

CALIFORNIA LEGISLATURE

2023–24 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 28

FINAL RECESS

Assembly Chamber, Sacramento
Monday, September 30, 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, on Tuesday, October 22, 2024, at 2 p.m., at RJ Donovan Correctional Facility, 480 Alta Road, San Diego, CA 92179.

MESSAGES FROM THE GOVERNOR

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

Signing Message—Assembly Bill No. 1755

Governor’s Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am signing Assembly Bill 1755, which would significantly alter the procedures for handling vehicle defect claims under California’s “Lemon Law.” I commend the authors for their efforts to expedite resolution of Lemon Law claims and reduce litigation that is placing increasing pressure on court dockets.

Earlier this year, I was pleased to sign AB 2288 (Kalra) and SB 92 (Umberg), consensus measures that were the product of months of negotiation to address deficiencies in Private Attorney General Act (PAGA) litigation. In contrast to that consensus, this bill has drawn substantive opposition from several consumer groups and the majority of automakers, who were not party to the negotiations. While AB 1755 aims to speed resolution of Lemon Law claims and reduce litigation, many automakers, including smaller electric-vehicle automakers, have expressed serious concerns that some of the specific procedures prescribed in AB 1755 are unworkable for them. In light of those concerns, the authors have agreed to introduce a bill early in the 2025–2026 legislative session that would amend the statute enacted by this bill to make its new procedures subject to election by a given automaker. Automakers that do not elect to utilize the new procedures to resolve Lemon Law claims on their vehicles would be subject to existing Lemon Law rules. I urge the Legislature to adopt that compromise proposal swiftly.

The agreed-upon amendments would also require consumers who have made Lemon Law claims under this bill to give notice to prospective buyers if they sell their vehicles prior to resolution of their Lemon Law lawsuit, in order to ensure that buyers are aware of potential defects. The sale of vehicles to buyers unaware of pending Lemon Law claims on the vehicle is a broader problem under current law that puts buyers and the general public at risk from unsafe vehicles on the road, and I encourage the Legislature to consider additional solutions to that issue.

I also encourage the Legislature to consider whether additional changes to the Lemon Law are needed in light of the transition to electric vehicles and significant advancements in automotive technology. The Lemon Law was enacted in 1970, before cars were equipped with a single computer (today they have as many as 100 separate computers and related electronic sensors) and decades before the first mass-produced electric vehicle. While this issue was not the focus of AB 1755, I encourage the Legislature to consider whether additional updates to the Lemon Law are warranted.

Sincerely,

GAVIN NEWSOM

Signing Message—Assembly Bill No. 2074

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am signing Assembly Bill 2074, which requires the California Department of Education to convene an advisory committee to develop and submit to the Legislature, by November 1, 2026, a statewide implementation plan for the English Learner Roadmap.

California is committed to equity and inclusion in the public education system, and the state has made significant investments to support California's large and diverse population of English learner students. In 2017, the EL Roadmap was created around a vision of success for English learners to fully and meaningfully access and participate in a 21st century education, and that results in high attainment of English proficiency, mastery of grade level standards, and opportunity to develop proficiency in multiple languages.

While I am proud of our work, I also recognize that more needs to be done that speaks to the strengths and needs of English learner students. I am signing this bill so that a statewide plan, inclusive of metrics for achievement and outcomes, will be crafted to truly move the needle for English learner students. To fulfill the vision of the EL Roadmap, the statewide plan must go beyond building awareness and focus on supporting the implementation of student-centered strategies that are measured for their impact on English learner students.

Sincerely,

GAVIN NEWSOM

Signing Message—Assembly Bill No. 2357

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am signing Assembly Bill 2357, which establishes the University of California (UC) Kern County Medical Education Endowment Fund for the purposes of supporting the operating costs associated with establishing a branch campus of the existing UC Medical School in Kern County.

Efforts to expand opportunities for medical education in the Central Valley are underway, thanks to significant investments made in partnership with this Legislature. Most recently, the 2024 Budget Act provided a \$14.5 million ongoing General Fund to create a UC Merced medical school, which has been in the planning process for more than a decade. This new investment is on top of the \$15 million in ongoing funding provided in the 2020 Budget Act, to support the UC San Francisco (UCSF) School of Medicine, Fresno Partnership Branch. Students participating in this program will receive a baccalaureate degree from UC Merced and a Doctor of Medicine from UCSF Fresno.

I agree with the author that providing educational opportunities in medically underserved areas is an important strategy for reducing physician shortages and for economic development. Given the significant cost pressures associated with developing, sustaining, and operating a new medical school, the state and its resources should first focus on implementing the current medical education expansion projects in the Central Valley. This bill is intended to draw in philanthropic dollars, and can complement the state's efforts, including determining the feasibility of expanding these opportunities to Kern County.

Sincerely,

GAVIN NEWSOM

Signing Message—Assembly Bill No. 2738

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am signing Assembly Bill 2738, which extends local public prosecutor enforcement authority for violations of existing workplace safety laws to entertainment venues; requires the court to award a prevailing plaintiff reasonable attorney's fees for the enforcement of specified labor laws; and adds public events venue or a contracting entity to the entities responsible for the live events safety training requirements.

Existing law authorizes a public prosecutor to enforce certain provisions of the labor code, until January 1, 2029. This period allows us the ability to assess the effectiveness of local enforcement, including requirements of this bill. I appreciate the efforts by the author and sponsors to help ensure workers can enforce their rights under the Labor Code at the local level. Nevertheless, we need to monitor this expansion in the coming years to ensure this authority is being used as intended and evaluated for any unintended consequences.

Sincerely,

GAVIN NEWSOM

Signing Message—Assembly Bill No. 3206

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am signing Assembly Bill 3206, which would allow alcoholic beverage service until 4:00 a.m. in a private area of a fully enclosed arena with a seating capacity of at least 18,000 seats located in the City of Inglewood.

This bill seeks to provide a narrow extension of alcohol service hours in a specific setting. While this bill creates a very limited pilot that sunsets on January 1, 2030, I remain cognizant of the potential risks to public safety posed by extending service hours for alcoholic beverage service, which could lead to an increase in driving under the influence-related crashes and fatalities.

To that end, I am directing the California Highway Patrol to work in partnership with local law enforcement agencies to track DUI incidents in the surrounding communities, and to prepare a report on the impacts of extended alcohol service hours that can inform the Legislature's evaluation of any further proposals to extend alcohol service hours.

Sincerely,

GAVIN NEWSOM

Signing Message—Assembly Bill No. 1775

Governor's Office, Sacramento
September 30, 2024

To the Members of the California State Assembly:

I am signing Assembly Bill 1775, which would allow local jurisdictions to permit certain cannabis retailers to prepare and sell food or drinks that do not contain cannabis, as well as host and sell tickets to live events at their licensed premises.

Under existing law, cannabis retailers with consumption areas may sell prepackaged food and beverages if authorized by the applicable local jurisdiction. This bill expands that existing authority to include freshly prepared food and drinks consistent with the California Retail Food Code and applicable local requirements.

As I stated in my veto message of a similar measure last year, protecting the health and safety of workers is paramount to upholding California's long-standing smoke-free workplace protections.

I commend the author for incorporating additional safeguards, such as expressly protecting employees discretion to wear a mask for respiration, paid for at the expense of the employer, and requiring employees to receive additional guidance on the risks of secondhand cannabis smoke.

While I am signing this bill, any future measure that diverges from this tailored approach will not be looked upon favorably. Furthermore, it is critical that local governments utilize this delegated authority responsibly by prioritizing worker safety and implementing stringent safeguards that minimize public health risks when authorizing these activities. If adequate protections are not established at the local level, it could necessitate reconsideration of this limited expansion.

Sincerely,

GAVIN NEWSOM

MESSAGES FROM THE GOVERNOR

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

Veto Message—Assembly Bill No. 1168

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1168 without my signature.

This bill would allow the City of Oxnard to function as if it had retained its administrative authority to operate prehospital emergency medical ambulance services and authorize Oxnard to exclusively operate ambulance services throughout the city. This would bypass a 2021 court ruling that found that the City of Oxnard did not have the right to administer ambulance services.

Current law establishes a statewide emergency medical services (EMS) response system to provide integrated services statewide with regional coordination. This bill risks inconsistency in EMS delivery and could compromise the uniformity of EMS operations by authorizing a single city to bypass existing regional agreements. I agree with the author and sponsors that ensuring equitable, efficient, and quality access to emergency care is a state priority. However, this bill would create a unique operational model in Ventura County that is different from the law applicable in the other 57 counties. Though this bill is narrow, I am concerned that it will set a precedent for other cities to pursue similar legislation in the future, further fragmenting the EMS system.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1788

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1788 without my signature.

This bill would authorize counties to establish a mental health multidisciplinary personnel team to serve justice-involved individuals with mental illness and allow provider agencies to share information to coordinate supportive services.

My Administration is supportive of policies that can improve equity and supportive services to justice-involved (JI) individuals. The Department of Health Care Services (DHCS) is currently implementing the CalAIM JI Initiative, which provides pre-release Medi-Cal enrollment to ensure JI individuals have continuity of coverage upon release and access essential health services that will help them successfully return to their communities. For this reason, this bill is premature and may be duplicative. It would be more timely to assess this proposal following the full implementation of the DHCS CalAIM JI Initiative and the ability to evaluate data and identify any remaining gaps.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1826

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1826 without my signature.

This bill makes minor changes to the Digital Infrastructure and Video Competition Act (DIVCA).

Two years ago, I signed Senate Bill 28 (2021), which also made minor reforms to DIVCA. In signing that bill I encouraged the Legislature to go further on DIVCA reform. Last year, I vetoed a similar bill, Assembly Bill 41, which also sought to amend DIVCA. At that time, I expressed the need for more substantial reforms that would genuinely increase digital equity in our state.

Unfortunately, this bill, like its predecessor, falls short of addressing the broader challenges we face in closing the Digital Divide.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1949

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1949 without my signature.

This bill would amend the California Consumer Privacy Act (CCPA) to prohibit sale, sharing, disclosure, or use of minors' personal information, unless the minor's parent or guardian (for those under 13) or the minor themselves (for those aged 13–18) consents.

I thank the author for her demonstrated commitment to ensuring children's well-being and safety online. I previously signed AB 2273 (Wicks, 2023), the Age-Appropriate Design Code Act, which would have required businesses to address children's privacy as part of a comprehensive approach to designing online products and services for use by minors. I continue to support thoughtful approaches to protect minors and limit the collection and use of their personal information, while ensuring they are able to avail themselves of the benefits of internet use.

However, this bill would fundamentally alter the structure of the CCPA to require businesses, at the point of collection, to distinguish between consumers who are adults and minors. I am concerned that making such a significant change to the CCPA would have unanticipated and potentially adverse effects on how businesses and consumers interact with each other, with unclear effects on children's privacy.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2095

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2095 without my signature.

This bill would require newspapers to ensure that the legal notices they publish also appear on a statewide website.

I applaud the author's attempt to provide an online repository to inform the public of the important matters covered in these legal notices. However, I am concerned that this bill may require the state's small community newspapers to hire additional personnel to upload notices and/or to pay for software tools to manage these uploads. Neither of these are costs that these small businesses, a vital and valuable source of local journalism, can bear. I encourage the Legislature to revisit this issue in subsequent legislation that achieves this bill's objectives, while also addressing the potential financial burden on small community newspapers.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2098

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2098 without my signature.

This bill would change the repayment period for certain bridge loans provided to district hospitals through the California Health Facilities Financing Authority (CHFFA) from requiring repayment within two years of the date of the loan, to instead requiring hospitals to make monthly payments within 24 months of the date of the loan and full repayment within 72 months.

Hospitals are critical to the health and safety of our communities, and it is a priority of my Administration to assist hospitals that are struggling financially. For this reason, together with the Legislature, in 2022 we funded the Public Hospital Bridge Loan Program II with \$40 million, and we authorized \$300 million for the Distressed Hospital Loan Program. Many of the hospitals affected by this bill received both. While I support efforts to ensure loan repayment requirements are feasible, this bill would advantage one subset of hospital loans above others that did not receive such an extension. Extending the timeline for repayment will affect our budget structure in the out years, and would be better discussed as a part of the annual budget process.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2138

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly 2138 without my signature.

This bill would establish a three-year pilot program to grant participating tribal law enforcement officers California peace officer status.

I appreciate the author's steadfast commitment to addressing the ongoing Missing and Murdered Indigenous People (MMIP) crisis, and my administration continues to prioritize policies that increase collaboration between law enforcement and tribal communities to bring justice to those impacted. In partnership with the Legislature, we increased funding in this year's budget for the MMIP Grant Program, which has awarded millions of dollars in grants to support tribes' efforts to identify, publicize, investigate, and solve MMIP cases.

Unfortunately, while well-intentioned, this bill creates a significant legal disparity between California peace officers and tribal police officers. There are a range of important obligations, as well as powers, that accompany peace officer status. These obligations must be maintained should the powers of peace officer status be shared with tribal police officers.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2279

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2279 without my signature.

This bill would establish the Missing and Murdered Indigenous Persons (MMIP) Justice Program within the Department of Justice to fund and support law enforcement agencies' investigatory activities.

I appreciate the author's commitment to addressing the ongoing MMIP crisis. My administration continues to prioritize policies that increase collaboration between law enforcement and tribal communities to bring justice to those impacted. In partnership with the Legislature, we increased funding in this year's budget for the MMIP Grant Program, which has awarded millions of dollars to support tribes' efforts to identify, publicize, investigate, and solve MMIP cases.

This measure is duplicative of those efforts and creates a new, unfunded grant program not included in the 2024 Budget Act. 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

Veto Message—Assembly Bill No. 2467

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2467 without my signature.

This bill would require health plans to cover the costs of evaluation and treatment options for perimenopause and menopause, without utilization review, and require this coverage to include at least one option in each formulation of specified perimenopause and menopause treatments. Health plans would also be required to provide clinical care recommendations for hormone therapy to contracted primary care providers annually.

I appreciate the author's intent to ensure access to comprehensive and up-to-date treatment of perimenopause and menopause. However, this bill's expansive coverage mandate in conjunction with a prohibition on utilization management (UM) is too far-reaching. Health plans use UM to ensure enrollees receive the right care at the right time, which is especially important when there are new and emerging treatments. Further, a mandate to cover non-FDA approved treatments, without UM, is unprecedented. These factors, in conjunction with ambiguities in the bill for undefined terms, raise concerns for cost containment and bill implementation.

I encourage the Legislature and stakeholders to continue to work towards a more tailored solution that can improve access to perimenopause and menopause care, inform patients of their options, and encourage providers to stay informed of the latest clinical care recommendations.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2736

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2736 without my signature.

This bill expands access to the California College Fee Waiver program by eliminating a prohibition that prevents a dependent of a veteran from receiving state benefits while the dependent is entitled to receive specified federal education benefits, or duplicate assistance from any other government source.

While I support the author's goal of expanding access to higher education for dependents of veterans, this bill would result in General Fund ongoing costs in the millions of dollars annually and should be considered as part of 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

Veto Message—Assembly Bill No. 2936

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2936 without my signature.

This bill would require the California State University (CSU) to develop and implement a systemwide and campus-level reconciliation master plan, for use on each campus, to address cultural and political conflicts that arise on campus. The bill also requires the CSU to convene stakeholder workgroups and submit a report with recommendations on responding to cultural and political conflicts that arise on campus. This bill requests the same actions of the University of California (UC) and applies these provisions to the California Community Colleges upon appropriation.

I take seriously the rise of incidents at our institutions of higher education that have left students feeling unsafe and created a culture of intolerance and hostility on campus. Earlier this year, my Administration released the Golden State Plan to Counter Antisemitism, as part of the state's broader Anti-Hate agenda and California's ongoing efforts to protect all communities from acts of bigotry and violence. In this plan, I urged campuses to strengthen student codes of conduct, enforce campus safety policies, and cultivate spaces for affinity and dialogue amid rising conflicts.

In addition, the 2024 Budget Act requires every CSU and UC campus to annually prepare a campus climate action notification by the beginning of the Fall 2024 term. This notification, among other elements, must include how the campus intends to foster healthy discourse and bring together campus community members and ideologically differing viewpoints, in order to best promote the educational mission of the institution and the exchange of ideas in a safe and peaceful manner. The CSU and the UC are required to submit a report outlining the campus climate action notifications by October 1 of this year.

Although this bill is well intended, it is premature to require new working groups that would develop new reports and master plans prior to evaluating the outcomes of these pending actions.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 3031

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3031 without my signature.

This bill would create the LGBTQ+ Commission within the Governor's Office of Land Use and Climate Innovation to advise and make recommendations to the Legislature and Governor on policy matters affecting the state's LGBTQ+ community.

California leads the nation in celebrating people for who they are—fighting against hate through a comprehensive strategy and seeking to enshrine LGBTQ+ equality in the state's Constitution this November. Protecting and supporting the rights of LGBTQ+ people to equal treatment under the law has been a focus of this administration since day one, and it is work that I personally have championed throughout my career. Continuing this work to advance equity and fight against discrimination is integrated into the administration's ongoing effort to tackle disparities and strengthen our commitment to a California For All. While I appreciate the author's intent to provide a separate, additional venue for policy recommendations, this bill would lead to ongoing costs in the millions of dollars.

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

Veto Message—Assembly Bill No. 3077

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3077 without my signature.

This bill would remove borderline personality disorder (BPD) as an exclusionary diagnosis for Department of State Hospital (DSH)-funded mental health diversion programs for defendants found incompetent to stand trial on felony charges.

In partnership with the Legislature, my administration has implemented significant investments to support diversion programs, community-based treatment, and timely access to treatment—all with the goal of destigmatizing behavioral health diagnoses and making services more readily accessible and affordable. Last year, I was proud to sign AB 1412 (Hart, 2023), which removed BPD as an exclusionary diagnosis for pretrial diversion. However, there are important differences between the two bills.

This bill matches individuals with BPD found incompetent to stand trial with DSH mental health diversion programs. Individuals with BPD have rarely been found incompetent to stand trial. I am concerned that this bill may have the unintended effect of expanding the waitlist for DSH services by increasing incentives to pursue incompetent to stand trial referrals for individuals with BPD in order to access state-funded diversion programs. Expanding the waitlist for DSH services could cause the department to violate court orders governing how quickly individuals must be admitted to state facilities for treatment, an unacceptable risk.

Further, this bill creates significant ongoing General Fund obligations not included in the 2024 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

Veto Message—Assembly Bill No. 3129

Governor's Office, Sacramento
September 28, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3129 without my signature.

This bill would require a private equity group (PEG) or hedge fund to provide written notice to and obtain the written consent of the Attorney General (AG) at least 90 days before a change of control or acquisition between the PEG or hedge fund and a health care facility or provider group, with exemptions.

The Office of Health Care Affordability (OHCA) was established in 2022 to review and evaluate health care consolidation transactions through cost and market impact reviews (CMIR) of mergers, acquisitions, or corporate affiliations involving health plans, hospitals, physician organizations, pharmacy benefit managers, and other health care entities. OHCA analyzes transactions that may significantly impact market competition, meeting state spending targets, or affordability and will compile data about market consolidation. While OHCA itself cannot block a proposed transaction, it can coordinate with other state entities, including referring transactions for further review to the AG. This bill would exempt transactions involving PEGs or hedge funds that would be subject to review by the AG from OHCA's existing review.

I appreciate the author's continued efforts and partnership to increase oversight of California's health care system in an effort to ensure consumers receive affordable and quality health care. However, OHCA was created as the responsible state entity to review proposed health care transactions, and it would be more appropriate for the OHCA to oversee these consolidation issues as it is already doing much of this work.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Receipt of Bills

I acknowledge receipt this 28th day of September, 2024 at 12:57 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 Jasmine Valle:

Assembly Bills Nos. 1168, 1788, 1826, 1949, 2095, 2098, 2138, 2279, 2467, 2736, 2936, 3031, 3077, and 3129.

SUE PARKER
Chief Clerk of the Assembly

MESSAGES FROM THE GOVERNOR

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

Veto Message—Assembly Bill No. 637

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 637 without my signature.

This bill would require the California Air Resources Board (CARB) to authorize a fleet owner's rental of a zero-emission vehicle (ZEV) for a cumulative total of 260 days per year to be considered ownership of one ZEV for the purpose of complying with the Advanced Clean Fleets (ACF) regulation.

In 2020, I issued Executive Order (EO) N-79-20, which directed CARB, among other things, to develop strategies to transition in-state sales of new passenger vehicles and trucks to 100 percent zero-emission by 2035, where feasible. Pursuant to this EO, CARB developed the ACF to accelerate transportation sector emission reductions while providing safe, feasible, and flexible compliance options for affected fleet owners that have over 50 vehicles or over \$50 million in gross annual revenue.

This bill would allow rental vehicle companies to circumvent the ACF regulations, and the flexible and balanced compliance mechanisms CARB has already created, with a new and unclear compliance mechanism. I am concerned this will jeopardize our clean air goals at a time when the state awaits action on its Clean Air Act waiver by the United States Environmental Protection Agency.

With that, I encourage the rental vehicle companies to work toward meeting the ACF regulations, and if there are insurmountable challenges, to work with CARB to explore practical and alternative compliance pathways through the existing regulatory process.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1111

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1111 without my signature.

This bill would create a small producer event sales license, allowing cannabis producers to sell their products at state temporary events for up to 32 days per calendar year, with the requirement that all products sold must be cultivated by the licensee.

While I appreciate the author's intent to support small and equity cannabis cultivators, I am concerned that the bill's broad eligibility, which extends to the vast majority of licensed cultivators, would undermine the existing retail licensing framework and place significant strain on the Department of Cannabis Control's ability to regulate and enforce compliance.

I remain open to considering a more flexible and narrowly focused version of this bill next year that can better respond to market dynamics, without imposing a rigid monitoring and compliance framework. Such policies must be considered within the broader context of efforts that are necessary to address the fundamental issues straining the legal cannabis market, such as competition from unregulated sources and improving access to regulated products. It is essential that we prioritize solutions that strengthen, rather than further burden, the existing regulated market.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1122

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1122 without my signature.

This bill would make multiple changes to the California Air Resources Board's (CARB) Commercial Harbor Craft (CHC) regulation, including the delay of certain compliance dates and an override system for diesel particulate filter devices with a detailed monitoring, tracking, and reporting system.

In 2020, I issued Executive Order (EO) N-79-20 which directed CARB, among other things, to develop strategies to transition to 100 percent zero-emission off-road vehicles and equipment by 2035, where feasible. Pursuant to this EO, CARB amended the CHC regulation to accelerate emission reductions while providing safe, feasible, and flexible compliance options for affected vessels. Unfortunately, this bill undermines this balance and jeopardizes our clean air goals.

While I recognize the challenges and concerns of adopting new technologies and approaches, Californians deserve and benefit from clean air and from the avoidance of greenhouse gas emissions that contribute to our rapidly changing climate. With that, I encourage operators of the affected vessels to work towards meeting the CHC regulations, and if there are insurmountable challenges, to continue to work with CARB to explore additional and alternative compliance pathways.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1296

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1296 without my signature.

This bill would prohibit state regulations, namely the Commercial Harbor Craft (CHC) regulation, from requiring the San Francisco Bay Pilots to replace pilot station vessels with lower-emitting vessels, unless such a regulation authorizes its replacement at the end of the vessel's useful life, prescribed as between 25 and 35 years.

In 2020, I issued Executive Order (EO) N-79-20, which directed the California Air Resources Board (CARB), among other things, to develop strategies to transition to 100 percent zero-emission off-road vehicles, vessels, and equipment by 2035, where feasible. Under this EO, CARB amended the CHC regulation to accelerate emission reductions while providing safe, feasible, and flexible compliance options for affected vessels, including compliance extensions of up to six additional years for pilot station vessels beyond the compliance dates of December 2024 and December 2025.

While I recognize the challenges of adopting new technologies, California must work diligently to reduce air pollution that fouls our air and greenhouse gas emissions that contribute to our rapidly changing climate. In addition, this amendment to the CHC rule would require CARB to resubmit its request for authorization to the U.S. Environmental Protection Agency (U.S. EPA)—a step that would delay the U.S. EPA's final decision and undo months of work. Delays in receiving that federal authorization would deprive local communities of the substantial public health benefits associated with the regulations and compromise the State's ability to meet our federally mandated air quality standards.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1890

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1890 without my signature.

This bill requires an awarding body of public works projects to provide notice to the Department of Industrial Relations (DIR) of any changes or additions regarding the project registration within 30 days.

While I appreciate the author's efforts to provide transparency to public works contracts, this bill is unnecessary. Local agencies are already required to electronically notify DIR with a contractor's name and contract value prior to the first day that work is performed on a public works project. Additionally, existing law prohibits a general contractor from replacing or substituting a subcontractor without written request and permission from the contracting agency. The additional notification requirements proposed by this bill would create unnecessary administrative burdens and penalties on awarding agencies, without any clear benefits or added transparency.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1895

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1895 without my signature.

This bill would require a hospital to report specified information to the Department of Health Care Access and Information (HCAI) if it expects challenges in the next six months that could result in a reduction or loss of perinatal services, and would require HCAI, the Department of Public Health (CDPH), and Department of Health Care Services (DHCS) to conduct a community impact assessment using the reported information.

I share the author's concern for communities that may lose access to perinatal care, as labor and delivery unit closures have become more common in recent years and this availability is important for positive pregnancy outcomes. For this reason, working with the Legislature, we have taken many steps to assist these units in remaining open. For example, we provided \$300 million for the Distressed Hospital Loan Program to offer interest-free loans to hospitals in financial distress and directed billions of dollars from the managed care organization (MCO) tax towards Medi-Cal provider rate increases. However, current law already requires hospitals to provide public notice in advance of a supplemental service elimination, and much of the information in the proposed community impact report is duplicative. Further, this bill creates costly administrative burdens for the state that are unlikely to change hospitals' business decisions.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 1973

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 1973 and Senate Bill 542 without my signature.

These bills would enact personal income and corporation tax exclusions for settlement payments related to specific wildfires occurring between 2020 and 2022.

I wholeheartedly support the intent of these bills. In 2022, I signed legislation that provided similar tax exclusions for settlement claims resulting from catastrophic wildfires that occurred in the preceding five years. In signing those bills, I stated future measures, like these bills, should be included as part of the annual budget process given the General Fund implications. The following year, the Legislature enacted an income tax exclusion for an additional wildfire in the 2023–24 Budget Act. As such, I strongly encourage the Legislature to include these proposals in next year's budget framework.

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 these bills.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2058

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2058 without my signature.

This bill would require devices that analyze information originating from a physiological source—such as heartbeat, blood pressure, and body temperature—to include a disclosure about the device's limitations based on certain characteristics of the person using the device, including age, color, disability, ethnicity, gender, or race.

This bill has a well-intentioned health equity goal. However, I am concerned that the language may create confusion and implementation challenges for the state and manufacturers. “Medical devices” that read these same physiological measurements are subject to labeling standards that must comply with federal law including the U.S. Food and Drug Administration's (FDA) regulations. While this bill aims to apply to a subset of “devices” that are not subject to these federal laws, it is unclear which products this bill does and does not capture. I encourage the author and the Legislature to revisit this worthy goal in a manner that provides more clarity for regulatory agencies and product manufacturers.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2178

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2178 without my signature.

This bill would define the number of “empty beds” at institutions operated by the California Department of Corrections and Rehabilitation based on the population cap imposed by a federal court in 2014 to remedy constitutional violations it identified from prison overcrowding, and would require CDCR, by 2029–30, to maintain no more than 2,500 “empty beds” under the court-imposed capacity limit.

I support efforts to find efficiencies in prison operations. In 2006, California's incarcerated population peaked at 173,479, and exceeded the design capacity of its institutions by more than 200%. Incarcerated people were housed in triple bunk beds in gymnasiums converted to dormitories. This resulted in a federal court finding that the overcrowding violated the Eighth Amendment rights of the incarcerated population. The court prohibited CDCR's prison population exceeding 137.5% of design capacity.

Since that court order, California has reduced its prison population to roughly 92,200. We have closed 2 prisons, eliminating 15,000 beds from design capacity and 2,400 from the closed contracted prison. This year, my Administration announced the accelerated closure of a third prison, as well as the deactivation of over 40 housing units, resulting in a reduction of more than 5,000 additional prison beds. Today, CDCR's population continues to exceed design capacity, remaining at just over 115% systemwide, with some institutions considerably higher, above 160% design capacity.

This bill assumes that CDCR should operate its prisons with a population just shy of the number identified by a federal court as violating the Eighth Amendment rights of the incarcerated population. This effectively prohibits CDCR from moving more of the incarcerated population to single cells.

I fundamentally disagree that the population cap set by the federal court to avoid constitutional violations is the appropriate yardstick by which CDCR should determine the appropriate, as opposed to the maximum, capacity of its correctional institutions. To the contrary, CDCR should evaluate, at an institution level, the *appropriate* capacity of each institution based on the population it can support with medical and mental health care, as well as programming, educational and vocational opportunities to help our incarcerated population return safely and successfully to their families and communities when they complete their sentences.

In 2011–12, with a population of more than 135,000, CDCR offered fewer than 41,000 rehabilitative programming slots in its prisons. As of June 2023, the department offers more than 116,000 assignments to its population of under 100,000 individuals. Even with a significantly decreased population, the demand for programming space has dramatically increased. Therefore, in assessing the operational capacity needed, we must have the flexibility to place significant emphasis on programming space.

My Administration is working to implement the California Model—a transformational change to the state prison system to improve public safety by prioritizing rehabilitation, access to health care, and normalizing living conditions for incarcerated people. A transformed system should include eliminating the practice of having two adults share 66 square feet of living space.

As we continue to transition to the California Model, and invest even more in rehabilitation through educational and vocational opportunities, maximal flexibility for the use of existing space in facilities is critical. We must leave the practice of warehousing incarcerated people in the past and instead focus on a future that provides humane and dignified housing that facilitates rehabilitation. Codifying this prescriptive approach to “empty beds” will undermine this effort.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2447

Governor’s Office, Sacramento

September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2447 without my signature.

This bill requires the California State University (CSU) to develop and maintain a fiscal transparency website displaying expenditures and transfers of state funds in amounts greater than \$25,000 by July 1, 2026.

The CSU voluntarily maintains a Fiscal Transparency Portal, accessible to the public, that provides data largely consistent with this bill. The existing database presents aggregate data on expenditures of \$50,000 or more over the past five fiscal years, broken down by program and by expense type. Including additional transactions greater than \$25,000 would place additional cost pressures on the CSU budget at a time when the system is preparing to implement ongoing state appropriations reductions.

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

Veto Message—Assembly Bill No. 2693

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2693 without my signature.

This bill would revive, for a one-year period, claims for childhood sexual assault committed by employees of county juvenile probation camps and detention facilities that would otherwise be barred by the statute of limitations.

I previously signed Assembly Bill 218 (Gonzalez, 2019), which revived expired childhood sexual assault claims for a three-year period that began on January 1, 2020, and ended on December 31, 2022. As a result, thousands of individuals were able to file suit for the alleged harm they suffered as children.

Last year, I signed Assembly Bill 452 (Addis, 2023), which eliminated the civil statute of limitations for incidents of childhood sexual assault that occur on or after January 1, 2024. That measure was meant to ensure, among other things, that all public and private entities take proactive steps to prevent children from being assaulted, quickly respond to reports of employee misconduct, and maintain records documenting their handling of these incidents.

I deeply appreciate the intent of this bill and the importance of providing victims of childhood sexual assault a path to pursue justice. That is why I supported the important legislation referenced above, through which California provided all victims of childhood sexual assault with lapsed claims a three-year window to revive those claims and has eliminated the limitations period for such claims going forward.

However, I am concerned that again reviving the statute of limitations for these individuals, even for one year, will invite future legislation seeking to revive claims for other affected groups, both in the immediate future and in the years beyond. Statutes of limitations recognize that, as time passes, physical and documentary evidence may be lost and witnesses may die, no longer remember key facts, or otherwise no longer be available to testify, potentially prejudicing the ability of a party to present its case in court. Institutional employers are now on notice that childhood sexual assault claims are not subject to statutes of limitations going forward. But, having recently provided a three-year window for all victims of past abuse to bring claims, I am concerned that immediately reopening the claims period establishes a precedent for perpetually reopening claims periods for claims well in the past, for which key evidence may have been lost or no longer available.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2773

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2773 without my signature.

This bill would require the applicable standard of proof in cases brought under the Elder Abuse and Dependent Adult Civil Protection Act to be reduced if the defendant is found to have spoliated evidence.

While I share the author's goals of deterring defendants from concealing, damaging, or destroying evidence and preventing elder and dependent abuse, we should not completely remove a judge's discretion to craft appropriate remedies in response to spoliation. A more nuanced approach would be to specify that a judge may reduce the standard of proof under these circumstances.

For this reason, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 2892

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2892 without my signature.

This bill would change the criteria for obtaining a self-insurance certificate by allowing fleet owners of 25 or more vehicles to self-insure if they have an audited financial statement of their net worth, or provide a cash deposit or surety bond, while still requiring an insurance policy covering at least 50 percent of the legally required minimum insurance amount. Additionally, the bill requires the Department of Motor Vehicles to accept a cash deposit or surety bond from fleet owners as a method to obtain a certificate of self-insurance.

Current law already offers a pathway for qualified individuals and companies to establish financial responsibility through a certificate of self-insurance. Furthermore, this bill's approach may not achieve its intended goal, as it still requires companies to maintain a significant insurance policy, and existing law already provides alternatives to meet the self-insurance requirements beyond the \$2.2 million net worth threshold.

In addition, this bill introduces costs that were not included in the 2024 Budget Act, adding further strain to the Motor Vehicle Account.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 3179

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3179 without my signature.

This bill would exempt until January 1, 2030 emergency telecommunications vehicles from the California Air Resources Board's (CARB) Advanced Clean Fleets (ACF) regulation that requires the phased-in procurement of medium- and heavy-duty zero-emission vehicles.

In 2020, I issued Executive Order (EO) N-79-20, which directed CARB, among other things, to develop strategies to transition to 100 percent medium- and heavy-duty zero-emission vehicles in the state by 2045, where feasible. Pursuant to this EO, CARB developed the Advanced Clean Trucks (ACT) regulation and its companion regulation, the ACF, to accelerate transportation sector emission reductions while providing safe, feasible, and flexible compliance options for affected fleet owners that have over 50 vehicles or over \$50 million in gross annual revenue. Unfortunately, this bill undermines those efforts.

California must work diligently to cut greenhouse gas emissions that contribute to our rapidly changing climate, and ensure that we maintain the capacity necessary to respond quickly to emergencies. To that end, I am directing CARB to implement the regulation and its exemptions so as to ensure there are feasible compliance pathways that allow providers to maintain the capacity to rapidly deploy and restore communication services during and after a natural or human-caused disaster.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 3245

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3245 without my signature.

This bill would expand existing law, which requires health plans to provide coverage for colorectal cancer screenings and subsequent colonoscopies assigned a grade A or B by the United States Preventive Services Task Force (USPSTF) without any cost sharing, to also require coverage for equivalent standards and recommendations established by another accredited or certified guideline agency approved by the California Health and Human Services Agency.

I strongly support access to preventive health care, including colon cancer screenings and colonoscopies. However, existing law that requires coverage for these services without cost sharing is sufficient. Going beyond the USPSTF standard to include guidelines from other organizations and "equivalent" ratings is vague and would be difficult to implement.

For these reasons, I cannot sign this bill.

Sincerely,

GAVIN NEWSOM

Veto Message—Assembly Bill No. 3282

Governor's Office, Sacramento
September 29, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 3282 without my signature.

This bill would authorize individual courts, the Judicial Council of California, and the State Bar of California to participate in the Golden State Financial Marketplace Program, also known as GS \$SMART.

The 2019 Budget Act authorized school districts and local governments to utilize GS \$SMART, while making clear that any loan must rest on the creditworthiness of the borrowing entity. A failure by these entities to repay a loan arranged through GS \$SMART could negatively affect the state's credit rating. Unfortunately, this bill lacks those critical guardrails, thus exposing the state to potential credit risk.

For this reason, I cannot sign this bill.

This bill would also authorize the Judicial Council to sell three properties located in two counties. The sale of these properties is important to the solvency of the Judicial Council's State Court Facilities Construction Fund. Accordingly, I encourage the Legislature to take early action in the 2025–26 legislative session and send me a bill authorizing the sale of these properties.

Sincerely,

GAVIN NEWSOM

Receipt of Bills

I acknowledge receipt this 29th day of September, 2024 at 5:05 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 Jasmine Valle:

Assembly Bills Nos. 637, 1111, 1122, 1296, 1890, 1895, 1973, 2058, 2178, 2447, 2693, 2773, 2892, 3179, 3245, and 3282.

SUE PARKER
Chief Clerk of the Assembly

MESSAGES FROM THE GOVERNOR

The following veto message from the Governor was received and ordered printed in the Journal:

Veto Message—Assembly Bill No. 274

Governor's Office, Sacramento
September 30, 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 274 without my signature.

This bill would exempt any grant, award, scholarship, loan, or fellowship benefit received from consideration as income for purposes of determining eligibility for California Work Opportunity and Responsibility to Kids (CalWORKs) and CalFresh.

I appreciate the author's intent to support low-income individuals participating in educational programs. However, this bill does not limit the benefits identified to those used for educational purposes, which is out of compliance with federal laws. Further, this bill would result in ongoing costs in the millions of dollars annually, which should be considered in the 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

Receipt of Bills

I acknowledge receipt this 30th day of September, 2024 at 8:57 a.m., of the following Assembly bill without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Jasmine Valle:

Assembly Bill No. 274.

SUE PARKER
Chief Clerk of the Assembly

ROBERT RIVAS, Speaker

DANIEL ALVAREZ, Assistant Minute Clerk

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