

CALIFORNIA LEGISLATURE

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**SENATE  
FILE**

**GOVERNOR'S VETOES**

**TUESDAY, OCTOBER 17, 2017**

Compiled Under the Direction of

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Secretary of the Senate

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(Please report any errors or omissions to Daily File Clerk: Phone 916–651–4171)

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**GOVERNOR’S VETOES**

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**1**

S.B. No. 341— Wilk et al.  
An act relating to school bonds.  
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 341 without my signature.

This bill would increase the number of consecutive terms that a member of a bond citizens’ oversight committee may serve, from three two-year terms to six two-year terms.

This bill is a statewide solution to a limited problem. Although a few school districts cite difficulty recruiting community members to serve on their bond oversight committee, this bill could create fewer opportunities for community involvement statewide. This is contrary to the goal of the bond oversight committee, which is to ensure that taxpayers have the opportunity to provide proper oversight of these funds.

Sincerely,

Edmund G. Brown Jr.

**2017**

Jul. 17— Shall Senate Bill 341 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**2**

S.B. No. 246— Bates.

An act relating to taxation.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 246 without my signature.

This bill would allow a homeowner granted an initial base-year property tax valuation transfer claim due to disability to make a second base-year value transfer after they reach the age of 55.

I believe this bill would allow an already generous property tax benefit to be granted a second time on a larger scale. It is not prudent to authorize legislation such as this that would result in unknown long-term costs to the General Fund.

Sincerely,

Edmund G. Brown Jr.

**2017**

Jul. 21— Shall Senate Bill 246 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**3**

S.B. No. 506—Nielsen et al.

An act relating to fish and wildlife.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 506 without my signature.

This bill requires the Department of Fish and Wildlife (Department) to upgrade its Lake and Streambed Alteration Program website and post any documents created for informational, guidance, or regulatory purposes on the website by December 31, 2018.

The Department is beginning a rulemaking process on the Lake and Streambed Alteration Program and the bill, as currently written, is premature.

I am directing the Department to update its website to reflect the new guidance, once the regulations are complete.

Sincerely,

Edmund G. Brown Jr.

**2017**

Jul. 21— Shall Senate Bill 506 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**4**

S.B. No. 644— Stone.

An act relating to vessels.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 644 without my signature.

This bill authorizes a court to impound a boat for up to 30 days in boating under the influence cases if the owner is convicted and the conduct resulted in the unlawful killing of a person.

Boating under the influence is a very troubling crime which exposes the public to grave danger. However, especially in cases where this conduct resulted in an unlawful killing, a defendant will be exposed to very serious criminal and civil liability, including potentially years in prison depending on the circumstances. I do not see the need, in these tragic but narrow instances, to additionally expand the powers of government to impound private property as an added punitive measure.

Because this bill will not act as a deterrent, and existing criminal and civil penalties are sufficient to address the conduct contemplated, I am returning this measure without my signature.

Sincerely,

Edmund G. Brown Jr.

**2017**

Jul. 24— Shall Senate Bill 644 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**5**

S.B. No. 663— Nielsen.

An act relating to cannabis.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 663 without my signature.

This bill outlines standards that will determine if cannabis packages or labels are attractive to children.

Current law already prohibits cannabis and cannabis products from being designed to be attractive to children.

State licensing authorities are currently drafting emergency regulations on packaging and labeling for the cannabis industry, which must take effect before January 1, 2018. This process is more nimble than statute and allows the licensing authorities to respond to the changing industry. Rather than creating new statutory restrictions, it would be prudent to allow licensing authorities to finish drafting the regulations.

Sincerely,

Edmund G. Brown Jr.

**2017**

Sep. 11— Shall Senate Bill 663 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)



GOVERNOR'S VETOES—Continued

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**6**

S.B. No. 596— Stern et al.

An act relating to civics education.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 596 without my signature.

This bill would create a Student Empowerment Commission with a regional delegate structure to elect students to attend conferences, which would provide policy recommendations to the Legislature.

I believe this bill is unnecessary. The California Association of Student Councils already provides students an opportunity to attend an annual conference and present policy recommendations to both the Legislature and the Board of Education.

Sincerely,

Edmund G. Brown Jr.

**2017**

Sep. 28— Shall Senate Bill 596 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**7**

S.B. No. 11—Gaines.

An act relating to taxation.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 11 without my signature.

This bill waives interest and penalties automatically for a taxpayer's failure to pay due taxes because of website system failure at the Department of Tax and Fee Administration or State Board of Equalization.

The Department and Board already have an existing mechanism to relieve taxpayers of unwarranted interest and penalties due to website disruption. Therefore, this bill is unnecessary.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 2—Shall Senate Bill 11 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**8**

S.B. No. 513— Bradford.

An act relating to assault and battery.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 513 without my signature.

This bill adds \$1,000 to the current penalty for assault or battery if committed against a public utility worker.

I don't believe the additional \$1,000 called for in this bill would do much to deter this type of conduct, which is already punishable by either six months or a year in jail, and up to a \$2,000 fine depending on the charge.

I would note that the bill further slices and dices our criminal law, dividing the crimes of assault and battery into even more discreet categories, which grow more numerous by the decade. As a general rule I don't think this a good idea.

Our criminal code already has more than 5,000 separate criminal provisions, making it more particularized than it needs to be for an understandable and fair system of justice.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 4— Shall Senate Bill 513 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**9**

S.B. No. 784— Galgiani et al.

An act relating to crimes.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 784 without my signature.

This bill authorizes an increased financial penalty in situations where a person takes photographs or video footage of another person without their consent and intentionally distributes it or makes it available to another person.

I don't believe the additional \$1,000 called for in this bill does anything to deter this type of conduct. The underlying crime—the recording of the image—is already punishable by up to six months in jail and a \$1,000 fine, and courts currently have discretion to order that any restitution include economic losses incurred by the victim. Moreover, civil remedies are available in these situations.

I believe that current law already provides sufficient criminal and civil liability.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 4— Shall Senate Bill 784 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**10**

S.B. No. 56—Mendoza.

An act relating to alcoholic beverages.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 56 without my signature.

This bill would allow a retail licensee to return beer, to the wholesaler or manufacturer, for different beer within the same brand.

Current law already allows a retailer to exchange beer for the identical quantity, value, and brand for a host of reasons. Given this existing authority, it is unclear how current law is deficient.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 5—Shall Senate Bill 56 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**11**

S.B. No. 643— Pan et al.

An act relating to public health.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 643 without my signature.

This bill adds Duchenne muscular dystrophy to the list of medical conditions eligible for health care coverage under the Genetically Handicapped Persons Program.

California's implementation of the Affordable Care Act has expanded subsidized health care coverage provided by Medi-Cal and Covered California so coverage is available to adults with serious genetic diseases such as Duchenne. As such, there is no longer a need to expand specialized coverage programs.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 5—Shall Senate Bill 643 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**12**

S.B. No. 289— McGuire.

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

Vote required: 27

To the Members of the California State Senate:

I am returning the following two bills without my signature:

Assembly Bill 778

Senate Bill 289

Both of these bills create a new tax break. These bills are an end run of the budget process, and would commit us to spending more than eight million dollars through 2018–19.

The budget process allows for all tax break proposals to be weighed equally through public hearings, negotiations and, finally, approval of a balanced budget. As I said last year, I believe this is the best way to evaluate and prioritize all new spending proposals, including those that create new tax breaks.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 6— Shall Senate Bill 289 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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# 13

S.B. No. 386— Glazer et al.

An act relating to state beaches and parks.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 386 without my signature.

This bill prohibits smoking on state coastal beaches and throughout the State Park System, and requires the Department of Parks and Recreation to post signs to notify the public of the smoking ban.

Last year I vetoed Senate Bill 1333, a similar measure, because I believed that such a far-reaching prohibition in every state park and on every state beach was too broad. In addition, the fine prescribed in this bill for lighting one cigarette is excessive: \$485 dollars, after the mandatory assessments.

If people can't smoke even on a deserted beach, where can they? There must be some limit to the coercive power of government.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 6— Shall Senate Bill 386 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)



GOVERNOR'S VETOES—Continued

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**14**

S.B. No. 42— Hill et al.

An act relating to public lands, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 42 without my signature.

This bill creates the Martins Beach Subaccount in the Land Bank Fund to provide funds to be used for the acquisition of public access along the shoreline near Martins Beach.

Unfortunately, as drafted the bill does not meet the author's intent. This bill precludes the use of eminent domain in this instance and limits the state's options.

Public access to our state beaches and parks is a core value to this state and must be protected. Here however, the public's right to access Martins Beach will be determined in further judicial and administrative proceedings.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 8— Shall Senate Bill 42 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**15**

S.B. No. 702— Stern.

An act relating to state employees.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 702 without my signature.

This bill requires the Department of General Services to expand the State Employee Bike share Program to other areas of the state where feasible.

The Department should continuously assess the demand for this Program and expand as needed within its existing authority. This bill is unnecessary.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 9—Shall Senate Bill 702 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**16**

S.B. No. 290— Jackson et al.  
An act relating to fish and wildlife.  
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 290 without my signature.

This bill would require the Karen C. Drayer Wildlife Health Center at the University of California Davis to provide grants to organizations that respond to marine mammal stranding emergencies or sea turtle entanglements when funds are appropriated by the Legislature.

Our recent budgets have provided funds to the Center for the purposes outlined in this bill. This is a fiscal question that is best addressed through the budget process instead of a standalone bill.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 10—Shall Senate Bill 290 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**17**

S.B. No. 318— Portantino et al.  
An act relating to postsecondary education.  
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 318 without my signature.

While I agree it is important for the California State University (CSU) to make prudent contracting decisions, CSU's union contracts already address the issue of outsourcing in the collective bargaining process.

As such, I don't see the need at this point to further rigidify this process.

I would, however, urge both the Trustees and the Chancellor's office to make every effort to ensure that CSU's contracts are well-justified, well-executed and perform as anticipated.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 12—Shall Senate Bill 318 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**18**

S.B. No. 51— Jackson.

An act relating to government data.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 51 without my signature.

This bill requires the Secretary of the California Environmental Protection Agency to preserve and post online scientific information and data that might be censored or destroyed by the federal government. This bill also prohibits state licensing entities, except the State Bar, from taking disciplinary actions against public employees who report improper federal government activities or make scientific research public.

Action by the federal Administration to obfuscate and devalue scientific evidence by questioning, demoting, or firing federal scientists is dangerous and myopic. It would be difficult, however, to envision a scenario or even a legal basis where the whim of the federal Administration would lead to a disciplinary action in California.

When it comes to preserving scientific research we cannot be too careful. I am directing the Secretary of the California Environmental Protection Agency to collaborate with universities and non-profits to compile and preserve all important and relevant scientific federal research and data.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 13—Shall Senate Bill 51 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**19**

S.B. No. 464— Hill et al.

An act relating to firearms.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 464 without my signature.

This bill would require additional security enhancements on the premises of all licensed firearms dealers in California.

State law already requires that firearms dealers enact security measures to avoid theft. Local jurisdictions can-and have-gone further by adding additional specific requirements. I believe local authorities are in the best position to determine what, if any additional measures are needed in their jurisdictions.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 13—Shall Senate Bill 464 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**20**

S.B. No. 478— Portantino.

An act relating to public postsecondary education.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 478 without my signature.

This bill would require each community college to identify all students who have completed the requirements for an associate degree for transfer and automatically award that degree, but only in those years where the state budget appropriates specific funds for this purpose.

I support efforts to increase the number of transfer students to the California State University and the University of California, as well as to other four-year private universities, but funding a sporadic, manual “degree audit” is not the answer.

It would be better for community colleges to update their technology systems and processes in total, so that all students know how close they are to completing their degrees.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 13—Shall Senate Bill 478 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**21**

S.B. No. 527— Galgiani.

An act relating to education finance.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 527 without my signature.

This bill provides for an annual cost-of-living adjustment to the amount of funding that local schools and county offices of education receive from the Home-to-School Transportation program.

While I recognize the increasing call on local resources for competing priorities and the importance of providing student transportation, the Local Control Funding Formula provides local schools and county offices of education with substantial flexibility and autonomy to implement and augment programs that meet the educational needs of their students and local communities.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 13—Shall Senate Bill 527 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)



GOVERNOR'S VETOES—Continued

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**22**

S.B. No. 304— Portantino et al.

An act relating to juvenile court school pupils.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 304 without my signature.

This bill requires a county office of education and county probation department to include in their joint transition planning policy an individualized plan and transition portfolio for juvenile court school students detained for more than 20 consecutive days.

I signed Assembly Bill 2276 in 2014, which requires a county office of education and probation department to develop a joint transition planning policy to assist students transitioning from juvenile court schools to other schools. I believe this provides sufficient guidance to get the job done.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 14— Shall Senate Bill 304 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**23**

S.B. No. 345— Bradford.

An act relating to law enforcement.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 345 without my signature.

This bill requires law enforcement agencies, including certain state agencies, to post on their websites all current standards, policies, practices, operating procedures, education and training materials that would otherwise be available if a request was made under the California Public Records Act.

This bill is too broad in scope and vaguely drafted. I appreciate the author's desire for additional transparency of police practices and local law enforcement procedures, but I believe this goal can be accomplished with a more targeted and precise approach.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 14— Shall Senate Bill 345 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**24**

S.B. No. 390—Mendoza.

An act relating to library standards.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 390 without my signature.

This bill adds the implementation of the Model School Library Standards as a new state priority area under the local control funding formula that county offices of education and school districts must address in their local control accountability plans.

I believe this bill is unnecessary. The Model School Library Standards are already considered in these plans under priority two of the local control accountability plan.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 14— Shall Senate Bill 390 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**25**

S.B. No. 491— Bradford et al.  
An act relating to civil rights.  
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 491 without my signature.

This bill directs the Department of Fair Employment and Housing to establish an advisory group to conduct a study regarding the feasibility of local enforcement of employment antidiscrimination statutes.

The Fair Employment and Housing Act (FEHA) has preempted local governments from enforcing the provisions of this law for decades. I agree with the author that it is time for the state to reassess whether the state should allow local authorities to enforce FEHA. Unfortunately, as currently drafted, the bill is too broad and it is not clear that the advisory group would focus solely on employment protections governed by FEHA.

I am directing the Department of Fair Employment and Housing to create an advisory group to explore allowing the provisions of FEHA to be enforced by local authorities and prepare a report to my office and the Legislature with findings and recommendations by December 31, 2018.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 14— Shall Senate Bill 491 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**26**

S.B. No. 494— Hueso et al.

An act relating to language arts.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 494 without my signature.

This bill would establish the Golden State Reading grant program for the purpose of assisting local educational agencies to ensure that all students meet specified reading standards and language skills by the end of the third grade.

Local educational agencies already have the flexibility under the Local Control Funding Formula to provide students the support they need to ensure that appropriate reading and language skills are achieved.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 14— Shall Senate Bill 494 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**27**

S.B. No. 687— Skinner.

An act relating to health facilities.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 687 without my signature.

This bill requires a nonprofit hospital to receive approval from the Attorney General prior to reducing or eliminating services in its emergency department.

A hospital's decision to reduce or eliminate emergency services poses real challenges for a community. This is why current law requires public notice prior to a hospital taking such an action. Removing a hospital's authority to determine emergency service needs, however, will not solve the underlying financial issues that typically force these decisions. An Attorney General decision to prohibit a reduction or elimination of these services may hasten the reduction of other services or closure of the entire hospital.

For this reason, I cannot sign this bill.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 14— Shall Senate Bill 687 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**28**

S.B. No. 80— Wieckowski.

An act relating to environmental quality.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 80 without my signature.

This bill requires a lead agency to file a Notice of Determination when a project considered under the California Environmental Quality Act (CEQA) receives a categorical exemption. The bill also requires a lead agency to post certain notices on its website, and send the notices by email upon request.

While I agree with the author's desire to provide greater transparency, the current CEQA process already is very detailed, and requires an incredible amount of notice. For that reason, I am reluctant to add the additional requirements mandated by this bill.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 15— Shall Senate Bill 80 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**29**

S.B. No. 357— Hueso et al.

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

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 357 without my signature.

This bill directs the Governor's Office of Business and Economic Development to establish and operate a trade and investment office in Mexico City.

California and Mexico have a proven partnership of trade, commerce, and the exchange of culture that runs long and deep. Our relationship with Mexico is fundamental to our mutual prosperity. Through memorandums of understanding, we are directly working with the Mexican government and business community on climate change, trade, transportation, tourism, and education.

As I stated in 2014 when I vetoed a nearly identical bill, I remain unconvinced that California needs a legislatively-mandated trade office to continue our ongoing and enduring partnership with Mexico.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 15— Shall Senate Bill 357 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)



GOVERNOR'S VETOES—Continued

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**30**

S.B. No. 149— McGuire et al.  
An act relating to elections.  
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 149 without my signature.

This bill requires any candidate for president to disclose five years of his or her income tax returns before their name can be placed on California's primary election ballot.

Although tax returns are by law confidential, many presidential candidates have voluntarily released them. This bill is a response to President Trump's refusal to release his returns during the last election.

While I recognize the political attractiveness—even the merits-of getting President Trump's tax returns, I worry about the political perils of individual states seeking to regulate presidential elections in this manner. First, it may not be constitutional. Second, it sets a "slippery slope" precedent. Today we require tax returns, but what would be next? Five years of health records? A certified birth certificate? High school report cards? And will these requirements vary depending on which political party is in power?

A qualified candidate's ability to appear on the ballot is fundamental to our democratic system. For that reason, I hesitate to start down a road that well might lead to an ever escalating set of differing state requirements for presidential candidates.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 15— Shall Senate Bill 149 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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# 31

S.B. No. 169— Jackson et al.  
An act relating to education.  
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 169 without my signature.

This bill would codify a combination of federal regulations and guidance on sexual harassment - some of which has been repealed, some of which is still in effect - as well as some language from model policies that have been developed by California universities.

This is not a simple issue. Sexual harassment and sexual violence are serious and complicated matters for colleges to resolve. On the one side are complainants who come forward to seek justice and protection; on the other side stand accused students, who, guilty or not, must be treated fairly and with the presumption of innocence until the facts speak otherwise. Then, as we know, there are victims who never come forward, and perpetrators who walk free. Justice does not come easily in this environment.

That is why in 2014 I signed into law the first affirmative consent standard in the country for colleges to adopt in their sexual assault policies, so that clear and basic parameters for responsible behavior could be established. Yes Means Yes, along with its attendant preponderance standard, is the law in California, which only the courts or a future legislature can change.

Since this law was enacted, however, thoughtful legal minds have increasingly questioned whether federal and state actions to prevent and redress sexual harassment and assault - well-intentioned as they are - have also unintentionally resulted in some colleges' failure to uphold due process for accused students. Depriving any student of higher education opportunities should not be done lightly, or out of fear of losing state or federal funding.

Given the strong state of our laws already, I am not prepared to codify additional requirements in reaction to a shifting federal landscape, when we haven't yet ascertained the full impact of what we recently enacted. We have no insight into how many formal investigations result in expulsion, what circumstances lead to expulsion, or whether there is disproportionate impact on race or ethnicity. We may need more statutory requirements than what this bill contemplates. We may need fewer. Or still yet, we may need simply to fine tune what we have.

It is time to pause and survey the land.

TUESDAY, OCTOBER 17, 2017

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**GOVERNOR'S VETOES—Continued**

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I strongly believe that additional reflection and investment of time in understanding what is happening on the ground will help us exercise due care in this complex arena. I intend to convene a group of knowledgeable persons who can help us chart the way forward.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 15— Shall Senate Bill 169 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**32**

S.B. No. 574— Lara et al.

An act relating to public contracts.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 574 without my signature.

This bill seeks to equalize, or at least greatly minimize, the wage and benefit disparity between employees of the University of California (UC) and its contracted workers in specific job categories. This is the third time this policy, with some modification, has been passed by the Legislature.

After twice vetoing prior attempts, I am tempted to sign this measure, for no other reason than it is a well-intentioned bill that seeks to improve the financial security of contracted workers, or, alternatively, expand direct employment at the UC for lower wage workers. As the UC prides itself on being an agent of social mobility for students, it might follow that UC could similarly be an agent of social mobility for lower-wage workers at its campuses.

Good intentions, however, aren't always enough. The mechanism to create this social change locks in cumbersome and overly costly contracting rules that provide little flexibility, regardless of circumstance. This will not serve the university or the state well.

In the best of worlds, the UC would make greater efforts to control its cost structure and find the means to better compensate lower wage workers, both employed and contracted-so that fewer would be concerned about housing, hunger and healthcare. Though UC has made some attempts in this regard, much work remains, including holding flat executive compensation and benefits that near many hundreds of thousands of dollars and more, far beyond what the average Californian would think reasonable for an employee of a public university.

What the state requires of the university's contracting policy should be more carefully considered, thoughtfully debated and weighed against other high value programs of expenditure. The State Auditor's recent report made some useful recommendations on contracting practices, which the UC can act on now. Other actions to improve UC's policies can be considered when the UC's total budget is considered by the state.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 15— Shall Senate Bill 574 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

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**33**

S.B. No. 599— Portantino.

An act relating to public employees' benefits.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 599 without my signature.

This bill allows specified public safety employee associations to offer multiple statewide and regional health benefit plans to their members.

Existing association health benefit plans are currently afforded very little oversight by the California Public Employees' Retirement System. By allowing these employee associations to offer additional health plans to their members, CalPERS would be left with major unanticipated costs should any of the plans fail.

The state now faces over \$240 billion in unfunded pension and health liabilities. Since 2011, the annual costs for all this have increased significantly as the state takes steps to pay down the long-term obligation faster.

In light of these enormous fiscal commitments, I am unable to sign this bill.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 15— Shall Senate Bill 599 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE  
GOVERNOR'S VETOES—Continued

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**34**

S.B. No. 649— Hueso et al.

An act relating to telecommunications.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 649 without my signature.

This bill establishes a uniform permitting process for small cell wireless equipment and fixes the rates local governments may charge for placement of that equipment on city or county owned property, such as streetlights and traffic signal poles.

There is something of real value in having a process that results in extending this innovative technology rapidly and efficiently. Nevertheless, I believe that the interest which localities have in managing rights of way requires a more balanced solution than the one achieved in this bill.

Sincerely,

Edmund G. Brown Jr.

**2017**

Oct. 15— Shall Senate Bill 649 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)