ALERT

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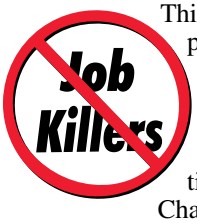
CalChamber
CALIFORNIA CHAMBER OF COMMERCE

Job Killer Vote Record Shows Success, Challenges



This edition of ***Alert*** presents a recap of floor votes on job killer bills before legislators went on their summer break.

Although opposition from the California Chamber of Commerce and others stopped many job killers before the interim recess, 10 job killer bills await action when legislators return on August 17 for the final weeks of this year's session.

Before the summer recess, the Senate sent five job killer bills to the Assembly. Senate committees prevented three job killer bills from advancing to floor votes.

A fourth Senate bill dealing with health care rates was amended to remove the job killer provisions, but the CalChamber remains opposed to the bill because it still threatens employers with higher premiums.

The Assembly stopped one job killer bill in a floor vote, but approved another, while a third was placed on the Assembly Floor inactive file. Assembly committees stopped three other job killer bills from moving to the floor.

Both houses of the Legislature approved and sent to the Governor a bill that denies employers the basic choice of whom to hire.

For the full list of the 19 job killer bills identified to date and their statuses, visit ***www.CAJobKillers.com***.

The bills covered in this interim job killer vote record are listed below.

Economic Development Barriers

• **AB 359 (Gonzalez; D-San Diego) Costly Employee Retention Mandate:** Inappropriately interferes with and alters the employment relationship by mandating that a successor grocery employer retain the employees of the former grocery employer for 90 days, potentially under the terms of a collective bargaining agreement to which the successor employer was not a party, and then forces the successor employer to consider offering continued employment to such employees beyond the 90 days

See CalChamber Vote Record: Page 4

CalChamber Leads Effort to Stop Initiative that Would Impede Public Works Investments

The California Chamber of Commerce is leading a coalition that is organizing to stop a proposed initiative that would hurt the state's ability to invest in vital public works projects.

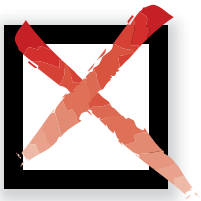
Dubbed by supporters as the "No Blank Checks" initiative, the proposal would require a statewide election every time the state or a state-local partnership seeks to issue revenue bonds exceeding $2 billion to pay for infrastructure projects.

The CalChamber Board of Directors has voted to oppose the ballot proposal. Supporters must collect 585,407 signatures by September 10, 2015 to place the measure on the November 2016 ballot.

The opposition coalition is named Citizens to Protect California Infrastructure.

Read the commentary by CalChamber President and CEO Allan Zaremberg on Page 3 to learn why the proposed initiative is dangerous for our economy and the safety of our citizens.

Senate to Vote on CalChamber-Opposed Employment Bills



OPPOSE

Two California Chamber of Commerce-**opposed** bills that increase employer costs and threaten employers with civil litigation and criminal prosecution are awaiting action by the full Senate when the Legislature returns from summer recess.

• **AB 970 (Nazarian; D-Sherman Oaks)** significantly expands the Labor Commissioner's authority and increases employer costs by permitting the Labor Commissioner to enforce local minimum wage laws through the citation process, which will increase annual assessments to fund the Labor Commissioner's office for all employers across the state, including those in areas with no local minimum wage.

• **AB 1017 (Campos; D-San Jose)** threatens employers with civil litigation for seeking an applicant's prior salary and benefit information even though the applicant suffered no harm in compensation.

Action Needed

The CalChamber is asking members to contact their senators and urge that they **oppose** **AB 970** and **AB 1017**.

Sample letters are available at ***www.calchamber.com/grassroots***.

Staff Contact: Jennifer Barrera

Inside

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CalChamber Vote Record on Job Killers

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unless the employee's performance was unsatisfactory. *Passed Assembly, May 26, 46-27. Passed Senate, July 13, 22-14. To Governor.*

Increased Burdensome Environmental Regulation

• **AB 356 (Williams; D-Santa Barbara) Limits In-State Energy Development:** Potentially shuts down certain in-state oil production operations by redefining critical components of the Underground Injection Control program which would, in turn, compromise oil production without providing any additional environmental and groundwater protections beyond those recently proposed by state regulators. *Failed passage in Assembly, June 4, 28-33.*

• **SB 32 (Pavley; D-Agoura Hills) Slows Economic Growth:** Increases costs for California businesses, makes them less competitive and discourages economic growth by adopting further greenhouse gas emission reductions for 2030 and 2050 without regard to the impact on individuals, jobs and the economy. *Passed Senate, June 3, 24-15. Assembly Appropriations Committee; no hearing date set.*

• **SB 654 (de León; D-Los Angeles) Creates Unworkable Hazardous Waste Permitting Process:** Discourages investment in upgrading and improving hazardous waste facilities by shutting down hazardous waste facilities if the Department of Toxic Substances Control fails to take final action on the permit renewal application within a specified timeframe, even if the permit applicant acted diligently and in good faith throughout the permit application process. *Passed Senate, June 4, 21-16. Assembly Appropriations; no hearing date set.*

Increased Fuel Costs

• **SB 350 (de León; D-Los Angeles) Costly and Burdensome Regulations:** Potentially increases costs and burdens on all Californians by mandating an arbitrary and unrealistic reduction of petroleum use by 50%, increasing the current Renewable Portfolio Standard to 50% and increasing energy efficiency in buildings by 50% — all by 2030 without regard to the impact on individuals, jobs and the economy. *Passed Senate, June 3, 24-14. Assembly Appropriations; no hearing date set.*

Increased Labor Costs

• **SB 3 (Leno; D-San Francisco/ Leyva; D-Chino) Automatic Minimum Wage Increase:** Unfairly increases employers' costs while ignoring the economic factors or other costs of employers by increasing the minimum wage by $3.00 over the next two and a half years with automatic increases tied to inflation. *Passed Senate, June 1, 23-15. Assembly Appropriations; no hearing date set.*

• **SB 406 (Jackson; D-Santa Barbara) Significant Expansion of California Family Rights Act:** Increases costs, risk of litigation and less conformity with federal law by dramatically reducing the employee threshold from 50 to at least 25 employees and expanding the family members for whom leave may be taken, which will provide a California-only, separate 12-week protected leave of absence for both small and large employers to administer. *Passed Senate, June 4, 23-16. Assembly Appropriations; no hearing date set.*

Increased Unnecessary Litigation Costs

• **AB 465 (R. Hernández; D-West Covina) Increased Litigation:** Significantly drives up litigation costs for all California employers as well as increases pressure on the already-overburdened judicial system by precluding mandatory employment arbitration agreements, which is likely pre-empted by the Federal Arbitration Act. *Passed Assembly, May 14, 45-30. Senate Floor.*

Key to Using This Section

Y means voted for bill.
N means voted against bill.
● means not voting "aye" on a CalChamber-opposed bill.
— means absent.

Boldface type indicates votes in accord with CalChamber position.

The last three columns are a tabulation of votes in accord with the CalChamber position, not in accord with the CalChamber and not voting or absent.

Tax Increase Proposals Still Alive

As measures requiring a two-thirds vote of approval, tax increases are not subject to the legislative deadlines and remain eligible for consideration as long as the Legislature is in session.

The following job killer tax increases are still alive.

• **ACA 4 (Frazier; D-Oakley) Lowers Vote Requirement for Tax Increases:** Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners by giving local governments new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. *Assembly Appropriations Committee; no hearing date set.*

• **SB 684 (Hancock; D-Berkeley) Increased Tax Rate:** Threatens to significantly increase the corporate tax rate on publicly held corporations and financial institutions up to 15% according to the wages paid to employees in the United States, and threatens to increase that rate by 50% thereafter, if the corporation or institution reduces its workforce in the United States and simultaneously increases its contractors. *Senate Governance and Finance Committee; no hearing date set.*

• **SCA 5 (Hancock; D-Berkeley)/ (Mitchell; D-Los Angeles) Split Roll:** Undermines the protections of Proposition 13 by unfairly targeting commercial property owners and increasing their property taxes by assessing their property based upon current fair market value instead of acquired value. Such costs will ultimately be passed on to consumers and tenants through higher prices and will result in job loss as businesses struggle to absorb such a dramatic tax increase. (Amended June 9). *Senate Governance and Finance; no hearing date set.*

Senate Vote Record on Job Killers

	Economic Development Barriers AB 359 Employee Retention Mandate	**Environmental Regulation** SB 32 Emission Reductions	SB 654 Haz Waste Permits	**Increased Fuel Costs** SB 350 Energy Restrictions	**Increased Labor Costs** SB 3 Automatic Minimum Wage Hike	SB 406 Family Rights Act Expansion	**In Accord with CalChamber**	**Not in Accord with CalChamber**	**Not Voting or Absent**
Allen, Ben (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Anderson, Joel (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Bates, Patricia (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Beall, Jim (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Berryhill, Tom (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Block, Marty (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Cannella, Anthony (R)	●	**N**	**N**	**N**	**N**	**N**	**6**	0	0
de León, Kevin (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Fuller, Jean (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Gaines, Ted (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Galgiani, Cathleen (D)	**N**	**N**	●	**N**	●	Y	**5**	1	0
Glazer, Steve (D)	**N**	Y	**N**	Y	●	**N**	**4**	2	0
Hall, Isadore (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Hancock, Loni (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Hernandez, Ed (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Hertzberg, Bob (D)	●	Y	●	Y	Y	Y	**2**	4	0
Hill, Jerry (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Hueso, Ben (D)	Y	Y	●	Y	Y	●	**2**	4	0
Huff, Bob (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Jackson, Hannah-Beth (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Lara, Ricardo (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Leno, Mark (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Leyva, Connie (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Liu, Carol (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
McGuire, Mike (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Mendoza, Tony (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Mitchell, Holly (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Monning, William (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Moorlach, John (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Morrell, Mike (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Nguyen, Janet (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Nielsen, Jim (R)	**N**	●	**N**	●	**N**	**N**	**6**	0	0
Pan, Richard (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Pavley, Fran (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Roth, Richard (D)	Y	**N**	**N**	●	**N**	**N**	**5**	1	0
Runner, Sharon (R)	●	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Stone, Jeff (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Vidak, Andy (R)	**N**	**N**	**N**	**N**	**N**	**N**	**6**	0	0
Wieckowski, Bob (D)	Y	Y	Y	Y	Y	Y	**0**	6	0
Wolk, Lois (D)	●	Y	Y	Y	Y	Y	**1**	5	0

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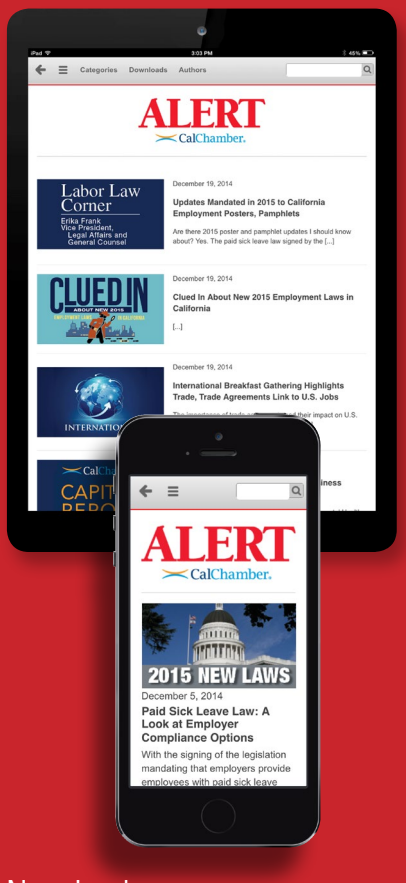

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Assembly Vote Record on Job Killers

	Economic Development Barriers AB 359 Employee Retention Mandate	**Environmental Regulation** AB 356 In-State Energy Development	**Increased Litigation Costs** AB 465 Precludes Arbitration	**In Accord with CalChamber**	**Not in Accord with CalChamber**	**Not Voting or Absent**
Achadjian, Katcho (R)	**N**	**N**	**N**	**3**	0	0
Alejo, Luis (D)	Y	●	Y	**1**	2	0
Allen, Travis (R)	**N**	**N**	**N**	**3**	0	0
Atkins, Toni (D)	Y	Y	Y	**0**	3	0
Baker, Catharine (R)	**N**	●	**N**	**3**	0	0
Bigelow, Frank (R)	**N**	**N**	**N**	**3**	0	0
Bloom, Richard (D)	—	Y	Y	**0**	2	1
Bonilla, Susan (D)	Y	●	Y	**1**	2	0
Bonta, Rob (D)	Y	Y	Y	**0**	3	0
Brough, William (R)	**N**	**N**	**N**	**3**	0	0
Brown, Cheryl (D)	**N**	**N**	●	**3**	0	0
Burke, Autumn (D)	Y	Y	Y	**0**	3	0
Calderon, Ian (D)	Y	●	Y	**1**	2	0
Campos, Nora (D)	Y	Y	Y	**0**	3	0
Chang, Ling-Ling (R)	**N**	**N**	**N**	**3**	0	0
Chau, Ed (D)	Y	Y	Y	**0**	3	0
Chávez, Rocky (R)	—	**N**	**N**	**2**	0	1
Chiu, David (D)	Y	Y	Y	**0**	3	0
Chu, Kansen (D)	Y	Y	Y	**0**	3	0
Cooley, Ken (D)	**N**	**N**	●	**3**	0	0
Cooper, Jim (D)	Y	●	Y	**1**	2	0
Dababneh, Matthew (D)	Y	Y	Y	**0**	3	0
Dahle, Brian (R)	**N**	●	**N**	**3**	0	0
Daly, Tom (D)	Y	**N**	●	**2**	1	0
Dodd, Bill (D)	Y	Y	Y	**0**	3	0
Eggman, Susan Talamantes (D)	●	Y	Y	**1**	2	0
Frazier, Jim (D)	Y	**N**	Y	**1**	2	0
Gaines, Beth (R)	**N**	**N**	**N**	**3**	0	0
Gallagher, James (R)	**N**	**N**	**N**	**3**	0	0
Garcia, Cristina (D)	Y	●	Y	**1**	2	0
Garcia, Eduardo (D)	Y	●	Y	**1**	2	0
Gatto, Mike (D)	Y	Y	Y	**0**	3	0
Gipson, Mike (D)	Y	●	Y	**1**	2	0
Gomez, Jimmy (D)	Y	Y	Y	**0**	3	0
Gonzalez, Lorena (D)	Y	●	Y	**1**	2	0
Gordon, Richard (D)	Y	Y	Y	**0**	3	0
Gray, Adam (D)	Y	**N**	**N**	**2**	1	0
Grove, Shannon (R)	**N**	**N**	**N**	**3**	0	0
Hadley, David (R)	**N**	●	**N**	**3**	0	0
Harper, Matthew (R)	—	**N**	**N**	**2**	0	1
Hernández, Roger (D)	Y	●	Y	**1**	2	0
Holden, Chris (D)	Y	●	Y	**1**	2	0
Irwin, Jacqui (D)	Y	Y	**N**	**1**	2	0
Jones, Brian (R)	**N**	●	**N**	**3**	0	0
Jones-Sawyer, Reginald (D)	Y	Y	Y	**0**	3	0
Kim, Young (R)	**N**	**N**	**N**	**3**	0	0
Lackey, Tom (R)	**N**	**N**	**N**	**3**	0	0
Levine, Marc (D)	**N**	Y	Y	**1**	2	0
Linder, Eric (R)	●	**N**	**N**	**3**	0	0
Lopez, Patty (D)	Y	Y	Y	**0**	3	0
Low, Evan (D)	Y	●	Y	**1**	2	0
Maienschein, Brian (R)	**N**	**N**	**N**	**3**	0	0
Mathis, Devon (R)	—	**N**	**N**	**2**	0	1
Mayes, Chad (R)	**N**	**N**	**N**	**3**	0	0
McCarty, Kevin (D)	Y	Y	Y	**0**	3	0
Medina, Jose (D)	Y	●	Y	**1**	2	0
Melendez, Melissa (R)	**N**	**N**	**N**	**3**	0	0
Mullin, Kevin (D)	Y	Y	Y	**0**	3	0
Nazarian, Adrin (D)	Y	Y	Y	**0**	3	0
Obernolte, Jay (R)	**N**	**N**	**N**	**3**	0	0
O'Donnell, Patrick (D)	Y	●	Y	**1**	2	0
Olsen, Kristin (R)	**N**	**N**	**N**	**3**	0	0
Patterson, Jim (R)	**N**	**N**	**N**	**3**	0	0
Perea, Henry (D)	Y	**N**	Y	**1**	2	0
Quirk, Bill (D)	Y	**N**	Y	**1**	2	0
Rendon, Anthony (D)	Y	Y	Y	**0**	3	0
Ridley-Thomas, Sebastian (D)	Y	**N**	Y	**1**	2	0
Rodriguez, Freddie (D)	Y	●	●	**2**	1	0
Salas, Rudy (D)	●	**N**	●	**3**	0	0
Santiago, Miguel (D)	Y	Y	Y	**0**	3	0
Steinorth, Marc (R)	**N**	**N**	**N**	**3**	0	0
Stone, Mark (D)	Y	Y	Y	**0**	3	0
Thurmond, Tony (D)	Y	Y	Y	**0**	3	0
Ting, Phillip (D)	Y	Y	Y	**0**	3	0
Wagner, Donald (R)	**N**	**N**	**N**	**3**	0	0
Waldron, Marie (R)	**N**	**N**	**N**	**3**	0	0
Weber, Shirley (D)	Y	●	Y	**1**	2	0
Wilk, Scott (R)	**N**	**N**	**N**	**3**	0	0
Williams, Das (D)	Y	Y	Y	**0**	3	0
Wood, Jim (D)	Y	Y	Y	**0**	3	0