



OFFICE OF THE GOVERNOR

OCT 08 2023

To the Members of the California State Assembly:


I am returning Assembly Bill 699 without my signature.

This bill would extend the rebuttable presumptions currently provided to safety officers for hernia, pneumonia, heart trouble, cancer, tuberculosis, bloodborne infectious disease, methicillin-resistant *Staphylococcus aureus* skin infections (MRSA), meningitis-related illnesses and injuries, post-traumatic stress disorder (PTSD) and for illness or injury as a result of exposure to biochemical substances, to lifeguards employed on a year-round, full-time basis in the Boating Safety Unit by the City of San Diego Fire-Rescue Department, but would except application of the skin cancer presumption to lifeguards in that Unit.

A presumption is not required for an occupational disease to be compensable. Although lifeguards engage in hazardous responsibilities, a presumption should be provided sparingly and based upon the unique hazards or proven difficulty of establishing a direct relationship between a disease or injury and the employee's work. Although well-intentioned, the need for the presumption envisioned by this bill must be supported by clear and compelling evidence.

For these reasons, I cannot sign this bill.

Sincerely,


Gavin Newsom

