



OFFICE OF THE GOVERNOR

SEP 22 2024

To the Members of the California State Assembly:

I am returning Assembly Bill 2538 without my signature.

The bill would, among other things, require the Department of Forestry and Fire Protection (CAL FIRE) to employ seasonal firefighters (FFI) through the use of an employment list. This bill would also require the Department of Human Resources to coordinate with the State Personnel Board, and any other relevant State agency, to take the necessary actions to allow CAL FIRE to employ seasonal firefighters for longer than 9 months in a consecutive 12-month period.

Increasing CAL FIRE's capacity is an important objective, and with the introduction of the 66-hour work week for firefighters, my Administration will need to hire more than 2,000 new year-round firefighters, significantly increasing the department's capacity in the off-season. This bill is therefore unnecessary.

Additionally, this bill raises challenging questions about its compatibility with Article VII, Section 5 of the California Constitution, which provides generally that a temporary appointment may be made in the absence of an employment list, and no person may serve in one or more positions under a temporary appointment for longer than 9 months in a consecutive 12-month period. The seasonal firefighters that are the subject of this bill are hired into the Firefighter I classification, which is a temporary appointment.



For these reasons, I cannot sign this bill.

Sincerely,

Gavin Newsom