

CALIFORNIA LEGISLATURE

2023–24 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 23

FINAL RECESS

Assembly Chamber, Sacramento
Friday, September 20, 2024

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2023–24 Regular Session was printed while the Assembly was in Final Recess.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Budget Subcommittee No. 3 on Education Finance, to convene jointly with Education, on Thursday, October 17, 2024, at 10 a.m., at 1021 O Street, Room 1100.

MESSAGES FROM THE GOVERNOR

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

Governor’s Message—Assembly Bill No. 52

Governor’s Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 52 without my signature.

This bill would provide purchasers of manufacturing equipment with state tax credits equal to the amount of non-exempt sales and use taxes paid on the purchase of equipment.

As a strong supporter of California’s innovation economy and manufacturing sector, I agree with the intent of this bill. California offers many powerful incentives to encourage new and continued investment in the areas of manufacturing, research, and development. However, by enacting a new tax credit, this bill would have a significant impact on the state general fund, and should be considered in the annual budget process.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 366

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 366 without my signature.

This bill creates two exemptions to the merit-based hiring system for local government entities overseen by the California Department of Human Resources (CalHR) by allowing local agencies to screen and establish eligibility lists directly with oversight by CalHR, or implementing alternative examination requirements without advance approval by CalHR.

I appreciate the author's intent to address county recruitment and staffing challenges. However, as a condition of the receipt of federal funds, county agencies are required to utilize a merit-based personnel system to operate human services programs. This bill undermines the merit-based system, which could result in lost federal funding. Further, under current law, any county that would like independent authority in its employee selection process may petition CalHR, and CalHR offers the identified alternate selection process in any county where conditions warrant.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 457

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 457 without my signature.

This bill would decrease the California Redemption Value (CRV) deposit for wine and distilled spirits in a beverage container that is a box, bladder, pouch, or similar container less than 24 fluid ounces, from \$0.25 to \$0.10. The bill would also allow small beverage manufacturers to make a single, annual deposit for redemption payments under the Beverage Container Recycling Program (BCRP).

In 2022, I signed SB 1013, which added wine and distilled spirits to the BCRP, and included a \$0.25 CRV deposit for beverages sold in a box or bladder—such as boxed wine—in recognition that these containers are not easily recycled. By setting a higher CRV, SB 1013 created a market signal incentivizing the industry to either stimulate development and create recycling pathways for these materials, or bottle the beverages in a more cost effective—and thus, easier to recycle—manner, such as with glass or aluminum. Lowering the CRV for these materials, as proposed by this bill, would disrupt this market signal, create confusion for recyclers, and likely result in consumers paying a higher CRV than they will be able to redeem.

For this reason, I cannot sign this bill. However, I agree with the author that the state should do more to encourage participation from small beverage manufacturers in the BCRP, and am thereby directing the Department of Resources Recycling and Recovery to incorporate similar reporting flexibility in the SB 1013 regulations currently under development.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 922

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 922 without my signature.

This bill would require the Department of Social Services to establish a Prepared Meals Delivery Program for unhoused individuals and require Alameda County to participate.

I am supportive of efforts to transition our homeless population into supportive services, including access to treatment, food, and housing. Together with the Legislature, through both policy and budget actions, we have bolstered our state and local resources to help those who are homeless. This bill, however, is unfunded. Estimated costs to implement this bill are in the millions of dollars from the General Fund, depending on the number of counties that participate. This proposal should be considered as a part of our annual budget process.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 1792

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1792 without my signature.

This bill would require the Emergency Medical Services Authority (EMSA) to develop personal protective equipment (PPE) standards specifically for ambulance personnel by January 1, 2027.

I support efforts to protect and maximize the safety of our state's life-saving emergency responders. However, current law already requires employers to evaluate workplace hazards and provide all necessary PPE and training to employees. Requiring EMSA to set new, separate standards for PPE used by ambulance personnel could create a conflict between these new standards and existing regulations promulgated and enforced by The Division of Occupational Safety and Health (Cal/OSHA).

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 1950

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1950 without my signature.

This bill would establish a state-level task force to study the displacement of residents, business owners, and landowners from the Chavez Ravine area in Los Angeles between 1950 and 1961. The task force would also be required to make recommendations for compensation of displaced individuals and their descendants.

I support the author's intent to evaluate and address the injustice that took place in the Chavez Ravine community decades ago. However, a task force to study the events that occurred should be established at the local level. Fundamentally, the determination of recommendations for compensation to those displaced is an issue best addressed by stakeholders closest to the Chavez Ravine community. I encourage the author to work with local leaders to successfully meet the goal of providing equitable compensation to displaced residents.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2238

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2238 without my signature.

This bill would expand the membership of the Franchise Tax Board from three to five members by adding both the Lieutenant Governor and the State Treasurer as members, beginning July 1, 2025, and would require the State Controller to serve as Chair.

This bill is unnecessary. For decades, the Franchise Tax Board has been served by a three-member panel responsible for overseeing the collection of tax revenue. Expanding the Board membership to include two Constitutional Officers that do not perform any tax policy or tax administration duties will create inefficiencies and increase costs without any clear benefit to taxpayers.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2313

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2313 without my signature.

This bill requires the Department of Food and Agriculture, upon appropriation and contingent on passage of Proposition 4, a measure on the November 2024 ballot, to establish the Regional Farmer Equipment and Cooperative Resources Assistance Pilot Program to provide financial and technical assistance for farm equipment sharing and cooperative benefits for socially disadvantaged and limited-resource farmers and ranchers.

I support the author's goal of assisting small-scale farmers and ranchers, but this bill creates a new grant program that lacks the necessary continuous funding to support it. I vetoed a similar bill last year due to budget concerns, and while I understand that this bill is contingent on a potential initial funding source, a new grant program that will require ongoing funding should be considered in the annual budget process.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2339

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2339 without my signature.

This bill would authorize Medi-Cal providers to establish a new patient using an asynchronous store-and-forward interaction, including through a mobile application, when the visit is related to sensitive services.

My Administration, in collaboration with the Legislature and the Telehealth Advisory Workgroup, worked to develop and implement one of the strongest telehealth policies in the country. Under the current Medi-Cal telehealth policy, licensed providers have substantial flexibility to make clinically appropriate decisions regarding the use of both synchronous and asynchronous telehealth modalities, and Medi-Cal pays the same rate for services provided via telehealth as services provided in-person.

I believe that robust telehealth policies increase access and reduce barriers to health care, including the use of asynchronous telehealth. However, there are details of a patient's medical history and personal health information that are best gathered during a synchronous appointment. For example, this bill would allow a patient to receive treatment and medications for reproductive and behavioral health services without ever seeing or talking directly to a provider. I believe that there are consumer protections provided through a live interaction between a patient and provider.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2490

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2490 without my signature.

This bill would require the Department of Health Care Access and Information (HCAI) to administer the Reproductive Health Emergency Preparedness Program (RHEPP), a new competitive grant program to expand and improve access to reproductive and sexual health care in emergency departments across California.

I strongly support increasing the availability of and promoting access to safe and affordable reproductive health care in California. The 2022–23 Budget Act appropriated \$120 million to HCAI to establish five programs designed to expand abortion-related care and reproductive health services across the State, including the Reproductive Health Service Corps. I appreciate the author's continued partnership and efforts to increase and improve access to reproductive care and trained providers. However, this bill is unfunded.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2549

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2549 without my signature.

This bill would require a health facility to develop alternate visitation protocols that allow patient visitation to the greatest extent possible during circumstances that require restricted visitor access, and would require a facility to allow in-person visitation in end-of-life situations.

I believe there are many benefits to in-person visitation for people in health facilities who are sick, in recovery, or simply require a higher level of care. During the COVID-19 pandemic, state and local officials worked with public health and infectious disease experts to evaluate the risks and benefits of in-person interactions, and these standards were updated regularly as personal protective equipment, testing, and vaccines became available. California established a locally-driven response, where counties with fewer risks had higher flexibilities. This bill instead proposes a facility-by-facility approach. I am concerned that requiring facilities to develop individual, alternative protocols will result in confusion and create different access to patients based on each facility's management, rather than public health recommendations.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2670

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2670 without my signature.

This bill would require the California Department of Public Health (CDPH) to develop an awareness campaign to promote the state's *abortion.ca.gov* website.

I strongly support increasing the availability of and promoting access to safe and affordable reproductive health care in California. This is why we created *abortion.ca.gov*, so women can have access to reliable abortion care information. This bill proposes a campaign that is well-intentioned but unfunded.

Furthermore, even if provided with adequate funding, legislation would not be required for CDPH to do this work.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2735

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2735 without my signature.

This bill will allow private water corporations, also known as investor-owned public utilities, to enter into a joint powers agreement with a public agency for the purpose of insurance risk pooling.

Authorizing investor-owned, private water corporations to participate in public risk pools could transfer financial risks of decisions by for-profit entities to public entities, which has the potential to shift costs to public entities and their ratepayers. Absent a more robust analysis of the nature and extent of this potential cost-shifting, I am not convinced the benefit of this proposal outweighs the risk at this time.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2872

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2872 without my signature.

This bill requires the state to pay sworn members of the California Department of Insurance who are rank-and-file members of State Bargaining Unit 7 the same compensation paid to corresponding rank-and-file sworn peace officers of the Department of Justice.

While I appreciate the author's intent, this bill effectively circumvents the collective bargaining process and the California Department of Human Resources' salary-setting authority. By setting a salary for one state department's employees, in statute, the bill limits the state's ability to consider factors that impact the state or other state employee bargaining units when proposing compensation packages through collective bargaining.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 2983

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2983 without my signature.

This bill would require the California Wildfire Mitigation Program Board (Board) to assess the extent to which projects or proposals would increase the availability of insurance policies covering damage from fire and would add the Department of Insurance to the Board.

While I appreciate the author's goal to add insurance considerations to the Board's work, this bill could lead to misleading expectations for homeowners as there is no guarantee that the additional assessments required by this bill would result in increased access to insurance. Further, the additional requirements for proposals or projects could lead some communities to opt out of critical wildfire mitigation work that could help prevent a homeowner from ever having to file an insurance claim, which ultimately supports the market and market rate stability.

Finally, implementation of this bill would result in ongoing General Fund costs in the millions of dollars not included in the budget. In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 3045

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3045 without my signature.

This bill would require the California Department of Public Health (CDPH) to create decorative Asian Zodiac heirloom birth certificates, including distinctive Asian Zodiac artwork by local artists, and would require the State Registrar to provide an Asian Zodiac heirloom certificate upon payment of a fee.

It is a priority of my Administration to build a California for All that promotes understanding, appreciation, and acceptance of each other's cultural heritage. I appreciate the author's intent to celebrate Asian-American and Pacific Islander (AAPI) individuals by creating Asian Zodiac heritage birth certificates. However, this bill is not funded, and would therefore result in General Fund cost pressures that are not included in the Budget. Further, because there are multiple variations of Asian zodiacs in AAPI cultures, it is unclear how many certificates and which zodiac designs should be used. This bill would also set a precedent for the creation of additional versions of heirloom certificates that represent other cultural identities. This is not CDPH's expertise.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 3048

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3048 without my signature.

This bill would require internet browsers and mobile operating systems to include a setting that California consumers can use to signal to businesses with which they interact that they wish to, first, opt out of the sale or sharing of their personal information, and second, limit use of their sensitive personal information.

I share the author's desire to enhance consumer privacy. Last year, I signed SB 362 (Becker), which requires the California Privacy Protection Agency to establish an accessible deletion mechanism allowing consumers to request that data brokers delete all of their personal information.

I am concerned, however, about placing a mandate on operating system (OS) developers at this time. No major mobile OS incorporates an option for an opt-out signal. By contrast, most internet browsers either include such an option or, if users choose, they can download a plug-in with the same functionality. To ensure the ongoing usability of mobile devices, it's best if design questions are first addressed by developers, rather than by regulators.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Governor's Message—Assembly Bill No. 3156

Governor's Office, Sacramento
September 20, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3156 without my signature.

This bill would require the Department of Health Care Services (DHCS) to ensure that providers do not face administrative requirements that significantly exceed Medi-Cal fee-for-service system requirements when billing for services provided to Medi-Cal managed care plan enrollees who have other health care coverage and for whom Medi-Cal is the payer of last resort.

I am supportive of policies that allow Medi-Cal members with other health coverage to continue to see their providers. However, the timelines specified in this bill are not feasible. DHCS has worked extensively to educate Medi-Cal managed care plans (MCPs) on enrollee rights and how providers who are not enrolled in Medi-Cal can still bill Medi-Cal for appropriate services. DHCS will continue to work with MCPs, stakeholders, and patient advocates to address administrative barriers to ensure continuity of care for Medi-Cal enrollees.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Receipt of Bills

I acknowledge receipt this 20th day of September, 2024 at 9:10 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 Christian Monsees:

Assembly Bills Nos. 52, 366, 457, 922, 1792, 1950, 2238, 2313, 2339, 2490, 2549, 2670, 2735, 2872, 2983, 3045, 3048, and 3156.

HUGH R. SLAYDEN

Assistant Chief Clerk of the Assembly

ROBERT RIVAS, Speaker

DANIEL ALVAREZ, Assistant Minute Clerk

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