

[AB 11](#) (McCarty D) Early and Periodic Screening, Diagnosis, and Treatment Program: screening services.**Status:** 9/21/2018-Vetoed by Governor.**Summary:** Current federal law provides that EPSDT services include periodic screening services, vision services, dental services, hearing services, and other necessary services to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services, whether or not the services are covered under the state plan. This bill would require, consistent with federal law, that screening services under the EPSDT program include developmental screening services for individuals zero to 3 years of age, inclusive. Until July 1, 2023, the bill would require an external quality review organization entity to annually review, survey, and report on managed care plan reporting and compliance with specified developmental screening tools and schedules.**Governor's Message:** To the Members of the California State Assembly: I am returning Assembly Bill 11 without my signature. This bill would require developmental screening of children from birth to age three in Medi-Cal and impose annual reporting requirements to assess managed care plan compliance. The Medi-Cal State Plan already requires providers to screen children for developmental delays according to the schedule recommended by the American Academy of Pediatrics. Codifying this requirement and producing another costly report is not necessary. Sincerely, Edmund G. Brown Jr.**Position***No Official Position***[AB 60](#) (Santiago D) Subsidized child care and development services: stages of child care: CalWORKs.****Status:** 10/1/2018-Vetoed by the Governor**Summary:** The The Child Care and Development Services Act establishes 3 stages of child care services through which a recipient of CalWORKs will pass. This bill would prohibit the first stage or the 2nd stage of child care services from being discontinued until confirmation is received from the administrator of the subsequent stage of child care that the family has been enrolled in the subsequent stage of child care, or that the family is ineligible for services in the subsequent stage of child care, in order to ensure that there is no disruption in child care services due to the planned transition between the stages of CalWORKs child care.**Governor's Message:** To the Members of the California State Assembly: I am returning Assembly Bill 60 Without my signature. This bill would require certain information to be automatically shared between county welfare departments and local child care contractors to facilitate an effortless transition of families between child care programs. This is a good goal, as any interruption in child care coverage for a family can be devastating, particularly for working parents in the CalWORKs program. However, this bill impacts an entitlement program and the changes contemplated in this bill have the potential to cost the state \$50 million a year and is more properly considered as part of the budget process. Sincerely Edmund G. Brown Jr.**Position**

Approve

[AB 1597](#) (Nazarian D) Public employee retirement systems: prohibited investments: Turkey.**Status:** 10/1/2018-Vetoed by the Governor**Summary:** Would, upon the passage of a federal law that imposes sanctions on Turkey for failure to acknowledge the Armenian Genocide, prohibit the boards of administration of the Public Employees' Retirement System and State Teachers' Retirement System from making additional or new investments, or renewing existing investments, of public employee retirement funds in an investment vehicle in Turkey that is issued by the government of Turkey or that is owned, controlled, or managed by the government of Turkey. The bill would require the boards to liquidate existing investments in Turkey in these types of investment vehicles within 6 months of the passage of a federal law imposing those sanctions on Turkey.**Governor's Message:** To the Members of the California State Assembly: I am returning Assembly Bill 1597 without my signature. This bill, which only goes into effect if the Federal Government imposes sanctions on Turkey, would require our pension funds to sell all bonds or investment vehicles issued by the Turkish government. The horror of the Armenian Genocide is something no Californian should ever forget. To that end, our school curriculum requires the study of the Armenian Genocide and this year I proclaimed April 24, 2018, as "Day of Remembrance of the Armenian Genocide". In addition, the state extended the statutory deadline for genocide victims or their heirs to seek legal redress. While this subject is profoundly important, the bill as written is mostly symbolic. Moreover, I am reluctant to force yet another disinvestment measure on our already stressed pension systems. Sincerely, Edmund G. Brown Jr.**Position***No Official Position***[AB 1867](#) (Reyes D) Employment discrimination: sexual harassment: records.****Status:** 10/1/2018-Vetoed by the Governor**Summary:** Would require an employer with 50 or more employees to maintain internal complaint

records of employee complaints alleging sexual harassment for a minimum of 5 years after the last day of employment of the complainant or any alleged harasser named in the complaint, whichever is later. The bill would authorize the Department of Fair Employment and Housing to seek an order requiring an employer that violates this recordkeeping requirement to comply.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1867 without my signature. This bill requires an employer of 50 or more employees to maintain records of complaints alleging sexual harassment for at least five years after the last day of employment of the complainant or alleged harasser, whichever is later. This bill, under certain circumstances, could lead to the retention of records for decades. It would also require complaints alleging sexual harassment to be maintained for the same length of time regardless of the result of the investigative process, meaning even unfounded complaints would need to be maintained. For these reasons, and because current law already requires personnel records --including records of complaints-- be maintained for suitable periods of time, the time expansion of this bill is unwarranted. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

AB 1870 (Reyes D) Employment discrimination: limitation of actions.

Status: 10/1/2018-Vetoed by the Governor

Summary: Current law, the California Fair Employment and Housing Act, makes specified employment and housing practices unlawful, including discrimination against or harassment of employees and tenants, among others. Current law authorizes a person claiming to be aggrieved by an alleged unlawful practice to file a complaint with the Department of Fair Employment and Housing within one year from the date upon which the unlawful practice occurred, unless otherwise specified. This bill would extend the above-described period to 3 years for complaints alleging employment discrimination, as specified.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1870 without my signature. This bill extends the deadline to file a complaint with the Department of Fair Employment and Housing from one year to three years for the employment provisions of the Fair Employment and Housing Act. Employees who have experienced harassment or discrimination in the workplace should have every opportunity to have their complaints investigated. I believe, however, that the current filing deadline--which has been in place since 1963--not only encourages prompt resolution while memories and evidence are fresh, but also ensures that unwelcome behavior is promptly reported and halted. Sincerely, Edmund G. Brown Jr.

Position

Oppose

AB 1951 (O'Donnell D) Pupil assessments: Pathways to College Act.

Status: 9/28/2018-Vetoed by Governor.

Summary: Would require, pursuant to specified provisions of the federal Elementary and Secondary Education Act, the Superintendent of Public Instruction to approve a nationally recognized high school assessment that a local educational agency, as defined, may, at its own discretion, administer, if the alternative assessment is approved by the local educational agency's governing board or body in a public meeting, commencing with the 2020-21 school year, and each school year thereafter, in lieu of the consortium summative assessment in English language arts and mathematics for grade 11.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1951 without my signature. This bill requires the Superintendent of Public Instruction to approve one or more nationally recognized high school assessments that a local school may administer in lieu of the state-administered high school summative assessment, commencing with the 2019-20 school year. Since 2010, California has eliminated standardized testing in grades 9 and 10 and the high school exit exam. While I applaud the author's efforts to improve student access to college and reduce "testing fatigue" in grade 11, I am not convinced that replacing the state's high school assessment with the Scholastic Aptitude Test or American College Test achieves that goal. Our K-12 system and our public universities are now discussing the possible future use of California's grade 11 state assessment for college admission purposes. This is a better approach to improving access to college for under-represented students and reducing "testing fatigue". Sincerely, Edmund G. Brown Jr.

Position

Co-Sponsor

AB 1992 (Chu D) CalWORKs eligibility: immunizations.

Status: 10/1/2018-Vetoed by the Governor

Summary: Would, commencing July 1, 2019, require a county human services agency to first try to obtain verification from the California Immunization Registry that a child who is not required to be enrolled in school has received all age-appropriate immunizations. The bill would require, if the county human services agency is unable to secure the documentation using the California Immunization Registry, the applicant or recipient to submit the documentation. The bill would require the county to send a notice of the obligation to submit documentation and support compliance, as specified, to the applicant or recipient.

Governor's Message: To the Members of the California State Assembly: I am returning the following bills without my signature: AB 1921 AB 1992 AB 2111 Each of these bills would make changes to the CalWORKs program that result in significant, ongoing funding commitments. As such, I believe they could be considered as part of the budget process when all funding commitments are considered and prioritized. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

AB 2043 (Arambula D) Foster children and youth: family urgent response system.

Status: 9/27/2018-Vetoed by Governor.

Summary: Current law, commonly known as Continuum of Care Reform (CCR), states the intent of the Legislature in adopting CCR to improve California's child welfare system and its outcomes. This bill would make legislative findings and declarations, stating the intent of the Legislature in adopting this bill to build upon the current CCR implementation effort. The bill would require the State Department of Social Services to establish a statewide hotline, operational no later than January 1, 2020, as the entry point for a Family Urgent Response System, as defined, to respond to calls from caregivers or current or former foster children or youth when a crisis arises, as specified.

Governor's Message: To the Members of the California State Assembly: I am returning the following five bills without my signature: AB 2043 AB 2342 AB 2593 SB 1125 SB 1148 Each of these bills require significant, ongoing general fund commitments. As such, I believe they should be considered as part of the budget process. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

AB 2153 (Thurmond D) Teachers: in-service training: lesbian, gay, bisexual, transgender, queer, and questioning pupil resources.

Status: 10/1/2018-Vetoed by the Governor

Summary: Would, contingent upon an appropriation made for these purposes, would require each school operated by a school district or county office of education and each charter school to annually provide in-service training to teachers of pupils in grades 7 to 12, inclusive, and to all other certificated employees at that school, on schoolsite and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils as well as strategies to increase support for LGBTQ pupils and thereby improve overall school climate, as specified. To the extent the bill, upon implementation, would impose additional duties on public schools and local educational agencies, the bill would impose a state-mandated local program.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2153 without my signature. This bill requires local schools to provide annual in-service training on available community and school site resources for lesbian, gay, bisexual, transgender, queer (LGBTQ) students to teachers and supporting staff of grades 7-12 students. I signed AB 827 (O'Donnell) in 2015, which required the Department of Education, as part of its compliance monitoring, to assess whether local schools have provided information to certificated staff serving of grades 7-12 on school site and community resources for LGBTQ students. Current law also requires the Department to monitor local schools to ensure the adoptions of policies prohibiting discrimination, harassment, intimidation, and bullying on the basis of sexual orientation, gender, gender identity, or gender expression. If local schools find that more training or resources on this topic is needed, they have the flexibility to use their resources as they see best. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

AB 2168 (Thurmond D) Special education: teachers: grant program.

Status: 9/20/2018-Vetoed by Governor.

Summary: Current law requires that every individual with exceptional needs who is eligible to receive special education instruction and related services receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her. Current law requires that a special education teacher who provides special education instruction and educational services meet the same "highly qualified" requirements and personnel qualifications as are provided in specified federal law. This bill would require the establishment of a statewide framework and training and support network for the purpose of training and supporting qualified mentor teachers who will be supporting the new statewide influx of special education teachers in California to be contingent upon an appropriation in the annual Budget Act or other legislation for this purpose.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2168 without my signature. This bill establishes the Special Education Teacher Grant program for the purpose of retaining and mentoring special education teachers. While I support the need to retain and support special education teachers, I cannot support this bill. The 2018 Budget Act includes \$50 million Proposition 98 General Fund for the Local Solutions Grant Program for schools to develop and implement new, or expand existing, locally identified solutions that recruit, support and retain special education teachers. Nothing in the grant language prohibits schools from providing mentors for special education teachers. Sincerely, Edmund G. Brown Jr.

Position*No Official Position***[AB 2360](#) (Rodriguez D) Pupil nutrition: best practices for school districts to create food bank partnerships.****Status:** 10/1/2018-Vetoed by the Governor

Summary: Would require the State Department of Education to collaborate with the Department of Food and Agriculture, including its Office of Farm to Fork, and to consult with the State Department of Public Health and State Department of Social Services, and other entities and experts determined relevant by the department, to develop and promote best practices for school districts to create partnerships with food banks that increase the access of pupils to fresh produce and healthy foods, as specified. The bill would require the State Department of Education and the Office of Farm to Fork to each post, on or before January 1, 2020, the best practices on its respective Internet Web site.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2360 without my signature. This bill requires the California Department of Education to collaborate with the Department of Food and Agriculture to develop "best practices" to facilitate partnerships between school districts and food banks that increase pupil access to healthy foods when school is not in session. Healthy foods for kids is obviously a good idea, but schools can already easily establish relationships with local food banks -- without state guidance. Given the fact that local school districts are governed by democratically elected trustees, it is important and utterly appropriate for the state to limit its intervention only to those situations that cannot be handled by local authorities. Sincerely, Edmund G. Brown Jr.

Position*No Official Position***[AB 2547](#) (McCarty D) Teachers: Teacher Residency Grant Program: Local Solutions Grant Program: evaluation.****Status:** 9/26/2018-Vetoed by Governor.

Summary: Current law requires the Commission on Teacher Credentialing to conduct an evaluation of the Teacher Residency Grant Program and the Local Solutions Grant Program to determine the effectiveness of these programs in recruiting, developing support systems for, and retaining special education and bilingual education teachers and teachers in the STEM subjects. Current law requires the commission to provide a report on the evaluation to the Department of Finance and the appropriate fiscal and policy committees of the Legislature by December 1, 2023. Current law repeals the above-described provisions on January 1, 2027. This bill would instead require the commission, with respect to this evaluation, to provide an initial implementation report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 1, 2023, and a final report to these entities on or before December 31, 2026.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2547 without my signature. This bill requires the Commission on Teacher Credentialing to collect specified data to evaluate the Teacher Residency Grant Program and Local Solutions Grant Program and determine each program's effectiveness at recruiting and training teachers. The Commission is already required to conduct an evaluation of both programs and provide a report to the state Legislature and Department of Finance by December 1, 2023. I am confident that successful practices will be shared within the education community. Sincerely, Edmund G. Brown Jr.

Position

Support

[AB 2602](#) (McCarty D) Homeless youth emergency service projects.**Status:** 9/26/2018-Vetoed by Governor.

Summary: Would establish an additional homeless youth emergency service project in the County of Sacramento. The bill would require the office to prepare and disseminate a request for proposal for the grantee by June 1, 2019, and would require the office to enter into a grant award agreement and the operation of the project to begin by October 1, 2019.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2602 without my signature. This bill requires the Office of Emergency Services to enter into a grant award agreement to fund a homeless youth emergency service project in Sacramento County that must begin operating by October 1, 2019. The bill directs the Office to establish the project but does not provide funding for its operation. Services to the state's homeless youth are important, but mandating this project without a funding source would be unwise. This project should be carefully evaluated during the annual budget process. Sincerely, Edmund G. Brown Jr.

Position*No Official Position***[AB 2614](#) (Carrillo D) Outdoor experiences: community access program: grant program.****Status:** 9/18/2018-Vetoed by Governor.

Summary: Would require the Natural Resources Agency to develop and implement a community access program focused on engagement programs, technical assistance, or facilities that maximize safe and

equitable physical admittance, especially for low-income and disadvantaged communities, to natural or cultural resources, community education programs, or recreational amenities. The bill would authorize the agency to develop a grant program for innovative transportation projects that provide disadvantaged and low-income youth with access to outdoor experiences, as specified.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2614 without my signature. This bill requires the California Natural Resources Agency to implement a program to increase participation in outdoor recreational activities, especially for people living in disadvantaged communities. Under current law, several departments within the California Natural Resources Agency administer programs that expand outdoor recreation. Moreover, the 2018 Budget Act sets aside \$277 million for grants to local government and nonprofits to accomplish the same goal. I agree that these outdoor programs are very important, but these are best targeted and most beneficial when done at the local level. Finally, it would be prudent to see how the recreational grant program unfolds before adding the new state role required by this bill. Sincerely, Edmund G. Brown Jr.

Position

Approve

[AB 2691](#) ([Jones-Sawyer D](#)) Pupil health: pupil and school staff trauma: Trauma-Informed Schools Initiative.

Status: 9/20/2018-Vetoed by Governor.

Summary: Would establish within the State Department of Education the Trauma-Informed Schools Initiative to address the impact of adverse childhood experiences on the educational outcomes of California pupils. The bill would require the department, if it determines appropriate funding is available, to take specified actions, on or before December 31, 2020, to implement the initiative, including developing and posting online an Internet Web site with information regarding the trauma-informed care approach, as defined, and a guide created by the department for public schools, including charter schools, on how to become trauma-informed schools, as defined.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2691 without my signature. This bill would establish the "Trauma-Informed Schools Initiative" within the Department of Education at state headquarters "to address the impact of ACEs on the educational outcomes of California pupils". It's a no brainer that our schools should be sensitive to the unique and diverse characteristics of all students. With that goal in mind, I have signed dozens of bills that have sought to ensure that all our students are free from discrimination, bullying, or any other form of disrespect. While this bill is intended to do good, I am alarmed by the amount of jargon it creates and the inevitable labeling it will encourage. The issues here are best handled by local schools -- and in plain English. Sincerely, Edmund G. Brown Jr.

Position

Support

[AB 2772](#) ([Medina D](#)) Pupil instruction: ethnic studies: grant program.

Status: 10/1/2018-Vetoed by the Governor

Summary: Would authorize the governing board of a school district to, during the 2019–20 school year, apply to the State Department of Education for a grant to fund, for the 2020–21, 2021–22, and 2022–23 school years, a semester- or year-long course in ethnic studies that the governing board of the school district would require each pupil to complete, except as specified, while in any of grades 9 to 12, inclusive, in order to receive a diploma of graduation from high school. The bill would require the governing board of a school district to base any course required as part of the grant program on the model curriculum in ethnic studies adopted by the state board.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2772 without my signature. This bill establishes a three-year grant program for school districts that require ethnic studies in order to graduate. School districts already can and are, requiring ethnic studies for graduation. While I recognize the value of these courses, I am reluctant to encourage yet another graduation requirement, especially when students are already overburdened by multiple tests and endless hours of homework. Sincerely, Edmund G. Brown Jr.

Position

Support

[AB 2994](#) ([Holden D](#)) Building standards: public restroom stalls: disability access.

Status: 9/21/2018-Vetoed by Governor.

Summary: The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose any building standard to submit the building standard to the California Building Standards Commission for approval or adoption. This bill would require the Division of the State Architect to review the current disability access standards for public restroom stalls and to develop and propose to the commission for consideration updated standards on the required number of ambulatory accessible stalls in public restrooms.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2994 without my signature. This bill requires the Division of the State Architect to develop and propose to the California Building Standards Commission, updated standards on the required number of

ambulatory accessible stalls in public restrooms. California's existing accessibility standards exceed the federal requirements and are often regarded as a national model. This bill requires the State Architect to review the existing standards, and regardless of the outcome, provide additional ones. I don't think that's warranted. Sincerely, Edmund G. Brown Jr.

Position

Support if
Amended

AB 3080 (Gonzalez Fletcher D) Employment discrimination: enforcement.

Status: 10/1/2018-Vetoed by the Governor

Summary: Would prohibit a person from, as a condition of employment, continued employment, the receipt of any employment-related benefit, or as a condition of entering into a contractual agreement, prohibiting an applicant for employment, employee, or independent contractor from disclosing to any person an instance of sexual harassment that the employee or independent contractor suffers, witnesses, or discovers in the workplace or in the performance of the contract, or otherwise opposing any lawful practice, or from exercising any right or obligation or participating in any investigation or proceeding with respect to unlawful harassment or discrimination.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3080 without my signature. This bill prohibits an applicant for employment or employee from being required to waive his or her right to a judicial forum as a condition of employment or continued employment. In my veto message of a similar bill in 2015, I referred to recent court decisions that invalidated state policies which unduly impeded arbitration. I also wanted to see how future United States Supreme Court decisions developed before endorsing a broad ban on mandatory arbitration agreements. The direction from the Supreme Court since my earlier veto has been clear ? states must follow the Federal Arbitration Act and the Supreme Court's interpretation of the Act. DIRECTV, Inc. v. Imburgia, 136 S. Ct. 463, 468 (2015). This bill is based on a theory that the Act only governs the enforcement and not the initial formation of arbitration agreements and therefore California is free to prevent mandatory arbitration agreements from being formed at the outset. The Supreme Court has made it explicit this approach is impermissible. In 2017 Justice Kagan, an appointee of President Obama, writing on behalf of a near-unanimous Supreme Court, clearly rejected the assertion that the Federal Arbitration Act has no application to contract formation issues: "By its terms, . . . the Act cares not only about the "enforce[ment]" of arbitration agreements, but also about their initial "valid[ity]" that is, about what it takes to enter into them. Or said otherwise: A rule selectively finding arbitration contracts invalid because improperly formed fares no better under the Act than a rule selectively refusing to enforce those agreements once properly made. Precedent confirms that point." Kindred Nursing Centers Ltd. Partnership v. Clark, 137 S. Ct. 1421, 1428 (2017). Since this bill plainly violates federal law, I cannot sign this measure. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

AB 3081 (Gonzalez Fletcher D) Employment: sexual harassment.

Status: 10/1/2018-Vetoed by the Governor

Summary: Current law requires a client employer, as defined, to share with a labor contractor, as defined, all civil legal responsibility and civil liability for all workers supplied by that labor contractor for the payment of wages and the failure to obtain valid workers' compensation coverage. This bill would require a client employer to share with a labor contractor all civil legal responsibility and civil liability for harassment for all workers supplied by that labor contractor.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3081 without my signature. This bill creates a new, ill-defined standard of joint liability between labor contractors and client employers, prohibits both entities from retaliating against an employee who has filed a harassment claim, and establishes a 30-day notice requirement before certain workers can file a civil action against a client employer. Most of the provisions in this bill are contained in current law and are therefore unnecessary. To the extent there are new provisions, they are confusing. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

AB 3086 (Kiley R) Interdistrict attendance: prohibition on transfers by a school district of residence.

Status: 9/21/2018-Vetoed by Governor.

Summary: Current law authorizes the governing boards of 2 or more school districts to enter into an agreement, for a term not to exceed 5 school years, for the interdistrict attendance of pupils who are residents of the school districts. This bill would also prohibit a school district of residence from prohibiting the transfer of a pupil who is a homeless child or youth or has been a homeless child or youth within the previous 5 school years, a currently migratory child or former migratory child, a foster youth, or a victim of an act of bullying to the school district of proposed enrollment if the school district of proposed enrollment approves the transfer application.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3086 without my signature. This bill prohibits a school district of residence from denying students

identified as homeless, in foster care, or victims of bullying from transferring out of their district. Furthermore, this bill requires the district of enrollment to provide transportation to these transfer students and admit all subsequent students until the school district is at maximum capacity. It is unclear what problem this bill is trying to solve and whether there is a statewide issue requiring a solution. There are already many other existing school choice options available to parents. Imposing yet another I am unconvinced that there is a problem. Moreover, requiring _____ makes it unlikely that any schools will utilize its provisions. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

AB 3120 (Gonzalez Fletcher D) Damages: childhood sexual assault: statute of limitations.

Status: 10/1/2018-Vetoed by the Governor

Summary: Would expand the definition of childhood sexual abuse, which would instead be referred to as childhood sexual assault. This bill would increase the time limit for commencing an action for recovery of damages suffered as a result of childhood sexual assault 22 years from the date the plaintiff attains the age of majority or within 5 years of the date the plaintiff discovers or reasonably should have discovered that the psychological injury or illness occurring after the age of majority was caused by sexual assault, whichever is later.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3120 without my signature. This bill makes amendments to the statute of limitations relating to claims of childhood sexual abuse. In 2013 I vetoed a substantially similar bill, SB 131 (Beall). My views have not changed. As I said then: Statutes of limitation reach back to Roman law and were specifically enshrined in the English common law by the Limitations Act of 1623. Ever since, and in every state including California, various limits have been imposed on the time when lawsuits may still be initiated. Even though valid and profoundly important claims are at stake, all jurisdictions have seen fit to bar actions after a lapse of years. The reason for such a universal practice is one of fairness. There comes a time when an individual or organization should be secure in the reasonable expectation that past acts are indeed in the past and not subject to further lawsuits. With the passage of time, are indeed the past and not subject to further lawsuits. With the passage of time, evidence may be lost or disposed of, memories fade and witnesses move away or die. Over the years California's laws regarding time limits for childhood sexual abuse cases have been amended many times. The changes have affected not only how long a person has to make a claim, but also who may be sued for the sexual abuse. The issue of who is subject to liability is an important distinction as the law in this area has always and rightfully imposed longer periods of liability for an actual perpetrator of sexual abuse than for an organization that employed that perpetrator. This makes sense as third parties are in a very different position than perpetrators with respect to both evidence and memories. For claims against a perpetrator of abuse, the current law is that claimant must sue within eight years of attaining the age of majority (i.e. age 26) or within three years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after the age of majority was caused by the sexual abuse, whichever period expires later?? However, for claims against a third party ? e.g. an organization that employed the perpetrator of the abuse ? the general rule since 1998 was that the claimant must sue before he or she turns 26. A later discovered psychological injury ? no matter how compelling ? could not be brought against a third party be a person older than 26. When a number of high profile sex abuse scandals in both public and private institutions came to light, many felt that the third party limitation rule described above was too harsh and that claimants over 26 should be able to recover damages for later discovered injuries from certain, more culpable entities. In 2002, the California Legislature weighed the competing considerations on this issue and enacted SB 1779, which did the following: (1) It identified for the first time a new subcategory of third party defendants which no longer would have the protection of the age 26 cutoff for claims. Going forward these defendants ? entities who new or should have known of the sexual abuse and failed to take action ? now could be sued within three years of the date of discovery of a claim. (2) Looking backwards, SB 1779 also revived for one year only (2003) all claims that previously lapsed because of the statute of limitation. This very unusual ?one year revival? of lapsed claims allowed victims relief but also set a defined cut-off time for these lapsed claims. In reliance on the clear language and intent of this statute, the private third party defendants covered by this bill took actions to resolve these legacy claims of victims older than 26. Over 1,000 claims were filed against the Catholic Church alone, some involving alleged abuse as far back as the 1930s. By 2007, the Catholic Church in California has paid out more than \$1.2 billion to settle the claims filed during this one year revival period. Other private and non-profit employers were sued and paid out as well. For the public third parties covered by this bill, however, a very different result occurred. There is no doubt that in 2002, when SB 1770 was enacted, it was intended to apply to both public and private entities. Indeed, it would be unreasonable, if not shocking, for the Legislature to intentionally discriminate against one set of victims, e.g. those whose abusers happened to be employed by a public instead of private entity. However, due to a drafting error, the California Supreme Court held in 2007 that SB 1779 did not actually apply to public or governmental agencies. So, unlike private institutions, public schools and government entities were shielded from the one year revival of lapsed claims. As a result, the similarly situated victims of these entities were not accorded the remedies of SB 1779. In 2008, the Legislature addressed this unfair distinction between victims of public as opposed to private institutions. Note, however, that the bill enacted, SB 640, did not restore equity between these two sets of victims.

Instead of subjecting public/governmental entities to all of the 2002 law, the Legislature only allowed victims of public instructions to sue under the new rules prospectively ? from 2009 forward ? and provided no ?one year revival? period. In passing the 2008 law, I can?t believe the legislature decided that victims of abuse by a public entity are somehow less deserving than those who suffered abuse by a private entity. The children assaulted by Jerry Sandusky at Penn State or the teachers at Miramonte Elementary School in Los Angeles are no less worthy because of the nature of the institution they attended. Rather, I believe that legislators, in good faith, weighed the merits of such claims against the equities of allowing claims to be brought against third parties years after the abuse occurred. The Legislature concluded that fairness required that certain claims should be allowed, but only going forward. This bill now before me, AB 3120, is broader than SB 131, does not fully address the inequity between state defendants and others, and provides a longer revival period for otherwise barred claims. For these reasons, as well as those previously enumerated in the veto message referenced above, I cannot sign this bill. Sincerely, Edmund G. Brown Jr.

Position

Oppose

[AB 3188](#) (Thurmond D) School accountability: local control and accountability plans: state priorities: pupil achievement.

Status: 9/27/2018-Vetoed by Governor.

Summary: Current law requires a local control and accountability plan to include, among other things, a description of the annual goals to be achieved for each state priority, as specified, for all pupils and certain subgroups of pupils. This bill would require pupil achievement to be measured by, and as applicable, among other things required by current law, the percentage of pupils who have successfully completed (1) courses that satisfy the requirements for entrance to the University of California and the California State University; or (2) career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, as prescribed; or (3) to the extent possible, both (1) and (2).

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3188 without my signature. This bill requires all local schools to report on their student population that meets both the requirements for entrance to the University of California and the California State University, which include A-G requirements and career-technical education sequences. Local schools already have the flexibility to report this data in their Local Control Accountability Plan and a number are already doing so. Sincerely, Edmund G. Brown Jr.

Position

Approve

[SB 174](#) (Lara D) Citizens of the state.

Status: 9/27/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would provide that citizens of the state are all persons born in the state and residing in it, except the children of alien public ministers and consuls, and all persons born out of the state who are citizens of the United States and residing within the state.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 174 without my signature. This bill would open up all boards and commissions to non-citizens. I believe existing law --which requires citizenship for these forms of public service--is the better path. Sincerely, Edmund G. Brown Jr.

Position*No Official Position***[SB 275](#) (Portantino D) Alcohol and drug treatment: youth.**

Status: 9/26/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: The current Adolescent Alcohol and Drug Treatment and Recovery Program Act of 1998, which authorized the State Department of Alcohol and Drug programs to establish community-based nonresidential and residential recovery programs to intervene and treat the problems of alcohol and other drug use among youth, became inoperative on July 1, 2013. This bill would repeal those inoperative provisions and would enact the Children, Adolescents, and Young Adults Substance Use Disorder Treatment Act. The bill would require the department to convene an expert panel on or before January 1, 2020, to advise the department solely on the development of youth substance use disorder (SUD) treatment quality standards, as specified.

Governor's Message: To the Members of the California State Senate: I am returning the following bills without my signature. AB 180 SB 275 SB 707 Each of these bills requires the Department of Health Care Services to establish a stakeholder process to deliberate and advise the department on an issue with Medi-Cal. Not every problem with Medi-Cal needs or deserves a public stakeholder process. The department regularly collaborates with stakeholders including interested organizations, experts, partners and colleagues. I am confident it will continue to do so. Sincerely, Edmund G. Brown Jr.

Position*No Official Position*

[SB 328](#)**(Portantino D) Pupil attendance: school start time.**

Status: 9/20/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require the schoolday for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:30 a.m. by July 1, 2021, or the date on which a school district's collective bargaining agreement that is operative on January 1, 2019, expires, whichever is later, except for rural school districts. To the extent the bill imposes new duties on school districts and charter schools, the bill would impose a state-mandated local program. The bill would encourage the State Department of Education to post specified information on its Internet Web site, including research on the impact of sleep deprivation on adolescents and the benefits of a later school start time, and to advise school districts of this posting.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 328 without my signature. This bill would prohibit middle and high schools from starting earlier than 8:30 in the morning, unless in a rural area. This is a one-size-fits-all approach that is opposed by teachers and school boards. Several schools have already moved to later start times. Others prefer beginning the school day earlier. These are the types of decisions best handled in the local community. Sincerely, Edmund G. Brown Jr.

Position

Oppose

[SB 354](#)**(Portantino D) Special education: individualized education programs: translation services.**

Status: 9/26/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: This bill would revise the definition of "parent" to specify that it also includes the educational rights holder and the conservator of a child. The bill would instead require that a person who meets the definition of "parent," including all categories of people included in that definition, be determined to be the "parent" for purposes of these provisions if there is a judicial decree or order identifying that person, as specified.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 354 without my signature. This bill requires local schools, upon a parent's request, to translate a student's individualized education program (IEP) and other related documents prepared as part of their special education services in the native language of the parent within 30 days of the IEP meeting. I cannot support this bill. Current law requires that non-English speaking parents understand their child's IEP, and in fact gives parents the right to have an interpreter present at their child's IEP meetings. To the extent that this is not sufficient, I think the remedy is best handled at the local school district. Sincerely, Edmund G. Brown Jr.

Position

Neutral

[SB 399](#)**(Portantino D) Health care coverage: pervasive developmental disorder or autism.**

Status: 10/1/2018-Vetoed by the Governor

Summary: Would, among other things, expand the definition of a "qualified autism service professional" to include behavioral service providers who meet specified educational and professional or work experience qualifications. The bill would revise the definition of a "qualified autism service paraprofessional" by deleting the reference to an unlicensed and uncertified individual and by requiring the individual to comply with revised educational and training, or professional, requirements. The bill would also revise the definitions of both a qualified autism service professional and a qualified autism service paraprofessional to include the requirement that these individuals complete a background check.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 399 without my signature. This bill would revise qualification standards for providers of behavioral health treatment for individuals with autism. Standards for autism providers were updated last year. I'm not inclined to revise them again. Sincerely, Edmund G. Brown Jr.

Position*No Official Position*[SB 539](#)**(De León D) Cal Grants: taxes: credits: College Access Tax Credit.**

Status: 10/1/2018-Vetoed by the Governor

Summary: Current insurance tax law, the Personal Income Tax Law, and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including a credit, for taxable years beginning on or after January 1, 2017, and before January 1, 2023, equal to 50% of a contribution to the College Access Tax Credit Fund, as allocated and certified by the California Educational Facilities Authority. Those laws limit the aggregate amount of credit that is authorized to be allocated and certified to \$500,000,000. This bill would increase the credit percentage on the contribution amount from 50% to 75% for taxable years beginning on or after January 1, 2018.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 539 without my signature. This bill would increase the amount of tax credit that taxpayers can claim when paying into the College Access Tax Credit Fund, as well as increase the total aggregate amount of credits that can be claimed. This measure started as a bold idea but because of adverse changes in

the federal tax law, it now confuses an already complicated scheme and could invite intervention by the Internal Revenue Service. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

SB 607 (Skinner D) Pupil discipline: suspensions and expulsions: willful defiance.

Status: 10/1/2018-Vetoed by the Governor

Summary: Current law prohibits the suspension of a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, and recommending the expulsion of a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. This bill, commencing July 1, 2019, would also prohibit the suspension of a pupil enrolled in grades 4 and 5 for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 607 without my signature. This bill would permanently eliminate the authority to suspend or recommend for expulsion a student in grades 4-5 who willfully disrupts school activities or defies the valid authority of school officials, and prohibits -- until July 1, 2023 -- the suspension of a student in grades 6-8 for that same misconduct. These prohibitions would apply to charter schools. Teachers and principals are on the front lines educating our children and are in the best position to make decisions about order and discipline in the classroom. That's why I vetoed a similar bill in 2012. In addition, I just approved \$15 million in the 2018 Budget Act to help local schools improve their disciplinary practices. Let's give educators a chance to invest that money wisely before issuing any further directives from the state. Sincerely, Edmund G. Brown Jr.

Position

Approve

SB 899 (Pan D) Workers' compensation.

Status: 9/23/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law requires a physician who prepares a report addressing the issue of permanent disability due to a claimed industrial injury to address in that report the issue of causation of the permanent disability. This bill would prohibit a physician from using race, gender, or national origin in determining the percentage of permanent disability that was caused by other factors before and subsequent to the industrial injury.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 899 without my signature. Consistent with current law, this measure seeks to preclude a physician from using race, gender, or national origin as a basis for apportionment. I am vetoing this bill for many of the same reasons that I returned a similar measure in 2011 - Assembly Bill 1155. This bill is unnecessary as it would not change existing law and may disturb settled court decisions, which already provide protection from the inappropriate application of the apportionment statutes. Additionally, the proposed wording of the amended statute may create ambiguities in the law, resulting in increased litigation, costs for employers and confusion for injured workers and their representatives. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

SB 906 (Beall D) Mental health services and substance use disorder treatment: peer support specialist certification.

Status: 10/1/2018-Vetoed by the Governor

Summary: Would require the State Department of Health Care Services to establish, no later than July 1, 2020, a peer support specialist certification to support the ongoing provision of services to individuals experiencing mental health care needs, substance use disorder needs, or both by certified peer support specialists. The certification components would include, among others, curriculum and core competencies, training and continuing education requirements, a code of ethics, and a process for the investigation of complaints and corrective action.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 906 without my signature. This bill requires the Department of Health Care Services to establish a certificate program for peer support specialists in Medi-Cal. Currently, peer support specialists are used as providers in Medi-Cal without a state certificate. This bill imposes a costly new program which will permit some of these individuals to continue providing services but shut others out. I urge the stakeholders and the department to improve upon the existing framework while allowing all peer support specialists to continue to work. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

SB 933 (Allen D) Visual and performing arts education: grant program.

Status: 9/23/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law requires the adopted course of study for grades 1 to 6, inclusive, and grades 7 to 12, inclusive, to include, among other subjects, visual and performing arts. This bill, contingent upon an appropriation made for these purposes, would establish the Arts for Every Student Incentive Grant Program, to be administered by the State Department of Education, to encourage and maintain the delivery of high-quality visual and performing arts education programs and provide a jump start for local educational agencies lacking the capacity to provide access to a visual and performing arts education to every pupil, as specified.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 933 without my signature. This bill establishes a competitive grant program for visual and performing arts programs in public schools. Nurturing creativity is certainly one of the most important responsibilities of teachers and local schools. But under our philosophy of local control, this is a matter best handled by individuals at the school level, not at state headquarters. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

[SB 937](#) (Wiener D) Lactation accommodation.

Status: 10/1/2018-Vetoed by the Governor

Summary: Would require an employer to provide a lactation room or location that includes prescribed features and would require an employer, among other things, to provide access to a sink and refrigerator in close proximity to the employee's workspace, as specified. The bill would require an employer to develop and implement a policy regarding lactation accommodation and make it available to employees, as specified. The bill would also require an employer to maintain records of requests for lactation accommodation for 3 years and to give the Labor Commission access to those records.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 937 without my signature. This bill requires employers to provide a space that meets specified standards for employees with a desire to express breast milk in private. I have signed AB 1976 which furthers the state's ongoing efforts to support working mothers and their families. Therefore, this bill is not necessary. Sincerely, Edmund G. Brown Jr.

Position

Oppose

[SB 947](#) (Jackson D) Pupil instruction: digital citizenship and media literacy.

Status: 9/18/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require, on or before January 1, 2021, the Superintendent of Public Instruction, in consultation with the State Board of Education, to identify best practices and recommendations for instruction in digital citizenship, Internet safety, and media literacy and to report to the appropriate fiscal and policy committees of the Legislature on strategies to implement the best practices and recommendations statewide. The bill would require the Superintendent to convene and consult with an advisory committee consisting of specified representatives in developing the best practices and recommendations.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 947 without my signature. This bill would require the State Superintendent of Public Instruction to convene a workgroup to develop best practices and recommendations for instruction in digital citizenship and media literacy. The subject matter of this bill is more properly the responsibility of local school districts. Moreover, the topics covered here are already contained in our state's English Language and Social Science Frameworks or in the K-12 Model Library Standards. Sincerely, Edmund G. Brown Jr.

Position

Support

[SB 968](#) (Pan D) Postsecondary education: mental health counselors.

Status: 9/23/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require the Trustees of the California State University and request the Regents of the University of California, to have one full-time equivalent mental health counselor per 1,500 students enrolled at each of their respective campuses to the fullest extent consistent with state and federal law. The bill would define mental health counselor for purposes of this provision. The bill would require those institutions, on or before January 1, 2020, and every 3 years thereafter, to report to the Legislature how funding was spent and the number of mental health counselors employed on each of its campuses, as specified.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 968 without my signature. The bill would prescribe a minimum mental health counselor-to-student ratio at all the campuses of the California State University system, and request the University of California to implement the same ratio on its campuses. Investing greater resources in student mental health is an understandable goal. Such investments, however, should be actively considered and made within the budget process. Moreover, specific ratios should remain within the purview of the boards or with local campuses, rather than dictated by the state. Sincerely, Edmund G. Brown Jr.

Position

No Official Position

SB 1019 (Beall D) Youth mental health and substance use disorder services.

Status: 10/1/2018-Vetoed by the Governor

Summary: Current law provides that funds appropriated by the Legislature to the California Health Facilities Financing Authority and the Mental Health Services Oversight and Accountability Commission for the purposes of the Mental Health Wellness Act of 2013 be made available to selected counties or counties acting jointly, except as otherwise provided, and used to provide, among other things, a complete continuum of crisis services for children and youth 21 years of age and under regardless of where they live in the state. This bill would require the commission, when making these funds available on and after July 1, 2021, to allocate at least 1/2 of those funds to local educational agency and mental health partnerships, as specified.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1019 without my signature. This bill would require the Mental Health Services Oversight and Accountability Commission to allocate at least half of its triage grant funds to local and mental health partnerships. The bill as written would limit the Commission's authority to exercise its judgment in the distribution of these grants. I believe the better practice would be to leave this matter to the Commission. Sincerely, Edmund G. Brown Jr.

Position

Support

SB 1127 (Hill D) Pupil health: administration of medicinal cannabis: schoolsites.

Status: 9/28/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would enact Jojo's Act, which would authorize the governing board of a school district, a county board of education, or the governing body of a charter school maintaining kindergarten or any of grades 1 to 12, inclusive, to adopt, at a regularly scheduled meeting of the governing board or body, a policy, as provided, that allows a parent or guardian of a pupil to possess and administer to the pupil who is a qualified patient entitled to the protections of the Compassionate Use Act of 1996 medicinal cannabis, excluding in a smokeable or vapeable form, at a schoolsite.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1127 without my signature. This bill permits local schools to adopt policies regarding the use of medical marijuana by students on school grounds. This bill is overly broad as it applies to all students instead of limited cases where a doctor recommends medical marijuana for a student in order to prevent or reduce the effects of seizure. Generally, I remain concerned about the exposure of marijuana on youth and am dubious of its use for youth for all ailments. This bill goes too far ? further than some research has ? to allow use of medical marijuana for youth. I think we should pause before going much further down this path. Sincerely, Edmund G. Brown Jr.

Position

Support

Total Measures: 37

Total Tracking Forms: 37