



## OFFICE OF THE GOVERNOR

**SEP 30 2012**

To the Members of the California State Assembly:

I am returning Assembly Bill 2451 without my signature.

California faces fiscal challenges unparalleled since the Great Depression. While much progress has been made to reduce our structural deficit, balance our budget, reform workers' compensation and rein in spiraling pension costs - - much work remains.

This measure seeks to redress a problem whose scope is not fully knowable. Proponents cite the case of the firefighter who dies a lingering and painful death from cancer and note that if that death occurs even one day past an arbitrary statute of limitation - originally established in 1913 - the surviving dependent family members are denied substantial death benefits.

Meanwhile opponents decry any expansion of this nearly 100 year old limitation as wildly fiscally imprudent, opening the doors to fiscal ruin and damnation of our efforts to restore fiscal sanity to our state.

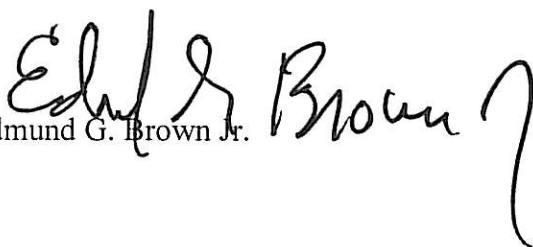
What is needed is rational, thoughtful consideration of balancing the serious fiscal constraints faced at all levels of government against our shared priority to adequately and fairly compensate the families of those public safety heroes who succumb to work-related injuries and disease.

Unfortunately, little more than anecdotal evidence is available to base such deliberations upon. If deaths due to cancer for firefighters and peace officers approximate, let alone exceed, those of the general population, we can surmise the potential impact of doubling the statute of limitations. It could increase costs to the state by tens of millions of dollars and at the local level by hundreds of millions. Alternatively, there is little credible evidence that the circumstance this measure intends to address occurs other than rarely, yet tragically. In the later circumstance the costs would be modest and reasonable.

I understand that the National Institute for Occupational Safety and Health is in the midst of one of the largest studies of firefighters and risks of death from cancer and other job related disease ever conducted. It is my sincere hope that this study, as well as data collected through our comprehensive reform of the workers' compensation system, will provide a basis to make a more informed policy and research based decision on this question in the future.

In the interim, I cannot expose state and local governments to the serious fiscal risks enactment of this measure may entail. I reserve the option to revisit this question upon the availability of more thorough research and study of this matter and direct my Department of Industrial Relations to take all steps necessary to ensure that the State collects, maintains and studies the relevant data and third party research upon which to make informed policy decisions on this matter in the future.

Sincerely,

  
Edmund G. Brown Jr.