Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 212 relating to board-level gender and diversity requirements for economic development incentives.

The proposal seeks to alter the responsibilities of the Major Employment and Investment Project Approval Commission (the Commission). While diversity and inclusivity are commendable aspirations for businesses, noble intentions should not justify circumventing the Commission's obligations.

The Commission's role is to scrutinize financing for individual incentive packages, not assess whether a business adheres to a requirement akin to a demographic-based quota. Such requirements could deter companies from investing in the Commonwealth, especially privately held or family-owned enterprises, which may be wholly precluded.

The quota-like system overlooks the achievements of women and minorities in their own right. Both groups have made significant strides in board representation and mandating specific demographic compositions risks undermining their accomplishments.

Ultimately, the proposal fails to acknowledge that the primary beneficiaries of economic development are not board members but individuals who secure gainful employment. A genuinely egalitarian approach should focus on attracting businesses to the Commonwealth and fostering opportunities for expansion and investment in individuals.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto Senate Bill 393 relating to board-level gender and diversity requirements for economic development incentives.

The proposal seeks to alter the responsibilities of the Major Employment and Investment Project Approval Commission (the Commission). While diversity and inclusivity are commendable aspirations for businesses, noble intentions should not justify circumventing the Commission's obligations.

The Commission's role is to scrutinize financing for individual incentive packages, not assess whether a business adheres to a requirement akin to a demographic-based quota. Such requirements could deter companies from investing in the Commonwealth, especially privately held or family-owned enterprises, which may be wholly precluded.

The quota-like system overlooks the achievements of women and minorities in their own right. Both groups have made significant strides in board representation and mandating specific demographic compositions risks undermining their accomplishments.

Ultimately, the proposal fails to acknowledge that the primary beneficiaries of economic development are not board members but individuals who secure gainful employment. A genuinely egalitarian approach should focus on attracting businesses to the Commonwealth and fostering opportunities for expansion and investment in individuals.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 418, establishing the types, certification, rules, and venue for civil actions filed on behalf of multiple persons.

The legal landscape in Virginia accommodates class actions, with federal courts empowered to adjudicate such cases under the Federal Rules of Civil Procedure. Even claims solely rooted in Virginia law can find recourse in federal jurisdictions.

The proposed changes have far-reaching implications by broadening the scope of statutory damages available under the Virginia Consumer Protection Act. The possible statutory damages resulting from these consumer class actions will coerce defendants into settlements to avoid potentially ruinous financial consequences.

The recent expansion of the Court of Appeals within the Commonwealth's legal apparatus must be considered when assessing this proposal. This was the most significant modification to our legal system in decades, and consequently, the court continues to absorb the backlog of dockets, which must be resolved.

Commerce is based on a legal environment that maintains fairness. Excessive tort liabilities and the threat of litigation expenses can force businesses to close their doors, imperiling economic growth. Achieving a balanced legal system means addressing the concerns of both litigants and businesses in tandem. Only through a nuanced approach that acknowledges both excesses and deficiencies can Virginia's economy continue to flourish.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto Senate Bill 259, establishing the types, certification, rules, and venue for civil actions filed on behalf of multiple persons.

The legal landscape in Virginia accommodates class actions, with federal courts empowered to adjudicate such cases under the Federal Rules of Civil Procedure. Even claims solely rooted in Virginia law can find recourse in federal jurisdictions.

The proposed changes have far-reaching implications by broadening the scope of statutory damages available under the Virginia Consumer Protection Act. The possible statutory damages resulting from these consumer class actions will coerce defendants into settlements to avoid potentially ruinous financial consequences.

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Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 938, which provides unemployment insurance benefits in the case of a lockout due to a labor dispute.

Virginia remains a right-to-work state, a status that this proposal would compromise.

Labor unions negotiate contracts with employers, and if negotiations fail, employers are permitted to hire replacements or lockout workers until a resolution is reached. During a lockout, employers cannot permanently replace workers, and workers may seek back pay through a National Labor Relations Board proceeding.

The proposal would involve the Virginia Employment Commission (VEC) in labor disputes for the first time by requiring it to determine eligibility for unemployment benefits during such a dispute. This would be a significant departure from current practices, potentially entangling the VEC in contentious issues.

Furthermore, unemployment benefits are funded through contributions to the Commonwealth's Unemployment Insurance Trust fund, with tax collections increasing when solvency is low. While this process is fair for rebuilding the Trust fund during economic downturns, allowing labor unions or a few employers to raise taxes on others is unjust for employers and employees.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto Senate Bill 542, which provides unemployment insurance benefits in the case of a lockout due to a labor dispute.

Virginia remains a right-to-work state, a status that this proposal would compromise.

Labor unions negotiate contracts with employers, and if negotiations fail, employers are permitted to hire replacements or lockout workers until a resolution is reached. During a lockout, employers cannot permanently replace workers, and workers may seek back pay through a National Labor Relations Board proceeding.

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Furthermore, unemployment benefits are funded through contributions to the Commonwealth's Unemployment Insurance Trust fund, with tax collections increasing when solvency is low. While this process is fair for rebuilding the Trust fund during economic downturns, allowing labor unions or a few employers to raise taxes on others is unjust for employers and employees.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto House Bill 1467, which adds faculty and staff representatives to the governing boards of baccalaureate public institutions of higher education in the Commonwealth.

Our esteemed public higher education institutions uphold the Commonwealth's commitment to education, overseen by Boards of Visitors endowed with broad statutory powers to regulate academic and financial affairs. The Boards of Visitors hire employees to fulfill their duty to the people.

The Restructured Higher Education Financial and Administrative Operations Act of 2005 granted public colleges and universities increased operational and administrative autonomy in exchange for a reaffirmed dedication to their public missions. The proposal mandates the inclusion of faculty and staff representatives within our Boards of Visitors, in contrast to that dedication.

There are Boards of Visitors that oversee budgets that exceed one billion dollars, requiring judicious investments and adjustments, including assessments of staffing levels. Unfortunately, the proposal will diminish the opportunities for cost efficiencies, resulting in higher tuition and increased expenses for hardworking Virginia families.

The proposal would also exclude these representatives from General Assembly confirmation, subject only to an internal selection process, and they would be beyond the Governor's authority for removal due to misconduct, solely accountable to their peers.

Boards of Visitors “do not exist for their own sake or that of any particular institution but for the benefit of the public at large” (2023 Op. Va Att’y Gen. 52). Their governance should follow their public role, with members appointed by the Governor and confirmed by the General Assembly rather than by unelected faculty or staff.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto Senate Bill 584, which establishes the General Services Board.

The proposed bill would potentially hinder the efficiency and effectiveness of the Department of General Services (DGS) and lacks clarity and foresight on the likely negative effect. The lack of clarity is particularly evident in the oversight of delegations of authority to the DGS Director, creating uncertainty about the extent of the Director's powers and potentially impeding effective agency management.

My administration has been dedicated to improving government operations for Virginians from the outset. Urgent concerns included the prolonged deferred maintenance of state buildings. This necessitated expedited office space and telecommunications infrastructure improvement. Operational upgrades increased telecommunications bandwidth by 75% in approximately one thousand office buildings, enhancing efficiency.

By consolidating distribution centers, reducing over one thousand excess state vehicles, enhancing our electronic procurement filing system, and assessing underutilized real estate for economic development, we have benefited the Commonwealth and taxpayers. This long overdue business-like approach aims to improve the workplace, benefit employees, promote efficiency, and benefit taxpayers.

In light of these accomplishments, we will continue to work with members of the General Assembly to consider evolving real estate and procurement functions from focusing on individual transactions to a more comprehensive plan that promotes continuous improvement. This collaborative effort will highlight the tangible and intangible savings achieved through these initiatives and demonstrate their potential to bring about transformative change.

Under the proposal, however, the ability of a citizen board to implement policy, deliver critical services that demand daily interaction with customers, law enforcement, vendors, and other stakeholders and provide oversight of a large, complex organization of employees, contractors, and suppliers could hinder the agency's capacity to deliver high-quality services to all branches of government, including the General Assembly.

The infrequency of board meetings poses a significant risk to the timely execution of agency functions. Such limited meeting frequency may lead to delays in decision-making processes, even jeopardizing health and safety considerations. Given DGS's pivotal role in providing vital support services to all state agencies, these delays could severely impact government operations' overall efficiency.

There are also challenges associated with recruiting and retaining qualified board members, which are crucial for informed decision-making in DGS's complex operations. Given the agency's intricate functions, board members must possess the requisite expertise and availability to fulfill their responsibilities effectively.

Furthermore, the constraints placed on statewide strategic decision-making severely impede our ability to implement cohesive policies across state agencies. This limitation not only undermines the effectiveness of government initiatives but can potentially escalate costs for Virginians.

The proposal's lack of clarity, potential for operational delays, and constraints on strategic decision-making warrant careful reconsideration and revision to ensure that it aligns with the objectives of promoting efficient government operations and service delivery.

Accordingly, I veto the bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 1178, which alters the current and future composition of the Virginia Innovation Partnership Authority.

In 2020, pivotal legislation consolidated disparate entities and bolstered the Commonwealth's capacity to drive innovation in the newly created Virginia Innovation Partnership Authority (VIPA). This restructuring aimed to leverage Virginia's unique strengths, combining the expertise of the Virginia Research Investment Committee and the Center for Innovative Technology. The result was a more robust framework to propel research, commercialization, and investment while instituting much-needed oversight.

This proposal would undo the recent achievements and efficiencies with additional bureaucratic layers, stifling the agility and dynamism of our entrepreneurship ecosystem. These changes risk eroding the confidence of stakeholders and investors.

Of particular concern is the provision that would upend VIPA's governance. The proposal, by abruptly ousting our nonlegislative citizen members from the Board of Directors, injects uncertainty for those willing to commit time and effort to serve the Commonwealth.

Even unenacted, the ramifications of this proposal signal to entrepreneurs and investors across Virginia that the very Authority meant to support them is entangled in political machinations. That is the wrong message to send when VIPA has made recent record investments in economically disadvantaged individuals, increased savings, and achieved national prominence in small business initiatives.

While collaboration with the General Assembly is essential for effective governance, the current proposal further diverges us from that goal.

Accordingly, I veto the bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 333, relating to the scope and staffing of the Virginia Council on Environmental Justice.

Under the proposal, the Virginia Council of Environmental Justice (the Council) would be eligible for increased taxpayer-funded travel reimbursement and gain extensive authority over the Secretary of Natural and Historic Resources staff despite its statutorily defined status as an advisory collegial body.

While I oppose those specific provisions, the Council was established with the ostensibly proper recognition that environmental issues can have varying effects on different communities. In a broader context, however, the theory of the Council conflicts with its duties as a state-level body capable of obstructing local projects.

The proposed top-down approach would perpetuate past disparities, preventing the construction of infrastructure in underserved communities, hindering permits necessary for the advancement of clean energy, and imposing regressive costs that disproportionately affect Virginia's poorest citizens. Consequently, this approach reinforces historical barriers to achieving overdue objectives.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 329, which allows localities to implement civil penalties for requiring entities to separate organic waste.

The proposal broadly defines "generator" to encompass a range of establishments, from schools to supermarkets, and imposes civil penalties for non-compliance. While the intention to promote sustainable waste management is commendable, its effects on businesses and institutions, especially smaller ones and our school system, are concerning. These entities may lack the resources to implement the required waste separation infrastructure, leading to increased operating expenses and significant challenges.

Training staff, ensuring compliance with what could be complex and ever-changing ordinances regarding separation rules, and managing additional administrative tasks could divert valuable time and resources away from core operations. The implementation costs disproportionately affect smaller establishments, which could struggle to meet these requirements compared to larger organizations with more resources.

This potential discrepancy could create an uneven playing field in the business landscape, placing smaller businesses and institutions at a disadvantage; while one restaurant could simply absorb the cost of ignoring the law, a smaller establishment could face nearly $5,000 in costs by the end of a week, higher than the fine for a Class 5 felony. Despite their best efforts, organizations may inadvertently violate the rules, resulting in penalties that could strain their financial viability.

An alternative solution is to encourage and support businesses and schools rather than enforcing strict regulations that strain financial resources. This would be a more balanced approach to food waste management.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 1255, which regulates the use of restorative housing.

During the 2023 legislative session, the General Assembly came together in a bipartisan manner to enact reforms to improve the Department of Corrections' utilization of restorative housing. I supported and signed that legislation, which has since been implemented by the Department, bringing in best practices that have proven beneficial for correction officers and inmates.

These reforms represent the culmination of significant efforts by the Department, positioning us as a national leader in correctional innovation. The Department remains committed to developing new programs and fostering collaboration with diverse voices and stakeholders.

Central to the agency's mission is reentry and long-term public safety, guided by data-driven decision-making and evidence-based practices. The restorative housing program, operating within these principles, stands as a component to ensure safety and security for both inmates and staff.

The new definitions and regulations provided in this proposal pose challenges to the continued success of these reforms. Designating mental health units as isolated confinement without consideration for the informed judgment of mental health professionals undermines effective prison management. Furthermore, imposing arbitrary timeframes for stays in restorative housing, including investigation time, restricts the staff's ability to maintain order and security.

Attempting to legislate prison operational procedures carries inherent risks to inmates, staff, and the public. Corrections professionals are entrusted with oversight for a reason, as they must balance multiple interests while ensuring safety. Congregating individuals without proper management protocols is not a viable solution.

Additionally, I have concerns regarding the budgetary implications of implementing this proposal. The allocated resources in the proposed Budget may not adequately cover the costs, potentially diverting funding from vital reentry programs and initiatives to reduce recidivism. Additionally, the proposal introduces unnecessary bureaucracy for facility administrators, detracting from the Department's ability to prioritize safety and inmate rehabilitation.

While I remain committed to fostering a correctional system that prioritizes the safety of all stakeholders, including everyday Virginians, inmates, and correctional officers, I do not believe it is currently prudent to proceed with this proposal. My signature on the bipartisan reforms of 2023, the establishment of a Department of Corrections Ombudsman in the Budget, and my continued support for new leadership within the Department underscore my dedication to this cause.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto Senate Bill 719, which regulates the use of restorative housing.

During the 2023 legislative session, the General Assembly came together in a bipartisan manner to enact reforms to improve the Department of Corrections' utilization of restorative housing. I supported and signed that legislation, which has since been implemented by the Department, bringing in best practices that have proven beneficial for correction officers and inmates.

These reforms represent the culmination of significant efforts by the Department, positioning us as a national leader in correctional innovation. The Department remains committed to developing new programs and fostering collaboration with diverse voices and stakeholders.

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Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 569, which requires employee notification of federal and state statutes of limitations.

The proposed expansion of employer obligations and broadened definition of employer will disproportionately affect small businesses and nonprofits in the Commonwealth.

Under this proposal, employers must notify employees in writing of their right to file charges with the Equal Employment Opportunity Commission (EEOC) of the Office of the Attorney General (OAG) during any new employee orientation, workplace conduct training, or after receiving any complaint that an employee may pursue through the EEOC or the OAG.

Small businesses, especially those lacking legal expertise, would be required to provide filing instructions amidst various workplace scenarios. This requirement places a heavy burden on small businesses, forcing them to consistently remember to provide employees with information.

For instance, a small retail establishment that hires a temporary, seasonal employee could face litigation risk simply for not mentioning filing instructions during a cashier's orientation, or a small restaurant may be liable for not being aware that harassment can extend beyond the victim, including offensive conduct affecting anyone, even those without economic injury, and that non-employees can be harassers.

Employers are not legal counselors and should not be expected to provide legal advice to employees regarding potential legal actions against their own companies.

While the proposal may aim to bolster employee protections, its practical application poses significant challenges and heightens litigation risks for small businesses.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 990, which prohibits employers from seeking the wage or salary history of prospective employees.

While I share concerns regarding wage inequality among women and minorities, the proposed legislation represents government overreach, offering incomplete information during the hiring process, disregarding business needs, and potentially exposing small businesses to lawsuits.

The Commonwealth's objective is to attract, retain, and expand job opportunities, and our laws should not burden or incur excessive costs compared to competitor states. Regulations should consider the overall business expenses, encompassing taxes, fees, insurance, and regulatory obligations, to foster a favorable business climate.

Employers often use candidates' salary history as a benchmark to ensure they offer competitive wages. Compensation decisions rely on various factors such as market value, funding constraints, and labor market competition. Gender or race are legally prohibited from influencing these decisions.

This legislation adopts a one-size-fits-all approach, disregarding the diverse nature of businesses across the Commonwealth spanning various sizes, industries, and geographic locations. While large corporations might navigate the new regulations, smaller companies or nonprofits lacking dedicated human resources departments would struggle, hindering their ability to evaluate candidates effectively.

Addressing wage disparities across gender and racial lines is imperative, but the potential adverse effects on small businesses, prospective employees, and the economy are too high.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto Senate Bill 370, which prohibits employers from seeking the wage or salary history of prospective employees.

While I share concerns regarding wage inequality among women and minorities, the proposed legislation represents government overreach, offering incomplete information during the hiring process, disregarding business needs, and potentially exposing small businesses to lawsuits.

The Commonwealth's objective is to attract, retain, and expand job opportunities, and our laws should not burden or incur excessive costs compared to competitor states. Regulations should consider the overall business expenses, encompassing taxes, fees, insurance, and regulatory obligations, to foster a favorable business climate.

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Addressing wage disparities across gender and racial lines is imperative, but the potential adverse effects on small businesses, prospective employees, and the economy are too high.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 1167, which creates local civil penalties on the sale of English Ivy.

While the intent to regulate invasive species is praiseworthy, this bill proposes a prohibition on a single species, potentially establishing a precedent for banning other legal plant species in the future. Such a precedent could sow confusion and inconsistency in regulations statewide.

The prospect of a patchwork of laws requires small business owners and garden enthusiasts to navigate complex legal landscapes. The most effective approach to addressing this issue is education and allowing the market to determine what is best for Virginians.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 571, which relates to the scope and use of policies on parental notification of instructional material that includes sexually explicit content.

In accordance with Senate Bill 656 (2022), the Virginia Department of Education (VDOE) released "Model Policies on Instructional Materials with Sexually Explicit Content." Developed through collaboration with educational leaders and parents, the model policy bolsters parental rights by granting parents more decision-making authority in their child's education. The model specifically states: “the Act shall not be construed to require or provide for the censoring of books in public elementary and secondary schools.”

Despite the proponents’ claim that the current proposal codifies the enactment clause found in Chapter 100 of the 2022 Acts of Assembly, there are significant language differences that may cause confusion among school administrators, divisions, parents, and students.

Current law unequivocally affirms that the adoption of these model policies by a school board should not be interpreted as requiring or providing for the censorship of books in public elementary and secondary schools. Therefore, the bill is unnecessary.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 606, which requires the Commissioner of Elections to apply for, enter into, and maintain membership in the Electronic Registration Information Center.

The decision for the Commonwealth to exit the Electronic Registration Information Center (ERIC) in 2023 was a result of persistent management issues, improper data use, escalating costs, and the inability to meet statutory requirements for border state information sharing.

ERIC's reluctance to implement reforms and address a bipartisan working group of member states concerns reflects a departure from its core mission of improving voter roll accuracy, which called into question Virginia's continued participation.

This is particularly concerning due to the controversy surrounding ERIC's sharing of personal information with external organizations. These organizations are funded by sources that the General Assembly has on a bipartisan basis prohibited Virginia's election officials from accepting.

The financial burden of rejoining ERIC includes membership fees, which have increased more than 115% since 2022, and participation expenses. ERIC's mandatory Eligible but Unregistered mailing will cost the Commonwealth hundreds of thousands of dollars, which is superfluous considering Virginia's Department of Motor Vehicles' automatic registration policies and same-day registration for voting.

Since leaving ERIC, Virginia established data-sharing agreements with numerous states incurring no additional costs. Additionally, the Department of Elections has increased its data sources by collaborating with forty-one states to obtain driver's license surrender data, while ERIC only provides data sharing with twenty-five states.

I have been explicitly clear about my affirmation of the legitimacy of our elections. My focus is safeguarding Virginians' private information and continuously improving an efficient, cost-effective voter registration system.

Accordingly, I veto this bill.

Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 143, which mandates crew sizes for trains, locomotives, or light engines.

While I support the goal of improving safety within the rail industry, the proposed methods appear premature and lack the necessary nuance required for effective regulation. A comprehensive strategy is best achieved through the established framework of the federal government's ongoing rulemaking process.

According to reports from the Federal Railroad Administration (FRA) and the National Transportation Safety Board (NTSB), the available evidence does not conclusively support the notion that two-person crews are inherently safer.

Mandating crew sizes, as proposed, is a blunt regulatory tool that encroaches upon the established mechanisms for railroads and unions to negotiate staffing and scheduling matters through collective bargaining.

The effect of the proposed legislation extends beyond a labor-related concern. Short-line railroads, our last mile freight transport providers, are significantly affected. The proposed regulations disrupt their ability to access new markets, jeopardizing the success of initiatives such as the establishment of inland ports – initiatives crucial for the economic progress of our rural communities and the Commonwealth.

Moreover, the proposed regulations would impose constraints on our supply chain, impeding our ability to manage inflation and cope with rising costs of living and doing business in Virginia. The economic repercussions pose a genuine threat to the stability of our economy.

The proposal also distorts the entirety of our transportation sector by diverting traffic from rail to our highways. At a time when the Commonwealth is diligently working to address congestion issues, the proposed regulations appear counterproductive.

Finally, the proposed legislation risks hindering technology and innovation in the rail industry, by impeding the development of opportunities, such as autonomous rail operations.

Prematurely constraining a fuel-efficient mode of freight transport while simultaneously advocating for the mandating of electric vehicles to address environmental concerns raises questions about the coherence and foresight of the proposal.

Accordingly, I veto this bill.