel Vocational Institution from 2016 to 2018 and at Chuckawalla Valley State Prison from 2015 to 2016. She served in several positions at Richard J. Donovan Correctional Facility from 1999 to 2015, including chief deputy warden, associate warden, captain, lieutenant, and sergeant. Seibel was a correctional officer at California Correctional Institution, Tehachapi from 1994 to 1999, and an office assistant at California State Prison, Sacramento from 1993 to 1994. Appointed 08/27/2018. Effective 08/29/2018.

Associate Director, Reception Centers Institutions, California Department of Corrections and Rehabilitation, vice, Brian Duffy, retired, 03/14/2018. Term ending at the pleasure of the Governor.

CONNIE K. CHAN, has been appointed to the California Fair Employment and Housing Council. Chan will begin working as a deputy city attorney at the Los Angeles City Attorney's Office, Affirmative Litigation Division in August, 2018. She was an associate at Altshuler Berzon LLP from 2012 to 2018. Chan served as a law clerk at the U.S. District Court, Northern District of California from 2011 to 2012 and at the U.S. Court of Appeals, Ninth Circuit from 2010 to 2011. She earned a Juris Doctor degree from Yale Law School. Appointed 08/08/2018. Effective 08/16/2018.

Member, California Fair Employment and Housing Council, vice, Mark Harris, withdrawn from the Senate 01/24/2018. Term ending 01/01/2021.



KEELY BOSLER, has been appointed as the Director of the Department of Finance. She has served as Cabinet Secretary in the Office of the Governor since 2016. She served as chief deputy director for budget at the Department of Finance from 2013 to 2016. Bosler was staff director for the California State Senate Budget and Fiscal Review Committee from 2010 to 2013, where she was a consultant from 2004 to 2009. She served as associate director for fiscal services at the California Department of Corrections and Rehabilitation's Budget Management Branch from 2009 to 2010, and as a fiscal and policy analyst at the California Legislative Analyst's Office from 2000 to 2004. She earned a Master of Science degree in applied economics from Cornell University. Appointed 08/21/2018. Effective 08/21/2018.

Director, Department of Finance, vice, Michael Cohen, resigned, 08/20/2018. Term ending at the pleasure of the Governor.

ADRIA L. JENKINS-JONES, has been appointed chief deputy director of the California Department of Human Resources, where she has served as chief of the Selection Division since 2015. She served in several positions at the Department of Finance from 1993 to 2015, including chief of human resources, associate personnel analyst, executive assistant, chief of recruitment and selection, associate personnel analyst/staff service analyst, and examination technician. Appointed 08/31/2018. Effective 08/31/2018.

Chief Deputy Director, California Department of Human Resources, vice, Katrina Hagen, re-assigned 09/30/2017. Term ending at the pleasure of the Governor.

Above appointments referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Senate Chamber, September 11, 2018

Madam President: The Committee on Rules has examined:

SCR 99	SCR 110	SCR 111	SCR 114
SCR 132	SCR 148	SCR 149	SCR 153
SCR 154	SCR 158	SCR 159	SCR 160
SCR 163	SCR 164	SCR 165	SCR 166
SJR 14	SJR 22		

And reports the same have been correctly enrolled and presented to the Secretary of State on the 11th day of September, 2018, at 2 p.m.

ATKINS, Chair

Senate Chamber, September 11, 2018

Madam President: The Committee on Rules has examined:

SB 25	SB 46	SB 274	SB 275
SB 349	SB 439	SB 452	SB 532
SB 577	SB 668	SB 695	SB 726
SB 782	SB 822	SB 823	SB 829
SB 838	SB 894	SB 918	SB 939
SB 958	SB 961	SB 967	SB 1001
SB 1008	SB 1029	SB 1078	SB 1086
SB 1128	SB 1130		

And reports the same have been correctly enrolled and presented to the Governor on the 11th day of September, 2018, at 4 p.m.

ATKINS, Chair

Senate Chamber, September 12, 2018

Madam President: The Committee on Rules has examined:

SCR 115	SCR 133	SCR 157
SJR 29	SJR 30	

And reports the same have been correctly enrolled and presented to the Secretary of State on the 12th day of September, 2018, at 2 p.m.

ATKINS, Chair

Senate Chamber, September 12, 2018

Madam President: The Committee on Rules has examined:

SB 134	SB 152	SB 212	SB 244
SB 328	SB 419	SB 465	SB 502
SB 519	SB 539	SB 607	SB 635
SB 656	SB 707	SB 715	SB 765
SB 774	SB 790	SB 821	SB 895
SB 901	SB 906	SB 923	SB 955
SB 1004	SB 1007	SB 1012	SB 1036
SB 1051	SB 1109	SB 1121	SB 1125
SB 1151	SB 1155	SB 1163	SB 1172
SB 1181	SB 1191	SB 1200	SB 1205
SB 1215	SB 1226	SB 1228	SB 1235
SB 1249	SB 1250	SB 1260	SB 1272
SB 1292	SB 1294	SB 1300	SB 1303
SB 1305	SB 1310	SB 1321	SB 1333
SB 1335	SB 1338	SB 1339	SB 1343
SB 1346	SB 1348	SB 1358	SB 1369



SB 1374	SB 1402	SB 1409	SB 1412
SB 1413	SB 1422	SB 1442	SB 1446
SB 1447	SB 1448	SB 1449	SB 1455
SB 1459	SB 1465	SB 1474	SB 1480
SB 1481	SB 1483	SB 1484	SB 1487
SB 1504			

And reports the same have been correctly enrolled and presented to the Governor on the 12th day of September, 2018, at 5 p.m.

ATKINS, Chair

MESSAGES FROM THE GOVERNOR

Veto Messages

Governor's Office, State Capitol
September 14, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 531** without my signature.

This bill adds port districts that are not a department, division, or a subdivision of a city or county to the list of political subdivisions permitted to declare a local emergency under the California Emergency Services Act.

Allowing port districts to declare a local emergency without involving their neighboring cities and counties runs counter to the system of mutual aid which is dependent upon local cooperation. By facilitating the efficient flow of resources and information, local cooperation during an emergency allows the state to determine the proper allocation of emergency support. This bill will disrupt the state's ability to evaluate such resource requests—to the possible detriment of those who need help.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 14th day of September, 2018 at 4:15 p.m., of the following Senate Bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 531

MATHEW BURNS
Acting Secretary of the Senate



Signing Messages

Governor's Office, State Capitol
September 17, 2018

To the Members of the California State Senate:

I am signing the following bills:

Assembly Bill 2629

Assembly Bill 3061

Assembly Bill 3139

Senate Bill 519

These bills authorize the Department of Transportation to lease properties in different cities for one dollar a month, if they are used to provide homeless services.

It is important to remember that these properties were never meant to be places for people to live and are generally not suitable for those purposes. The cities outlined in these bills wish to erect temporary shelters on these properties, as emergency measures. Accordingly, I am directing the Department of Transportation, the Department of Housing and Community Development, and the Office of the State Fire Marshal to work in collaboration with these local governments to ensure, through lease agreements, that emergency housing for the homeless is safe, that fire and life safety standards are met, and that such habitations are temporary, not permanent.

Sincerely,

EDMUND G. BROWN JR., Governor

Veto Messages

Governor's Office, State Capitol
September 18, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 947** without my signature.

This bill would require the State Superintendent of Public Instruction to convene a workgroup to develop best practices and recommendations for instruction in digital citizenship and media literacy.

The subject matter of this bill is more properly the responsibility of local school districts. Moreover, the topics covered here are already contained in our state's English Language and Social Science Frameworks or in the K–12 Model Library Standards.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 18, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1303** without my signature.

This bill requires certain counties to establish a medical examiner's office in lieu of a sheriff coroner office. In cases where the sheriff-coroner has a potential conflict of interest, this bill requires death investigations to be referred to another county that uses a medical examiner model of investigation.

Counties have several options when delivering coroner services to the public. This decision is best left to the discretion of local elected officials who are in the best position to determine how their county offices are organized.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 18th day of September, 2018 at 4:02 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 947

SB 1303

MATHEW BURNS
Acting Secretary of the Senate

Governor's Office, State Capitol
September 20, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 328** without my signature.

This bill would prohibit middle and high schools from starting earlier than 8:30 in the morning, unless in a rural area.

This is a one-size-fits-all approach that is opposed by teachers and school boards. Several schools have already moved to later start times. Others prefer beginning the school day earlier. These are the types of decisions best handled in the local community.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 20, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1424** without my signature.

This bill directs the Attorney General to establish an advisory group to study the problem of the spread of false information through Internet-based social media platforms.

As evidenced by the numerous studies by academic and policy groups on the spread of false information, the creation of a statutory advisory group to examine this issue is not necessary.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 20th day of September, 2018 at 1:20 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 328

SB 1424

BERNADETTE MCNULTY
Acting Secretary of the Senate

Governor's Office, State Capitol
September 21, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 819** without my signature.

This bill confirms existing rules for the California Public Utilities Commission to allow electric and gas corporations to recover costs from ratepayers and prohibits the recovery of fines and penalties.

I recently signed SB 901, which, among other things, establishes specific cost recovery rules for catastrophic wildfire damages incurred by electric corporations and ensures neither electric corporations nor gas corporations can recover fines and penalties from ratepayers.

This bill is inconsistent with SB 901.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 21, 2018

To the Members of the California State Senate:

I am returning the following bills without my signature:

AB 1873

AB 2058

AB 2135

SB 987

SB 1455

Each of these bills requires significant information technology programming at the Department of Motor Vehicles.

Reducing wait times in field offices and addressing the urgent needs of customers is the top priority. The programming required to implement these bills will delay the department's ability to fully modernize its aging information technology systems. While these bills may have merit, it would be prudent for the Legislature to pause on additional mandates while the department works to complete programming for prior legislative mandates and system upgrades designed to reduce transaction times and improve customer service.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 21, 2018

To the Members of the California State Senate:

I am returning the following bills without my signature:

AB 1873

AB 2058

AB 2135

SB 987

SB 1455

Each of these bills requires significant information technology programming at the Department of Motor Vehicles.

Reducing wait times in field offices and addressing the urgent needs of customers is the top priority. The programming required to implement these bills will delay the department's ability to fully modernize its aging information technology systems. While these bills may have merit, it would be prudent for the Legislature to pause on additional mandates while the department works to complete programming for prior legislative mandates and system upgrades designed to reduce transaction times and improve customer service.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Receipt of Bills

I acknowledge receipt this 21st day of September, 2018 at 3:08 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 819

SB 987

SB 1455

MATHEW BURNS
Acting Secretary of the Senate

Governor's Office, State Capitol
September 23, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 899** without my signature.

Consistent with current law, this measure seeks to preclude a physician from using race, gender, or national origin as a basis for apportionment. I am vetoing this bill for many of the same reasons that I returned a similar measure in 2011—Assembly Bill 1155.

This bill is unnecessary as it would not change existing law and may disturb settled court decisions, which already provide protection from the inappropriate application of the apportionment statutes. Additionally, the proposed wording of the amended statute may create ambiguities in the law, resulting in increased litigation, costs for employers and confusion for injured workers and their representatives.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 23, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 933** without my signature.

This bill establishes a competitive grant program for visual and performing arts programs in public schools.

Nurturing creativity is certainly one of the most important responsibilities of teachers and local schools. But under our philosophy of local control, this is a matter best handled by individuals at the school level, not at state headquarters.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 23, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 968** without my signature. The bill would prescribe a minimum mental health counselor-to-student ratio at all the campuses of the California State University system, and request the University of California to implement the same ratio on its campuses.

Investing greater resources in student mental health is an understandable goal. Such investments, however, should be actively considered and made within the budget process. Moreover, specific ratios should remain within the purview of the boards or with local campuses, rather than dictated by the state.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 23rd day of September, 2018 at 11:18 a.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 899

SB 933

SB 968

MATHEW BURNS

Acting Secretary of the Senate

Governor's Appointments

Governor's Office, State Capitol
September 26, 2018

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointment heretofore made by me to offices which by law are to be filled by the Governor. This appointment is subject to Senate confirmation and consent. I hereby nominate this appointee to you and request your confirmation and consent.

Sincerely,

EDMUND G. BROWN JR., Governor

SONIA T. DELEN, has been appointed to the State Bar of California Board of Trustees. Delen has been a senior vice president at Bank of America Merrill Lynch since 2002, where she has held several positions since 1994, including principal, vice president, and assistant vice president. She was a project administrator at GATX Leasing and Capital Corporation from 1986 to 1994, and an account executive assistant at Ketchum Advertising from 1984 to 1986. Appointed 09/06/2018. Effective 09/10/2018.

Member, State Bar of California Board of Trustees, vice, Stacie Spector, resigned 07/31/2018. Term ending 09/01/2022.

Above appointment referred to the Committee on Rules.



Veto Messages

Governor's Office, State Capitol
September 26, 2018

To the Members of the California State Senate:

I am returning the following bills without my signature.

AB 180

SB 275

SB 707

Each of these bills requires the Department of Health Care Services to establish a stakeholder process to deliberate and advise the department on an issue with Medi-Cal.

Not every problem with Medi-Cal needs or deserves a public stakeholder process. The department regularly collaborates with stakeholders including interested organizations, experts, partners and colleagues. I am confident it will continue to do so.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 26, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 354** without my signature.

This bill requires local schools, upon a parent's request, to translate a student's individualized education program (IEP) and other related documents prepared as part of their special education services in the native language of the parent within 30 days of the IEP meeting.

I cannot support this bill. Current law requires that non-English speaking parents understand their child's IEP, and in fact gives parents the right to have an interpreter present at their child's IEP meetings. To the extent that this is not sufficient, I think the remedy is best handled at the local school district.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 26, 2018

To the Members of the California State Senate:

I am returning the following bills without my signature.

AB 180

SB 275

SB 707

Each of these bills requires the Department of Health Care Services to establish a stakeholder process to deliberate and advise the department on an issue with Medi-Cal.

Not every problem with Medi-Cal needs or deserves a public stakeholder process. The department regularly collaborates with stakeholders including interested organizations, experts, partners and colleagues. I am confident it will continue to do so.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 26, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1416** without my signature.

This bill allows, until January 1, 2024, cities and counties to recover fines related to nuisance abatement through liens and special assessments.

I vetoed a similar bill in 2011 because I was concerned that allowing local governments to collect fines by assessing them against an owner's property reduced important due process protections. My thoughts on the matter have not changed.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 26th day of September, 2018 at 4:52 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 275

SB 354

SB 707

SB 1416

MATHEW BURNS

Acting Secretary of the Senate

Governor's Office, State Capitol
September 27, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 174** without my signature.

This bill would open up all boards and commissions to non-citizens. I believe existing law—which requires citizenship for these forms of public service—is the better path.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 27, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 349** without my signature.

This bill would protect individuals against civil arrest of any kind while attending a judicial proceeding in a courthouse.

I support the underlying intent of this measure, but I am concerned that it may have unintended consequences. Last year I signed SB 54 (De León), a provision of which tasked the Attorney General with publishing model policies limiting assistance with immigration enforcement to the fullest extent possible at courthouses and other public facilities to ensure that they remain safe and accessible to all California residents, regardless of immigration status. I believe the prudent path is to allow for that guidance to be released before enacting new laws in this area.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 27, 2018

To the Members of the California State Senate:

I am returning the following five bills without my signature:

AB 2043

AB 2342

AB 2593

SB 1125

SB 1148

Each of these bills require significant, ongoing general fund commitments. As such, I believe they should be considered as part of the budget process.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 27, 2018

To the Members of the California State Senate:

I am returning the following five bills without my signature:

AB 2043

AB 2342

AB 2593

SB 1125

SB 1148

Each of these bills require significant, ongoing general fund commitments. As such, I believe they should be considered as part of the budget process.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 27th day of September, 2018 at 3:07 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 174

SB 349

SB 1125

SB 1148

MATHEW BURNS

Acting Secretary of the Senate

Signing Messages

Governor's Office, State Capitol
September 27, 2018

To the Members of the California State Senate:

I am signing **Senate Bill 700**, which refines the Self-Generation Incentive Program (SIP) and extends its sunset date to 2024.

This incentive program has served an important role in the deployment of distributed energy systems. Recently, the program has focused on transforming the energy storage market.

The California Public Utilities Commission should continue to administer this program to benefit all ratepayers, including disadvantaged communities, and should only collect what is needed to achieve the purposes of the bill.

Sincerely,

EDMUND G. BROWN JR., Governor



Governor's Office, State Capitol
September 27, 2018

To the Members of the California State Senate:

I am signing **Senate Bill 1194**, which would prohibit places of lodging and transportation common carriers from disclosing the name or identifying customer information to third parties except to California peace officers or in response to a court issued subpoena, warrant, or order.

This bill protects every Californian's privacy rights, and as such is an important measure worthy of signature. However, the manner in which it is drafted could inadvertently impede administrative investigations that seek to enforce certain important state interests, including public health, consumer protection and anti-discrimination policies.

The author and legislative committees of appropriate jurisdiction have committed to passing cleanup legislation addressing these concerns early in 2019. With that commitment I am able to sign this measure.

Sincerely,

EDMUND G. BROWN JR., Governor

Veto Messages

Governor's Office, State Capitol
September 28, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 221** without my signature.

This bill would prohibit the sale of firearms and ammunition at the District Agricultural Association 1A, commonly known as the Cow Palace.

This bill has been vetoed twice over the last ten years, once by myself, and once by Governor Schwarzenegger.

The decision on what kind of shows occur at the Cow Palace rests with the local board of directors which, incidentally, represents a broad cross section of the community. They are in the best position to make these decisions.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 28, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 905** without my signature.

This bill would authorize nine California cities to extend the hours businesses can serve alcohol from 2 a.m. to 4 a.m.

Without question, these two extra hours will result in more drinking. The businesses and cities in support of this bill see that as a good source of revenue. The California Highway Patrol, however, strongly believes that this increased drinking will lead to more drunk driving.

California's laws regulating late night drinking have been on the books since 1913. I believe we have enough mischief from midnight to 2 without adding two more hours of mayhem.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 28, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1005** without my signature.

This bill would require that compensation provided by the California Victims Compensation Board for relocation expenses include pet deposits and additional rent if the victim has a pet.

The Board currently provides compensation for these purposes. Other specific costs that are included within compensable relocation expenses are not individually enumerated in the authorizing statute. I don't see any need to do so now.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 28, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1127** without my signature.

This bill permits local schools to adopt policies regarding the use of medical marijuana by students on school grounds.

This bill is overly broad as it applies to all students instead of limited cases where a doctor recommends medical marijuana for a student in order to prevent or reduce the effects of a seizure. Generally, I remain concerned about the exposure of marijuana on youth and am dubious of its use for youth for all ailments. This bill goes too far—further than some research has—to allow use of medical marijuana for youth. I think we should pause before going much further down this path.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 28, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1177** without my signature.

This bill prohibits any person from purchasing more than one long-gun per month.

I vetoed a substantially similar bill in 2016, and my views have not changed.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 28, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1301** without my signature.

This bill requires state agencies involved in permitting dam safety and flood mitigation projects to provide project applicants quarterly supplemental consultation to those applicants who agree to pay the costs of the consultation.

Under this measure, state agencies must prioritize their limited resources on projects that have applicants willing to pay a "supplemental consultation" fee. Consequently, these agencies may be required to fast-track work on permits for minor projects at the expense of other projects that directly impact the public's health and safety.

This bill attempts to address a perceived shortfall in funding and staffing at the permitting agencies. The proper balance of state agency resources is deliberated in the annual budget process. I suggest the author propose this issue during next year's budget discussion.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 28th day of September, 2018 at 2:21 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 221
SB 1127

SB 905
SB 1177

SB 1005
SB 1301

MATHEW BURNS
Acting Secretary of the Senate

Governor's Office, State Capitol
September 29, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 399** without my signature.

This bill would revise qualification standards for providers of behavioral health treatment for individuals with autism.

Standards for autism providers were updated last year. I'm not inclined to revise them again.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 29, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 539** without my signature.

This bill would increase the amount of tax credit that taxpayers can claim when paying into the College Access Tax Credit Fund, as well as increase the total aggregate amount of credits that can be claimed.

This measure started as a bold idea but because of adverse changes in the federal tax law, it now confuses an already complicated scheme and could invite intervention by the Internal Revenue Service.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 29, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 774** without my signature.

This bill would create a research program within the California State University system that focuses on studying firefighting in the wildland-urban interface.

This is a well-intentioned and important proposal, but as a General Fund expenditure, it should be considered during the budget process.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 29, 2018

To the Members of the California State Senate:

I am returning the following bills without my signature:

Assembly Bill 1097

Senate Bill 835

Senate Bill 836

These bills prohibit smoking in state parks, on state beaches, and at any picnic area on a state beach and require the Department of Parks and Recreation to post signs to notify the public of the smoking ban.

I have vetoed similar measures in each of the last two years. Third time is not always a charm. My opinion on the matter has not changed. We have many rules telling us what we can't do and these are wide open spaces.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 29, 2018

To the Members of the California State Senate:

I am returning the following bills without my signature:

Assembly Bill 1097

Senate Bill 835

Senate Bill 836

These bills prohibit smoking in state parks, on state beaches, and at any picnic area on a state beach and require the Department of Parks and Recreation to post signs to notify the public of the smoking ban.

I have vetoed similar measures in each of the last two years. Third time is not always a charm. My opinion on the matter has not changed. We have many rules telling us what we can't do and these are wide open spaces.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 29, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 906** without my signature.

This bill requires the Department of Health Care Services to establish a certificate program for peer support specialists in Medi-Cal.

Currently, peer support specialists are used as providers in Medi-Cal without a state certificate. This bill imposes a costly new program which will permit some of these individuals to continue providing services but shut others out. I urge the stakeholders and the department to improve upon the existing framework while allowing all peer support specialists to continue to work.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 29, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 926** without my signature.

This bill defines certain good cause exemptions for CalWORKs and CalFresh recipients who could otherwise be sanctioned for failing to work.

This bill is unnecessary because existing law provides county welfare departments with broad authority to grant good cause exemptions from work requirements to ensure recipients are not unjustly penalized.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 29, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1019** without my signature.

This bill would require the Mental Health Services Oversight and Accountability Commission to allocate at least half of its triage grant funds to local education and mental health partnerships.

The bill as written would limit the Commission's authority to exercise its judgment in the distribution of these grants. I believe the better practice would be to leave this matter to the Commission.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 29th day of September, 2018 at 2:07 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 399	SB 539	SB 774	SB 835
SB 836	SB 906	SB 926	SB 1019

BERNADETTE MCNULTY
Acting Secretary of the Senate



Signing Messages

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am signing **Senate Bill 212** which establishes a program for the collection and disposal of home-generated pharmaceutical drugs and sharps waste.

While this bill is an important step forward towards managing household generated medical waste, last minute amendments created ambiguity that might impact the effectiveness of this program.

Therefore, I urge the Legislature to provide continuous oversight to ensure that the Department of Resources, Recycling and Recovery has the appropriate enforcement tools to ensure compliance and that the program offers the level of collection the author envisioned.

Sincerely,

EDMUND G. BROWN JR., Governor

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am signing **Senate Bill 826** which requires a publicly held corporation, whose principal executive offices are located in California, to have a representative number of women on its board of directors.

There have been numerous objections to this bill and serious legal concerns have been raised. I don't minimize the potential flaws that indeed may prove fatal to its ultimate implementation. Nevertheless, recent events in Washington, D.C.—and beyond—make it crystal clear that many are not getting the message.

As far back as 1886, and before women were even allowed to vote, corporations have been considered persons within the meaning of the Fourteenth Amendment. *Santa Clara County v. Southern Pacific Railroad Company*, 118 U.S. 394 (1886).

Given all the special privileges that corporations have enjoyed for so long, it's high time corporate boards include the people who constitute more than half the "persons" in America.

Sincerely,

EDMUND G. BROWN JR., Governor



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am signing **Senate Bill 1391**, which would prohibit the prosecution of 14 and 15 year olds as adults.

This is a difficult bill. By definition, any 14 or 15 year old that a District Attorney seeks to prosecute as an adult has been accused of very serious crimes. The opposition of certain crime victims and their families to this measure is intense. I have carefully listened to that opposition and it has weighed on me.

I have also studied the case examples, research and data, as well as the legislative history and specific statutes relevant to this bill. All of these factors were important to consider in making the decision to sign this bill, as well as the stark racial and geographic disparity in how young men and women are treated who have committed similar crimes.

Additionally, in reviewing this bill I have considered the fact that young people adjudicated in juvenile court can be held beyond their original sentence if necessary. Welfare and Institutions code sections 1800 and 1800.5 allow either the Director of the Division of Juvenile Justice, or the Board of Juvenile Hearings, to petition for extended incarceration if a youth is deemed truly dangerous. This mechanism exists under current law, and has been used in the past when circumstances have warranted. It will continue to be used when needed, and there are no time limits prescribed in statute.

There is a fundamental principle at stake here: whether we want a society which at least attempts to reform the youngest offenders before consigning them to adult prisons where their likelihood of becoming a lifelong criminal is so much higher.

My view is that we should continue to work toward a more just system that respects victims, protects public safety, holds youth accountable, and also seeks a path of redemption and reformation wherever possible.

Sincerely,

EDMUND G. BROWN JR., Governor

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Veto Messages

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 320** without my signature.

This bill requires every student health center at University of California and California State University campuses to offer medication abortions beginning January 1, 2022.

Access to reproductive health services, including abortion, is a long-protected right in California. According to a study sponsored by supporters of this legislation, the average distance to abortion providers in campus communities varies from five to seven miles, not an unreasonable distance.

Because the services required by this bill are widely available off-campus, this bill is not necessary.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 452** without my signature.

This bill makes various changes to the Beverage Container Recycling Program, which include adjustments to handling fees, processing payments, and convenience zones.

SB 452 is inconsistent with the Administration's principles for reforming and modernizing this program, which was created in 1986. Any legislation to update these statutes should balance three different components: fiscal sustainability, improved collection and incentives for innovative recycling.

This bill does not accomplish any of these goals.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 607** without my signature.

This bill would permanently eliminate the authority to suspend or recommend for expulsion a student in grades 4–5 who willfully disrupts school activities or defies the authority of school officials, and prohibits—until July 1, 2023—the suspension of a student in grades 6–8 for that same misconduct. These prohibitions would apply to charter schools.

Teachers and principals are on the front lines educating our children and are in the best position to make decisions about order and discipline in the classroom. That's why I vetoed a similar bill in 2012. In addition, I just approved \$15 million in the 2018 Budget Act to help local schools improve their disciplinary practices. Let's give educators a chance to invest that money wisely before issuing any further directives from the state.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 656** without my signature.

This bill would amend and significantly expand—retroactively—the pension benefits of the Judges' Retirement System II, a program that has been in effect since 1994.

The costs associated with this bill are large and unbudgeted. In addition, the proposed retroactive benefits are contrary to the explicit provisions of the Public Employees Pensions Reform Act of 2013.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 715** without my signature.

This bill requires the California Air Resources Board to exempt off-road diesel vehicles owned or operated by state-registered nonprofit apprenticeship training programs from any regulation that reduces emissions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants.

This exemption could cause a shortfall in mandated air pollution emissions reductions, which may require us to revise our State Implementation Plan to remain in compliance with the federal Clean Air Act. Working with the federal administration to revise our State Implementation Plan in a time of pressing air quality challenges is difficult and unwise. As such, I direct the Board to work with the author and sponsors of this bill on an administrative solution that minimizes adverse impacts on apprenticeship programs, yet also protects air quality.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 829** without my signature.

This bill authorizes retailers to offer free cannabis or cannabis goods to medicinal patients who have a physician's recommendation.

This bill contains provisions that conflict with the strict standards contained in the voter approved Control, Regulate, and Tax Adult Use of Marijuana Act. Providing free cannabis to a person with only a doctor's recommendation undermines these rules and the intent of the voters. For this reason, I cannot sign this bill.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 937** without my signature.

This bill requires employers to provide a space that meets specified standards for employees with a desire to express breast milk in private.

I have signed AB 1976 which furthers the state's ongoing efforts to support working mothers and their families. Therefore, this bill is not necessary.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1124** without my signature.

This bill would establish a retiree's permanent right to incorrectly calculated pension benefits in cases where an error resulted in paying the retiree higher pension benefits than allowed by law.

I share the author's view that a pension must be correctly calculated according to the law in the first instance so that retirees never find themselves on the hook for overpayments. Clearly, remedies are needed to correct such situations.

But I'm concerned that this bill's broad provisions could be easily abused to circumvent limitations in law intended to protect the government—and ultimately taxpayers—from pension spiking. Indeed, in the case of an error, this bill would effectively perpetuate that error for the rest of a member's life, at substantial taxpayer expense.

Before changing the law in the way that this bill does, I encourage the Legislature to develop policies to prevent such errors in the first place. Such policies might include requiring CalPERS to review and approve any proposals for pensionable compensation in a memorandum of understanding before the memorandum is finalized. Then, if errors still occurred after CalPERS's review, the penalties and ongoing costs in this bill might be warranted.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1128** without my signature.

This bill makes several changes to the elections process for homeowner associations within common interest developments.

California has over 50,000 common interest developments varying in purpose and size. Each one has governing documents that are tailored specifically for that individual community. This bill takes a once-size-fits-all approach, but not all homeowner associations are alike.

If changes to an election process are needed, they should be resolved by the members of that specific community.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 30th day of September, 2018 at 8:03 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 320	SB 452	SB 607
SB 656	SB 715	SB 829
SB 937	SB 1124	SB 1128

BERNADETTE MCNULTY
Acting Secretary of the Senate

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

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

This bill attempts to prohibit the questionable practice of financially interested entities providing premium assistance payments to patients for the purpose of obtaining higher fees for medical services.

I believe, however, that this bill goes too far as it would permit health plans and insurers to refuse premium assistance payments and to choose which patients they will cover. I encourage all stakeholders to continue to work together to find a more narrowly tailored solution that ensures patients' access to coverage.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1223** without my signature.

This bill would require the Department of Industrial Relations to convene an advisory committee to recommend minimum standards for a harassment and discrimination prevention policy and training program specific to the construction industry, and to provide a report to the Legislature with recommendations for implementation.

The Department of Fair Employment and Housing is charged with enforcing the provisions of the Fair Employment and Housing Act, including those pertaining to preventing and remedying sexual harassment and discrimination. That Department is also charged with enforcing the state's sexual harassment training requirements. As such, this proposal would be better placed at the Department of Fair Employment and Housing and not with the Labor Commissioner.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1265** without my signature.

This bill makes several changes to the elections process for homeowner associations within common interest developments.

California has over 50,000 common interest developments varying in purpose and size. Each one has governing documents that are tailored specifically for that individual community. This bill takes a one-size-fits-all approach, but not all homeowner associations are alike.

If changes to an election process are needed, they should be resolved by the members of that specific community.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1288** without my signature.

This bill requires the Department of Public Health to issue a specific penalty for violating nurse-to-patient ratio requirements.

California hospitals are regularly inspected to assure patient safety and quality of care. When violations are found, penalties are imposed based on an overall assessment of the severity and duration of the violations, including for any failure to meet the required staffing ratio.

Nurse-to-patient ratios are a vital part of the state's regulatory scheme. Hospitals, however, are best evaluated in a comprehensive manner and I am reluctant to start singling out specific violations for a separate penalty.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1415** without my signature.

This bill would require local building and fire inspectors to inspect all private warehouses located within their jurisdiction at least once every five years.

Local officials can already decide what and when to inspect. Some jurisdictions, such as the City of Sacramento, have established a program to monitor vacant buildings. The City of Oakland has a program to conduct frequent inspections of commercial buildings.

Local governments have a better understanding of the type of local inspections needed in their communities. Let's leave these decisions to the sound discretion of local governments.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1449** without my signature.

This bill would require the testing of all sexual assault forensic evidence kits within a specified period of time.

The state budget that I signed this year includes a one-time total of \$7.5 million General Fund to test rape kits—\$1 million to begin conducting an audit of untested kits and \$6.5 million to help test the existing known backlog.

While I fully support the goal of this bill, I believe that we should allow for the completion of the audit mandated by AB 3118 (Chiu)—which I am signing today—as well as for the Department of Justice to further reduce the existing backlog using the recently approved significant funding increase. I would like to allow time for this year's legislative actions to take effect so we can gauge the appropriate next steps and budget accordingly.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1487** without my signature.

This bill establishes the Iconic African Species Protection Act, prohibiting the possession of dead specimens of several African animal species within California.

SB 1487 imposes a state civil penalty for activities expressly authorized by the U.S. Endangered Species Act.

Even though I share the sentiments of the author, this bill, if enacted, would be unenforceable.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 30th day of September, 2018 at 8:05 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 1156	SB 1223	SB 1265	SB 1288
SB 1415	SB 1449	SB 1487	

BERNADETTE MCNULTY
Acting Secretary of the Senate



Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1272** without my signature.

This bill creates the Tax Recovery and Criminal Enforcement Tax Force within the Department of Justice to combat underground economic activities.

I am sympathetic to rooting out businesses that engage in unfair competition and mistreatment of workers. This is an area of great interest to me, and one which I have worked on as Attorney General and as Governor.

This bill, however, codifies a task force that is already operational via MOU and establishes a permanent program within the Department of Justice with an ill-defined and potentially unlimited scope of operations. I am reluctant to do this without additional and more detailed scrutiny through the budget process.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Governor's Office, State Capitol
September 30, 2018

To the Members of the California State Senate:

I am returning **Senate Bill 1427** without my signature.

This bill would add veterans and military personnel as a protected class under the Fair Employment and Housing Act. It also prohibits landlords and property owners from refusing to accept federal Veterans Affairs Supportive Housing vouchers as a source of income for payment of rent.

We should support our veterans and military personnel, but this bill goes too far. Specifically, it forces landlords and property owners to take part in what has always been a voluntary federal program with numerous requirements. These include registration with a local housing authority, participation in training, property inspections and modification of leases to conform with federal standards.

I don't believe a mandate to comply with all these requirements is warranted.

Sincerely,

EDMUND G. BROWN JR., Governor

Above bill ordered to unfinished business.

Receipt of Bills

I acknowledge receipt this 30th day of September, 2018 at 8:06 p.m., of the following Senate Bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Nathan Bentham:

SB 1272

SB 1427

BERNADETTE MCNULTY
Acting Secretary of the Senate



Governor's Appointment Withdrawals

Governor's Office, State Capitol
October 1, 2018

To the Senate of the State of California:

I hereby respectfully withdraw from consideration, effective close of business October 1, 2018, the nomination of the following appointee heretofore submitted and now before your honorable body for confirmation.

Jason C. Lopez

Director, Division of Administrative
Services, Department of Corrections and
Rehabilitations

Sincerely,

EDMUND G. BROWN JR., Governor

Above withdrawal transmitted to the Committee on Rules.

NEVA MARIE PARKER, Minute Clerk

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CALIFORNIA LEGISLATURE

AT SACRAMENTO

2017–18 REGULAR SESSION

SUPPLEMENTAL RECESS

ASSEMBLY FILE

GOVERNOR'S VETOES



HON. ANTHONY RENDON
Speaker

HON. KEVIN MULLIN
Speaker pro Tempore

HON. IAN C. CALDERON
Majority Leader

HON. LAURA FRIEDMAN
Assistant Speaker pro Tempore

HON. BRIAN DAHLE
Republican Leader

E. DOTSON WILSON
Chief Clerk

CRESTON WHITING–CASEY
Daily File Clerk

ALICIA M. EARNEST
Assistant Daily File Clerk

PUBLISHED

THURSDAY, OCTOBER 4, 2018

(Note: Vetoes in this Publication are from Sept. 1 — Sept. 30, 2018)

(Please report any errors or omissions in this publication to the Daily File Clerk;
Phone 319–2358)

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Joint Rule 58.5

The Legislature may consider a Governor's veto for only 60 days, not counting days when the Legislature is in joint recess.

Legislative Information is Available on the Internet

California State Assembly Web site:
assembly.ca.gov

The following legislative information Web site is maintained by the Legislative Data Center:
leginfo.legislature.ca.gov

Assembly Chief Clerk Web site:
clerk.assembly.ca.gov

UNFINISHED BUSINESS

GOVERNOR'S VETOES

1

A.B. No. 183—Lackey.

An act relating to public employees.

2018

Aug. 24—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 6—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 183 without my signature.

This bill requires state agencies that operate two or more shifts per day to develop, by January 1, 2019, policies for supervisory employees around shift assignments, vacations, and overtime.

This bill, however well-intentioned, would require a policy that is unduly rigid and not reflective of the different circumstances in various state offices and departments. In essence, it would limit the sound discretion of management to make necessary personnel assignments.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR’S VETOES—Continued

2

A.B. No. 2573—Low.

An act relating to alcoholic beverages.

2018

Aug. 27—Enrolled and presented to the Governor at 3 p.m.

Sep. 6—Vetoed by Governor. Consideration of Governor’s veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor’s veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2573 without my signature.

This bill allows a beer manufacturer to give up to five cases of glassware to an on-sale retail licensee.

Allowing beer manufacturers to give items of value to on-sale retail licensees could unduly influence such retailers to purchase those manufacturers’ products. I also worry that this law creates an economic disadvantage for small beer manufactures who might not be able to provide free glassware in the same manner as the larger manufacturers.

Sincerely,

Edmund G. Brown Jr.

THURSDAY, OCTOBER 4, 2018

7

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

3

A.B. No. 2397—Oberholte.

An act relating to administrative actions.

2018

Aug. 30—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 7—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2397 without my signature.

This bill would mandate that the Departments of Aging, Health Care Services, Public Health, Social Services and the Emergency Medical Services Authority, share information regarding adverse administrative actions against licensees, facilities or providers.

This bill is unnecessary because the information called for is already being shared as authorized under current law.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

4

A.B. No. 2552—Berman.

An act relating to elections.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 7—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2552 without my signature.

This bill requires certain ballot instructions and the Secretary of State to establish a ballot design advisory committee.

In recent years, California's ballot and ballot pamphlet have become a hodgepodge of confusing, excessive and often redundant words and explanations. The Secretary of State -- with or without a committee -- should fix this festering problem. A bill is not necessary.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

5

A.B. No. 697—Fong.

An act relating to vehicles.

2018

Sep. 4—Enrolled and presented to the Governor at 3 p.m.

Sep. 10—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 697 without my signature.

This bill exempts privately owned emergency ambulances from tolls when engaged in an urgent or emergency response.

Under existing law, the exemption sought by this bill can be granted by toll facility authorities and no evidence has been presented to show why the state should now step in.

Sincerely,

Edmund G. Brown, Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

6

A.B. No. 2028—Rodriguez.
An act relating to prisons.

2018

- Sep. 4—Enrolled and presented to the Governor at 3 p.m.
Sep. 10—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2028 without my signature.

This bill requires the California Department of Corrections and Rehabilitation to conduct a security inspection and audit of all state correctional institutions, address any deficiencies found, and prepare a confidential report to the Legislature detailing the findings of the inspection.

The Office of Audits and Court Compliance is tasked with conducting security audits, which began in July 2017. The Department anticipates that all 35 of its institutions will have undergone the first round of security audits by October 27, 2019, and will continue to be audited regularly thereafter.

Given that these audits are ongoing, I see no reason to create a duplicative legislative mandate. If the Legislature desires additional information or updates on this process, direct briefings, as well as updates through the annual budget process are the appropriate venue.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

7

A.B. No. 2275—Arambula.
An act relating to Medi-Cal.

2018

- Sep. 6—Enrolled and presented to the Governor at 3 p.m.
Sep. 10—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2275 without my signature.

This bill would require the Department of Health Care Services to establish a quality assessment and performance improvement program for Medi-Cal managed care plans.

The department, however, is required by federal law to have an external organization conduct periodic quality reviews of its managed care program. The department also requires extensive plan-specific quality improvement projects.

Adopting these statutory requirements will duplicate current efforts while adding significant costs to Medi-Cal.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

8

A.B. No. 2853—Medina.

An act relating to local government.

2018

Aug. 29—Enrolled and presented to the Governor at 4 p.m.

Sep. 10—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2853 without my signature.

This bill requires local governments that provide economic subsidies of \$100,000 or more for warehouse distribution centers to publically report on information such as employee wage rates, independent contractor rates, and the value of employee benefit packages for each job classification created by the subsidy.

There is value in taxpayers knowing whether economic development incentives ultimately benefit their community. That is why I signed legislation in 2013 that required local agencies to provide information about the expected and actual impacts of approved economic development subsidies.

This bill, however, significantly expands current law and goes too far by adding reporting rules that will be overly burdensome to a single industry. It may actually hinder efforts to improve business opportunities in local communities, which is an outcome no one desires.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

9

A.B. No. 3178—Rubio.

An act relating to solid waste.

2018

Aug. 29—Enrolled and presented to the Governor at 4 p.m.

Sep. 10—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3178 without my signature.

This bill would require the Department of Resources Recycling and Recovery (Department) to consider market factors when evaluating a jurisdiction's compliance with waste diversion and recycling mandates.

Current statute and regulations already require the Department to consider market conditions when reviewing a local jurisdiction's compliance with recycling laws. As such, this bill is not necessary. I encourage the Legislature to work with the Department to focus on increasing California's infrastructure and development of domestic markets.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

10

A.B. No. 1715—Quirk-Silva et al.

An act relating to economic development, and making an appropriation therefor.

2018

Sep. 4—Enrolled and presented to the Governor at 3 p.m.

Sep. 11—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1715 without my signature.

This bill establishes a process for the Governor's Office of Business and Economic Development to accept proposals from public and private entities that are interested in collaborating with the state to operate an international trade and investment office in a foreign country.

Nothing prohibits any public or private entity from submitting a letter of interest for establishing an international trade and investment office in a foreign nation. I am not convinced the legislatively mandated process sought by this bill to establish trade offices will improve the state's ability to pursue successful partnerships with other countries.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

11

A.B. No. 2790—Irwin.

An act relating to veterans.

2018

Aug. 27—Enrolled and presented to the Governor at 3 p.m.

Sep. 11—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2790 without my signature.

This bill would create an Office of Internal Audits at the California Department of Veterans Affairs, led by a chief auditor, to conduct programmatic and financial reviews, as well as investigate allegations of employee misconduct.

The bill will result in significant ongoing costs to the General Fund. Additional spending to support new programs, including the creation of an internal audits unit within the Department, must be considered through the annual budget process.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

12

A.B. No. 2152—Weber.

An act relating to CalFresh.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 14—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2152 without my signature.

This bill would require the Department of Social Services to develop a hunger screening tool to assist in the determination of whether CalFresh recipients may be exempted from time limitations on benefits.

CalFresh is a federally-funded nutrition benefit program which includes work requirements and exemptions prescribed by federal rules. Instead of codifying state policies in this program, I urge the department and counties to continue to work together to ensure those facing extreme hunger have access to these benefits.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

13

A.B. No. 2656—Chen.

An act relating to vehicles.

2018

Aug. 24—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 14—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2656 without my signature.

This bill requires towing and storage facilities to accept a debit card as a form of payment and allows licensed repossessioners to collect vehicles from these facilities.

Current law allows a registered owner, a legal owner or an owner's agent to claim an impounded vehicle. It is unclear to me why licensed repossessioners should be added to this list.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

14

A.B. No. 2734—Frazier.

An act relating to transportation.

2018

Aug. 20—Enrolled and presented to the Governor at 3 p.m.

Sep. 14—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2734 without my signature.

This bill removes the California Transportation Commission from the California Transportation Agency and establishes the Commission as an independent entity in state government.

I signed legislation in 2012 that affirmed the Commission's independent authority to perform its duties and no evidence has been presented which would suggest a need to now change the existing framework.

Sincerely,

Edmund G. Brown, Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

15

A.B. No. 1534—Nazarian.

An act relating to health care coverage.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 17—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1534 without my signature.

This bill would require health plans and insurers to accept doctors who specialize in HIV as primary care providers.

Existing law allows specialists to serve as primary care providers when patients require continuing care from a particular specialist. It's not necessary to call out this particular specialty in statute.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

16

A.B. No. 1918—Eduardo Garcia et al.
An act relating to outdoor recreation.

2018

- Sep. 6—Enrolled and presented to the Governor at 3 p.m.
Sep. 17—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1918 without my signature.

This bill establishes the Office of Sustainable Outdoor Recreation within the California Natural Resources Agency to support the outdoor recreation economy.

The activities identified in this bill are important, but a new bureaucracy is not needed to accomplish the goal. Over the last few years the Department of Parks and Recreation has worked towards enhancing recreational opportunities throughout the state. In fact, Parks California, a support organization to the Department of Parks and Recreation, was recently created to promote outdoor recreation and is engaging in activities similar to those called for in this bill.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

17

A.B. No. 2143—Caballero et al.

An act relating to mental health.

2018

Aug. 28—Enrolled and presented to the Governor at 3 p.m.

Sep. 17—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2143 without my signature.

This bill would expand eligibility for educational loan reimbursement grants, through the Licensed Mental Health Provider Education Program, to mental health providers who further their education to become physician assistants or nurse practitioners in mental health facilities.

Physician assistants and nurse practitioners are already eligible for educational loan repayment grants under the state's Advanced Healthcare Loan Repayment Program. Unfortunately, the loan repayment fund referenced in this bill lacks the necessary funding to pay for the hundreds of applications it currently receives. Adding more applicants as this bill requires just compounds the problem.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

18

A.B. No. 2240—Grayson.
An act relating to courts.

2018

Aug. 30—Enrolled and presented to the Governor at 4:30 p.m.
Sep. 17—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2240 without my signature.

This bill would exempt probation, parole and correctional officers from jury service in criminal trials.

Jury service is a fundamental obligation of citizenship. I am not inclined to expand the list of those exempt simply because of their occupation.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

19

A.B. No. 1947—Low.

An act relating to elections.

2018

Aug. 28—Enrolled and presented to the Governor at 3 p.m.

Sep. 18—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1947 without my signature.

This bill prohibits paying circulators to collect signatures on an initiative, referendum, or recall petition on a per-signature basis.

As I stated in my veto message to an almost identical bill --SB 168 of 2011-- "per-signature payment is often the most cost-effective method for collecting the hundreds of thousands of signatures needed to qualify a ballot measure. Eliminating this option will drive up the cost of circulating ballot measures, thereby further favoring the wealthiest interests."

While I understand the potential abuses of the current per-signature payment system, my perspective has not changed since 2011.

I cannot sign this bill.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

20

A.B. No. 2245—Berman et al.

An act relating to elections.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 18—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2245 without my signature.

This bill requires county elections officials to provide the Secretary of State with information on persons who have pre-registered to vote, prohibits the information from being disclosed to any person, and requires the Secretary of State to compile a statewide list by various political subdivisions.

The Secretary of State already provides pre-registered voter data by county and nothing prohibits the breakdown of the data into further political subdivisions. Moreover, it is common practice for county election officials to keep pre-registered voter data confidential. Therefore this bill is unnecessary.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

21

A.B. No. 2258—Caballero et al.

An act relating to local government.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 18—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2258 without my signature.

Subject to an appropriation in the annual Budget Act, this bill requires the Strategic Growth Council to establish and administer a grant program to fund various activities performed by Local Agency Formation Commissions.

This new spending proposal should be evaluated in the annual budget process where it can be weighed together with the state's other spending priorities.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

22

A.B. No. 2528—Bloom et al.

An act relating to climate change.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 18—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2528 without my signature.

This bill would add three sectors - land use and community development, climate justice, and parks, recreation and California culture - to the Safeguarding California Plan (Plan), the state's climate adaptation strategy. The bill would also require the Biodiversity and Habitat sector of the Plan to include habitat resilience areas.

While well intentioned, this bill is unduly restrictive in its definitions. The bill requires too narrow a focus for the broad mandate that the Safeguarding California Plan envisions.

As we continue to evaluate the impacts of climate change across all sectors, it is important for state agencies to be able to identify priorities based on in-depth assessment of climate risks and adaptation needs pertaining to all ecosystems.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

23

A.B. No. 2614—Carrillo et al.

An act relating to outdoor experiences.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 18—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2614 without my signature.

This bill requires the California Natural Resources Agency to implement a program to increase participation in outdoor recreational activities, especially for people living in disadvantaged communities.

Under current law, several departments within the California Natural Resources Agency administer programs that expand outdoor recreation. Moreover, the 2018 Budget Act sets aside \$277 million for grants to local government and nonprofits to accomplish the same goal.

I agree that these outdoor programs are very important, but these are best targeted and most beneficial when done at the local level. Finally, it would be prudent to see how the recreational grant program unfolds before adding the new state role required by this bill.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

24

A.B. No. 3088—Chu.

An act relating to health facilities.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 18—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3088 without my signature.

This bill requires all Continuing Care Retirement Communities to obtain an actuarial study every five years.

These communities, which combine housing with long term health care services and supports, have a wide range of ownership interests, business models and facilities. An actuarial study may be one indication of financial viability, but the Department of Social Services uses a variety of methods to monitor the long term fiscal health of these communities.

Instead of mandating an actuarial study be done by every Continuing Care Retirement Community, the department will continue to work with residents and management to determine appropriate means to measure fiscal viability.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

25

A.B. No. 3218—Arambula.

An act relating to state parks.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 18—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3218 without my signature.

The bill requires the Department of Parks and Recreation to manage the land owned by the San Joaquin River Conservancy as an extension of Millerton Lake State Recreational Area.

This bill will not lead to the author's desired outcome. Regardless of whether the state entity manages the land or not, creating true public access to the San Joaquin River and the 5,900 acres adjacent to it can only be achieved if money is available and if private landowners are willing to sell. This bill, unfortunately, does not change this.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

26

A.B. No. 1529—Thurmond et al.
An act relating to drinking water.

2018

- Sep. 4—Enrolled and presented to the Governor at 3 p.m.
Sep. 19—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1529 without my signature.

This bill would require local water suppliers to accept current certifications issued for people who inspect cross-connection and backflow prevention devices, which protect drinking water supplies from contamination, if the certifications meet regulatory requirements that were in effect January 1, 2016. Additionally, once the State Water Resources Control Board adopts new standards for cross-connection control and backflow prevention - which they are expected to do by January 1, 2020 - water suppliers would be required to accept certifications that meet these new certification standards.

This bill is unnecessary and limits a water supplier's ability to protect public health and safety. The Water Board is in the process of developing new cross-connection and backflow prevention standards, which will provide consistent direction on the issue. Furthermore, the proposed regulations will preserve water suppliers' discretion to require standards that are more rigorous.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

27

A.B. No. 1863—Jones-Sawyer et al.

An act relating to taxation, to take effect immediately, tax levy.

2018

Aug. 27—Enrolled and presented to the Governor at 3 p.m.

Sep. 19—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1863 without my signature.

This bill would allow licensed commercial cannabis businesses to deduct their business expenses under the state's personal income tax law, effective beginning tax year 2018.

The bill seeks to apply equal state tax treatment to licensed cannabis businesses in this state, regardless of whether they organize under the personal income tax or corporate income tax law. Given the cost to the General Fund, this proposal is best evaluated as part of the budget process.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

28

A.B. No. 2299—Chu.

An act relating to Medi-Cal.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 19—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2299 without my signature.

This bill would require the Department of Health Care Services to ensure all written health education and informational materials provided by Medi-Cal managed care plans to their beneficiaries are translated at or below the sixth grade reading level.

I signed legislation last year to codify the Affordable Care Act's language access provisions into state law. Furthermore, the department requires its plans to provide written materials in an easily understood and readily accessible format. Current law and contractual practice are sufficient to compel plans to make these important health care documents understandable for Medi-Cal beneficiaries.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

29

A.B. No. 2317—Eggman et al.

An act relating to employment.

2018

Aug. 30—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 19—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2317 without my signature.

This bill would extend whistleblower protections afforded to employees to patients' rights advocates regardless of whether they are an employee, an independent contractor, or a business entity.

While I am supportive of the larger policy goal of this bill, to protect the work of patient rights advocates, this is not the appropriate framework. The bill would expand the Labor Commissioner's jurisdiction beyond the typical employer-employee relationship into larger contract disputes between independent contractors and local governments. I do not believe such a broad change in law is warranted when there is limited evidence of a problem.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

30

A.B. No. 2838—Low.

An act relating to gambling.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 19—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2838 without my signature.

This bill establishes a 60-day limit to the existing requirement for the Department of Justice to review and comment on any proposed amendment to a local gambling ordinance relating to cardrooms, before the ordinance is adopted by the local jurisdiction.

While the bill is intended to reduce the time for the Department to respond to local jurisdictions on proposed amendments to local gambling ordinances, the Department's average response time is 30 days. This bill is a solution in search of a problem -- not needed.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

31

A.B. No. 3135—Frazier.

An act relating to streets and highways.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 19—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3135 without my signature.

This bill requires the annual Governor's budget, each year for the next five years, to include funding and position authority for additional California Highway Patrol officers. The bill also requires the first priority for Motor Vehicle Account revenues to be the administration and enforcement of laws regulating the use, operation, or registration of vehicles used on streets and highways, including the enforcement of traffic and vehicle laws.

This bill mandates a specific proposal be included in the annual Governor's Budget, which limits the next Governor's discretion in setting forth priorities in this area. Given the bill's ongoing fiscal impact, the annual budget process is the appropriate venue to evaluate this issue.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR’S VETOES—Continued

32

A.B. No. 310—Medina et al.

An act relating to community colleges.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 20—Vetoed by Governor. Consideration of Governor’s veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor’s veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 310 without my signature.

As I stated in the veto of AB 2069 of 2016, the state recognizes the many contributions part-time faculty make in students’ lives. Over the last few years, we increased funding for the part-time faculty office hours program by several millions of dollars in ongoing funding and \$50 million in one-time funds just a few months ago.

We’ve also created more opportunities for part-time faculty to become full-time faculty with additional investments totaling over \$100 million.

A reporting mandate on top of all this investment is unnecessary.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

33

A.B. No. 1996—Lackey et al.
An act relating to cannabis.

2018

Aug. 28—Enrolled and presented to the Governor at 3 p.m.
Sep. 20—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1996 without my signature.

This bill renames the California Marijuana Research Program as the California Cannabis Research Program and expands the areas of research that can be undertaken. The bill also prohibits the money appropriated to the Cannabis Research Program from the Cannabis Tax Fund to pay for the provisions of this bill.

This bill contains provisions that directly conflict with the Control, Regulate, and Tax Adult Use of Marijuana Act, which the voters approved in November 2016. For this reason, I cannot support this measure.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

34

A.B. No. 2168—Thurmond.

An act relating to special education.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 20—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2168 without my signature.

This bill establishes the Special Education Teacher Grant program for the purpose of retaining and mentoring special education teachers.

While I support the need to retain and support special education teachers, I cannot support this bill. The 2018 Budget Act includes \$50 million Proposition 98 General Fund for the Local Solutions Grant Program for schools to develop and implement new, or expand existing, locally identified solutions that recruit, support and retain special education teachers.

Nothing in the grant language prohibits schools from providing mentors for special education teachers.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

35

A.B. No. 2691—Jones-Sawyer.
An act relating to pupil health.

2018

- Sep. 5—Enrolled and presented to the Governor at 3 p.m.
Sep. 20—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2691 without my signature.

This bill would establish the "Trauma-Informed Schools Initiative" within the Department of Education at state headquarters "to address the impact of ACEs on the educational outcomes of California pupils".

It's a no brainer that our schools should be sensitive to the unique and diverse characteristics of all students. With that goal in mind, I have signed dozens of bills that have sought to ensure that all our students are free from discrimination, bullying, or any other form of disrespect.

While this bill is intended to do good, I am alarmed by the amount of jargon it creates and the inevitable labeling it will encourage. The issues here are best handled by local schools -- and in plain English.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

36

A.B. No. 11—McCarty et al.
An act relating to Medi-Cal.

2018

- Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.
Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 11 without my signature.

This bill would require developmental screening of children from birth to age three in Medi-Cal and impose annual reporting requirements to assess managed care plan compliance.

The Medi-Cal State Plan already requires providers to screen children for developmental delays according to the schedule recommended by the American Academy of Pediatrics. Codifying this requirement and producing another costly report is not necessary.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

37

A.B. No. 558—Quirk-Silva.

An act relating to vehicular air pollution.

2018

Sep. 4—Enrolled and presented to the Governor at 3 p.m.

Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 558 without my signature.

This bill requires the California Air Resources Board to develop policy recommendations to maximize the use of E85, a fuel blend of 85 percent ethanol and 15 percent gasoline, in flex fuel vehicles that operate in the state.

California has recognized the potential benefits of E85 and has adopted the Low Carbon Fuel Standard to support E85 and other fuels that reduce the use of petroleum.

Earlier this month, I issued executive order B-55-18, directing the state to achieve carbon neutrality by 2045 and net negative greenhouse gas emissions after that. In order to meet this ambitious goal and truly decarbonize California's transportation sector, our state agencies must focus on emerging markets for the cleanest vehicles and fuels possible.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

38

A.B. No. 1873—Obernolte et al.

An act relating to driver's licenses.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following bills without my signature:

AB 1873

AB 2058

AB 2135

SB 987

SB 1455

Each of these bills requires significant information technology programming at the Department of Motor Vehicles.

Reducing wait times in field offices and addressing the urgent needs of customers is the top priority. The programming required to implement these bills will delay the department's ability to fully modernize its aging information technology systems. While these bills may have merit, it would be prudent for the Legislature to pause on additional mandates while the department works to complete programming for prior legislative mandates and system upgrades designed to reduce transaction times and improve customer service.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

39

A.B. No. 2005—Santiago.

An act relating to child abuse reporting.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2005 without my signature.

This bill would authorize a law enforcement agency to forward a report of child abuse or neglect to the Department of Justice for inclusion in the Child Abuse Central Index (CACI).

In 2011 I signed AB 717 (Ammiano), which was intended to update the procedures governing the index as well as establish due process protections for individuals added to the database. At that time, the ability of law enforcement to submit cases to the index was eliminated, in part to eliminate redundancies and reduce costs.

I am not fundamentally opposed to once again granting law enforcement the authority to submit cases to the index, however this bill does so in a manner that would undoubtedly lead to inconsistent application across and within counties. I encourage the proponents to work with the relevant stakeholders, including the Department of Social Services and Department of Justice, to further refine this proposal for future consideration.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

40

A.B. No. 2058—Chau.

An act relating to driving under the influence.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following bills without my signature:

AB 1873

AB 2058

AB 2135

SB 987

SB 1455

Each of these bills requires significant information technology programming at the Department of Motor Vehicles.

Reducing wait times in field offices and addressing the urgent needs of customers is the top priority. The programming required to implement these bills will delay the department's ability to fully modernize its aging information technology systems. While these bills may have merit, it would be prudent for the Legislature to pause on additional mandates while the department works to complete programming for prior legislative mandates and system upgrades designed to reduce transaction times and improve customer service.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

41

A.B. No. 2135—Acosta et al.

An act relating to license plates.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following bills without my signature:

AB 1873

AB 2058

AB 2135

SB 987

SB 1455

Each of these bills requires significant information technology programming at the Department of Motor Vehicles.

Reducing wait times in field offices and addressing the urgent needs of customers is the top priority. The programming required to implement these bills will delay the department's ability to fully modernize its aging information technology systems. While these bills may have merit, it would be prudent for the Legislature to pause on additional mandates while the department works to complete programming for prior legislative mandates and system upgrades designed to reduce transaction times and improve customer service.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

42

A.B. No. 2346—Quirk.

An act relating to public utilities.

2018

Sep. 12—Enrolled and presented to the Governor at 12 p.m.

Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2346 without my signature.

This bill directs the California Public Utilities Commission to authorize memorandum accounts for electric corporations to track costs related to wildfires occurring after January 1, 2015. The bill also specifies the types of costs that can be tracked in the accounts.

I recently signed SB 901, which, among other things, establishes rules for tracking and recovering costs for both wildfire mitigation activities and damages resulting from catastrophic wildfires.

This bill is inconsistent with SB 901.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

43

A.B. No. 2427—Wood et al.
An act relating to Medi-Cal.

2018

- Sep. 5—Enrolled and presented to the Governor at 3 p.m.
Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2427 without my signature.

This bill would require Medi-Cal managed care plan contracts to include a provision allowing the Department of Health Care Services to terminate the contract if the Attorney General determines that the plan engaged in anticompetitive conduct, or if the department determines the plan has a pattern of not complying with medical loss ratio requirements.

This bill is unnecessary as the department has sufficient statutory and contractual authority to deal with inappropriate or illegal conduct by plans.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

44

A.B. No. 2994—Holden.

An act relating to building standards.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2994 without my signature.

This bill requires the Division of the State Architect to develop and propose to the California Building Standards Commission, updated standards on the required number of ambulatory accessible stalls in public restrooms.

California's existing accessibility standards exceed the federal requirements and are often regarded as a national model. This bill requires the State Architect to review the existing standards, and regardless of the outcome, provide additional ones. I don't think that's warranted.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

45

A.B. No. 3086—Kiley.

An act relating to pupil attendance.

2018

Aug. 29—Enrolled and presented to the Governor at 4 p.m.

Sep. 21—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3086 without my signature.

This bill prohibits a school district of residence from denying the transfer out of the district for students who are homeless, in foster care, or victims of bullying. The bill requires the district of enrollment to provide transportation to these transfer students and admit all students until the school district is at maximum capacity.

It is unclear what problem this bill is trying to solve and whether there is a statewide issue requiring a solution. There are already many other existing school choice options available to parents. This bill will only further complicate an already complicated array of statutes without evidence that parents need or will utilize this option.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

46

A.B. No. 1165—Caballero.

An act relating to agriculture.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 22—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1165 without my signature.

This bill establishes the Agricultural Sustainability Council for the purpose of eliminating regulatory overlap and inconsistency.

I agree with the author's objective, but believe this bill is not warranted. The Department of Food and Agriculture Secretary, using her existing authority, can meet with other state agencies and identify how to improve regulatory coordination and efficiency.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

47

A.B. No. 1247—Nazarian.

An act relating to professions and vocations.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 22—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1247 without my signature.

This bill would require professional fiduciary license applicants to complete at least one hour of LGBTQ education prior to licensure and require all licensed professional fiduciaries to complete at least one hour of LGBTQ continuing education every three years.

While I understand and support cultural competence, I do not believe the mandated continuing education requirements of this bill are warranted.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

48

A.B. No. 2122—Reyes et al.
An act relating to Medi-Cal.

2018

- Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.
Sep. 22—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2122 without my signature.

This bill would set statewide goals for blood lead level screening tests for children in Medi-Cal and require the Department of Health Care Services to ensure these goals are met.

Lead exposure in children is a serious health concern and I share the author's desire to increase the number of Medi-Cal children who are screened. The department, however, already requires in its contracts with managed care plans and providers that children receive screenings in accordance with federal and state regulations. Updated and more thorough data on periodic screening tests is being developed with the Department of Public Health to assist in tracking compliance.

I believe the department should continue its current efforts working with managed care plans, health care providers and public health officials to determine what additional policies and practices may be necessary to improve screening rates.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

49

A.B. No. 2314—Ting et al.

An act relating to domestic workers.

2018

Aug. 28—Enrolled and presented to the Governor at 3 p.m.

Sep. 22—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2314 without my signature.

This bill would create a Domestic Work Enforcement Pilot Program in an effort to provide resources, education and training regarding labor standards in the domestic work industry for both employees and employers.

The author of this measure added a provision to the 2018–19 Budget Act that requires the Division of Labor Standards Enforcement to provide a report, by July 1, 2019, on the labor enforcement actions that have been taken by the Division to date, what barriers exist that may prevent greater enforcement, and to provide recommendations on improving employer compliance through outreach and education. Given the wide variety of domestic work and the sparse information available, I believe the legislature should wait for the findings of this report, and then conduct thorough and thoughtful hearings on how families can take care of their loved ones in a fair and affordable manner.

Keeping a family member out of a nursing home and in a place where they have lived for years is a profoundly moral and social good. I urge the legislature to tread carefully when adding more enforcement rules or costly mandates on ordinary families trying to do their best for their infirmed or aging loved ones.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR’S VETOES—Continued

50

A.B. No. 2749—Bonta.

An act relating to state government.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 22—Vetoed by Governor. Consideration of Governor’s veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor’s veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2749 without my signature.

This bill requires all state agencies to certify that their Internet web sites are mobile-friendly.

I signed Assembly Bill 434 into law last year which requires all state agency websites to meet specified accessibility standards, including mobile accessibility.

While I support the author’s intent to ensure state websites are both accessible and mobile-friendly, this bill is unnecessary.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

51

A.B. No. 3179—Salas et al.

An act relating to state government.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 22—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3179 without my signature.

This bill would require state agencies to provide access to bilingual employees and translated materials for non-English speakers if those individuals constitute 3% of the population served.

This bill has a potential cost of \$77 million a year and is more properly considered as part of the budget process.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

52

A.B. No. 427—Muratsuchi et al.
An act relating to aerospace.

2018

- Sep. 4—Enrolled and presented to the Governor at 3 p.m.
Sep. 23—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 427 without my signature.

This bill enacts the California Aerospace and Aviation Act of 2018, which establishes the California Aerospace and Aviation Commission within the Governor's Office of Business and Economic Development.

While the value of the aviation and aerospace industry is critical to the economy of this state, this bill would create a new bureaucracy that replicates many of the things the state is already doing. I think the goals of this bill can be easily handled under current law by the Governor's Office of Business and Economic Development.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

53

A.B. No. 479—Gonzalez Fletcher et al.
An act relating to workers' compensation.

2018

Aug. 24—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 23—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 479 without my signature.

This bill would require physicians to consider a specific list of impairments when determining a worker's disability for the purposes of workers' compensation when that worker suffers from breast cancer. This proposal is similar to three previous measures that I have vetoed, Assembly Bill 570 in 2017, Assembly Bill 1643 in 2016 and Assembly 305 in 2015.

This bill and its predecessors have repeatedly singled out specific conditions and proposed a special set of rules that apply to them. This would result in an even more complex workers' compensation system that would essentially be "disease by statute," which would ultimately burden injured workers seeking quick resolution to their claims.

Policy questions about the adequacy of the State's workers' compensation system are best addressed through empirically based research and analysis. Therefore, I am directing the Division of Workers' Compensation Administrative Director, in consultation with the Commission on Health and Safety and Workers' Compensation, to contract with an outside independent research organization to undertake an evidenced based evaluation of the issue. Specifically, the Administrative Director should review the following:

1. Do the standards for determining impairment due to occupational injury or illness accurately reflect the level of impairment caused by industrial cancer?
2. Study and compare the differences between the fifth and sixth editions of the American Medical Association Guides with respect to determining impairment resulting from industrial cancer.
3. Do the standards for determining impairment resulting from industrial cancer exhibit bias based on immutable characteristics such as gender, race or ethnicity?

Every stakeholder in the workers' compensation system, but specifically the injured workers directly

MEASURE CONTINUED ON THE FOLLOWING PAGE

UNFINISHED BUSINESS—Continued

GOVERNOR’S VETOES—Continued

A.B. No. 479—Gonzalez Fletcher et al.—continued

affected, has a vested interest in a comprehensive response to the issues raised by this series of bills. I am directing the Administrative Director to report on these questions by March 1, 2020 in order to inform the Legislature and key stakeholders on how best to address the important issues raised by this bill.

Sincerely,

Edmund G. Brown Jr.

54

A.B. No. 553—Daly.

An act relating to workers’ compensation.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 23—Vetoed by Governor. Consideration of Governor’s veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor’s veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 553 without my signature.

This bill requires the Department of Industrial Relations to completely disburse \$120 million annually from the Workers’ Compensation Return to Work Fund to eligible injured workers.

The Return-to-Work Program began in 2015 and is relatively new. I am concerned this measure proposes sweeping revisions to the Return-to-Work program that are premature. The Program’s funds will likely be spent in full in the coming fiscal year. Let’s see the progress of that effort before making additional changes to the Program.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

55

A.B. No. 767—Quirk-Silva.

An act relating to economic development.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 23—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 767 without my signature.

This bill codifies the Information Technology unit within the Governor's Office of Business and Economic Development and authorizes two positions in statute for this purpose.

This bill is unnecessary given the 2018 Budget Act included funding for staff positions to perform activities substantially similar to those prescribed in this measure. The annual budget process is the best venue to evaluate the resources and staff needed for various state programs such as the one contemplated by this proposal.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

56

A.B. No. 1697—Committee on Insurance (Assembly Members Daly (Chair)) et al.
An act relating to workers' compensation.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 23—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1697 without my signature.

This bill requires the Department of Industrial Relations to establish an anti-fraud unit within the Division of Workers' Compensation and requires the unit to develop data analytic processes to identify sources and the magnitude of fraudulent activity.

The work required by this measure is already underway. Additionally, the bill would require the Department to reveal sensitive details about its enforcement practices. This will compromise the state's efforts to combat workers' compensation fraud, a result that nobody wants.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

57

A.B. No. 2384—Arambula.

An act relating to medication-assisted treatment.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 23—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2384 without my signature.

This bill requires health plans to cover at least one version of each drug used in medication-assisted treatment for opioid disorders and restricts health plans' ability to manage the utilization of these drugs.

While the drugs specified in this bill are useful to treat opioid addiction, I'm not willing to eliminate requirements that may be in the best interest of patients.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

58

A.B. No. 2496—Gonzalez Fletcher et al.

An act relating to employment, and making an appropriation therefor.

2018

Sep. 4—Enrolled and presented to the Governor at 3 p.m.

Sep. 23—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2496 without my signature.

This bill would establish in statute the presumption that persons who perform services for janitorial employers are employees rather than independent contractors.

I share the Author's concern about protecting the most vulnerable workers as well as the general concern about providing clarity regarding worker classification. The California Supreme Court recently issued a significant decision establishing a new test to determine whether a worker is properly classified as an employee or an independent contractor, *Dynamex Operations West, Inc. v. Superior Court* (2018) 4 Cal.5th 903. The Administration and the Legislature are still reviewing this decision and any statutory changes to such tests would be premature.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

59

A.B. No. 180—Wood et al.

An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following bills without my signature.

AB 180

SB 275

SB 707

Each of these bills requires the Department of Health Care Services to establish a stakeholder process to deliberate and advise the department on an issue with Medi-Cal.

Not every problem with Medi-Cal needs or deserves a public stakeholder process. The department regularly collaborates with stakeholders including interested organizations, experts, partners and colleagues. I am confident it will continue to do so.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

60

A.B. No. 900—Gonzalez Fletcher et al.

An act relating to crime victims, and making an appropriation therefor.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 900 without my signature.

This bill would authorize the California Victim Compensation Board to provide compensation to human trafficking victims in the amount equal to the loss of income or support incurred as a direct result of a victim's loss of liberty during the crime.

While I appreciate the author's intent, this bill fundamentally changes the nature of the Board's system for compensating victims, and places an unsustainable burden on the Restitution Fund which is already imbalanced. The proposed compensation is more akin to restitution, which expands the program beyond its intended purpose, and beyond the scope of other states' programs.

For the past three years the state budget has provided a line item to support services for human trafficking victims ranging up to \$10 million. Any future expansion in scope of services for these victims should not rely on an already over-committed funding source.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

61

A.B. No. 1927—Bonta et al.
An act relating to firearms.

2018

Aug. 30—Enrolled and presented to the Governor at 4:30 p.m.
Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1927 without my signature.

This bill would require the Department of Justice to study options, and recommend and approach, to developing a system whereby an individual can opt to prevent themselves from buying a firearm.

While this is an interesting area of inquiry, I do not believe that we need to mandate an additional study of this type.

The Department of Justice is currently implementing a number of large scale changes to our gun laws, and I think that any information regarding a system for self-exclusion from gun purchases can be obtained through existing means. The Legislature's standing committees, as well as California's Violence Prevention Research Center are existing avenues through which this inquiry can be conducted.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

62

A.B. No. 2026—Lackey.

An act relating to vehicle sales.

2018

Aug. 28—Enrolled and presented to the Governor at 3 p.m.

Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2026 without my signature.

This bill requires a person licensed by the Department of Motor Vehicles as a salesperson for a used car dealer to complete an education program prior to being hired and every three years thereafter.

While it is obviously important that used car salespersons understand relevant laws and regulations, this bill is unnecessary.

Car dealers are already required to be knowledgeable of applicable laws and to see to it that their sales staff follow the rules. Additionally, I am not a fan of mandating pre-packaged, four-hour continuing education courses which will never substitute for effective supervision.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

63

A.B. No. 2298—Chau.

An act relating to family law.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2298 without my signature.

This bill modifies disclosure requirements for assisted reproduction agreements.

Although well-intentioned, this bill is an example of my oft-repeated maxim that not every problem deserves a law. The fact-specific situation at issue is quite unique, and while certainly difficult for the parties involved, has already been dealt with appropriately. Additional legislation is not needed.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

64

A.B. No. 2477—Rubio et al.

An act relating to student support services.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2477 without my signature.

The bill requires campuses of the California State University, and requests campuses of the University of California, to designate a staff member, known as a "Dream Resource Liaison," who is knowledgeable about financial aid and academic opportunities for undocumented students, and also encourages the creation of resource centers for these students.

As I stated in the veto of AB 2009 of 2016, all of our higher education institutions ought to be well-versed in the rights and opportunities available to undocumented students. I further called on our system higher education leaders to ensure that relevant campus personnel can ably fulfill these duties.

UC and CSU have complied by either creating designated physical spaces on campus called Dream Resource Centers, or provided such information through existing student support programs. This bill is not necessary.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

65

A.B. No. 2547—McCarty.

An act relating to teachers.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2547 without my signature.

This bill requires the Commission on Teacher Credentialing to collect specified data to evaluate the Teacher Residency Grant Program and Local Solutions Grant Program and determine each program's effectiveness at recruiting and training teachers.

The Commission is already required to conduct an evaluation of both programs and provide a report to the state Legislature and Department of Finance by December 1, 2023. I am confident that successful practices will be shared within the education community.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

66

A.B. No. 2602—McCarty.

An act relating to homeless youth.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2602 without my signature.

This bill requires the Office of Emergency Services to enter into a grant award agreement to fund a homeless youth emergency service project in Sacramento County that must begin operating by October 1, 2019.

The bill directs the Office to establish the project but does not provide funding for its operation. Services to the state's homeless youth are important, but mandating this project without a funding source would be unwise. This project should be carefully evaluated during the annual budget process.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

67

A.B. No. 2888—Ting et al.
An act relating to firearms.

2018

- Sep. 6—Enrolled and presented to the Governor at 3 p.m.
Sep. 26—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2888 without my signature.

This bill would authorize an employer, coworker, employee of a secondary or postsecondary school that the person has attended in the last six months, to file a petition for a gun violence restraining order against an individual.

All of the persons named in this bill can seek a gun violence restraining order today under existing law by simply working through law enforcement or the immediate family of the concerning individual. I think law enforcement professionals and those closest to a family member are best situated to make these especially consequential decisions.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

68

A.B. No. 354—Calderon.

An act relating to housing investors.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 354 without my signature.

This bill requires institutional investors that own more than one hundred single-family homes to register with the Department of Business Oversight by July 1, 2019 and for the Department to collect information about renters and private sales.

This bill is beyond the expertise and jurisdiction of the Department of Business Oversight. Even if the Department collected all the information about institutional investors, the number of renters living in the investor owned properties and private sales to existing tenants, collecting the data would not stop the purchase of these homes by private investors.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

69

A.B. No. 514—Salas.

An act relating to sex offenders.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 514 without my signature.

This bill requires the State Department of Social Services to notify child day care facilities when a person with specified convictions requiring sex offender registration moves to a new residence within 1,000 feet of the facility.

The Department of Social Services currently informs new licensed child care providers about the sex offender registry website and encourages them to access it. This bill would create a new overlapping process that provides information that is already quickly and easily accessible on the internet.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

70

A.B. No. 1116—Grayson et al.

An act relating to emergency services.

2018

Aug. 28—Enrolled and presented to the Governor at 3 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1116 without my signature.

This bill creates a pilot peer support program for state correctional and parole officers, firefighters, paramedics, emergency medical technicians, and dispatchers.

I appreciate the author's sincere attempt to address the occupational stress experienced by some of our bravest public servants. However, I believe that the scope of confidentiality afforded under this bill is too broad and fails to strike the right balance between fostering collegial trust and concealing information necessary to ensure safe and healthy workplaces.

Further, peer support programs are already in place for many public safety personnel, making this narrow pilot program largely duplicative and potentially in conflict with existing programs. I would recommend that instead of new statutory provisions, the sponsors and author work with the affected agencies to improve existing programs.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

71

A.B. No. 1801—Nazarian.

An act relating to newborns.

2018

Sep. 4—Enrolled and presented to the Governor at 3 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1801 without my signature.

This bill would require the Department of Health Care Services to establish a 13-member Commission to identify public educational resources for, and examine research and data relating to, Cytomegalovirus, a non-genetic virus which causes birth defects.

Researching, educating and testing for diseases in newborns is the function of the Department of Public Health's Newborn Screening program. I encourage the author to work with this department to review and assess this disease rather than create a new governmental body in a different department.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

72

A.B. No. 1865—Lackey et al.

An act relating to guide, signal, and service dogs, and making an appropriation therefor.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1865 without my signature.

This bill would expand the definition of a guide, signal or service dog for purposes of charging certain crimes. It would also make the owner of a dog that is injured or killed due to a criminal act eligible for victim compensation regardless of whether the dog was performing its duties at the time.

In 2016 I vetoed AB 1824 (Chang), which, like this bill, would have expanded the scope of certain crimes against guide dogs, and would allow for victims compensation in those instances. That bill also lowered the standard for convicting an individual who causes injury or death to such a dog.

While this bill does not lower the standard for conviction, it nonetheless expands the scope of several crimes without commensurate evidence that this is needed. Moreover, the existing provisions allowing compensation for crimes against service dogs have been in place for over three years and have not resulted in a single eligible claim. No claim has been denied because a dog was not in the performance of its duties at the time of a crime-the subject matter of this bill.

Accordingly I don't believe the proposed changes are warranted.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

73

A.B. No. 1882—Cervantes et al.
An act relating to crimes.

2018

- Sep. 6—Enrolled and presented to the Governor at 3 p.m.
Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1882 without my signature.

This bill adds human trafficking to the list of offenses for which it is a crime to contact or communicate with a minor for the purposes of committing a crime involving the minor.

While well intentioned, this bill is not necessary. A myriad of statutes provide punishment for commercial sex acts, as well as using, paying or employing minors to commit commercial sex acts. Additionally, anyone who contacts or communicates-or attempts to contact or communicate-with a minor with the intent to commit a sex offense, including human trafficking, is liable to be prosecuted with an attempt to commit any number of felonies.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

74

A.B. No. 1945—Eduardo Garcia et al.
An act relating to greenhouse gases.

2018

- Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.
- Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1945 without my signature.

This bill creates requirements that would apply to a broad range of climate change competitive grant programs, including criteria to prioritize certain communities and projects over others.

The general goals of this bill have merit but would be better achieved through the budget process.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

75

A.B. No. 2043—Arambula et al.
An act relating to foster youth.

2018

- Sep. 6—Enrolled and presented to the Governor at 3 p.m.
Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following five bills without my signature:

AB 2043
AB 2342
AB 2593
SB 1125
SB 1148

Each of these bills require significant, ongoing general fund commitments. As such, I believe they should be considered as part of the budget process.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

76

A.B. No. 2294—Oberholte.

An act relating to child custody.

2018

Aug. 20—Enrolled and presented to the Governor at 3 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2294 without my signature.

This bill requires a court holding a child custody proceeding to request an investigation by a child welfare services agency if the court determines that it cannot protect the child from child abuse.

There is not an identified problem with existing law. Currently, the family court can request an investigation by the local child welfare agency when there are allegations of child abuse. This bill could potentially have the unintended consequence of delaying appropriate referrals of child abuse if a court believes it must first make the findings described in the bill prior to requesting an investigation.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

77

A.B. No. 2342—Burke et al.
An act relating to cancer.

2018

- Sep. 12—Enrolled and presented to the Governor at 12 p.m.
Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following six bills without my signature:

AB 2043
AB 2342
AB 2593
SB 320
SB 1125
SB 1148

Each of these bills require significant, ongoing general fund commitments. As such, I commend these policies to the budget process where they may be prioritized along with other spending proposals and which begins again on January 3rd.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

78

A.B. No. 2474—Quirk.

An act relating to hazardous waste.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2474 without my signature.

This bill authorizes the Department of Toxic Substance Control to evaluate alternative methods from its standard bioassay procedure when determining if a product is hazardous waste.

The Department currently has the authority to establish alternative methods of testing a product's toxicity to aquatic life. Despite this, it has not exercised this option because such tests are too expensive. The Department has a structural deficit and I am not inclined to sign legislation that creates additional cost pressures.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

79

A.B. No. 2588—Chu.

An act relating to manufactured housing.

2018

Aug. 24—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2588 without my signature.

This bill requires a mobilehome park owner to post annually an emergency preparedness plan in the park and to have the Department of Housing and Community Development provide translation services for the plan.

This is a matter best addressed by local governments in collaboration with the mobilehome park owners. This partnership would allow for the tailoring of each emergency plan to reflect the unique topography, climate, and conditions of each individual community.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR’S VETOES—Continued

80

A.B. No. 2593—Grayson et al.

An act relating to air ambulance services.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor’s veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor’s veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following six bills without my signature:

AB 2043

AB 2342

AB 2593

SB 320

SB 1125

SB 1148

Each of these bills require significant, ongoing general fund commitments. As such, I commend these policies to the budget process where they may be prioritized along with other spending proposals and which begins again on January 3rd.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

81

A.B. No. 2963—Kalra et al.

An act relating to employment.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning AB 2963 without my signature.

This bill would increase reporting of worker lead exposure by the California Department of Public Health and require the Division of Occupational Safety and Health to undertake an investigation within three working days. It would also require the Division to make the information on resulting fines and citations publicly available.

I agree with the author that lead exposure is an important public health issue and should be taken seriously. In this case, the Department of Public Health already works collaboratively with employers to reduce worker exposure to lead and refers employers to the Division for enforcement, if needed, on a case-by-case basis. This bill would erode that collaborative approach, and require the Division to take immediate enforcement action upon referral.

The Division is in the process of revising and updating the regulations that establish a permissible lead exposure level for workers and the level at which immediate intervention is needed. I believe we should wait for that work to conclude.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

82

A.B. No. 3131—Gloria et al.

An act relating to military equipment.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3131 without my signature.

This bill establishes requirements that must be met before a law enforcement agency may take a number of specified actions related to the acquisition and use of "military" equipment.

The list of equipment contemplated by this bill is overbroad-broader than that covered by now-repealed Executive Order 13688 which was the basis for AB 36 (Campos) in 2015, which I also vetoed. The current list not only includes items that are clearly "militaristic in style," but many that are commonly used by law enforcement and do not merit additional barriers to their acquisition.

In my view this bill creates an unnecessary bureaucratic hurdle without commensurate public benefit, and I cannot sign it.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

83

A.B. No. 3188—Thurmond.

An act relating to school accountability.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 27—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3188 without my signature.

This bill requires all local schools to report on their student population that meets both the requirements for entrance to the University of California and the California State University, which include A-G requirements and career-technical education sequences.

Local schools already have the flexibility to report this data in their Local Control Accountability Plan and a number are already doing so.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

84

A.B. No. 1903—Gonzalez Fletcher.
An act relating to firearms.

2018

Aug. 20—Enrolled and presented to the Governor at 3 p.m.
Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1903 without my signature.

This bill would, for purposes of a voluntary firearms buyback program, prohibit a local government from dispensing a gift card whose issuer holds a firearms dealer's license.

I understand the author's intent, but I do not believe local firearm buyback programs need to be micromanaged to this degree.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

85

A.B. No. 1951—O'Donnell et al.

An act relating to pupil assessments.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1951 without my signature.

This bill requires the Superintendent of Public Instruction to approve one or more nationally recognized high school assessments that a local school may administer in lieu of the state-administered high school summative assessment, commencing with the 2019–20 school year.

Since 2010, California has eliminated standardized testing in grades 9 and 10 and the high school exit exam. While I applaud the author's efforts to improve student access to college and reduce "testing fatigue" in grade 11, I am not convinced that replacing the state's high school assessment with the Scholastic Aptitude Test or American College Test achieves that goal.

Our K-12 system and our public universities are now discussing the possible future use of California's grade 11 state assessment for college admission purposes. This is a better approach to improving access to college for under-represented students and reducing "testing fatigue".

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

86

A.B. No. 2050—Caballero.

An act relating to small system water authorities.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2050 without my signature.

This bill establishes the Small System Water Authority Act of 2018, which authorizes the creation of small system water authorities to operate small public water systems that can't afford to serve safe drinking water.

While I appreciate the author's intent, this bill creates an expensive, bureaucratic process and does not address the most significant problem with providing safe drinking water - a stable funding source to pay for ongoing operations and maintenance costs.

My administration remains committed to a comprehensive solution to address safe drinking water issues based on shared responsibility between water users and water providers that will not result in ongoing costs to the General Fund. I urge the Legislature and stakeholders to work towards a stable funding solution in 2019.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

87

A.B. No. 2060—Eduardo Garcia et al.

An act relating to water.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2060 without my signature.

This bill would require the State Water Resources Control Board to provide advance payment of grant awards to a nonprofit organization or disadvantage community grantee, upon request, if the grantee demonstrates a need and if other specified criteria are met. These provisions would apply to wastewater and drinking water projects.

I appreciate the author's intent to help nonprofit organizations and disadvantaged communities meet cash-flow needs when managing projects. In recent years, however, the State Water Board has established other means for grantees or address cash-flow problems. For example, the State Water Board facilitates payment of invoices, including paying additional fees to the State Controller for expedited processing. Additionally, when a grantee obtains a bridge loan to access funds before completion of a project, the State Water Board will reimburse the grantee for interest costs.

As such, the additional financial risks and administrative costs associated with advanced payments, as proposed in AB 2060, are unwarranted.

Sincerely,

Edmund G. Brown, Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

88

A.B. No. 2064—Gloria et al.
An act relating to water.

2018

- Sep. 6—Enrolled and presented to the Governor at 3 p.m.
Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2064 without my signature.

This bill would expand the existing advanced payment provisions for grants awarded through the Integrated Regional Water Management Act.

To date, the Department of Water Resources has advanced approximately \$8.7 million for seven grants from Proposition 84 funds and five grants from Proposition 1 funds.

Notwithstanding the merits of this bill, the additional financial risk and administrative costs associated with the advanced payment process, as proposed in this bill, are unwarranted.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

89

A.B. No. 2163—Grayson.

An act relating to excavation.

2018

Aug. 27—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2163 without my signature.

This bill requires the Department of Technology to provide Geographic Information Systems data to Regional Notification Centers for the purposes of California's "Call Before You Dig" program.

The Department does not own this data and must pay a subscription for its access. Unfortunately this bill does not allow for the Department to recoup its costs from the Centers. I recommend the author work with the Department and make the necessary changes in future legislation.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

90

A.B. No. 2305—Rodriguez.

An act relating to public employment.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following bills without my signature.

AB 2305

AB 2886

AB 3034

These bills expand the Public Employment Relations Board's jurisdiction to cover labor disputes involving several local public agencies.

Over the years, the Legislature has expanded the Board's jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board - both labor and employers have complained about this problem. This Administration has recently increased the Board's funding to help correct this problem. The Board's jurisdiction should not be expanded again until the Board's ability to handle its previously expanded caseload is established.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

91

A.B. No. 2362—Rubio et al.

An act relating to public health.

2018

Aug. 24—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2362 without my signature.

This bill establishes health and safety standards for vehicles used by shelters, humane societies, or rescue groups to transport animals.

Creating standards to ensure that animals are safely transported is a noble goal. This bill, however, as currently drafted contains terms that are too vague. I urge the author to come back with clear guidance next year.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

92

A.B. No. 2538—Rubio et al.

An act relating to water quality.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2538 without my signature.

This bill would require the State Water Resources Control Board to establish financial capability assessment guidelines for Municipal Separate Storm Sewer System permittees by July 1, 2019.

The State Water Board is currently working on guidelines to assist local agencies in estimating and tracking the cost of compliance with their stormwater permits. Additionally, the State Water Board and Regional Water Boards work with permittees to create customized compliance schedules and offer grants and loans.

Municipal finances are diverse and a generic financial analysis, as this bill suggests, will not meaningfully advance our understanding of the ability of municipalities to meet stormwater permitting requirements.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

93

A.B. No. 2596—Cooley et al.

An act relating to economic development.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2596 without my signature.

This bill would require the Governor's Office of Business and Economic Development, or GO-Biz, to lead the preparation of a California Economic Development Strategic Plan.

Since its inception, GO-Biz has expanded direct foreign investment, created opportunities for small businesses, identified incentives for growth, and helped resolve barriers for businesses navigating the government. These successes are due, in part, to the ability of GO-Biz to nimbly respond to rapidly changing economic factors including unpredictable federal decisions, natural disasters and more. I don't believe an ongoing costly study and report will provide any additional benefit to these efforts.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

94

A.B. No. 2652—Quirk.

An act relating to telecommunications.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2652 without my signature.

This bill would require the California Public Utilities Commission to revise and adopt specific rules pertaining to enrollment and recertification of California LifeLine Program participants.

The Commission currently has an open proceeding on the Lifeline Program with a goal of developing reforms to reduce burdens on individuals who want to enroll in the Program. This process is public, deliberative and is the best venue to address necessary Program adjustments.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

95

A.B. No. 2681—Nazarian et al.

An act relating to seismic safety.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2681 without my signature.

This bill requires local building departments in seismically active areas to submit an inventory of potentially vulnerable buildings to the Office of Emergency Services by January 1, 2021 and requires the Office to develop a statewide inventory of those buildings by January 1, 2023.

I agree with the author's goal to mitigate the effects of a large-scale earthquake. I am concerned, however, that this bill will not provide the greatest value for the significant investment this enterprise requires.

A more suitable approach is to develop a partnership between the state, local governments and building owners to develop a plan to cost effectively identify collapse prone buildings and a realistic timetable to develop an inventory.

Therefore, I will ask the California Seismic Safety Commission and other seismic experts to provide recommendations that identify an achievable path toward improving the safety of earthquake-vulnerable buildings.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

96

A.B. No. 2886—Daly.

An act relating to public employment.

2018

Aug. 27—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following bills without my signature.

AB 2305

AB 2886

AB 3034

These bills expand the Public Employment Relations Board's jurisdiction to cover labor disputes involving several local public agencies.

Over the years, the Legislature has expanded the Board's jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board - both labor and employers have complained about this problem. This Administration has recently increased the Board's funding to help correct this problem. The Board's jurisdiction should not be expanded again until the Board's ability to handle its previously expanded caseload is established.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

97

A.B. No. 3034—Low.

An act relating to public transit.

2018

Sep. 12—Enrolled and presented to the Governor at 12 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following bills without my signature.

AB 2305

AB 2886

AB 3034

These bills expand the Public Employment Relations Board's jurisdiction to cover labor disputes involving several local public agencies.

Over the years, the Legislature has expanded the Board's jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board - both labor and employers have complained about this problem. This Administration has recently increased the Board's funding to help correct this problem. The Board's jurisdiction should not be expanded again until the Board's ability to handle its previously expanded caseload is established.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

98

A.B. No. 3145—Salas.

An act relating to state employees, and making an appropriation therefor.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 28—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3145 without my signature.

This bill allows state supervisors and managers to receive paid family leave benefits by enrolling into the state Disability Insurance program.

The Department of Human Resources is developing a plan to offer paid family leave benefits to state managers and supervisors by July 1, 2019. This effort will not have the significant administrative costs of this bill and is therefore a better way to provide this benefit.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

99

A.B. No. 724—Choi et al.

An act relating to intercountry adoption.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 724 without my signature.

This bill would establish a new re-adoption process for foreign-born adopted children and require parents to complete this process to have their children recognized by the state.

This measure is well-intentioned but goes too far because it requires a private adoption agency to proceed with the re-adoption process if the parents do not. I believe that parents who adopt foreign-born children can and will make their own decisions with respect to their child.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

100

A.B. No. 1097—Levine et al.

An act relating to state beaches and parks.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following bills without my signature:

Assembly Bill 1097

Senate Bill 835

Senate Bill 836

These bills prohibit smoking in state parks, on state beaches, and at any picnic area on a state beach and require the Department of Parks and Recreation to post signs to notify the public of the smoking ban.

I have vetoed similar measures in each of the last two years. Third time is not always a charm. My opinion on the matter has not changed. We have many rules telling us what we can't do and these are wide open spaces.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

101

A.B. No. 1437—Patterson et al.
An act relating to care facilities.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1437 without my signature.

This bill would create a new process to centralize criminal record clearances for employees of an owner of multiple licensed residential facilities.

The Department of Social Services has two simple processes for transferring employee criminal record clearances among facilities run by the same owner, one of which is nearly identical to this bill. A third process is unnecessary.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

102

A.B. No. 1921—Maienschein et al.
An act relating to CalWORKs.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following Assembly Bills without my signature:

AB 1921
AB 1992
AB 2111

Each of these bills would make changes to the CalWORKs program that result in significant, ongoing funding commitments. As such, I believe they should be considered as part of the budget process when all funding commitments are considered and prioritized.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

103

A.B. No. 1992—Chu.

An act relating to CalWORKs.

2018

Sep. 4—Enrolled and presented to the Governor at 3 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following Assembly Bills without my signature:

AB 1921

AB 1992

AB 2111

Each of these bills would make changes to the CalWORKs program that result in significant, ongoing funding commitments. As such, I believe they should be considered as part of the budget process when all funding commitments are considered and prioritized.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

104

A.B. No. 2054—Gonzalez Fletcher et al.

An act relating to state parks, and declaring the urgency thereof, to take effect immediately.

2018

Sep. 12—Enrolled and presented to the Governor at 12 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2054 without my signature.

This bill would make it unlawful for any person to use the state park reservation system to buy reservations and resell them without approval from the Department of Parks and Recreation.

When the Department first launched its online reservation system, it did not anticipate that internet bots would buy reservations in bulk and resell them at higher prices. Since the launch, the Department has added software to prevent internet bots from accessing reservations and staff continually monitors the site for unusual activity. I do not believe a new crime is needed for a problem that has been solved.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

105

A.B. No. 2111—Quirk.

An act relating to public social services.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning the following Assembly Bills without my signature:

AB 1921

AB 1992

AB 2111

Each of these bills would make changes to the CalWORKs program that result in significant, ongoing funding commitments. As such, I believe they should be considered as part of the budget process when all funding commitments are considered and prioritized.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

106

A.B. No. 2233—Kalra et al.

An act relating to Medi-Cal.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2233 without my signature.

This bill would require a significant expansion of the Assisted Living Waiver program in Medi-Cal.

This program was expanded in this year's budget. Any further changes should be considered in next year's budget.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

107

A.B. No. 2352—Low.

An act relating to elections.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning AB 2352 without my signature.

This bill requires county election officials to document reportable events and submit information regarding those events to the Secretary of State for review and guidance.

Each election approximately 400 reportable events are referred to the Secretary of State, for guidance and review. Given the current workload, I don't think the state should mandate the additional reporting called for in this bill.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

108

A.B. No. 2360—Rodriguez.

An act relating to pupil nutrition.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2360 without my signature.

This bill requires the California Department of Education to collaborate with the Department of Food and Agriculture to develop "best practices" to facilitate partnerships between school districts and food banks that increase pupil access to healthy foods when school is not in session.

Healthy foods for kids is obviously a good idea, but schools can already easily establish relationships with local food banks -- without state guidance.

Given the fact that local school districts are governed by democratically elected trustees, it is important and utterly appropriate for the state to limit its intervention only to those situations that cannot be handled by local authorities.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

109

A.B. No. 2531—Gallagher.
An act relating to courts.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning AB 2531 without my signature.

This bill would require the Court Reporters Board of California to identify a certification process and adopt standards for operators of computer-aided transcription systems.

I understand the importance of ensuring the deaf and hard of hearing have equal access to our judicial system. The burdens imposed on the Board by this bill, without authority for proper enforcement or funding, would make it difficult to achieve the author's stated goal. Also, I don't believe there has been sufficient evidence provided to warrant a new certification process for these operators.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

110

A.B. No. 2872—Carrillo.

An act relating to in-home supportive services.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2872 without my signature.

This bill would establish a peer-to-peer training course for In-Home Supportive Services providers and require those providers who conduct the training to be compensated.

This bill is unnecessary because IHHS providers are currently required to attend a training program that covers virtually the same subjects listed in this bill.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

111

A.B. No. 2980—Gipson.

An act relating to cannabis.

2018

Sep. 7—Enrolled and presented to the Governor at 2:30 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2980 without my signature.

This bill changes the definition of premises within the Medicinal and Adult-Use Cannabis Regulation and Safety Act to allow multiple cannabis licensees to share common use areas, such as breakrooms and lobbies.

The licensing authorities are in the process of finalizing the cannabis regulations. Instead of changing the definitions in statute, it would be more appropriate for the licensing entities to address this in their regulations.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

112

A.B. No. 3085—Calderon.

An act relating to public social services.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 29—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3085 without my signature.

This bill would establish a new grant program at the Department of Community Services and Development to fund local employment programs for homeless individuals.

This year's budget includes approximately \$5 billion in funding related to housing and homelessness including \$500 million to local governments. Additional funding through a new homelessness grant program should be contemplated in next year's budget process.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

113

A.B. No. 60—Santiago.

An act relating to child care and development services.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 60 without my signature.

This bill would require certain information to be automatically shared between county welfare departments and local child care contractors to facilitate an effortless transition of families between child care programs. This is a good goal, as any interruption in child care coverage for a family can be devastating, particularly for working parents in the CalWORKS program.

However, this bill impacts an entitlement program and the changes contemplated in this bill have the potential to cost the state \$50 million a year and is more properly considered as part of the budget process.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

114

A.B. No. 186—Eggman et al.

An act relating to controlled substances.

2018

Sep. 4—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 186 without my signature.

This bill authorizes the City and County of San Francisco to approve "overdose prevention programs," including the establishment of centers where illegal drugs can be injected under sanitary conditions.

The supporters of this bill believe these "injection centers" will have positive impacts, including the reduction of deaths, disease and infections resulting from drug use. Other authorities—including law enforcement, drug court judges and some who provide rehabilitative treatment—strongly disagree that the "harm reduction" approach envisioned by AB 186 is beneficial.

After great reflection, I conclude that the disadvantages of this bill far outweigh the possible benefits.

Fundamentally, I do not believe that enabling illegal drug use in government sponsored injection centers—with no corresponding requirement that the user undergo treatment—will reduce drug addiction.

In addition, although this bill creates immunity under state law, it can't create such immunity under federal law. In fact, the United States Attorney General has already threatened prosecution and it would be irresponsible to expose local officials and health care professionals to potential federal criminal charges.

Our paramount goal must be to reduce the use of illegal drugs and opioids that daily enslaves human beings and wreaks havoc in our communities. California has never had enough drug treatment programs and does not have enough now. Residential, outpatient and case management—all are needed, voluntarily undertaken or coercively imposed by our courts. Both incentives and sanctions are needed. One without the other is futile.

There is no silver bullet, quick fix or piecemeal approach that will work. A comprehensive effort at the state and local level is required. Fortunately, under the Affordable Care Act, California now has federal money to support a much expanded system of care for the addicted. That's the route we should follow:

MEASURE CONTINUED ON THE FOLLOWING PAGE

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

A.B. No. 186—Eggman et al.—continued

involving many parties and many elements in a thoroughly integrated undertaking.

I repeat, enabling illegal and destructive drug use will never work. The community must have the authority and the laws to require compassionate but effective and mandatory treatment. AB 186 is all carrot and no stick.

Sincerely,

Edmund G. Brown Jr.

115

A.B. No. 1080—Gonzalez Fletcher.

An act relating to public contracts.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1080 without my signature.

This bill would provide a bid preference to a bidder providing health care coverage to employees.

While I appreciate the author's intent to promote access to health care, I am concerned about the impact on small businesses competing for state contracts. Furthermore, a new bid preference for public works and other services may ultimately result in the state paying more for contracts.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

116

A.B. No. 1231—Weber.

An act relating to public postsecondary education.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning AB 1231 without my signature.

This bill would require support staff of the California State University system to receive five percent annual merit salary increases, based on satisfactory performance.

While the bill is laudable in its goals of trying to raise wages and create salary progression for support staff at the CSU, most of whom are within lower paid classifications, collective bargaining should be the tool to effectuate such changes.

I do believe, however, that the CSU should undertake a diligent examination of pay disparities and opportunities for upward mobility for its lowest wage workers.

As I stated in a message to the University of California last year, "As the UC prides itself on being an agent of social mobility for students, it might follow that UC could similarly be an agent of social mobility for lower-wage workers at its campuses." I believe that CSU can and should strive to do the same.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

117

A.B. No. 1511—Low et al.

An act relating to sentencing, and declaring the urgency thereof, to take effect immediately.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1511 without my signature.

This bill re-enacts and re-casts a previous enhancement for excessive takings which was allowed to sunset on January 1, 2018.

Penal Code Section 12022.6 was enacted in 1977, and in 1990, AB 3087 added a sunset provision, repealing the statute as of July 1, 1992. That sunset date has been extended several times since then, first in 1992 (AB 939) extending the date to 1998, then in 1997 (AB 293) extending the date by 10 years, to 2008. In 2007, via AB 1705, the Legislature again extended the sunset 10 more years to 2018. The statute was not further extended at that time, and Penal Code Section 12022.6 was therefore repealed on January 1, 2018.

AB 1511 now seeks to re-enact this repealed enhancement, but omits any sunset provision similar to those that have been included with this statute since 1990. I see no reason to now permanently re-enact a repealed sentencing enhancement without corresponding evidence that it was effective in deterring crime. As I have said before, California has over 5,000 criminal provisions covering almost every conceivable form of human misbehavior. We can effectively manage our criminal justice system without 5,001.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

118

A.B. No. 1597—Nazarian et al.

An act relating to public employee retirement systems.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1597 without my signature.

This bill, which only goes into effect if the Federal Government imposes sanctions on Turkey, would require our pension funds to sell all bonds or investment vehicles issued by the Turkish government.

The horror of the Armenian Genocide is something no Californian should ever forget. To that end, our school curriculum requires the study of the Armenian Genocide and this year I proclaimed April 24, 2018, as "Day of Remembrance of the Armenian Genocide". In addition, the state extended the statutory deadline for genocide victims or their heirs to seek legal redress.

While this subject is profoundly important, the bill as written is mostly symbolic. Moreover, I am reluctant to force yet another disinvestment measure on our already stressed pension systems.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

119

A.B. No. 1857—Nazarian et al.

An act relating to building standards.

2018

Sep. 4—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1857 without my signature.

This bill requires the California Building Standards Commission to convene a working group to evaluate the creation of a new standard to minimize structural building damage from earthquakes.

The National Institute of Standards and Technology is in the initial stages of developing an immediate occupancy standard for buildings following a natural disaster. This federal agency is consulting engineers, scientist, and other experts to understand the changes needed to ensure that a building can be used immediately after a natural disaster.

Instead of duplicating this federal process at the state level, it would be wise to allow the Institute to finish its work.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

120

A.B. No. 1867—Reyes.

An act relating to sexual harassment.

2018

Aug. 24—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1867 without my signature.

This bill requires an employer of 50 or more employees to maintain records of complaints alleging sexual harassment for at least five years after the last day of employment of the complainant or alleged harasser, whichever is later.

This bill, under certain circumstances, could lead to the retention of records for decades. It would also require complaints alleging sexual harassment to be maintained for the same length of time regardless of the result of the investigative process, meaning even unfounded complaints would need to be maintained.

For these reasons, and because current law already requires personnel records --including records of complaints-- be maintained for suitable periods of time, the time expansion of this bill is unwarranted.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

121

A.B. No. 1870—Reyes et al.

An act relating to employment.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1870 without my signature.

This bill extends the deadline to file a complaint with the Department of Fair Employment and Housing from one year to three years for the employment provisions of the Fair Employment and Housing Act.

Employees who have experienced harassment or discrimination in the workplace should have every opportunity to have their complaints investigated. I believe, however, that the current filing deadline--which has been in place since 1963--not only encourages prompt resolution while memories and evidence are fresh, but also ensures that unwelcome behavior is promptly reported and halted.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

122

A.B. No. 1909—Nazarian.

An act relating to in-home supportive services.

2018

Aug. 24—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1909 without my signature.

This bill would require the Department of Social Services to translate all written documents and materials for providers in the in-home supportive services (IHHS) program.

Materials in this program are translated by counties with the assistance of the department. I believe current arrangements are working reasonably well and should be continued.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

123

A.B. No. 1916—Cooper et al.

An act relating to civil service.

2018

Aug. 27—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1916 without my signature.

This bill requires an evaluation and biennial report by the California Department of Human Resources on gender and ethnic pay disparities for all civil service classifications where there is an underrepresentation of women and minorities.

The information called for by this bill is currently provided by the Department of Human Resources and the State Controller's office. I think it is reasonably complete and provides a basis for sound legislative review.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

124

A.B. No. 1939—Steinorth et al.

An act relating to crime victims, and making an appropriation therefor.

2018

Sep. 6—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 1939 without my signature.

This bill would require that compensation provided by the California Victims Compensation Board for relocation expenses include the costs of temporary housing for a victim's pet for a maximum of three days at a cost of under \$40 per day.

While this bill is well intended, a victim staying in a domestic violence shelter or other temporary housing situation will likely need much more assistance than this bill provides. It would be more appropriate to seek a different funding source which can provide a more comprehensive benefit that would truly complement the services that are now available.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

125

A.B. No. 2079—Gonzalez Fletcher et al.
An act relating to employment.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2079 without my signature.

This bill would make numerous changes to the Property Service Worker Protection Act established by AB 1978 (Gonzalez, Ch.373, Stats. of 2016). The Labor Commissioner just recently finished implementing the initial registration requirement and is in the process of promulgating regulations to create the sexual harassment and violence prevention training program required by the Act.

The Author and sponsors of this measure were ahead of their time when they created this program, the first of its kind in the country, two years ago. The Labor Commissioner is still in the early stages of ensuring that this program is successful and lives up to its promise of protecting janitorial workers. We should allow full implementation of this program before proposing significant changes.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

126

A.B. No. 2107—Reyes.

An act relating to new motor vehicles.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2107 without my signature.

This bill modifies the statutory framework governing the relationship between new car dealers and manufacturers, including establishing a complex formula to determine the rate manufacturers will reimburse dealers for warranty and recall repairs.

Under current law, manufacturers are required to reimburse dealers for warranty and recall repairs at a "reasonable" rate negotiated between the two parties. This framework appears to be working reasonably well and I see no reason to adopt the rather complicated formula authorized in this bill--with perhaps unintended consequences.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

127

A.B. No. 2153—Thurmond et al.
An act relating to teachers.

2018

- Sep. 6—Enrolled and presented to the Governor at 3 p.m.
Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2153 without my signature.

This bill requires local schools to provide annual in-service training on available community and school site resources for lesbian, gay, bisexual, transgender, queer (LGBTQ) students to teachers and supporting staff of grades 7-12 students.

I signed AB 827 (O'Donnell) in 2015, which required the Department of Education, as part of its compliance monitoring, to assess whether local schools have provided information to certificated staff serving of grades 7-12 on school site and community resources for LGBTQ students. Current law also requires the Department to monitor local schools to ensure the adoptions of policies prohibiting discrimination, harassment, intimidation, and bullying on the basis of sexual orientation, gender, gender identity, or gender expression.

If local schools find that more training or resources on this topic is needed, they have the flexibility to use their resources as they see best.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

128

A.B. No. 2255—Lackey.

An act relating to cannabis.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2255 without my signature.

This bill would authorize law enforcement agencies to issue citations for administrative violations of the Medical and Adult-Use Cannabis Regulation and Safety Act.

This bill is premature. The enforcement of the Act rests with the Bureau of Cannabis Control. It is their job to develop appropriate regulations--which they are currently doing--in partnership with California Highway Patrol and other law enforcement entities.

If a new law is needed, I am confident the Bureau of Cannabis Control will work with the Legislature to make the necessary changes.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

129

A.B. No. 2361—Weber et al.

An act relating to postsecondary education.

2018

Aug. 30—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2361 without my signature.

This bill would require vendors to provide, and the Regents of the University of California to collect and report on, information about outsourcing contracts, including the wages, employee classifications and nature of work being provided by the vendor.

I have vetoed similar bills three times before because of what I view as unreasonable interference into university management on this topic. While I support the goal of the author to increase transparency into the possible pay disparities between university employees and contracted workers, I believe this bill goes too far and could potentially limit the UC's appropriate contracting.

Since my veto last year, the University has reviewed their contracting practices and have taken appropriate steps to improve transparency and reduce pay disparities.

I have no doubt that there is more work to be done and I encourage the Office of the President and the Regents to move forward on the remaining recommendations from the auditor. To that end, I urge the Regents to promptly turn their attention to this matter.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

130

A.B. No. 2447—Reyes et al.
An act relating to land use.

2018

- Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.
Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2447 without my signature.

This bill would expand notice and public meeting requirements under the California Environmental Quality Act for certain industrial projects in or near disadvantaged communities.

Land use is quintessentially a local matter. I believe the notice and meeting requirements, as outlined in this bill, are too prescriptive. Disadvantaged communities are entitled to clear and adequate notice, but zones of notice and the definition of projects subject to the requirements should be flexibly defined to reflect the vast diversity of our state.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

131

A.B. No. 2534—Limón et al.

An act relating to public resources.

2018

Sep. 10—Enrolled and presented to the Governor at 3:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2534 without my signature.

This bill would create the Hollister Ranch Subaccount within the Land Bank Fund to support establishing public access to the beaches at Hollister Ranch

While well intentioned, this bill relies on the implementation of a coastal access program adopted in 1982. Although this program could have been completed over three decades ago, it was not and it is now outdated.

Before raising any money, as envisioned in this bill, the relevant state agencies should be required to work together to craft a sensible and fiscally responsible plan.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

132

A.B. No. 2689—Gray.

An act relating to the Political Reform Act of 1974.

2018

Aug. 24—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2689 without my signature.

This bill prohibits a Governor's appointee, who is subject to confirmation, from making certain campaign contributions.

The prohibitions in this bill may make sense, but so would many others-including banning contributions from anyone who seeks to influence legislation.

There is no question that the current system is flawed, but this piece-meal approach is not the answer. My point is, before the Legislature starts down this road, they should consider where it leads.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

133

A.B. No. 2713—Rodriguez.

An act relating to public employment.

2018

Aug. 27—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2713 without my signature.

This bill requires, by January 1, 2020, the California Department of Human Resources and the Department of Fair Employment and Housing to create and make public an annual report on sexual harassment complaints in state departments.

This bill definitely covers an important topic but current management practices are taking the necessary steps to assure a suitable work environment.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

134

A.B. No. 2720—Waldron.

An act relating to juveniles, making an appropriation therefor.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2720 without my signature.

This bill—contingent upon future passage of a constitutional amendment—allows counties to use any unexpended Juvenile Reentry Grant allocation to provide rehabilitative services for reentry youth who have been discharged from the jurisdiction of the juvenile court within the prior two years.

The 2011 Public Safety Realignment funding that this bill seeks to repurpose is constitutionally protected. While the proponents may well have creative and positive ideas for improving re-entry services for system-involved youth, these decisions under current law rest with local authorities and cannot be changed without a constitutional amendment.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

135

A.B. No. 2732—Gonzalez Fletcher et al.
An act relating to employment.

2018

- Sep. 12—Enrolled and presented to the Governor at 12 p.m.
Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning AB 2732 without my signature.

This bill makes it unlawful - punishable by civil and criminal penalties - for an employer to knowingly destroy, conceal, remove, confiscate, or possess any immigration-related documents for human trafficking or any coercive labor practice. The bill also requires employers to provide a written "Worker's Bill of Rights" to every employee in the State of California.

Labor trafficking is a problem in our state and the provision of this bill that prohibits employers from withholding immigration documents from workers is very appropriate.

However, there is additional language that requires every single employer to provide to every single employee - millions in the state-- a new and detailed list of rights related to labor trafficking. This goes too far. The vast majority of California employers have nothing to do with labor trafficking, so this mandate as applied to them is burdensome and unwarranted.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

136

A.B. No. 2772—Medina et al.

An act relating to pupil instruction.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2772 without my signature.

This bill establishes a three-year grant program for school districts that require ethnic studies in order to graduate.

School districts already can, and are, requiring ethnic studies for graduation. While I recognize the value of these courses, I am reluctant to encourage yet another graduation requirement, especially when students are already overburdened by multiple tests and endless hours of homework.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

137

A.B. No. 2819—Holden.

An act relating to employment.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2819 without my signature.

This bill requests the Ralph J. Bunche Center for African American Studies at the University of California, Los Angeles, to conduct a ten-year study on the diversity of the board of directors and employees of United States high technology companies.

This year's Budget provides the Center \$1.8 million dollars in funding. I understand the Center will use some of that appropriation to study diversity in the high technology industry. Before committing to a ten-year study, which will require additional UC funding in the future, let's see the initial results of the Center's research and make informed decisions from those findings.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

138

A.B. No. 2908—Berman et al.

An act relating to tire recycling.

2018

Sep. 5—Enrolled and presented to the Governor at 3 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 2908 without my signature.

This bill would authorize the Department of Resources Recycling and Recovery to establish an incentive program to encourage manufacturing of new products made from waste tires.

Since 1990, the Department has used grants to increase tire recycling. The Department has recently decided that incentive payments are a more effective way to promote such recycling. While this bill creates an incentive payment program, it also requires fifty percent of the payments to go to local governments for paving projects. This limits the Department's ability to respond to innovation in this area.

Because I do believe there is merit to this policy and I am directing the Department of Resources Recycling and Recovery to recommend an incentive program in this area as part of the budget.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

139

A.B. No. 3080—Gonzalez Fletcher et al.
An act relating to employment.

2018

Aug. 27—Enrolled and presented to the Governor at 3 p.m.
Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.
Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3080 without my signature.

This bill prohibits an applicant for employment or employee from being required to waive his or her right to a judicial forum as a condition of employment or continued employment.

In my veto message of a similar bill in 2015, I referred to recent court decisions that invalidated state policies which unduly impeded arbitration. I also wanted to see how future United States Supreme Court decisions developed before endorsing a broad ban on mandatory arbitration agreements.

The direction from the Supreme Court since my earlier veto has been clear - states must follow the Federal Arbitration Act and the Supreme Court's interpretation of the Act. *DIRECTV, Inc. v. Imburgia*, 136 S. Ct. 463, 468 (2015).

This bill is based on a theory that the Act only governs the enforcement and not the initial formation of arbitration agreements and therefore California is free to prevent mandatory arbitration agreements from being formed at the outset. The Supreme Court has made it explicit this approach is impermissible. In 2017 Justice Kagan, an appointee of President Obama, writing on behalf of a near-unanimous Supreme Court, clearly rejected the assertion that the Federal Arbitration Act has no application to contract formation issues:

"By its terms, . . . the Act cares not only about the "enforce[ment]" of arbitration agreements, but also about their initial "valid[ity]"—that is, about what it takes to enter into them. Or said otherwise: A rule selectively finding arbitration contracts invalid because improperly formed fares no better under the Act than a rule selectively refusing to enforce those agreements once properly made. Precedent confirms that point."

Kindred Nursing Centers Ltd. Partnership v. Clark, 137 S. Ct. 1421, 1428 (2017).

Since this bill plainly violates federal law, I cannot sign this measure.

MEASURE CONTINUED ON THE FOLLOWING PAGE

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

A.B. No. 3080—Gonzalez Fletcher et al.—continued

Sincerely,

Edmund G. Brown Jr.

140

A.B. No. 3081—Gonzalez Fletcher et al.

An act relating to employment.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3081 without my signature.

This bill creates a new, ill-defined standard of joint liability between labor contractors and client employers, prohibits both entities from retaliating against an employee who has filed a harassment claim, and establishes a 30-day notice requirement before certain workers can file a civil action against a client employer.

Most of the provisions in this bill are contained in current law and are therefore unnecessary. To the extent there are new provisions, they are confusing.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

141

A.B. No. 3115—Gipson et al.

An act relating to community paramedicine.

2018

Sep. 12—Enrolled and presented to the Governor at 12 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3115 without my signature.

This bill would permit local emergency medical services agencies to develop community paramedicine programs under prescribed state rules.

Through the health workforce pilot project started in 2014, local community paramedicine programs are using paramedics to assist in the transportation and care of patients in settings other than an emergency room. While this bill has the good intention of making the pilot project permanent, it restricts the types of facilities to which patients can be transported. It also limits the discretion of local governments to design and manage their projects in the way they think best.

I support these innovative local efforts and believe they should be expanded but without the restrictions contained in this bill. To achieve that, I am directing the continuation of the existing pilot project and encouraging all of the interested parties to work together to make this program permanent.

Sincerely,

Edmund G. Brown Jr.

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

142

A.B. No. 3120—Gonzalez Fletcher.

An act relating to childhood sexual assault.

2018

Sep. 11—Enrolled and presented to the Governor at 4:30 p.m.

Sep. 30—Vetoed by Governor. Consideration of Governor's veto pending.

Legislature has 60 calendar days, not including periods of joint recess, to consider Governor's veto (J.R. 58.5). Shall this bill become a law notwithstanding the objections of the Governor?

To the Members of the California State Assembly:

I am returning Assembly Bill 3120 without my signature.

This bill makes amendments to the statute of limitations relating to claims of childhood sexual abuse.

In 2013 I vetoed a substantially similar bill, SB 131 (Beall). My views have not changed. As I said then:

Statutes of limitation reach back to Roman law and were specifically enshrined in the English common law by the Limitations Act of 1623. Ever since, and in every state, including California, various limits have been imposed on the time when lawsuits may still be initiated. Even though valid and profoundly important claims are at stake, all jurisdictions have seen fit to bar actions after a lapse of years.

The reason for such a universal practice is one of fairness. There comes a time when an individual or organization should be secure in the reasonable expectation that past acts are indeed in the past and not subject to further lawsuits. With the passage of time, evidence may be lost or disposed of, memories fade and witnesses move away or die.

Over the years, California's laws regarding time limits for childhood sexual abuse cases have been amended many times. The changes have affected not only how long a person has to make a claim, but also who may be sued for the sexual abuse. The issue of who is subject to liability is an important distinction as the law in this area has always and rightfully imposed longer periods of liability for an actual perpetrator of sexual abuse than for an organization that employed that perpetrator. This makes sense as third parties are in a very different position than perpetrators with respect to both evidence and memories.

For claims against a perpetrator of abuse, the current law is that a claimant must sue within eight years of attaining the age of majority (i.e. age 26) or "within three years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after the age of majority was caused by the sexual abuse, whichever period expires later..." However, for claims against a third party - e.g. an organization that employed the perpetrator of the abuse - the general rule since 1998 was

MEASURE CONTINUED ON THE FOLLOWING PAGE

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

A.B. No. 3120—Gonzalez Fletcher.—continued

that a claimant must sue before he or she turns 26. A later discovered psychological injury - no matter how compelling - could not be brought against a third party by a person older than 26.

When a number of high profile sex abuse scandals in both public and private institutions came to light, many felt that the third party limitation rule described above was too harsh and that claimants over 26 should be able to recover damages for later discovered injuries from certain, more culpable entities.

In 2002, the California Legislature weighed the competing considerations on this issue and enacted SB 1779, which did the following: (1) It identified for the first time a new subcategory of third party defendants which no longer would have the protection of the age 26 cutoff for claims. Going forward these defendants - entities who knew or should have known of the sexual abuse and failed to take action - now could be sued within three years of the date of discovery of a claim. (2) Looking backwards, SB 1779 also revived for one year only (2003) all claims that had previously lapsed because of the statute of limitation. This very unusual "one year revival" of lapsed claims allowed victims relief but also set a defined cut-off time for these lapsed claims.

In reliance on the clear language and intent of this statute, the private third party defendants covered by this bill took actions to resolve these legacy claims of victims older than 26. Over 1,000 claims were filed against the Catholic Church alone, some involving alleged abuse as far back as the 1930s. By 2007, the Catholic Church in California had paid out more than \$1.2 billion to settle the claims filed during this one year revival period. Other private and non-profit employers were sued and paid out as well.

For the public third parties covered by this bill, however, a very different result occurred. There is no doubt that in 2002, when SB 1779 was enacted, it was intended to apply to both public and private entities. Indeed, it would be unreasonable, if not shocking, for the Legislature to intentionally discriminate against one set of victims, e.g. those whose abusers happened to be employed by a public instead of a private entity. However, due to a drafting error, the California Supreme Court held in 2007 that SB 1779 did not actually apply to public or governmental agencies. So, unlike private institutions, public schools and government entities were shielded from the one year revival of lapsed claims. As a result, the similarly situated victims of these entities were not accorded the remedies of SB 1779.

In 2008, the Legislature addressed this unfair distinction between victims of public as opposed to private institutions. Note, however, that the bill enacted, SB 640, did not restore equity between these two sets of victims. Instead of subjecting public/governmental entities to all of the provisions of the 2002 law, the Legislature only allowed victims of public institutions to sue under the new rules prospectively-from 2009 forward-and provided no "one year revival" period.

In passing this 2008 law, I can't believe the legislature decided that victims of abuse by a public entity are somehow less deserving than those who suffered abuse by a private entity. The children assaulted by Jerry Sandusky at Penn State or the teachers at Miramonte Elementary School in Los Angeles are no less worthy because of the nature of the institution they attended. Rather, I believe that legislators, in good faith, weighed the merits of such claims against the equities of allowing claims to be brought against third parties years after the abuse occurred. The Legislature concluded that fairness required that certain claims

MEASURE CONTINUED ON THE FOLLOWING PAGE

UNFINISHED BUSINESS—Continued

GOVERNOR'S VETOES—Continued

A.B. No. 3120—Gonzalez Fletcher.—continued

should be allowed, but only going forward.

The bill now before me, AB 3120, is broader than SB 131, does not fully address the inequity between state defendants and others, and provides a longer revival period for otherwise barred claims. For these reasons, as well as those previously enumerated in the veto message referenced above, I cannot sign this bill.

Sincerely,

Edmund G. Brown Jr.

Commissioners
Eric Sklar, President
Saint Helena

Anthony C. Williams, Vice President
Huntington Beach

Jacque Hostler-Carmesin, Member
McKinleyville

Russell E. Burns, Member
Napa

Peter S. Silva, Member
Jamul

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

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November 8, 2018

The Honorable John Thune
Chairman
U.S. Senate Committee on Commerce,
Science, and Transportation
512 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate Committee on Commerce,
Science, and Transportation
512 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Thune and Ranking Member Nelson:

On behalf of the California Fish and Game Commission (Commission), I write to express our support for S. 2773, the Driftnet Modernization and Bycatch Reduction Act; this legislation is complementary and consistent with recent legislation signed into law by Governor Jerry Brown that will transition away from the use of large-mesh drift gillnets offshore California. As you may be aware, the drift gillnet fishery is managed at the federal level by the Pacific Fishery Management Council (PFMC); however, a state-issued drift gillnet permit is also required to participate in the fishery in California, which will soon be phased out.

S. 2773 highlights two key areas for the California drift gillnet fishery: (1) a transition away from large-scale, drift gillnet fishing and (2) making federal grant funds available to affected fishermen. We request the U.S. Senate Committee on Commerce, Science, and Transportation continue to support this bipartisan and thoughtful legislation by reporting it to the floor and supporting approval by the Senate.

In September 2015, PFMC expressed its intent to change management of the California drift gillnet swordfish fishery using tools available under the Magnuson-Stevens Fishery Conservation and Management Act; PFMC's intent was to create a new framework to address bycatch concerns in the fishery, including hard caps on protected species. However, in June 2017, the National Marine Fisheries Service (NMFS) withdrew a proposed rule implementing hard caps, the primary purpose of which would have been to create transparency, accountability measures, and incentives for best practices within the fishery. The Commission unanimously supported implementation of hard caps and increased monitoring in the drift gillnet fishery, and strongly disagreed with NMFS' withdrawal of the proposed rule.

Honorable John Thune and Honorable Bill Nelson

November 8, 2018

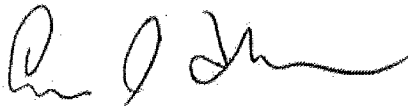
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In recent years, PFMC has been actively engaged in evaluating alternative gear, including deep-set buoy gear; PFMC is in the process of authorizing deep-set buoy gear, which would help open additional access for California fishermen to fish for swordfish with minimal bycatch.

Sustainable coastal fishing communities are a priority to the Commission and to Californians. In support of our coastal fishing communities, the Commission supports authorization of deep-set buoy gear as an alternate method of catching swordfish with minimal bycatch. Further, S. 2773 will make drift gillnet fishermen eligible to receive federal grant money and provide fishery participants with additional resources to transition to more sustainable and selective gear, such as deep-set buoy gear.

Thank you for your work on this important issue.

Sincerely,



Eric Sklar
President

cc: Members, U.S. Senate Committee on Commerce, Science, and Transportation
Honorable Dianne Feinstein, Member, U.S. Senate
Honorable Kamala D. Harris, Member, U.S. Senate
Dr. Fern Gibbons, Policy Director for Surface Transportation, U.S. Senate
Committee on Commerce, Science, and Transportation
Jeffrey H. Lewis, Counsel, U.S. Senate Committee on Commerce, Science, and
Transportation
Lauren Linsmayer, Knauss Sea Grant Fellow, U.S. Senate Committee on
Commerce, Science, and Transportation
Brendan Dailey, Legislative Aide for Honorable Shelley Moore Capito, U.S. Senate
Neal McMillin, Legislative Assistant for Honorable Roger Wicker, U.S. Senate
Ann Robertson, Legislative Assistant for Honorable Lisa Murkowski, U.S. Senate
Lora D. Snyder, Professional Staff, U.S. House of Representatives Committee on
Natural Resources
John Laird, Secretary, California Natural Resources Agency
Charlton Bonham, Director, California Department of Fish and Wildlife
Craig Shuman, Marine Region Manager, California Department of Fish and Wildlife