COLAB
San Luis Obispo County
The Coalition of Labor Agriculture and Business

Weekly Update
Nov. 2 - 9, 2026

Attention: Last Minute Voter

If you have not yet cast your ballot, please try to either vote in person at your polling place or put your ballot in a certified drop box. Relying on the post office cost nearly 100,000 voters throughout our state their vote in June due to late received ballots.



Voting in person is a pleasant experience.

According to San Luis Obispo County Clerk-Recorder, Elaina Cano; "Ballots mailed at the last-minute risk getting a late postmark or arriving past the deadline, and we can't count those."



Don’t mail your ballot too late!

Your polling place is listed on your ballot. Voting in person takes about 5 minutes and it’s the best way to be sure your vote is counted. Just take your mail-in ballot and trade it for an in-person ballot at your precinct polling place. If you are in a hurry, you can drop your completed mail-in ballot at your polling place in their certified drop box.



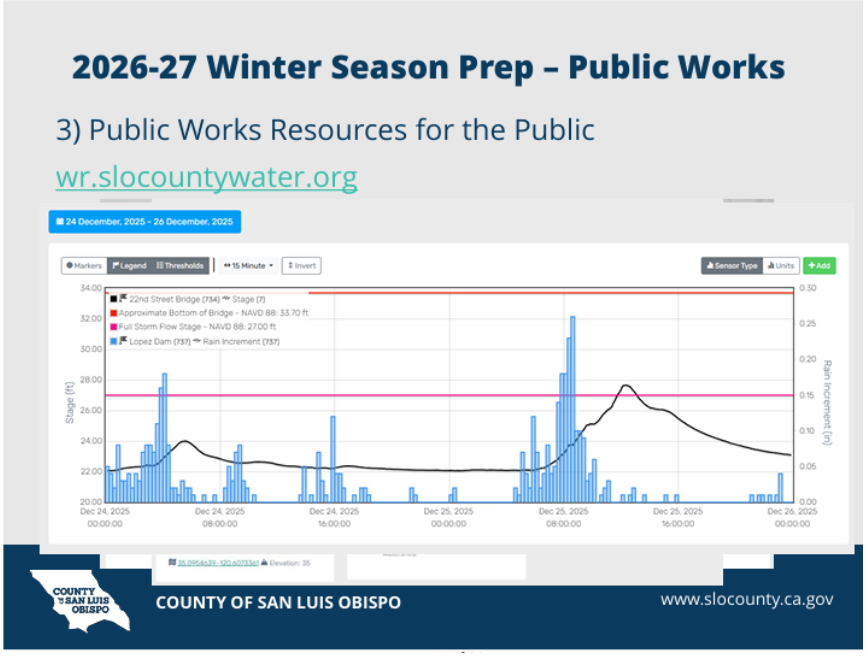
Use a drop off box if you can’t vote in person.

For more information, including a list of drop box locations and polling places, FAQs, and more, visit SloVote.gov/November2026.

Singing in the Rain

As we reported last week, the San Luis Obispo County Department of Public Works has undertaken the "Super El Nino" winter storm threat very seriously. We covered some of their initial steps for winter storm preparedness last week which illustrated many of the activities done every year for winter storm prep.

This week we are following up with more details about the extra work being put in to ensure preparedness. These slides were presented to the San Luis Obispo County Board of Supervisors at their October 20 Board of Supervisors meeting. The whole report can be found at slocountywater.org.



According to Public Works," Since 2023, staff have mapped nearly 33 miles of storm drainpipes and over 1,000 inlets—giving teams better tools to identify vulnerabilities before, during, and after major storms."



They report “Crews have upgraded access, drainage, generators, and storage tanks, and finalized key emergency action plans. Major FEMA and Cal OES-funded permanent and temporary repairs— including at Lopez Reservoir, Salinas Dam, and the Nacimiento Pipeline—are complete, while multimillion-dollar mitigation projects continue to permanently relocate at-risk pipelines, improve access roads, and strengthen watershed protections.”





Public Works have completed repairs on 85-90% of the 307 damaged sites along roadways and bridges throughout the county. Notable completions include Chimney Rock Road bridge and Creston Road bridge, with the Cecchetti crossing served by a temporary bridge until the permanent bridge is installed in 2027.



It is comforting to see the forward thinking and preparedness being exercised by Public Works and hope that their efforts lead to an easy winter storm season for SLO County.

Ag Gets Some Love

October 20 was a big day for agriculture in San Luis Obispo County. It began with the Board of Supervisors recognizing Dale Evenson as the SLO Cattleman of the Year and hanging his photo in the gallery of his peers in the Hall of Administration. This was followed by a luncheon for Cattlemen with most of the members of the BoS at the Madonna Inn.



Warren Voss introduces Dale Evenson to the BoS – an exercise entirely unnecessary!



A good-looking bunch of Cattlemen and Cattlewomen.



A well-deserved honor for Dale Evenson.

On the evening of October 20, the SLO Farm Bureau held its 104th Annual Meeting. Guests enjoyed an excellent BBQ dinner and program at the El Pomar Estates in Templeton.



Good food, fine company and a great cause.

The Future Farmers of America assisted with details throughout the evening which was planned and organized by Jesslyn Blank Membership & Social Media Manager of the Farm Bureau.



Guest Speaker California State Treasurer (and Lieutenant Governor candidate) Fionna Ma talked about the need to generate public awareness about agriculture and its role in California.



California State Treasurer Fiona Ma loves agriculture.



Lots of deserving recognition from Supervisors Ortiz Legg and Moreno.

Shelter Crisis Continues

With winter approaching, another preparation underway is shelter for the homeless population. At the November 3 BoS meeting, Supervisors are expected to adopt a resolution continuing the status of having a "shelter crisis". This started in 2018 and was renewed every year since.

According to Mr. Googly, "In California, a **"shelter crisis"** is an official designation used when there is a severe shortage of available emergency shelters for people experiencing homelessness, making it impossible to meet basic shelter needs for all in need".

The most recent San Luis Obispo countywide Point-in-Time Count and Survey, which took place on Jan. 26, 2026, identified 1118 homeless individuals of which 452 were sheltered and 666 were unsheltered.



There never seems to be enough beds.

To address the crisis, the county adopted the following: "the local minimum building and life safety standards are adopted within the County of San Luis Obispo during the pendency of the shelter crisis. These standards and the suspension of law shall only apply to emergency shelters installed on: (i) property owned or leased by the County of San Luis Obispo; or (ii) an emergency shelter installed at the real property located at 10660 Los Osos Valley Road, San Luis Obispo, which is overseen and managed through the San Luis Obispo Superior Court through the County's Receivership Action (San Luis Obispo Superior Court

Case No. 22CV-0163) or by Restorative Partners subject to the prior written approval by the County Director of the Planning and Building Department. “

“An emergency shelter that is established pursuant to this Ordinance may only be operated for a twelve-month period commencing from the first day an individual uses the shelter for housing. In the event the shelter is proposed to be used longer than twelve months, the local Chief Building Official and Fire Marshall shall have the right to establish more restrictive standards”.



A sight nobody wants to see.

While we applaud the efforts of so many working to address the issue of homelessness in our county, and while we understand the complexity of working with people suffering from mental illness and drug addiction, we still can’t help but wonder what the total annual expenditure of all homeless programs would be on a per person treated basis? We wish there was a more cost-efficient way to address the challenge.

The Beans Add Up

The Bean Counters are happy. Item 2 on the November 3 BoS agenda reads: Request to receive, review, and file the CliftonLarsonAllen LLP (CLA) Independent Accountants’ Report on the County Treasury's cash balance and accountability for the first quarter of Fiscal Year (FY) 2026-27.

The firm CliftonLarson LLP was contracted by our county to perform an Independent Accountants’ Treasury Report Q1 FY 2026-27. As we understand it, this is a regular independent verification of the methods and systems used to manage the county funds and ensure that the balances all reconcile.

JAMES W. HAMILTON, CPA, COUNTY TREASURER
SAN LUIS OBISPO COUNTY
TREASURER'S DAILY REPORT

DATE: 03-Aug-26
2:41:01 PM

DISBURSEMENT SUMMARY:	
US Bank Control Disb.	1,235,955.38
EBT	331,555.74
FSA	6,091.50
Oceano Drainage Proj	22,613.39
TOTAL DISBURSEMENTS:	1,596,216.01

Approved: Melissa Blackthorn Date: 8/03/26

INVESTMENT PURCHASE SUMMARY:	
CalTrust (daily balance)	140,000,000.00
LAIF (daily balance)	75,000,000.00
PIMMA (daily balance)	95,207,123.21
PLCMT DEP (daily balance)	75,000,000.00
AGENCIES	
SUPRANATIONALS	
TREASURIES	
TOTAL INV. PURCHASES:	385,207,123.21

COMBINED POOL INVESTMENTS:	
CalTrust	140,000,000.00
Agencies	655,613,060.44
LAIF	75,000,000.00
PIMMA	95,207,123.21
PLCMT DEP	75,000,000.00
Supranationals	306,816,292.06
Treasuries	420,250,520.18
INACTIVE TOTAL	1,767,886,995.89

BALANCE FORWARD	1,793,621,907.01
Receipts for Day	9,487,689.56
Returned Cks JE 1-2789564	(14,099.14)
Disbursements for Day	(1,596,216.01)
BALANCE	1,801,499,281.42

CURRENT MONTH RECEIPTS	
BALANCE FORWARD	0.00
Receipts for Day	9,487,689.56
Returned Cks JE 1-2789564	(14,099.14)
MONTH TO DATE	9,473,590.42

CURRENT MONTH DISBURSEMENTS	
BALANCE FORWARD	0.00
Disbursements for Day	(1,596,216.01)
MONTH TO DATE	(1,596,216.01)

BALANCE 1ST OF MONTH	1,793,621,907.01
Receipts for Month	9,473,590.42
Disbursements for Month	(1,596,216.01)
BALANCE	1,801,499,281.42

BANK ACCOUNTS:	
Banc of California	5,076,024.33
US Bank- Main	25,862,973.74
US Bank- EBT	968,092.69
US Bank- Deferred Comp	0.00
US Bank- SSDD	26,884.56
US Bank- US Govt. Loans	100.00
US Bank- Elec. Cr. Card	967,031.68
US Bank- FSA	166,109.67
OFFICE FUNDS:	
Vault Currency	59,900.00
Vault Coins	
Dollars	
Halves	
Quarters	230.00
Dimes	75.00
Nickels	26.00
Pennies	23.50
Vault Cash Drawer	
Currency: (100/50's)	2,000.00
" (20's)	2,320.00
" (10's)	550.00
" (5's)	355.00
" (2's)	0.00
" (1's)	84.00
Coin: Dollars	15.00
" Halves	8.50
" Quarters	10.00
" Dimes	4.90
" Nickels	1.70
" Pennies	0.42
TOTAL OFFICE FUNDS	65,604.02
Online Payments for Collection	479,464.84
Returned Items	0.00
BALANCE ON HAND	33,612,285.53
BALANCE	1,801,499,281.42

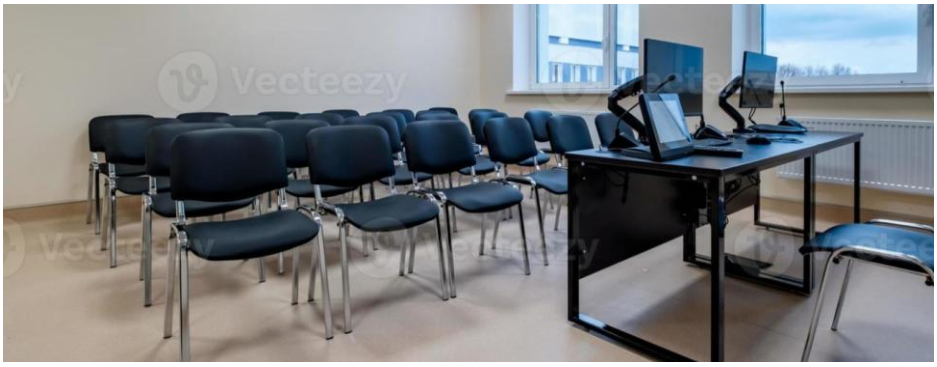
CLA included the following statement in their report:

We are required to be independent of the County of San Luis Obispo and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

The report found no issues with the accounting procedures as they relate to the various revenue streams for the county.

Local Control Going Down the Drain?

We have covered the lack of enthusiasm by members of the public to serve on special districts on several occasions. Of concern, the San Simeon Community Service District (and their financial woes) along with the now defunct Templeton Area Advisory Group (and their discord). We have been asking the question about whether the issues with these two boards are indicative of a bigger problem around our county.



Are we facing empty meetings from local boards?

Here is a complete list of special boards that need to have BoS appointments because nobody filed to run, or in some cases, only one person filed and it is cheaper to appoint than have an election for one person.

For the following Districts, nominees filed Declarations of Candidacy, and are to be Appointed In-Lieu of Election to the following positions:

Community Services Districts Heritage Ranch Community Services District Director – Michael Camou, Masen Yaffee, Bill Barker, Jr.
Los Osos Community Services District Director, Division 1 – Chuck Cesna Los Osos Community Services District Director, Division 4 – Chris Womack
San Simeon Community Services District Director, Area B – Michael Donahue
San Simeon Community Services District Director, Area E – Karina Tiwana
School Districts Allan Hancock Joint Community College District, Governing Board Member Trustee Area 5 – Gregory Pensa Atascadero Unified School District

Governing Board Members – Vy Pierce, Denise Mcgrew-Kane, Rebekah Koznek, Tracy Ellis-Weit
Cayucos Elementary School District Governing Board Member, Trustee Area 1 – Kerry Friend Cayucos Elementary School District Governing Board Member, Trustee Area 3 – Gretchen Ross
Coast Unified School District Governing Board Member, Trustee Area 3 – Lourdes Vargas Nilon
Pleasant Valley Joint Union Elementary School District Governing Board Member – Suze Evenson, Aaron Borden
San Luis Coastal Unified School District Governing Board Member, Trustee Area 4 – Mark Buchman San Luis Coastal Unified School District Governing Board Member, Trustee Area 5 – Catherine Slaughter
San Luis Obispo County Community College District Governing Board Member, Trustee Area 3 – Scott R. Lathrop
San Luis Obispo County Board of Education Governing Board Member, Trustee Area 2 – Kathryn Madonna San Luis Obispo County Board of Education Governing Board Member, Trustee Area 4 – Juan Olivarria
San Luis Obispo County Board of Education Governing Board Member, Trustee Area 5 – Scott Knuckles
San Miguel Joint Union School District Governing Board Member, Trustee Area 1 – Aaron Hamilton
San Miguel Joint Union School District Governing Board Member, Trustee Area 2 – Jennifer Hanna
Shandon Joint Unified School District Governing Board Member (Partial Term) – Juliane Starks
Special Districts
Cambria Community Healthcare District Director, Division 2 – Laurie Mileur
Cambria Community Healthcare District Director, Division 3 – Bruce Nii Cayucos Sanitary District Director, Division 1 – John Curti Port San Luis Harbor District Commissioner, Division 3 – Mary Matakovich Port San Luis Harbor District Commissioner, Division 5 – Drew Brandy
Santa Margarita Fire Protection District Directors – Elizabeth Gorrill, Joel Switzer
Santa Maria Valley Water Conservation District Director, Division 3 – Keith Hadick

For the following positions, there were no Declarations of Candidacy filed by the close of the nomination period. Therefore, pursuant to Elections Code §10515(b), each respective District submitted nominees and have requested that these persons be appointed to the following positions:

Community Services Districts Avila Beach Community Services District Directors – Pete Kelley, Ara Najarian, John Janowicz
Independence Ranch Community Services District Director – Cinde Stark Linne
Community Services District Directors – Ron Brown, Annette Feliciani, Mike Helmuth
Los Osos Community Services District, Governing Board Member, Division 2 – Thomas W. Maier
Oceano Community Services Director, Division 2 – Daniel Contreas Squire
Canyon Community Services District Director – Fernando Campos
Special Districts
Cambria Community Healthcare District, Division 4 – Debra Henderson Addis
Garden Farms Community Water District, Governing Board Members, Charron Sparks, Cory Pereria, and Jay Jamison Unfilled positions:
San Simeon Community Services District Director, Area C (Partial Term) San Simeon Community Services District Director, Area D Squire Canyon Community Services District – Partial Term Cayucos Sanitary District, Division 2 Cayucos Sanitary District, Division 3 (Partial Term)

Are public meetings becoming too acrimonious? Are toxic people clogging up the process so bad that reasonable people have no desire to deal with rude, cantankerous complainers who always seem to have gripes but never seem to have constructive solutions? Perhaps volunteers are growing tired of being yelled at, accused of awful things or just plain disrespected.



Whatever the cause, lack of participation on these special district boards and districts means a loss of local control and a lack of sufficient oversight. We will endeavor to publish the list of special districts before the filing deadline of the next election in hopes that more commonsense people would be willing to step up and serve.

Fall Forum Gets Better

The report last week on our Fall Forum wasn't up to snuff. It contained a couple of misspelled names (of people we care deeply about) and the photos weren't the best. So, we fixed it and are including it here again this week. If you were there, hopefully this will refresh good memories. If you missed it… well, read it and weep. (Just don't miss the next one!)

The COLAB Fall Forum, held on October 21 at Thousand Hills Ranch in Pismo Beach, was a tremendous success. Guest speaker Jon Coupal, President of the Howard Jarvis Taxpayers Association, shared his expertise about taxes in general and especially the impact of Propositions 43, 42 and 41.

The 100 or so attendees who braved the rain were treated to good company, fine refreshments and a great deal of insight. We appreciate their attendance.



The venue: Thousand Hills Ranch



COLAB President Jeanne Helphenstine brings the event to order.



Former Congresswoman and Central Coast Taxpayer Association President Andrea Seastrand introduces Jon Coupal.


Howard Jarvis Taxpayer Association President Jon Coupal talks taxes and urge's support of Props 41, 42 and 43.



Ben Higgins fields questions from the audience.



Plenty of fine refreshments.



Thanks to Debbie and Steve Arnold for the Vintage Cowboy wine.



Great boardmembers, great bartenders!

"Special thanks to hosts Allan and Cee Teixeira, COLAB Directors and first-class bartenders Mike Frederick and Tyler Riley, COLAB Director and MC extraordinaire Ben Higgins for the Q&A and former Congresswoman Andrea Seastrand for the great introduction. Also, special appreciation to those in attendance who joined COLAB."

Last Week

Fire Codes – Hot Item

Property owners interested in building on land located on dead end roads could be in for some serious heartburn. Item 20 on the October 20 San Luis Obispo County Board of Supervisors agenda read: "Request to approve the re-establishment and update of the Fire Code Board of Appeals."



Regulations have become so strict that some property owners could find their property entirely unbuildable and thus essentially worthless. Without an appeals process, property owners may find themselves with no options. The big question is how much discretion an appeals board would have.

A Fire Code Board of Appeals is usually made up of retired fire professionals. In other words, specialists who understand both the meaning of the codes and why they were put into effect.

The appeals board would provide prospective builders who have been denied a permit the opportunity to get a second chance.



We need to avoid making dead end properties worthless.

The issue that many have with this approach is that the appeals board wouldn't include elected officials who represent the public and are therefore more accountable. There is a strong desire among many representatives of builders and building associations to shift the final appeal process to the Board of Supervisors.

Here is the current code section that establishes the Board of Appeals:

Fire Board of Appeals

- The California Fire Code and State Minimum Fire Regulations (CCR Title 14) allow for local jurisdictions to implement appeals boards. They also provide a process for review after any determinations have been made by the local Fire Chief/Fire Marshal.
- In San Luis Obispo County, CA Fire Code Section 112 (Board of Appeals) was adopted on November 4, 2025.
- State Minimum Fire Regulations took effect January 1, 1991, and have been updated periodically by the Board of Forestry.

The appeals board is required to adhere to the fire codes and is not allowed to make exceptions or waive requirements. Any successful appeal would hinge on misinterpretations of the codes in the original determination by the Fire Chief:

Fire Code and Title 14 Requirements

California Fire Code Section 112

General – Appeals board is to be appointed by the governing body.

Limitations – The Fire Board does not have the authority to waive requirements of the code.

Qualifications – Board members have experience and training pertaining to fire code. (112.3)

The biggest issue of concern is whether a secondary ingress/egress road could be created on dead end properties. Other forms of mitigation would be very limited but should be considered. One aspect of the fire code is the distance of the dead-end road, which apparently is not something that can be mitigated.

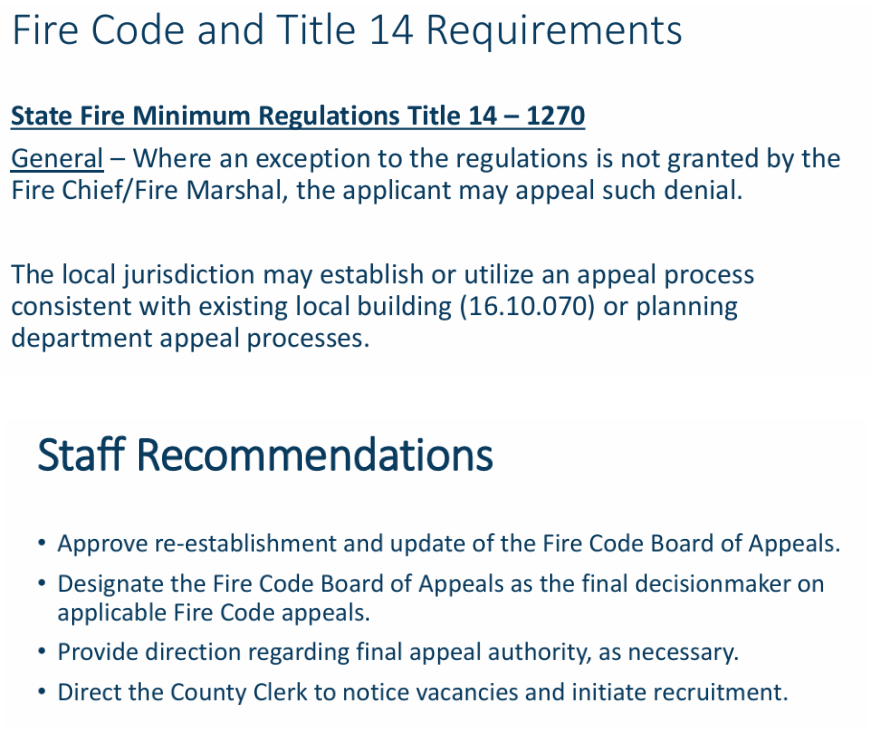
San Luis County Fire Chief John Owens presented the situation to the BoS at the October 20 board meeting and said their goal was always get to "yes" with the permitting process, but that many aspects of the codes are not flexible.

Among the issues discussed was the difference between building a single-family home/ranch verses a convention center. This was a bit frustrating to hear because sadly, it's unlikely that anybody will be attempting to build a convention center in our county in the near future and if anybody did, they would likely do the research before buying property that would have restrictions.



San Luis Obispo County Fire Chief John Owens

Here are the codes that allow for an appeals board and the staff recommendations that such a board be formed:



It seemed that everybody was comfortable with the establishment of the board with the exception of permits for those applicants on dead end roads. In that case, the request from the building sector was for a process involving the Board of Supervisors.

It was pointed out that a request had been made in 2023 for staff to review and report on how other rural counties were dealing with the situation. But that apparently such work had never been completed.

COLAB remarks pointed out the serious ramifications should property owners be left with worthless property or severely devalued. Our concern is that some may have mortgages exceeding the value. Another is that if property owners essentially abandon their property, weed abatement and pest control would probably end. Lastly, property tax revenues would likely end for those parcels that have been deemed unbuildable.

Certainly, safety is the highest priority, and we appreciate the efforts of fire professionals who work to diminish risk and protect people and property. We hope that reasonable solutions can be found for those who are property owners who find themselves on the wrong side of regulations.

After nearly an hour of deliberation, the BoS chose to adopt the recommendation with the caveat that staff complete the review and report within six months of other rural county approaches, and the issue would be revisited at that time.

Fall Forum

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Howard Jarvis Taxpayer Association President Jon Coupal talks taxes and urge's support of Props 41, 42 and 43.





Lots of fun conversation.



Yummy!





Plenty of fine refreshments.



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Making Waves About Offshore Wind Energy

Offshore wind energy efforts along our coast are either dead or just waiting to be implemented depending on what you read or hear on the grapevine. It could be a great addition to our grid or a nightmare of expensive high maintenance ocean hazards depending on what you read or hear on the grapevine.



Will the SLO coastline become a wind farm?

How much would offshore wind energy cost? It seems that nobody can put a definitive number on that. Would it be subsidized, how much? It seems that nobody can put a definitive number on that. What would it do to our ports and coastal communities? Again, it seems that nobody can put a definitive explanation to that.

REACT Alliance (Responsible Energy Adaptation for California's Transition)

One organization (that is solidly opposed to offshore wind energy along our coast) is attempting to find answers to those questions. REACT Alliance is hosting a forum on November 7 to address those topics.



What would Avila or Morro Bay look like with offshore wind energy?

While COLAB does not have an official position on the topic, we appreciate any effort to clarify what locals need to know about this important subject. We

especially appreciate that Edward Ring, one of our favorite researcher/writers on energy topics will be presenting.



Edward Ring: Energy Expert

Below is a flyer with details about the event. Further details about REACT Alliance can be found at: [React Alliance | About — react-alliance]



We emphasize that REACT is an organization that was formed to fight against the establishment of offshore wind energy industrialization of our coast. Their point of

view is clear. Their interest in bringing presenters to share factual information is appreciated.

Weather Warning: Be Prepared

With forecasters predicting heavier than usual winter storms due to the "Super El Nino" conditions of the Pacific Ocean, county government is proactively preparing. The Department of Public Works provided a comprehensive report of their preparation efforts at the October 20 BoS meeting. Here are a few highlights.

Clearing flood control channels, fortifying culverts and preparing low water crossings are just a few of the activities that have been underway for many months.

Below are some of the steps that Public Works is taking to ensure the least possible damage from severe storms:



2026-27 Winter Season Prep – Public Works

2) Highlights since 2023

Storm Reports Analysis

- Low Water Crossings
- Coastal Flood Areas:
  - Cambria
  - Cayucos
  - Los Osos
  - Avila Beach



Stream gauges allow safety personnel to better anticipate rising water levels and respond appropriately to the right locations in time.

2026-27 Winter Season Prep – Public Works

2) Highlights since 2023

New Stream Gages

- Tar Springs (AG Creek)
- San Luis Bay Dr (SLO Creek)





Below is a useful website for current storm prep:

2026-27 Winter Season Prep – Public Works

3) Public Works Resources for the Public

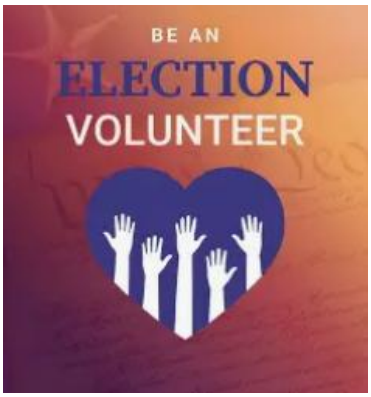
- wr.slocountywater.org
- Creek Care Guidance
- Road Closures
- Social Media
- FEMA Maps

We will include additional details on winter storm preparation in next week's Weekly Update.

Make a Difference, Get Involved

Every election season, activists claim "this is the most important election ever" and they are right. This year, like all other election years, is important because it gives the people the ultimate voice in who will represent us, who will give voice to our concerns and who will enact the policies that take us in the direction we want to go.

Obviously, every vote is critical. But volunteering for the party or candidate of your choice is also very important. Even if you have one morning, afternoon or evening to help, you can make a difference.



With one week to go, please reach out to whichever party you support and ask what you can do. Precinct walking (door knocking), phone banks, sign waiving or just networking in your neighborhood or even putting a sign in your yard – it all makes a difference.

Some of our local races could be decided by margins of 20 votes or less.

Volunteering amplifies your voice. It also connects you with like-minded neighbors and connects voters with encouragement to get their ballot in and have their voices heard as well.

Here are the best places to reach out to if you are ready to engage:

San Luis Obispo County Democratic Party

http://www.slocdp.org

75 Higuera St Ste 110, San Luis Obispo, CA
(805) 546-8499

Republican Party of San Luis Obispo County

http://www.rpsloc.org

North County:

7357 El Camino Real, Atascadero, CA
(805) 541-4010

South County:

1312 E. Grand Ave.
Arroyo Grande, CA
(805) 668-2064

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Becerra Open to Mileage Tax After Newsom's Spending Spree

COLAB in Depth
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Gavin's Guidance

Reminder: The last page of this newsletter has a membership application. Please join COLAB.

Valued Sponsors









Another California Labor Law Struck Down by Federal Court

This is the third time in just the past few years that a California labor law has been struck down by the federal courts

By Chris Micheli, October 29, 2026

Two times in recent years, the federal courts have invalidated California labor and employment laws, in line with the state's business community's arguments while the bills were pending in the Legislature. And, just this week, it happened a third time when a recent statute was struck down by the federal judiciary.

Earlier this week, the Ninth Circuit Court of Appeals invalidated SB 399 – the so-called ban on captive audience meetings. The law was enacted in 2024, but has not gone into effect because the federal district court issued an injunction prohibiting its enforcement. SB 399 was intended to prohibit employers from penalizing or firing workers who skip mandatory workplace meetings addressing politics or religion.

SB 399 faced an immediate legal challenge. While a federal district court initially blocked the new law on First Amendment grounds, the Ninth Circuit considered the legal challenge and it was argued in July of this year. On Thursday of this week, the Ninth Circuit issued a 3-0 decision striking it down on a First Amendment basis.

Before the law went into effect, three industry groups—the California Chamber of Commerce, the California Restaurant Association, and the Western Growers Association—sued the California Attorney General, the California Labor Commissioner, and the Division of Labor Standards of the California Department of Industrial Relations to enjoin enforcement.

The law would have prohibited an employer from subjecting, or threatening to subject, an employee to adverse action if the employee chooses not to attend an employer-sponsored meeting or receive communications from the employer, "the purpose of which is to communicate the employer's opinion about religious or political matters." Cal. Lab. Code § 1137(c).

According to the 3-judge panel, SB 399 is facially content-based because it applies only when the employer has discussed certain topics: politics and religion. The law is also speaker-based because it is triggered only by speech communicating the employer's opinion about religious or political matters.

The appellate panel rejected California's assertion that SB 399 is constitutional as a protection of a "captive audience." The panel explained that both the Supreme Court and 9th Circuit Court have referred to "captive audiences" only when the government acts as a proprietor or in the context of content-neutral time, place, and manner restrictions.

Because the panel concluded that the industry groups are likely to succeed on the merits of their First Amendment claim, and California does not challenge the district court's determination that the remaining preliminary injunction factors are met, the district court did not abuse its discretion by granting the preliminary injunction. The panel did not reach the industry groups' preemption claim.

This is the third time in just the past few years that a California labor law has been struck down by the federal courts. The other two are:

AB 288, which was signed in October 2025, sought to empower the California Public Employment Relations Board (PERB) to handle private-sector labor disputes. In December 2025, a federal district court issued a preliminary injunction blocking most of the law, ruling that federal labor law (the National Labor Relations Act) preempts transferring NLRB authority to the state.

The mandatory labor arbitration ban (AB 51) was invalidated. In *Chamber of Commerce v. Bonta* (2023), the U.S. Court of Appeals for the Ninth Circuit struck down AB 51, a California law that sought to bar employers from requiring workers to sign arbitration agreements as a condition of employment. The court ruled that the measure is preempted by the federal Arbitration Act (FAA). The state had to pay over $800,000 in legal fees after it lost the appeal.



Chris Micheli
Chris Micheli is an attorney and lobbyist with Snodgrass & Micheli, LLC, as well as an Adjunct Professor at McGeorge School of Law.

Becerra Open to Mileage Tax After Newsom's Spending Spree

"Everything should be on the table," Becerra says of a mileage tax—despite years of massive spending with little to show for it

By Megan Barth, October 29, 2026

In an interview with KCRA's Ashley Zavala, Democratic gubernatorial candidate Xavier Becerra said "everything should be on the table" when asked about a mileage-based tax to maintain California's roads and bridges."Our roads aren't maintained just by some magic wand. We have to pay for it. Do I want to tax people more than necessary? No. Should we pay a gas tax? Yes. Should people who drive electric vehicles, who don't need gas, pay for those roads to be repaired as well? Absolutely," Becerra told Zavala. The full interview is available here.

Becerra's comments come as California officials near the end of a study examining a vehicle-miles-traveled (VMT) fee as a potential replacement or supplement to the gas tax. Estimates cited by critics have put a possible per-mile charge in the range of 6 to 9 cents—potentially adding hundreds of dollars annually for typical drivers on top of existing gas taxes, registration fees, and other costs.

As the *California Globe* has previously reported, Caltrans launched a road tax pilot program seeking volunteers to test paying by the mile rather than at the pump, requiring various tracking methods. The program raised immediate privacy concerns because a full-scale VMT system would almost certainly require ongoing government tracking of when and where drivers travel. Public opposition has repeatedly forced retreats, including when the San Diego Association of Governments permanently removed a proposed 3.3-cents-per-mile VMT tax from its regional plan after intense backlash, recognizing both the cost and the surveillance implications.

Becerra's openness to the idea arrives against the backdrop of a dramatic expansion of state government spending under Governor Gavin Newsom that has left little tangible improvement in core infrastructure.

As the *California Globe* has detailed, Newsom has increased the state budget by roughly 60% to 70% over his tenure. The Legislative Analyst's Office has noted that the General Fund alone grew by about $100 billion, from roughly $146 billion

in Newsom's first full budget to $248 billion in later proposals. Total spending has climbed from the low-$200-billion range into the $320–$350 billion territory in recent years.

Despite some of the nation's highest income, sales, and gas taxes, California continues to face structural deficits projected in the tens of billions of dollars annually. State operations and employee compensation have been major drivers of the growth, with civil service headcount rising sharply and hundreds of state workers earning more than $600,000 in total compensation in a single year—including one CalPERS investment official taking home more than $2.3 million. Meanwhile, roads and bridges remain in poor condition in many areas, high-speed rail continues to face massive cost overruns and delays, and homelessness spending has reached tens of billions, yet street homelessness has surged.



Potholes filled with sandbags in Compton (Photo: youtube)

Taxpayers have little to show for the runaway spending by Democrats except higher costs of living, persistent deficits, and now the prospect of yet another tax that would effectively turn ordinary driving into a tracked, metered activity by bureaucrats.

Becerra has also discussed other revenue ideas in the same interview, including a form of higher taxation on high earners and potential fees on corporations related to employee health coverage.

Despite Becerra's suggestion that new revenue is needed for roads, critics argue the opposite: government doesn't have a revenue problem, it has a spending problem. After Newsom expanded the budget by tens of billions with little improvement in infrastructure, another tax on drivers looks less like a solution and more like a refusal to confront the underlying waste, fraud, and abuse.

With the election approaching, the mileage tax comments highlight the choice facing voters: more of the same spending-and-tax approach that has expanded government while core services and infrastructure crumble, or a different direction as promised by Republican challenger Steve Hilton.

“Now we know that with Xavier Becerra as governor, you’ll pay an extra $1,000 a year just for driving your car,” Hilton said. “They never stop gouging you. First, it’s the highest gas prices in the country, then the highest car registration fees. Now they want to track you everywhere you drive and charge up to 10 cents a mile.” Hilton pledged to block the idea if elected: “As governor, I will veto the mileage tax. This is just another example of how you’ll save with Steve.”



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Megan Barth is the Executive Editor of The California Globe and former, founding editor of the Nevada Globe. Specializing in investigative reporting, her work has appeared in national and local news. The highlights of her career include interviewing President Donald Trump, Vice President J.D. Vance, and FBI Director Kash Patel. When she isn’t editing, writing, or talking, you can find her hiking and relaxing in Northern Nevada.

Gavin’s Guidance

For candidates and voters across the nation

By Lloyd Billingsley, October 30, 2026

Termed-out Gov. Gavin Newsom isn’t on the November 3 ballot, but as the election approached the governor let slip helpful advice for voters and candidates coast to coast.

As Californians will remember, during the Covid pandemic, police arrested a solitary paddleboarder at Malibu for defying the governor’s stay-at-home order.

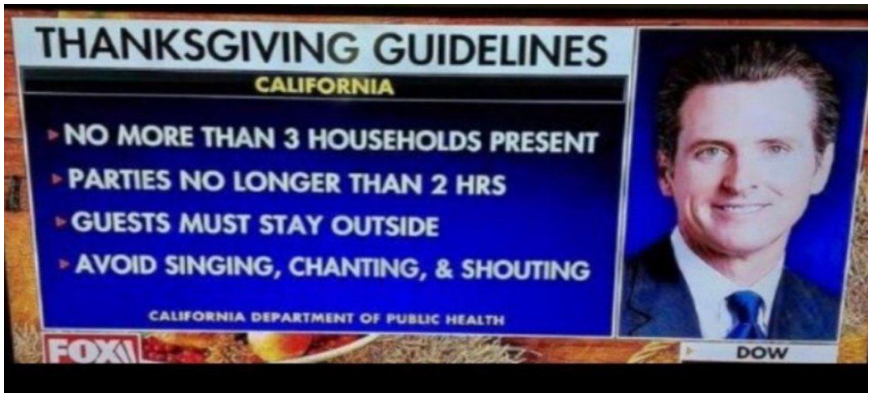
Gov. Newsom now says that kind of policy was "insane in hindsight." At the time, many Californians thought it was indeed on the crazy side.

The defiant paddleboarder, and all state voters, should now ask candidates where they stood on shutting down the state in such draconian fashion. Do they now think that was wise policy? And did they challenge the order in any way?
Children were the least vulnerable to Covid but Gov. Newsom duly closed schools and now regrets not opening them sooner. Californians, and parents across the country should ask candidates where they stood on the school closures, and if they now have regrets in the style Newsom.

The California governor also shuttered businesses he deemed "nonessential," with no warning or compensation. Ask candidates across the nation if that was a good idea, and if they have any regrets. As Californians will recall, Gov. Newsom did not regard the French Laundry as nonessential.

After telling Californians to keep your mask on in between bites," Gov. Newsom partied with lobbyists at that upscale establishment. "Just boneheaded decision," the governor now proclaims. "Just stupid decision." Californians, and people across the country, should ask their candidates if they broke any of their own rules. If so, was that stupid, boneheaded, or simply wrong?

Gov. Newsom's guidelines for gatherings warned against singing, chanting and the playing of wind instruments. The host was also asked to "collect names of all attendees and contact information in case contact tracing is needed later." Ask candidates if the rules did any good, and if deploying people as government snitches is acceptable policy.



To be fair, Gov. Newsom was applying rules first announced by Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases (NIAID). Dr. Fauci once claimed to represent science, and charged that his critics were only opposing science. Ask candidates if they agree that Dr. Fauci represents science,

and if he ever did anything with which they disagreed. The people have a right to know.

In more than 50 years in the federal government, Dr. Fauci was never once confirmed by the US Senate. Ask candidates across the country if that was wise policy. By all indications, Gov. Newsom never challenged Dr. Fauci in any way. Ask candidates if unconfirmed federal officials always know best and if it's okay to call them out on the facts.

As people across the nation will recall, on his last day in the White House, Joe Biden pardoned Dr. Fauci. In California and across the nation, ask candidates for their insight on any crime Dr. Fauci may have committed. Was anybody ever held accountable for the vast suffering, loss, and death during Covid?

If Californians thought it was nobody it would be hard to blame them. All Americans can be forgiven for believing that white coat supremacy is incompatible with a free society.

Gov. Newsom failed to cover the $1 billion he spent on masks with a Chinese company that didn't even make them at the time. Gov. Newsom also failed to indicate whether the $30 billion unemployment fraud scandal was boneheaded, stupid or "insane" in hindsight.

Even so, better late than never for the governor's few regrets. If candidates and voters take heed, that could improve the prospects for accountability moving forward.



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