

CALIFORNIA LEGISLATURE

2015–16 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 15

FINAL RECESS

Assembly Chamber, Sacramento
Monday, October 3, 2016

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2015–16 Regular Session was printed while the Assembly was in Final Recess.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 16, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Michael Layton to
Contractors' State License Board

Dear Mr. Wilson: Please be advised that I have appointed Mr. Michael Layton to the Contractors' State License Board. This is a term appointment starting September 16, 2016, and the expiration date is June 1, 2020. Mr. Layton will be replacing Robert Lamb.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

September 16, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Reappointment of David De La Torre to
Contractors' State License Board

Dear Mr. Wilson: Please be advised that I have reappointed Mr. David De La Torre to the Contractors' State License Board. This is a term appointment starting September 16, 2016, and the expiration date is June 1, 2020.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

September 16, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Belinda Faustinos to
Tahoe Regional Planning Agency

Dear Mr. Wilson: Please be advised that I have appointed Ms. Belinda Faustinos to the Tahoe Regional Planning Agency. This is a pleasure appointment starting September 16, 2016. Ms. Faustinos will be replacing Elizabeth Carmel.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

September 16, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Nidia Garcia-Erceg to
California Coastal Commission

Dear Mr. Wilson: Please be advised that I have appointed Ms. Nidia Garcia-Erceg to the California Coastal Commission. This is a pleasure appointment starting September 16, 2016. Ms. Garcia-Erceg will serve as an alternate to Commissioner Mark Vargas.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

September 16, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Miguel Luna to
Santa Monica Mountains Conservancy Advisory Committee

Dear Mr. Wilson: Please be advised that I have appointed Mr. Miguel Luna to the Santa Monica Mountains Conservancy Advisory Committee. This is a pleasure appointment starting September 16, 2016.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

September 16, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Marisol Avina to
Awards for Innovation in Higher Education Committee

Dear Mr. Wilson: Please be advised that I have appointed Ms. Marisol Avina to the Awards for Innovation in Higher Education Committee. This is a pleasure appointment starting September 16, 2016.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

September 16, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Eric Alegria to California Film Commission

Dear Mr. Wilson: Please be advised that I have appointed Mr. Eric Alegria to the California Film Commission. This is a term appointment starting September 16, 2016, and the expiration date is September 16, 2018. Mr. Alegria will be replacing Robert Nelson.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

September 19, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Reappointment of David Tamayo to
Structural Pest Control Board

Dear Mr. Wilson: Please be advised that I have reappointed Mr. David Tamayo to the Structural Pest Control Board. This is a term appointment starting September 19, 2016, and the expiration date is June 1, 2020.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

September 28, 2016

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Richard Ramirez to
State Bar Board of Trustees

Dear Mr. Wilson: Please be advised that I have appointed Mr. Richard Ramirez to the State Bar Board of Trustees. This is a term appointment starting September 28, 2016, and the expiration date is September 1, 2019. Mr. Ramirez will be replacing Gwen Moore.

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Higher Education, on Thursday, September 22, 2016, at 9 a.m., in Riverside;

Higher Education, to convene jointly with Budget Subcommittee No. 2 on Education Finance, on Thursday, October 6, 2016, at 9 a.m., at San Jose State University;

Select Committee on Infectious Diseases in High Risk Disadvantaged Communities, on Tuesday, October 11, 2016, at the Martin Luther King, Jr. Outpatient Center in Los Angeles;

Judiciary, on Wednesday, November 9, 2016, at 1 p.m., in Room 447;

Select Committee on Women in the Workplace, on Tuesday, October 18, 2016, at 10 a.m., at McDonnell Hall in San Jose;

Select Committee on the Status of Boys and Men of Color, on Friday, September 30, 2016, at 2 p.m., at Coachella City Hall;

Banking and Finance, on Tuesday, October 11, 2016, at 10 a.m., at Calabasas City Hall;

Joint Committee on Fisheries and Aquaculture, on Tuesday, October 4, 2016, at 1 p.m., at the UC Davis Bodega Marine Laboratory in Bodega Bay.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 1, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2485

And reports the same correctly enrolled, and presented to the Governor on the 1st day of September, 2016, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2516

Assembly Bill No. 2536

Assembly Bill No. 2559

Assembly Bill No. 2562

Assembly Bill No. 2623

Assembly Bill No. 2636

Assembly Bill No. 2640

Assembly Bill No. 2664

Assembly Bill No. 2729

Assembly Bill No. 2730

Assembly Bill No. 2767

Assembly Bill No. 2813

Assembly Bill No. 2828

Assembly Bill No. 2833

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2016, at 12 noon.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2306

Assembly Bill No. 2346

Assembly Bill No. 2374

Assembly Bill No. 2387

Assembly Bill No. 2393

Assembly Bill No. 2454

Assembly Bill No. 2470

Assembly Bill No. 2530

Assembly Bill No. 2568

Assembly Bill No. 2594

Assembly Bill No. 2615

Assembly Bill No. 2629

Assembly Bill No. 2686

Assembly Bill No. 2759

Assembly Bill No. 2800

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2016, at 12 noon.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1577

Assembly Bill No. 1627

Assembly Bill No. 1653

Assembly Bill No. 1755

Assembly Bill No. 1843

Assembly Bill No. 1849

Assembly Bill No. 1863

Assembly Bill No. 1890

Assembly Bill No. 1926

Assembly Bill No. 1937

Assembly Bill No. 1952

Assembly Bill No. 2062

Assembly Bill No. 2086

Assembly Bill No. 2115

Assembly Bill No. 2119

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2016, at 12 noon.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 2, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 551

Assembly Bill No. 801

Assembly Bill No. 1198

Assembly Bill No. 1373

Assembly Bill No. 1549

Assembly Bill No. 1592

Assembly Bill No. 1651

Assembly Bill No. 1676

Assembly Bill No. 1719

Assembly Bill No. 1726

Assembly Bill No. 1762

Assembly Bill No. 2348

Assembly Bill No. 2765

Assembly Bill No. 2818

Assembly Bill No. 2843

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2016, at 12 noon.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 6, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1770
Assembly Bill No. 1782
Assembly Bill No. 1807
Assembly Bill No. 1823
Assembly Bill No. 1841
Assembly Bill No. 1859
Assembly Bill No. 1900

Assembly Bill No. 1934
Assembly Bill No. 1945
Assembly Bill No. 1954
Assembly Bill No. 1958
Assembly Bill No. 1960
Assembly Bill No. 1979
Assembly Bill No. 2011

And reports the same correctly enrolled, and presented to the Governor on the 6th day of September, 2016, at 5:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 6, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1550
Assembly Bill No. 2722

And reports the same correctly enrolled, and presented to the Governor on the 6th day of September, 2016, at 5:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 6, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 884

And reports the same correctly enrolled, and presented to the Governor on the 6th day of September, 2016, at 5:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1299
Assembly Bill No. 1761
Assembly Bill No. 1923
Assembly Bill No. 2017
Assembly Bill No. 2029
Assembly Bill No. 2031
Assembly Bill No. 2036
Assembly Bill No. 2057

Assembly Bill No. 2089
Assembly Bill No. 2164
Assembly Bill No. 2221
Assembly Bill No. 2231
Assembly Bill No. 2246
Assembly Bill No. 2249
Assembly Bill No. 2258

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2016, at 12 noon.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2288
Assembly Bill No. 2294
Assembly Bill No. 2298
Assembly Bill No. 2316
Assembly Bill No. 2330
Assembly Bill No. 2331
Assembly Bill No. 2371
Assembly Bill No. 2385

Assembly Bill No. 2406
Assembly Bill No. 2439
Assembly Bill No. 2442
Assembly Bill No. 2480
Assembly Bill No. 2491
Assembly Bill No. 2498
Assembly Bill No. 2588

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2016, at 12 noon.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 73
Assembly Bill No. 287
Assembly Bill No. 2591
Assembly Bill No. 2621
Assembly Bill No. 2719
Assembly Bill No. 2737
Assembly Bill No. 2761
Assembly Bill No. 2797

Assembly Bill No. 2799
Assembly Bill No. 2820
Assembly Bill No. 2821
Assembly Bill No. 2859
Assembly Bill No. 2881
Assembly Bill No. 2888
Assembly Bill No. 2911

And reports the same correctly enrolled, and presented to the Governor on the 7th day of September, 2016, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1997

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2016, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 366
Assembly Bill No. 450
Assembly Bill No. 453
Assembly Bill No. 470
Assembly Bill No. 488
Assembly Bill No. 492
Assembly Bill No. 499
Assembly Bill No. 567

Assembly Bill No. 626
Assembly Bill No. 635
Assembly Bill No. 723
Assembly Bill No. 736
Assembly Bill No. 741
Assembly Bill No. 779
Assembly Bill No. 796

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2016, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 806
Assembly Bill No. 873
Assembly Bill No. 935
Assembly Bill No. 1050
Assembly Bill No. 1174
Assembly Bill No. 1244
Assembly Bill No. 1419

Assembly Bill No. 1449
Assembly Bill No. 1594
Assembly Bill No. 1685
Assembly Bill No. 1708
Assembly Bill No. 1716
Assembly Bill No. 1787
Assembly Bill No. 1795

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2016, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1836
Assembly Bill No. 1899
Assembly Bill No. 1921
Assembly Bill No. 1922
Assembly Bill No. 1924
Assembly Bill No. 1974
Assembly Bill No. 1978

Assembly Bill No. 1993
Assembly Bill No. 2009
Assembly Bill No. 2013
Assembly Bill No. 2025
Assembly Bill No. 2053
Assembly Bill No. 2106
Assembly Bill No. 2148

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2016, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2165	Assembly Bill No. 2414
Assembly Bill No. 2176	Assembly Bill No. 2427
Assembly Bill No. 2180	Assembly Bill No. 2488
Assembly Bill No. 2272	Assembly Bill No. 2524
Assembly Bill No. 2290	Assembly Bill No. 2548
Assembly Bill No. 2313	Assembly Bill No. 2551
Assembly Bill No. 2366	Assembly Bill No. 2556
Assembly Bill No. 2375	

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2016, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 33	Assembly Bill No. 575
Assembly Bill No. 38	Assembly Bill No. 1690
Assembly Bill No. 72	Assembly Bill No. 2107
Assembly Bill No. 278	Assembly Bill No. 2862
Assembly Bill No. 350	Assembly Bill No. 2891
Assembly Bill No. 491	Assembly Bill No. 2899
Assembly Bill No. 501	Assembly Bill No. 2913
Assembly Bill No. 526	

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2016, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 650	Assembly Bill No. 1630
Assembly Bill No. 813	Assembly Bill No. 1637
Assembly Bill No. 1110	Assembly Bill No. 1662
Assembly Bill No. 1114	Assembly Bill No. 1671
Assembly Bill No. 1289	Assembly Bill No. 1730
Assembly Bill No. 1330	Assembly Bill No. 1751
Assembly Bill No. 1381	Assembly Bill No. 1889
Assembly Bill No. 1613	

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2016, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1976	Assembly Bill No. 2218
Assembly Bill No. 1996	Assembly Bill No. 2251
Assembly Bill No. 2024	Assembly Bill No. 2254
Assembly Bill No. 2077	Assembly Bill No. 2280
Assembly Bill No. 2087	Assembly Bill No. 2299
Assembly Bill No. 2121	Assembly Bill No. 2318
Assembly Bill No. 2170	Assembly Bill No. 2329
Assembly Bill No. 2194	

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2016, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2586
Assembly Bill No. 2590
Assembly Bill No. 2616
Assembly Bill No. 2618
Assembly Bill No. 2651
Assembly Bill No. 2656
Assembly Bill No. 2693
Assembly Bill No. 2724

Assembly Bill No. 2728
Assembly Bill No. 2748
Assembly Bill No. 2766
Assembly Bill No. 2790
Assembly Bill No. 2792
Assembly Bill No. 2844
Assembly Bill No. 2861

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2016, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 12, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2153
Assembly Bill No. 2501
Assembly Bill No. 2503
Assembly Bill No. 2506
Assembly Bill No. 2561
Assembly Bill No. 2570
Assembly Bill No. 2620

Assembly Bill No. 2637
Assembly Bill No. 2679
Assembly Bill No. 2741
Assembly Bill No. 2770
Assembly Bill No. 2868
Assembly Bill No. 2900

And reports the same correctly enrolled, and presented to the Governor on the 12th day of September, 2016, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 7, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 45
Assembly Concurrent Resolution No. 128
Assembly Concurrent Resolution No. 136
Assembly Concurrent Resolution No. 154
Assembly Concurrent Resolution No. 194
Assembly Concurrent Resolution No. 199
Assembly Concurrent Resolution No. 200
Assembly Joint Resolution No. 46

And reports the same correctly enrolled, and presented to the Secretary of State on the 7th day of September, 2016, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2016

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 121
Assembly Concurrent Resolution No. 201
Assembly Concurrent Resolution No. 203
Assembly Concurrent Resolution No. 204

And reports the same correctly enrolled, and presented to the Secretary of State on the 9th day of September, 2016, at 1:30 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE GOVERNOR

The following veto messages from the Governor were received and ordered printed in the Journal:

Veto Message**Assembly Bills Nos. 717, 724, 1561, 2127, and 2728**

Governor's Office, Sacramento

September 13, 2016

To the Members of the California State Assembly:

I am returning the following seven bills without my signature:

Assembly Bill 717

Assembly Bill 724

Assembly Bill 1561

Assembly Bill 2127

Assembly Bill 2728

Senate Bill 898

Senate Bill 907

Each of these bills creates a new tax break or expands an existing tax break. In total, these bills would reduce revenues by about \$300 million through 2017–18.

As I said last year, tax breaks are the same as new spending—they both cost the General Fund money. As such, they must be considered during budget deliberations so that all spending proposals are weighed against each other at the same time. This is even more important when the state's budget remains precariously balanced.

Therefore, I cannot sign these measures.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 13th day of September, 2016, at 11:40 a.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 717, 724, 1561, 2127, and 2728.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2085

Governor's Office, Sacramento
September 14, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2085 without my signature.

This bill creates, upon appropriation by the Legislature and until July 1, 2022, the Office of Military Legal Assistance within the California Military Department to assist current service members who require legal assistance.

I believe this type of bill is more properly considered during budget deliberations.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2279

Governor's Office, Sacramento
September 14, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2279 without my signature.

This bill requires the Department of Health Care Services to annually compile and publicly report financial data and program information from counties on their Mental Health Services Act expenditures.

The department is already in the process of collecting and posting county revenue and expenditure reports as well as updated three year program expenditure plans, which will provide much of the information outlined in this bill. I encourage the Legislature and interested stakeholders to continue to work with the department to identify useful information that can be integrated into the existing reports to improve transparency and accountability in the use of these funds.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 14th day of September, 2016, at 1:25 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 2085 and 2279.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1739

Governor's Office, Sacramento
September 21, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1739 without my signature.

This bill codifies a specific standard for allergy testing in Medi-Cal.

The Department of Health Care Services already has authority to set allergy testing standards and will be updating them later this year. When it does so, the Department should not be limited, as this bill requires, to considering just the guidelines from National Institutes of Health.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1952

Governor's Office, Sacramento
September 21, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1952 without my signature.

This bill allows the Director of Finance to authorize expenditures from the General Fund to pay all approved claims from the Senior and Disabled Citizens Property Tax Postponement Program if the State Controller determines there are insufficient funds.

The premise of the 2014 legislation reinstating this program was that it be entirely self-financing. This bill will reverse that, putting the General Fund back on the hook.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2386

Governor's Office, Sacramento
September 21, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2386 without my signature.

This bill would require one of my appointments to the California State University (CSU) Board of Trustees to be a permanent non-faculty employee of the CSU, preselected by a newly created systemwide staff council.

While the knowledge and perspective of rank-and-file employees should be sought out and considered within the decision-making authority of the board, I am not convinced that constraining the Gubernatorial appointments process is necessary when other alternatives could achieve the same result.

I would advise both the Trustees and the Chancellor to find ways to utilize the expertise of non-faculty employees in considering the many issues that come before the board.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2805

Governor's Office, Sacramento
September 21, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2805 without my signature.

This bill establishes a working group to combat agricultural cargo theft.

Agricultural cargo theft is a growing problem in California, worthy of prioritization. The goals of this bill, however, can be accomplished administratively without another law. I am directing the CHP Commissioner and the Secretary of the State Transportation Agency to examine ways to improve enforcement in this area and carry out the goals of this bill.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 21st day of September, 2016, at 12:40 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 1739, 1952, 2386, and 2805.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1174

Governor's Office, Sacramento
September 22, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1174 without my signature.

This bill requires the Bureau of Automotive Repair (Bureau) to adopt regulations regarding its policies and procedures for handling complaints and investigations. This bill is unnecessary and duplicative of existing practice at the Bureau.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1588

Governor's Office, Sacramento
September 22, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1588 without my signature.

This bill codifies the existing low-interest loans and grants being provided for local agencies, counties and qualified non-profits for drinking water or wastewater treatment projects. Unfortunately, there were some technical errors that would inadvertently limit the drought assistance we are currently providing.

I am directing the Water Board to work with the author on revised legislation next year.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1782

Governor's Office, Sacramento
September 22, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1782 without my signature.

This bill authorizes franchisors to exhibit at franchise trade shows without first registering with the Department of Business Oversight (Department).

Registration gives the Department the opportunity to review franchise disclosure documents and ensure that franchisors are providing accurate information to potential customers. Allowing unregistered franchisors to market at these events without verifying their eligibility to do business in California is a step in the wrong direction.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1864

Governor's Office, Sacramento
September 22, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1864 without my signature.

This bill would add a statutory definition of "sudden unexplained death in childhood" and requires coroners to notify parents or responsible parties about the importance of taking tissue samples when such an unexplained death occurs.

I vetoed AB 2029 because of my concern that creating a definition in law for an unidentified cause of death, which lacks the consensus of the scientific community, is premature. This concern remains. The Center for Disease Control and Prevention has developed a Sudden Death in the Young Case Registry, and is working with experts to study the causes and risk factors for sudden death in children.

California would benefit from having the final results from the national study before creating a state mandate on this issue.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2637

Governor's Office, Sacramento
September 22, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2637 without my signature.

This bill allows franchisors to negotiate changes to a franchise agreement without disclosing the terms to the Department of Business Oversight (Department) or to other prospective franchisees.

While it is important to promote bringing new business into California, doing so at the expense of transparency could be detrimental to potential franchisees, as this bill proposes to do. The current process, which allows the Department to review contract changes, ensures that franchisees are not placed at a disadvantage in their final agreement.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2730

Governor's Office, Sacramento
September 22, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2730 without my signature.

This bill directs the Department of Transportation to use the revenues from surplus property sold in Monterey County towards local highway projects in the county, rather than transfer the proceeds to the General Fund.

These revenues are used to pay existing debt service on transportation construction projects statewide, which is an important purpose. Maintaining this funding stream to the General Fund is even more necessary when the state's budget remains precariously balanced.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2747

Governor's Office, Sacramento
September 22, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2747 without my signature.

This bill requires the Department of Public Health to process license applications for chronic dialysis clinics within 90 days and to conduct federal certification surveys of these same clinics within 60 days of approval by the Centers for Medicare and Medicaid Services.

Currently, the Department is taking the necessary steps to reduce the time spent processing applications for all health facilities. I believe this is a better approach than mandating timeframes for one type of facility.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 22nd day of September, 2016, at 2:10 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 1174, 1588, 1782, 1864, 2637, 2730, and 2747.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1763

Governor's Office, Sacramento
September 23, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1763 without my signature.

This bill imposes a no cost sharing mandate on health plans and insurance policies for colorectal cancer screening services that exceeds the requirements of the federal Affordable Care Act.

I understand the importance of preventative health care services, and in particular, screening for various types of cancer. I believe, however, the cost sharing rules for these services as set in the Affordable Care Act are sufficient. Moreover, creating a no cost sharing rule for colorectal cancer sets it apart from all other cancers and contributes to increasing everyone's health care costs.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1853

Governor's Office, Sacramento
September 23, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1853 without my signature.

This bill authorizes the retirement board of any county retirement system, operating under the Retirement Law of 1937, to unilaterally separate from the county where it operates.

This is too far-reaching. Previous bills that authorized a county retirement system to become independent were the result of agreement between the county and the retirement system. This more collaborative approach better serves the public interest.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2691

Governor's Office, Sacramento
September 23, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2691 without my signature.

This bill authorizes a county board of supervisors to let qualified taxpayers pay their property taxes in monthly, rather than biannual, payments.

County supervisors, tax collectors, and auditors across the state oppose this measure due to the significant costs to upgrade tax collection systems. I am not convinced that changing these current systems, many of which have been in place for decades, is worth the cost.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 23rd day of September, 2016, at 2 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 1763, 1853, and 2691.

BRENDA L. HARRIS

Executive Secretary to the Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 779

Governor's Office, Sacramento

September 24, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 779 without my signature.

This bill requires local agencies to post the names and total compensation of elected officials on their websites.

Local agencies already provide extensive employee compensation information, which includes the compensation for elected officials, to the State Controller's Office. If an agency maintains a website, it must post this information as well. There is no evidence that existing disclosure requirements are insufficient. Further, this bill exposes the General Fund to reimbursable mandate costs that it cannot afford.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1824

Governor's Office, Sacramento

September 24, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1824 without my signature.

This bill expands the definition of "guide, signal or service dog" and lowers the standard for convicting an individual who causes injury or death to such a dog. The bill also adds an owner's medical bills and lost wages to the existing list of recoverable restitution costs.

Lowering the *mens rea* standard for one of the misdemeanors covered by this measure expands the scope of the current penal code which already is convoluted and unnecessarily complex. I believe that existing law provides an adequate deterrent and sufficient punishment.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2017

Governor's Office, Sacramento
September 24, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2017 without my signature.

This bill requires the Mental Health Services Oversight and Accountability Commission to establish a grant program for mental health services at public colleges and universities, subject to a future appropriation.

While well-intentioned, the bill is premature as it commits to a particular program structure without specifying the amount or source of funding. Without this pertinent information, I cannot give this matter full consideration, given the complexities of mental health funding.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2077

Governor's Office, Sacramento
September 24, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2077 without my signature.

This bill allows people to stay on Medi-Cal longer in order to sign up for Covered California. The bill also requires counties to prioritize applications from new enrollees into Medi-Cal from Covered California.

The ability to maintain coverage while transitioning between Medi-Cal and Covered California may indeed be a daunting task. I am not comfortable, however, with the approach this bill proposes by giving more time on Medi-Cal to some, and preferential enrollment to others.

The Department of Health Care Services and Covered California are currently working on improvements to the eligibility and enrollment systems to give people the timely information they need to ease the transition from one program to the other.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2548

Governor's Office, Sacramento
September 24, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2548 without my signature.

This bill would impose new requirements for the public school accountability system that the State Board of Education has already developed.

The Board has spent more than two years listening to parents, students, teachers, school leaders and the public in order to create a thoughtful and integrated federal, state and local accountability system based on the Local Control Funding Formula.

On September 8, 2016, the Board adopted the Local Control Funding Formula indicators which serve as the foundation of the new accountability system. The Board is committed to continuously improving the system and has an annual review process in place for just that reason. It is unnecessary and premature to impose additional requirements at this time.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2559

Governor's Office, Sacramento
September 24, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2559 without my signature.

This bill requires the Department of Transportation to install guide signs upon request by any visitor center located within two miles of a State highway.

This bill circumvents an existing process at the department to determine if a new sign program is needed and if that new program complies with federal standards. That is the more appropriate process for new signs to be considered.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2629

Governor's Office, Sacramento
September 24, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2629 without my signature.

This bill would increase the fee that court reporters can charge for a court proceeding transcript.

This bill results in additional pressure to the General Fund by increasing costs to the judicial system. It covers spending that is more appropriately considered during the budget process.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2766

Governor's Office, Sacramento
September 24, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2766 without my signature.

This bill adds two additional student members to the California Student Aid Commission, bringing the total student membership to four, and the total commission membership to 17.

The current participation of the two student members should be sufficient to advancing the interests of students and protecting the public interest.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 24th day of September, 2016, at 2:30 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 779, 1824, 2017, 2077, 2548, 2559, 2629, and 2766.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message

Assembly Bills Nos. 492, 885, 1584, 1770, and 1838

Governor's Office, Sacramento
September 25, 2016

To the Members of the California State Assembly:

I am returning the following five bills without my signature:

Assembly Bill 492

Assembly Bill 885

Assembly Bill 1584

Assembly Bill 1770

Assembly Bill 1838

Each of these bills make changes to a worthy program that results in increased funding, a few of which received increases in this year's budget. These bills are an end run of the budget process, and would commit us to spending an additional \$240 million every year.

The budget process allows for all spending proposals to be weighed equally through public hearings, negotiations and, finally, approval of a balanced budget. This is the best way to evaluate and prioritize all new spending proposals, including those that increase the cost of existing programs. This process is even more important when the state's budget is precariously balanced.

The budget process begins again on January 10, 2017, which is the appropriate time to discuss these proposals.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 25th day of September, 2016, at 1:25 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 492, 885, 1584, 1770, and 1838.

BRENDA L. HARRIS

Executive Secretary to the Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 450

Governor's Office, Sacramento

September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 450 without my signature.

This bill repeals the statutory cap on fees that a sheriff may charge for issuance of a concealed carry permit.

This bill was spurred by a local dispute in one county. I am unaware of a larger problem that merits a statewide change at this time.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1730

Governor's Office, Sacramento

September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1730 without my signature.

This bill authorizes a pilot project in four counties to provide services for youth victims of commercial sex trafficking contingent upon an appropriation in the state budget.

There are numerous federal, state, and local efforts underway to combat commercial sexual exploitation of children. In this year's budget, the state provided \$19 million to fund the development of trafficking prevention and intervention services. Establishing a new pilot program in this area should be considered in the budget process.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1762

Governor's Office, Sacramento

September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1762 without my signature.

This bill creates a process for victims of human trafficking to petition for dismissal of convictions and arrests that occurred while they were a victim of trafficking.

I signed SB 823 (Block), which accomplishes much the same intent as this bill, but creates a more balanced procedural approach in my view.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1878

Governor's Office, Sacramento
September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1878 without my signature.

This bill authorizes the California Public Employees' Retirement System Board to increase the lump-sum post-retirement death benefit for state and school members based on inflation.

Given the state's huge unfunded pension liabilities, I don't believe it is prudent to add the additional costs that this bill would require.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 26th day of September, 2016, at 12 noon, of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 450, 1730, 1762, and 1878.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1594

Governor's Office, Sacramento
September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1594 without my signature.

This bill prohibits smoking and tobacco products at California State University and community college campuses and encourages the University of California to adopt these same prohibitions.

The governing boards of our public colleges and universities already have the authority and are fully capable of setting smoking policies on their campuses.

Current law should suffice.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2115

Governor's Office, Sacramento
September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2115 without my signature.

Existing law requires health plans and insurers to notify individuals who will no longer be covered by that plan or insurer that they may be eligible for low or no-cost health coverage through Covered California or Medi-Cal. This bill adds to the notice a statement that information about low or no-cost health care and prescription medicines may be found on a website that is to be determined.

I believe the current notification requirements are sufficient.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2179

Governor's Office, Sacramento
September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2179 without my signature.

This bill creates a hepatitis C counselor classification allowing a person who is trained to perform hepatitis C virus rapid tests to do so.

The Department of Public Health works with local health agencies to train HIV counselors who test for both HIV and hepatitis C. National health guidelines recommend people at risk for either of these diseases be tested for both. As such, I believe the existing counselor classification is more protective of public health.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2732

Governor's Office, Sacramento
September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2732 without my signature.

This bill would require the California State University Trustees to provide educational and preventative information about cyberbullying to students, as part of campus orientations, and request the Regents of the University of California to do the same.

There is little doubt that the proliferation of technology has generated new concerns and new forms of bullying and harassment. State law, however, already requires governing boards of public postsecondary institutions to adopt and publish policies on harassment and bullying.

It is common sense for institutions to include the most current and relevant issues in these policies and educate students during orientation. I believe that cyberbullying and other pertinent issues can be adequately covered without an additional specification in law.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2741

Governor's Office, Sacramento
September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2741 without my signature.

This bill shifts the responsibility to approve the state Transportation Plan from the Transportation Agency to the Transportation Commission. This would diminish my authority as chief executive, something that I am not inclined to do.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2748

Governor's Office, Sacramento
September 26, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2748 without my signature.

This bill would prohibit the use of release clauses and limit the scope of waivers in settlements pertaining to the Exide Technologies facility and Southern California Gas Company's Aliso Canyon gas storage facility.

This bill could eliminate the incentive for defendants to settle legal disputes stemming from these two unrelated incidents, something that clearly is not in the public interest. Nothing has been shown to indicate that current law is insufficient to hold polluters accountable. I would point to the many direct enforcement actions and lawsuits that have been filed on behalf of the state and affected communities.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 26th day of September, 2016, at 3:40 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 1594, 2115, 2179, 2732, 2741, and 2748.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1050

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1050 without my signature.

This bill requires employers seeking a permanent variance from an elevator safety order to notify the union representing elevator workers in the region where the building is located and to also notify the workers who will be performing the work. The bill also requires the Occupational Safety and Health Standard Board to grant party status to affected workers, or their authorized representative, to participate in the variance proceedings.

As I noted last year, the board routinely works with stakeholders to provide timely written notice of a variance request and permits those parties to intervene in the proceedings. I continue to believe that the existing process is one that provides adequate opportunity for interested and affected workers to be heard.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1708

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1708 without my signature.

This bill separates the crime of prostitution into three distinct offenses, increases monetary penalties, and requires mandatory jail time for solicitation.

I signed SB 420 (Huff), which creates the same distinctions between acts of prostitution as this bill seeks to do. However, this bill goes further by adding a minimum period of confinement in county jail for solicitation. I believe that existing law provides sufficient flexibility in punishing these crimes appropriately based on circumstance.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1778

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1778 without my signature.

In 2014, I signed Senate Bill 967, making California the first state in the country to define the terms of sexual consent for college students. The bill also required all public and independent postsecondary institutions to adopt “detailed and victim-centered policies and protocols for sexual assault, domestic violence, dating violence, and stalking.”

AB 1778 attempts to build on this law by requiring public and independent postsecondary institutions to conduct annual training for all employees on their obligations relative to student reports of sexual assault, domestic violence, dating violence, and stalking.

College campuses are already required to have clear policies and procedures to deal with these reports. The state, in this case, should not have to additionally mandate an annual training schedule for all college employees.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2088

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2088 without my signature.

This bill mandates a six month license suspension or restriction, or an appropriate period of community service, for any person who pleads guilty or nolo contendere to hit and run with property damage if the plea is in satisfaction of a charge of hit and run resulting in injury or death.

The prescriptive mandates contained in this bill dealing with one specific plea bargain scenario unnecessarily constrain judicial discretion—each sanction contemplated by this measure is already available to the court.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2147

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2147 without my signature.

This bill allows the seizure and impoundment of a vehicle used for the solicitation of prostitution without the current requirement that a local governing body approve an authorizing ordinance.

Current law permits local governments to pass ordinances providing for the impoundment of vehicles used in a number of crimes related to prostitution. This bill seeks to remove the local ordinance requirement only for solicitation, while leaving it in place for other offenses such as pimping and pandering.

While I am in agreement with the author's broader desire to combat human trafficking in our communities, I believe existing law is sufficient in permitting the use of vehicle impoundment as a means of doing so.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2348

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2348 without my signature.

This bill authorizes the Department of Finance to identify infrastructure projects for investment by the Public Employees' Retirement System and then guarantee those investments a certain rate of return.

This bill makes the state a guarantor of PERS investments. In the event that any such investment fails to meet the expected return, the state General Fund would be forced to make up the difference. That's not prudent.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2353

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2353 without my signature.

This bill requires the California Department of Education to identify professional development programs in culturally responsive instruction and provide links to those programs on its website.

Clearly, it's important to train teachers in cultural competency, which is why California's teacher preparation programs provide instruction on this issue. The Department currently provides resources and links related to culturally responsive instruction on its website. If this information needs to be enhanced or expanded, I'm confident the Superintendent can handle that request without this bill.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2621

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2621 without my signature.

This bill would require districts and private schools that have an employee code of conduct to post the code on its website and distribute a copy to parents at the beginning of each school year.

Employee codes of conduct can be many pages and cover several issues related to the employment of all district or school employees. It's not helpful to send parents more information unless the message being conveyed is clear. While well-intentioned, I am not convinced these documents specifically cover the behavior the author is targeting.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2707

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2707 without my signature.

This bill creates a cause of action to enforce a prohibition on racial profiling of consumers.

The Unruh Civil Rights Act—in a more expansive way—already prohibits the racial discrimination covered by this bill. Moreover, the state has vested in the Department of Fair Employment and Housing a full range of strong enforcement authority, including for those claims dealing with racial profiling.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2821

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2821 without my signature.

This bill establishes a new program to provide rental assistance to homeless Medi-Cal beneficiaries.

While the goal of this bill is laudable and the policy could lead to savings in the health care system, codifying a program without an identified funding source raises false expectations. This grant program, like any new expenditure, is best left to budget discussions.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 27th day of September, 2016, at 2:10 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 1050, 1708, 1778, 2088, 2147, 2348, 2353, 2621, 2707, and 2821.

BRENDA L. HARRIS

Executive Secretary to the Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 491

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 491 without my signature.

This bill would, among other things, require school districts to provide parents, at the time of enrolling their student, information explaining how their responses to a home language survey may lead to their student being designated as an English learner.

Given that English learners constitute approximately one-fourth of students enrolled in California public schools, I agree that we need to do a better job explaining to parents how their student may be designated as an English learner and what happens once they receive this designation. The specific statements included in this bill, however, are not clear and will cause more confusion for parents, not less.

This is an important matter that we have to get right.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 650

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 650 without my signature.

This bill removes significant regulation of taxicabs by cities and counties and declares the intent of the Legislature to transfer the regulation of taxicabs to the state.

This bill fundamentally alters the long-standing regulation of taxicabs by cities and counties and makes the determination that this responsibility should be shifted to the state. I do not believe that such a massive change is justified.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 995

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 995 without my signature.

This bill establishes, until January 1, 2020, a pilot program in the counties of Fresno, Kings, and Madera, exempting agricultural vehicles from vehicle registration and weight fees.

The author of the bill argues that farm vehicles have to travel greater distances with harvested goods than in the past and that, for trips up to 20 miles, these vehicles should be exempt from paying fees used to fund the state's transportation system.

Exemptions like those proposed in this bill are best considered as part of a comprehensive transportation funding solution to address the state's \$57 billion deferred maintenance backlog.

Sincerely,

EDMUND G. BROWN JR.

Veto Message
Assembly Bills Nos. 1198, 1783, and 2182

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning the following four bills without my signature.

Assembly Bill 1198
Assembly Bill 1783
Assembly Bill 2182
Senate Bill 1113

Each of these bills creates unfunded new programs.

Despite significant funding increases for local educational agencies over the past few years, the Local Control Funding Formula remains only 96 percent funded. Given the precarious balance of the state budget, establishing new programs with the expectation of funding in the future is counterproductive to the Administration's efforts to sustain a balanced budget and to fully fund the Local Control Funding Formula.

Additional spending to support new programs must be considered in the annual budget process.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1831

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1831 without my signature.

This bill requires health plans and insurance policies to pay for early refills of medicated eye drops.

Applying eye drops is sometimes difficult and imprecise. However, in most instances of spillage or loss, health plans or pharmacists provide an early refill to those who need it. Moreover, new mandates, even small ones, add to the high cost of health care.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1835

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1835 without my signature.

This bill exempts institutions that award doctoral degrees in psychoanalysis from the requirement to be accredited by a U.S. Department of Education-recognized accreditor.

I am not convinced that conferring special treatment on this one subset of professionals is warranted, when other means exist to comply with state law.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1996

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1996 without my signature.

This bill exempts a nonprofit institution that meets specific, narrow criteria from the requirements of the California Private Postsecondary Education Act.

While I understand the desire to escape from the burdens of regulation, conferring this new, exclusive statutory exemption on a single qualifying nonprofit lacks fairness.

Hundreds of private postsecondary providers on the state's Eligible Provider Training List have gained the necessary approval from the state to operate. Many have revenues under \$5 million and also have nonprofit status.

Rather than supporting this one-provider exemption, I will direct the relevant departments and agencies to work together to consider whether further exemption from portions of the Act or the Act itself are warranted for this class of private postsecondary providers.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2009

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2009 without my signature.

The bill requires public colleges and universities to have a staff member who is knowledgeable about financial aid and academic opportunities for undocumented students and also encourages the creation of resource centers for these students.

The state has long recognized that dreamers should pay resident tuition at public colleges and universities and also be eligible to receive financial aid. At this stage, all of our higher education institutions ought to be well-versed in the rights and opportunities available to undocumented students.

Rather than reinforcing state law with an additional law, I am calling upon University of California President Janet Napolitano and California State University President Tim White to ensure that relevant campus personnel can ably fulfill these duties, and I will request incoming California Community Colleges Chancellor Eloy Oakley to help our 113 community college campuses do the same.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2121

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2121 without my signature.

This bill requires alcohol servers, beginning July 1, 2020, to complete a training program intended to reduce excessive alcohol consumption among consumers and to repeat the program every three years thereafter.

The goal of the program is to teach alcohol servers how to recognize who has consumed too much alcohol by using courses approved by the American National Standards Institute, a for-profit accrediting body. I would prefer to have the Department of Alcohol Beverage Control determine the steps needed to beef up our training programs where necessary.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2170

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2170 without my signature.

This bill allocates federal funds through the California Transportation Commission to improve trade corridors in the state.

Unfortunately, the bill does not include key amendments agreed to by the author to ensure urgent state priorities are addressed, including improvements to California's border with Mexico and important rail safety projects.

I direct the Transportation Agency to work with the Commission and the author to ensure these funds are allocated to high-priority trade projects as soon as practicable.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 28th day of September, 2016, at 1:10 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 491, 650, 995, 1198, 1783, 1831, 1835, 1996, 2009, 2121, 2170, and 2182.

SUE PARKER
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 2586

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2586 without my signature.

This bill requires local authorities to make parking spaces available to motorists as soon as street sweeping or other maintenance activities are completed.

During posted street sweeping hours, local agencies may provide several types of services such as tree trimming, leaf removal, and utility maintenance. The current policy, which establishes a clear restriction on parking during regular road maintenance, leaves no gray area as to when motorists can park and provides agencies time to complete their work. If enacted, this bill would add more confusion for motorists who occupy spaces in the belief that they are available when maintenance crews may still need to provide services in the area. It would also hinder localities' ability to provide important services to their residents.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2719

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2719 without my signature.

The bill makes several changes to the California Workforce Innovation and Opportunity Act related to services for out-of-school youth and requires local workforce boards to consider programs accredited by the Western Association of Schools and Colleges (WASC) when provisioning services for these youth.

I agree that out-of-school youth need our attention. Federal law already requires these youth to be a priority, and our state plan recognizes the need to focus on this very vulnerable group of young people.

Rather than amending state law to give WASC-accredited programs an implied preference, the current, more inclusive approach is a better way to go.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2847

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2847 without my signature.

This bill mandates additional reporting requirements for inclusion in the High-Speed Rail Authority's business plan and in the project update report.

I believe this bill is unnecessary, particularly in view of the passage of Assembly Bill 1813, which adds two legislative members to the Authority. As with other projects of this magnitude, state law requires strict standards of accountability and transparency and I have every expectation that the Authority will meet these high standards.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 28th day of September, 2016, at 1:10 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 2586, 2719, and 2847.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 470

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 470 without my signature.

This bill requires newly constructed or remodeled swimming pools at single-family homes to use at least two of seven drowning-prevention safety features, instead of one, as currently mandated.

Nothing prevents a homeowner from adding as many additional safety features as they desire to their own pool. The choice on how to protect children is best left to the parents.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 567

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 567 without my signature.

This bill requires the Board of Equalization to develop and administer a tax amnesty program for medical cannabis businesses.

While increasing tax compliance among medical marijuana businesses is important, it is premature to create a tax amnesty before the regulations that link enforcement to licenses are promulgated.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1653

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1653 without my signature.

The bill requires public and independent postsecondary governing boards to generate a report on campus climate and update policies related to compliance with the federal Clery Act every two years.

I vetoed AB 340 last year, which is virtually identical to this bill. My views have not changed.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1662

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1662 without my signature.

This bill requires hobbyist drone operators to provide, at the scene of an accident caused by their drone, their name and home address along with valid identification.

Rather than creating a new misdemeanor crime, I believe it would be fairer and more effective to explore a more comprehensive approach that takes into account federal regulations on this subject. Piecemeal is not the way to go.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2089

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2089 without my signature.

This bill requires a county elections official to notify a vote-by-mail voter if their ballot was not counted and the reason it was not counted.

This bill is unnecessary. Currently, law requires a county elections official to establish a free access system that allows a vote-by-mail voter to learn whether his or her ballot was counted, and if not, the reason why the ballot was not counted. I believe this is sufficient.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2148

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2148 without my signature.

This bill prohibits the operation of a drone over lands managed by the Department of Parks and Recreation or the Department of Fish and Wildlife.

These departments have authority to promulgate regulations regarding drone use within their respective jurisdictions. In fact, the Department of Parks and Recreation is in the process of developing a regulatory approach to this issue.

I am directing both departments to explore how best to address the concerns raised by this bill.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2155

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2155 without my signature.

This bill functionally allows a community college district and its employees to lower the minimum instructional hours that certain part-time community college district instructors would be required to work to earn creditable service under the State Teachers' Retirement System.

I am concerned this bill, by authorizing districts to bargain for a lower instructional hour requirement that would qualify as pensionable service credit, will only increase state pension costs. This is not prudent, especially in light of STRS' massive unfunded liabilities.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2320

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2320 without my signature.

This bill prohibits the operation of a drone in a manner that violates a protective order, constitutes stalking, interferes with emergency response personnel, or facilitates delivery of contraband into a jail or prison. The bill also allows a court to bar a registered sex offender from operating a drone.

Current law is sufficient to prosecute the violations referenced in this bill. There is no need to add special reference to drones in multiple places in the penal code.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2385

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2385 without my signature.

This bill requires California agencies to issue medical cannabis licenses to Measure D compliant dispensaries in the City of Los Angeles.

This bill is inconsistent with dual licensing requirement established last year by the Medical Cannabis Regulation and Safety Act.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2448

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2448 without my signature.

This bill suspends the CalWORKs 24-month time clock for up to 12 months for recipients actively seeking their high school diploma or equivalent.

There is flexibility in this program which allows counties to extend the 24-month clock on a case-by-case basis for recipients making progress toward their high school diploma. I am not convinced that a state level suspension as called for in this bill is necessary.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2588

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2588 without my signature.

This bill requires unlicensed individuals employed by entities with a "company license" to obtain their own separate independent insurance adjuster licenses.

I am not convinced that an overhaul of the current licensing system is warranted. If a need can be demonstrated that individual licensure of these individuals is necessary, I would be willing to consider such an approach.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2724

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2724 without my signature.

This bill mandates that drone hobbyists be covered by adequate liability insurance when operating drones and requires drone manufacturers to install “geo-fencing” software on drones that are equipped with global positioning satellite technology.

This bill creates significant regulatory confusion by creating a patchwork of federal, state, and local restrictions on airspace. Moreover, the Federal Aviation Administration will likely assert federal preemption on the bill's “geo-fencing” requirements. I believe it's more prudent to explore a more comprehensive approach that takes into account federal regulations on this subject. Piecemeal is not the way to go.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 29th day of September, 2016, at 2:30 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 470, 567, 1653, 1662, 2089, 2148, 2155, 2320, 2385, 2448, 2588, and 2724.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 709

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 709 without my signature.

This bill requires charter schools to be subject to the Brown Act, Public Records Act, Political Reform Act and Government Code Section 1090.

In 2014, I vetoed AB 913, a virtually identical bill. My reasons then were:

Starting a charter school requires the strong commitment of dedicated individuals willing to serve on a governing board. While I support transparency, this bill goes further than simply addressing issues of potential conflicts of interest and goes too far in prescribing how these boards must operate.

That's still my view.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 741

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 741 without my signature.

This bill establishes a licensing category for children's crisis residential centers which would be regulated by the Department of Social Services.

The licensing category proposed by this bill limits the length of treatment stays and the size of the centers. These restrictions are not consistent with federal rules and put funding in jeopardy.

I recognize there is an acute shortage of residential programs that provide crisis mental health treatment for children and teens. Therefore, I am directing the Departments of Social Services and Health Care Services to work with county behavioral health directors and children's advocates to develop a more viable licensing category.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 769

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 769 without my signature.

This bill reduces the time frame in which the state can take an adverse personnel action against an employee from three years to one year, except in cases of fraud, embezzlement, the falsification of records or the unauthorized access or disclosure of confidential tax information.

I am unwilling to reduce longstanding civil service adverse action timeframes because it may take state agencies longer than a year to investigate and serve adverse actions in complex cases involving employee misconduct or unsatisfactory work performance. Further, this bill hinders the progressive discipline process which is intended to give employees a reasonable amount of time to correct problems at an early stage. As such, this bill makes it more difficult for the state to manage and ensure the integrity of its workforce.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 874

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 874 without my signature.

This bill allows certain Judicial Council employees to collectively bargain under the Ralph C. Dills Act.

The state has no experience collective bargaining with employees from the third branch of government. This bill leaves several important questions unanswered such as how agreements will be ratified, approved for funding, and whether the Dills Act is a proper law for employees who are constitutionally exempt from civil service. This bill isn't ready to become law.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1890

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1890 without my signature.

This bill requires a firm with a state contract valued at \$50,000 or more that is required to submit an EEO-1 report to the U.S. Equal Employment Opportunity Commission to also annually submit that report, or a nondiscrimination program meeting specified requirements, to the Department of Fair Employment and Housing.

The Office of Compliance Programs within the Department of Fair Employment and Housing already has access to EEO-1 reports submitted to the federal government by California employers. Additionally, and as I stated last year, the Department currently requires all state contractors to develop and implement a nondiscrimination program and has broad authority to investigate, approve, certify, decertify, monitor and enforce the obligation of state contractors not to discriminate. For these reasons, I do not believe this bill is necessary.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1922

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1922 without my signature.

This bill exempts large employers who purchase high deductible policies from workers' compensation insurance policy filing requirements.

I am supportive of efforts to increase the ability of insurance carriers to efficiently conduct their business. This bill, however, reverses Department of Insurance regulations that have been in effect less than six months. These regulations are designed to promote consumer protection and transparency. Let's allow time for them to work.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1930

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1930 without my signature.

This bill establishes an advisory committee within the Department of Social Services to study and report to the Legislature on issues related to employee contributions to Social Security benefits, Medicare, and unemployment benefits for In-Home Supportive Services family providers.

The In-Home Supportive Services Stakeholder Advisory Committee, with its composition of consumers, providers, labor representatives, and advocates, has the ability and expertise to examine these issues and produce information necessary to advise the departments involved as well as the Legislature on this topic.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2005

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2005 without my signature.

This bill creates a new evidentiary standard that must be met before a court can accept the recommendation of a probation department to place a juvenile in an out-of-state home or treatment facility.

I agree that out-of-state placements should be a last resort. In fact, the required case plan that probation must present to the court prior to such a placement being ordered must already show that in-state options have been exhausted or are not in the best interest of the child.

Last year I signed the Continuum of Care Reform Initiative into law. These reforms will drastically overhaul our system of housing youth under state care for the better, prioritizing in-home and smaller group placements wherever possible. Let's give this landmark effort some time to work before we pursue additional changes.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2197

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2197 without my signature.

This bill allows classified school employees to collect unemployment insurance benefits between school years.

This bill creates several conformity issues with the federal Unemployment Insurance laws, which could result in sanctions from the federal government, including the loss of significant tax credits for California's employers.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 30th day of September, 2016, at 11:10 a.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 709, 741, 769, 874, 1890, 1922, 1930, 2005, and 2197.

SUE PARKER

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 840

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 840 without my signature.

This bill prohibits mandatory overtime for registered nurses, license vocational nurses, or certified nursing assistants who are employed in state hospitals and facilities beginning January 1, 2019.

As I stated in a prior veto message, this matter is more appropriately settled through the collective bargaining process.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 969

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 969 without my signature.

This bill would require public and independent postsecondary governing boards to report campus adjudication outcomes of reported sexual assault cases.

While this is a relatively common sense measure, the state shouldn't have to mandate follow-up reporting. Governing boards should seek this information on their own, and take actions to mitigate problems at their institutions.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1505

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1505 without my signature.

This bill extends, from one to three years, the statute of limitations for specified Public Contract Code misdemeanors relating to competitive bidding.

Although the bill extends the criminal statute of limitations for violations of seven Public Contract Code sections, violations of four of those code sections carry no criminal penalties and are not actual crimes. We should not introduce any uncertainty into the Penal Code.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 1643

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 1643 without my signature.

This bill prohibits apportionment in cases of physical injury based on pregnancy, menopause, osteoporosis, and carpal tunnel syndrome and requires that breast cancer not be less than the comparable impairment rating for prostate cancer.

I am vetoing this bill for many of the same reasons that I returned a similar measure, AB 305, last year. This bill is poorly drafted and reflects a seriously flawed understanding of both the workers' compensation system and the nature of physical disability that may result from a work-related injury. The bill would, among other provisions, mandate that impairment ratings for breast cancer be no less than the ratings for prostate cancer. It would also create broad gender-based exceptions to the core principle of apportionment: that employers are liable only for the permanent disability directly caused by their employee's work-related injury.

This measure seeks to draw a false comparison between disability ratings resulting from prostate and breast cancers, notwithstanding that these organs neither perform analogous physiological functions nor do their treatments result in similar physical limitations. There is a wide disparity in impairment levels that may result among individual women diagnosed with breast cancer and individual men diagnosed with prostate cancer, and individuals of all genders diagnosed with any form of cancer, depending on the stage at which the cancer was diagnosed, the nature of the treatment, and the degree and process of recovery. The suggestion that these two very different conditions should be rated equivalently in all cases has no basis in medical fact and upends the goals of ensuring consistency, uniformity and objectivity in ratings supported by substantial medical evidence.

On the issue of apportionment, this bill creates broad, gender-based exceptions to the rule that employers are liable only for the percentage of permanent disability directly caused by a work-related injury. As written, the bill would prohibit apportionment to, and thus require employers to pay for, a permanent disability that actually resulted from pregnancy or menopause, or from osteoporosis or carpal tunnel

syndrome where these are preexisting conditions or unrelated to work.

As I said last year, there is no place for gender discrimination in the workers' compensation system. Current law, however, already prohibits apportionment to risk factors, including gender, age, and family history. There is ample opportunity within the workers' compensation adjudicatory process for workers, their counsel, and others to raise any concerns or allegations of improper and impermissible gender discrimination in the medical evaluation or apportionment process.

California's workers' compensation system strives to treat all injured workers fairly and to ensure that all workers, regardless of gender, are adequately compensated for any permanent disability directly caused by work-related injuries. Rather than promoting equality, the statutory changes proposed by this measure would create new gender-based classifications and spur additional and costly litigation, undermining the successful reforms enacted in 2012 and the sustainability of the system.

I urge proponents of this bill to support efforts to educate medical evaluators on current laws prohibiting bias and to collaborate with my administration.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2069

Governor's Office, Sacramento

September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2069 without my signature.

This bill requires each community college district to publicly post the total number of part-time faculty office hours paid divided by the total number of part-time faculty office hours that are taught.

The state recognizes the many contributions part-time faculty make in students' lives. The 2016–17 budget increased payment for part-time faculty office hours by almost \$3.7 million, bringing the total state investment to \$7.2 million. In 2015–16, we created more opportunities for part-time faculty to become full-time faculty by providing \$62.3 million for the hiring of new full-time faculty.

Although the bill's language is simple, gathering and reporting this information still has a real cost—about 10 percent of the entire allocation of funding for part-time office hours.

We would do better to spend the money on more office hours.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2086

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2086 without my signature.

This bill requires the Division of Worker's Compensation to appoint qualified clinical neuropsychologists as Qualified Medical Examiners (QMEs).

I have the same concerns with this bill as with its predecessor, AB 1542, which I vetoed last year. The changes contemplated by this bill relate to legal evaluations, not medical treatment of injured workers as suggested by the declaratory text of the measure. If enacted, the bill would create a unique lower standard for a select group of providers with a direct financial interest in being appointed as QMEs in California's workers' compensation system.

In addition to increasing benefits and stabilizing costs, the 2013 workers' compensation reforms were intended to return medical treatment decisions to doctors and reduce the excessive litigation relating to medical treatment disputes. Treatment of injuries by neuropsychologists where medically appropriate as determined by injured workers' physicians will be unchanged by a signature or veto of this measure. However, a signature would be a step backwards in the ongoing efforts to reduce unnecessary costs that do not benefit injured workers.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2218

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2218 without my signature.

This bill provides the owners of the Hollywood Park Casino three additional years to divest of its interest in the card club or the SLS Casino in Nevada.

The City of Champions Revitalization Project will continue to bring enormous economic benefits to Inglewood regardless of whether the cardroom is sold next year or in 2020. If our gambling laws are based on outdated policies or assumptions, we should thoughtfully examine those laws and amend them so that all participants in the industry receive the same benefits and opportunities.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2272

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2272 without my signature.

This bill would require the Occupational Safety and Health Standards Board to adopt a regulation that requires a health facility to remove plume through the use of plume scavenging systems by July 1, 2019.

I agree with the author and sponsor that the potentially hazardous effects of plume merits thorough review. By specifically requiring the adoption of the regulation, however, the bill divests the Standards Board of its discretion to consider a proposed standard for adoption and instead mandates it to do so. This Board was created as an independent body and I believe that independence must be maintained in order for it to effectively perform its mission and protect all California workers.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2493

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2493 without my signature.

This bill grants to the Department of Forestry and Fire Protection firefighters up to one year of “4800 time” disability leave paid at full salary and tax-free. This policy results in higher take home pay than pre-injury wages.

As stated in my veto of AB 1451 last year, costs go up significantly when this benefit is extended to new classes of employees. The state now faces over \$200 billion in unfunded pension and health liabilities. Since 2011 the costs for all this has increased by nearly \$5 billion per year—a 59 percent increase.

In light of these huge commitments, I am reluctant to extend this disability benefit at all—let alone through legislation outside the bargaining process.

Sincerely,

EDMUND G. BROWN JR.

Veto Message—Assembly Bill No. 2826

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am returning Assembly Bill 2826 without my signature.

This bill sets forth 20 separate measures that school districts may voluntarily use for teacher evaluation.

I don't believe that this list of particular measures will materially change current teacher evaluations in California.

Sincerely,

EDMUND G. BROWN JR.

Receipt of Bills

I acknowledge receipt this 30th day of September, 2016, at 4:25 p.m., of the following Assembly bills without the Governor's signature, together with statements of his objections thereto, signed by the Governor, delivered to me personally by Daniel Gutierrez:

Assembly Bills Nos. 840, 969, 1505, 1643, 2069, 2086, 2218, 2272, 2493, and 2826.

SUE PARKER

Assistant Chief Clerk of the Assembly

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Message—Assembly Bill No. 2722

Governor's Office, Sacramento

September 14, 2016

To the Members of the California State Assembly:

I am signing Assembly Bill 2722, which creates the Transformative Climate Communities program. This program, along with other measures acted on today, further ensures that our climate policies are benefiting all Californians, especially the most disadvantaged.

Given the limited funding available for this program, the State must focus its initial investment on the communities most impacted by poverty and pollution where a substantial state investment can promote significant change.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 1386

Governor's Office, Sacramento

September 16, 2016

To the Members of the California State Assembly:

I am signing Assembly Bill 1386 which permits a business or other public entity to have on hand, and available for emergency use, an epinephrine auto-injector, better known as an EpiPen. I do so because EpiPens have the potential to save the life of a person suffering a severe allergic reaction.

Nevertheless, I cannot take this action without registering my strong objection to the bill sponsor's recently reported pricing maneuvers. At the very time Mylan was boosting sales of EpiPens by sponsoring bills like AB 1386 throughout the country, it raised the cost of EpiPens from approximately \$100 for a pack of two in 2008 to over \$600 today, an increase of 500 percent. It's worth noting that during this same period, Mylan raised its CEO's annual salary to nearly \$19 million, a 600 percent increase.

State government cannot stop unconscionable price increases but it can shed light on such rapacious corporate behavior. Today, I have sent a letter to congressional leaders urging quick and decisive action to rein in these predatory practices.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 935

Governor's Office, Sacramento
September 25, 2016

To the Members of the California State Assembly:

California's water system is faced with a critical need to update our infrastructure and improve our management to adapt to a changing climate, prevent further species decline, and maintain a secure water supply and a vibrant economy.

The San Joaquin River is the longest river in California and its health greatly influences the health of the Bay Delta, but it is an overburdened river. Multiple efforts and investments will be needed to improve this situation—from updating water quality standards, to achieving voluntary settlements that improve flow and habitat conditions and modernizing outdated infrastructure.

Much can be done using federal, state, and local investments. The California Natural Resources Agency is currently identifying appropriate state investments for any voluntary settlements for improved river flows and habitat conditions on the Sacramento and San Joaquin rivers and for the San Joaquin River Restoration Program—including projects that optimize water supplies, like the water management project prioritized by AB 935.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 2153

Governor's Office, Sacramento
September 26, 2016

To the Members of the California State Assembly:

The modern world has brought forth a multitude of powerful technological advances. When these technologies reach their end life, we often learn—the hard way—that these products, when not disposed of properly, come at a cost to the environment and to our health.

This is especially true for the communities surrounding the Exide Technologies plant. Decades of improper lead-acid battery recycling have left these communities to face enormous environmental challenges.

AB 2153 has the potential to generate \$24 million annually from the fees imposed on consumers and battery manufacturers to address this critical cleanup. In exchange, it allows a battery manufacturer to use these fees against future liability. This approach is a departure from how the state enforces environmental law. This model should be the exception, not the rule.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 2329

Governor's Office, Sacramento
September 27, 2016

To the Members of the California State Assembly:

I am signing Assembly Bill 2329 to ensure that California develops a computer science strategic plan that will drive innovative teaching and learning and prepares our students for computer science jobs in an ever changing digital age.

As drafted, this bill inadvertently limits the discretion of the State Board of Education and has technical issues related to the appointments to and staffing of the advisory panel. The sponsors have committed to addressing these issues when the Legislature returns.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 2792

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

In its original form, AB 2792 would have seriously constrained routine law enforcement communications with the federal government. The author and proponents greatly modified these far reaching provisions, and the bill now reflects a measured approach to due process and transparency principles.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 2298

Governor's Office, Sacramento
September 28, 2016

To the Members of the California State Assembly:

The CalGang database serves a very important role in dealing with gang activity in California. That said, in light of the recent findings by the California State Auditor, I believe substantive improvements are clearly in order.

Consistent with that effort, I am signing AB 2298, which enacts protections for those who—going forward—may be improperly included in the database.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 2168

Governor's Office, Sacramento
September 29, 2016

To the Members of the California State Assembly:

Today, I am signing:

Assembly Bill 2168

Senate Bill 62

Senate Bill 215

Senate Bill 512

Senate Bill 661

These bills enact some of the major reforms to the Public Utilities Commission that were a part of the comprehensive package my Administration announced earlier this year to improve safety, governance, accountability, and transparency.

Unfortunately, two additional bills in the package—Assembly Bill 2903 and Senate Bill 1017—stalled in the Legislature and did not reach my desk. These important reforms cannot wait another year. To that end, I am calling upon the Commission to use its existing authority to take immediate action to:

- Appoint an Ethics Ombudsman.
- Establish a web portal for the Public Advisor to receive public complaints and comments.
- Create a streamlined process for more quickly releasing information to the public.
- Improve coordination with other state agencies and departments.
- Increase the Commission's presence outside of San Francisco.
- Work with the California Research Bureau to study the governance of telecommunications service.

I am also directing my Administration to work with the Commission to develop a reorganization plan that:

- Transfers those duties and responsibilities of the Commission over transportation-related entities that will be better performed by departments within the California Transportation Agency.
- Codifies the appointment of all senior executive staff who will serve at the pleasure of the Commission, including the Executive Director, the General Counsel, the Internal Auditor, and the Chief Administrative Law Judge.
- Reflects and codifies the appointment of a Deputy Executive Director for Safety and Chief Internal Auditor.

In addition, my Administration will continue to work with the Legislature to enact the remaining statutory measures included in the original reform package. Together, these administrative reforms and legislative acts will bring much needed improvement to the Commission.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 2888

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

As a general matter, I am opposed to adding more mandatory minimum sentences. Nevertheless, I am signing AB 2888, because I believe it brings a measure of parity to sentencing for criminal acts that are substantially similar.

Sincerely,

EDMUND G. BROWN JR.

Governor's Message—Assembly Bill No. 1690

Governor's Office, Sacramento
September 30, 2016

To the Members of the California State Assembly:

I am signing both Assembly Bill 1690 and Senate Bill 1379, two intertwined measures intended to address the terms of reemployment for part-time community college faculty, which comprise a large part of our community college workforce.

AB 1690 has shortcomings, but SB 1379 remedies those defects.

Sincerely,

EDMUND G. BROWN JR.

INDEX OF GOVERNOR'S MESSAGES

The following is an index of the Governor's messages contained in this day's Journal:

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874 Veto	6656
885 Veto	6636
935 Signing Message	6664
969 Veto	6658
995 Veto	6645
1050 Veto	6640
1174 Veto	6629
1198 Veto	6646
1386 Signing Message	6663
1505 Veto	6659
1561 Veto	6626
1584 Veto	6636
1588 Veto	6629

1594	Veto	6638
1643	Veto	6659
1653	Veto	6651
1662	Veto	6651
1690	Signing Message	6667
1708	Veto	6641
1730	Veto	6637
1739	Veto	6628
1762	Veto	6637
1763	Veto	6632
1770	Veto	6636
1778	Veto	6641
1782	Veto	6630
1783	Veto	6646
1824	Veto	6633
1831	Veto	6646
1835	Veto	6646
1838	Veto	6636
1853	Veto	6632
1864	Veto	6630
1878	Veto	6638
1890	Veto	6656
1922	Veto	6656
1930	Veto	6657
1952	Veto	6628
1996	Veto	6647
2005	Veto	6657
2009	Veto	6647
2017	Veto	6634
2069	Veto	6660
2077	Veto	6634
2085	Veto	6627
2086	Veto	6661
2088	Veto	6642
2089	Veto	6651
2115	Veto	6638
2121	Veto	6648
2127	Veto	6626
2147	Veto	6642
2148	Veto	6652
2153	Signing Message	6664
2155	Veto	6652
2168	Signing Message	6666
2170	Veto	6648
2179	Veto	6639
2182	Veto	6646
2197	Veto	6658
2218	Veto	6661
2272	Veto	6662
2279	Veto	6627
2298	Signing Message	6665
2320	Veto	6652
2329	Signing Message	6665
2348	Veto	6642

2353	Veto	6643
2385	Veto	6653
2386	Veto	6628
2448	Veto	6653
2493	Veto	6662
2548	Veto	6635
2559	Veto	6635
2586	Veto	6649
2588	Veto	6653
2621	Veto	6643
2629	Veto	6635
2637	Veto	6630
2691	Veto	6632
2707	Veto	6643
2719	Veto	6649
2722	Signing Message	6663
2724	Veto	6654
2728	Veto	6626
2730	Veto	6631
2732	Veto	6639
2741	Veto	6639
2747	Veto	6631
2748	Veto	6640
2766	Veto	6636
2792	Signing Message	6665
2805	Veto	6629
2821	Veto	6644
2826	Veto	6662
2847	Veto	6650
2888	Signing Message	6667

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk

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