

# ALERT

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 **CalChamber**<sup>™</sup>  
CALIFORNIA CHAMBER OF COMMERCE

## State Leaders Announce Outline of Budget Deal



On July 20, Governor Arnold Schwarzenegger and legislative leaders announced they had reached an agreement on an outline for a proposal to address California's \$26.3 billion budget deficit and cash flow crisis.

As *Alert* went to press, legislators were tentatively scheduled to vote the evening of July 23 on the proposal but all the specific language to carry out the agreement had not yet been released.

There appear to be fees on business—for example funding for Cal/OSHA and the Division of Labor Standards Enforcement has shifted to an assessment on employers. However, there do not appear to be targeted tax increases, nor two significant new tax burdens: blanket withholding on independent contractors and Internet taxation. Also forestalled was the elimination of investment incentives, such as the net operating loss carryback and elective single sales factor.

Initial press reports were that the budget deal included close to \$13.7 billion in spending cuts from schools, higher education, Medi-Cal and furloughs for state workers, as well as \$4 billion in borrowing from local government funds.

More than a billion dollars in spending cuts for prisons has been agreed to in principle, but the details remain controversial and apparently will not be hammered out until August.

Other measures included speeding up the collection of personal income and corporate taxes to bring in revenue earlier and deferring state employee paychecks from one fiscal year to the next.

Noting that Californians already have been saddled with \$12.5 billion in new taxes this year, CalChamber President Allan Zaremberg commented, "History has shown that a robust economy, not more taxes, is the way to solve our state's budget problems and ensure proper funding for education, public safety and other critical programs. A recovered economy will provide the jobs California needs. We must ensure that our elected officials make a job-creating economy their number one priority."

## CalChamber Offers Free Webinar on Heat Illness

A free live web seminar providing information on heat illness training from the Cal/OSHA experts who create, implement and enforce the requirements is being offered by CalBizCentral, the source for California business and human resource compliance products, presented by the California Chamber of Commerce.

The heat illness prevention seminar will be held on July 29, 10 a.m.–10:30 a.m.

The seminar will feature Len Welsh,

chief of Cal/OSHA, and John Duncan, director of the California Department of Industrial Relations, and is geared for companies that employ outdoor workers.

Topics to be covered include Cal/OSHA's recommended best practices for meeting the requirements regarding shade, water and outdoor worker safety.

To register or for more information, visit [www.calbizcentral.com/training](http://www.calbizcentral.com/training).

## CalChamber Opposes Flawed 'Card Check' Proposal



The California Chamber of Commerce is **strongly opposing** discussed compromise on federal "card check" legislation changing how workers organize unions.

The proposed compromise would limit employers' communications with their employees and have government arbitration dictate the terms of the contract.

This union-sponsored legislation, known as the Employee Free Choice Act, is intended to increase employee costs on employers struggling to cope with a historical economic recession. Moreover, California is a likely battleground that will result in putting the state at a competitive disadvantage with other states at a time when the state can least afford it.

The "card check" provision abolishes employees' right to private ballot elections during union organizing drives by permitting selection of a union if a majority of workers simply sign a card.

### Less Communication Time

The "compromise" proposes an expedited union election schedule to replace the "card check" provision.

Elections typically are conducted six

*See CalChamber: Page 4*

### Inside

Status Report on Major Business Bills: Pages 7–23

## Labor Law Corner

# Base Overtime Payments on Hours in Given Workday, Not Shift Schedule



**Gary Hermann**  
Labor Law Consultant

*What are the overtime requirements for an employee who returns to work in less than eight hours after working an eight-hour shift?*

Overtime calculations have nothing to do with shift scheduling. Overtime is required for hours worked in excess of eight in one workday and 40 in one workweek. Double time is required for hours worked in excess of 12 in a day.

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### ‘Workday’

“Workday” is defined in the Industrial Welfare Commission (IWC) orders and Labor Code Section 500 for the purpose of determining when daily overtime is due.

A workday is a consecutive 24-hour period beginning at the same time each calendar day, but it may begin at any time of day. The beginning of an employee’s workday need not coincide with the beginning of that employee’s shift, and an employer may establish different workdays for different shifts.

Once a workday is established, however, it may be changed only if the change is intended to be permanent and the change is not designed to evade overtime obligations.

Daily overtime is due based on the hours worked in any given workday and, of course, the averaging of hours over two or more workdays is not allowed. (See Labor Commissioner’s opinion letter 1993.12.09).

### ‘Workweek’

“Workweek” is defined in the IWC orders and Labor Code Section 500 for the purpose of determining when weekly overtime is due.

A workweek is any seven consecutive 24-hour periods, starting with the same calendar day each week, beginning at any

hour on any day, so long as it is fixed and regularly recurring. An employer may establish different workweeks for different employees, but once an employee’s workweek is established, it remains fixed regardless of his/her working schedule.

An employee’s workweek may be changed only if the change is intended to be permanent and the change is not designed to evade overtime obligations. (See Labor Commissioner opinion letter 1986.12.01).

As an example, if an employer’s workday is a calendar workday (from midnight to midnight) and the employee works from 4 a.m. to noon and then returns to work at 4 p.m., any hours worked from 4 p.m. to midnight would constitute overtime and/or double time. For the purpose of weekly overtime, calculations end at the end of the last day of the workweek and begin again starting with the first day of the next workweek. (It should be noted that there are a few occupations where the amount of time an employee may work in a day is limited.)

*The Labor Law Helpline is a service to California Chamber of Commerce preferred and executive members. For expert explanations of labor laws and Cal/OSHA regulations, not legal counsel for specific situations, call (800) 348-2262 or submit your question at [www.hrcalifornia.com](http://www.hrcalifornia.com).*

## CalChamber-Sponsored Seminars/Trade Shows

More information at  
[www.calchamber.com/events](http://www.calchamber.com/events).

### Business Resources

Russian River Tour. Water Education Foundation. August 6–7, Santa Rosa. (916) 444-6240.

### International Trade

Global Supply Chains—Opportunities They Bring. Monterey Bay International Trade Association. July 31, Santa Cruz. (831) 335-4780.  
Partnering for Compliance. Partnerships International Inc. August 12–14, San Jose. (321) 952-2978.  
International Forum Clusters. Border Governor’s Conference. August 13–14, McAllen, Texas. (956) 682-2875.

Trade Mission to Vancouver, B.C. Sacramento Metro Chamber and Northern California World Trade Center. August 18–19, Vancouver, B.C. (916) 321-9144.

### Labor Law

Heat Illness Prevention with Len Welsh. CalBizCentral. July 29, free online web seminar. (800) 331-8877.  
The Importance of AB 1825 Training. CalBizCentral. August 5, free online web seminar. (800) 331-8877.

**Next Alert: August 14**



# Business Community, CSU Launch Center to Improve Education Training

The business community and California State University system (CSU) have launched a partnership aimed at improving public schools by enhancing teacher and administrator training.

The focal point for the effort will be the newly created California State University Center to Close the Achievement Gap, which will transform the preparation and performance of new teachers and administrators in participating CSU schools of education across the state.

The center, a partnership between California Business for Education Excellence (CBEE) and the CSU system, will focus on sharing successes and best practices in public education.

Already, the center has attracted \$600,000 in public and private commitments of financial support. The main offices for the center are located at CSU, Sacramento. Participating CSU campuses include: Dominguez Hills, Fresno, Fullerton, Long Beach, Los Angeles, Northridge, Pomona, San Bernardino, San Diego, San Francisco and the CSU TEACH program.

## Teacher/Administrator Training

The CSU system prepares more than half of the state's new teachers. Organizers anticipate teacher and administrator graduates to be able to:

- significantly reduce student achievement gaps in reading, writing and math;
- prepare high school graduates with college-level work skills; and
- decrease college remediation rates while increasing degree completion rates.

## Business Community Role

The partnership between business and public higher education will allow the center to respond to the economic and civil rights aspects of the achievement gap.

The center will establish a governance structure that provides a direct role for business leaders in preparing teachers and principals and identifying the skills graduates need to become productive employees. The center will also help generate support from businesses through finances, expertise and direct input on the accountability of reaching stated outcomes.

## Innovative Approach

The center will also align lessons learned at school sites with teacher and school administrator preparation efforts at CSU colleges of education. Specifically, the center's approach will be to:

- Adjust the curriculum and preparation of thousands of new teachers and administrators by integrating the best practices of high-performing, high-poverty schools across the state.

● Place student teachers/principals in high-performing, high-poverty schools to learn how to close achievement gaps.

● Develop new data and best practice tools, including a longitudinal data system to track teacher graduates and their students' academic achievement.

● Inform public policy on education and help to rapidly scale up effective practices that prepare more students for college and the workplace.

● Establish performance measures for new teachers based on student academic achievement outcomes—grade-level proficiency and college readiness based on the CSU Early Assessment Program.

## Measuring Impact

The center will measure its impact by:

● Documenting changes to curriculum/practices within CSU schools that incorporate the best practices of high-performing, high-poverty schools.

● Establishing formal agreements and partnerships between CSU schools of education and high-performing, high-poverty schools to share best practices and prepare new teachers.

● Documenting the replication of best practices in public school districts.

**Staff Contact: Loren Kaye**

## CalChamber Names Callahan as Environmental Issues Policy Advocate



**Robert Callahan**

took over environmental policy advocacy for the CalChamber on July 16.

"It is always a pleasure to recognize in-house talent, so we are especially happy to name Robert Callahan

The California Chamber of Commerce has promoted Robert Callahan to a policy advocate position with responsibility for tracking environmental issues of concern to California businesses. Callahan

as the policy advocate spearheading the CalChamber's efforts on environmental issues," said CalChamber President and Chief Executive Officer Allan Zarembeg. "We are confident that Robert's experience in following a variety of issues will serve the business community well as he continues our work to balance economic and environmental concerns in shaping public policy."

Callahan will continue following transportation issues affecting California business, as well as housing and land use, banking and finance and small business issues—the areas he has been covering as the CalChamber's policy analyst since October 2006.

Callahan joined the CalChamber staff in 2005 as a legislative assistant working in the areas of agriculture, resources, water, privacy, housing, education, environment and transportation.

Before joining the CalChamber staff, Callahan worked as a legislative assistant for a Sacramento lobbying firm and held several legislative internships, including assisting California Senator Jim Battin and serving as an intern in Washington, D.C.

Callahan received bachelor's degrees in history and political science from the University of California, Davis.

**Staff Contact: Jeanne Cain**



# Administration Supports Mandatory Use of E-Verify for Federal Contractors



The U.S. Department of Homeland Security (DHS) has announced that it intends to rescind the 2007 “no-match rule,” which was blocked by court order shortly after issuance and has

never taken effect.

The no-match rule established procedures that employers could follow if they receive Social Security Administration (SSA) no-match letters or notices from DHS that question work eligibility information provided by employees. These notices most often inform an employer many months or even a year later that an employee’s name and Social Security

number provided for a W-2 earnings report do not match SSA records—often due to typographical errors or unreported name changes.

The proposed change is contained in two amendments (S.A. 1371 and S.A. 1372) by Senator Jeff Sessions (R-Ala.) to the 2010 Department of Homeland Security Appropriations Act (H.R. 2892). The amendments would make permanent the federal government’s voluntary electronic employment verification system, E-Verify, and mandate that federal contractors use the system.

## E-Verify Program

E-Verify, an Internet-based system operated by the DHS and U.S. Citizenship and Immigration Services, allows employers to verify the employment eligibility of their employees, regardless of citizenship. Information the employee

provides on his/her Form I-9 is electronically checked by E-Verify against DHS and SSA databases.

Currently, the E-Verify system contains no safeguards for employers who operate in good faith when using the system. An employer who, in good faith, correctly complied with E-Verify but was provided incorrect information by the system when determining final action on an employee’s status should not be subject to an enforcement action by the federal government or a lawsuit by that employee.

## Updates on Watchdog Blog

The CalChamber is tracking these developments and will provide updates on the *HRCalifornia Watchdog* blog. Blog updates also appear on Twitter at <http://twitter.com/HRWatchdog>.  
Staff Contact: Jessica Hawthorne

## CalChamber Opposes Flawed ‘Card Check’ Proposal

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to eight weeks after the union files a petition with the National Labor Relations Board. Both the employer and the union use the pre-election period to inform the employees about the pros and cons of unionization.

Evolving reports on the expedited schedule proposed to replace the current process suggest it may allow as few as five or up to 10 days, significantly cutting the pre-election time, thereby reducing the ability of employers to notify workers of issues associated with union membership.

The CalChamber is pointing out that the ability for employers to communicate directly with their employees is crucial to an informed decision. Anything that interferes with that—whether it is a direct prohibition or a virtual prohibition by reducing the time for an election—would be harmful to employees and unfair and costly to the business.

### Government Interference

Current law enables the employer and the union to negotiate an agreement without government interference or intrusion

into the process.

The Employee Free Choice Act authorizes an arbitrator from the Federal Mediation and Conciliation Service to force a settlement if management and the newly certified union at a given work site aren’t able to come to terms after 90 days of bargaining and 30 days of mediation.

It would dictate all terms of a contract, from wages to work schedules to vacation time to health benefits. Decisions would be final, not subject to appeal.

Since California is more likely to be a target for unionizing than many other states, the arbitration provision would greatly increase costs to employers, placing California companies at a competitive disadvantage with non-unionized employers in other states. It also inappropriately lets government interfere in employer/employee relationships.

The short deadline provides an incentive for union negotiators to delay the process to get the matter into arbitration and eliminates any incentive to negotiate in good faith.

In addition, the bill imposes a civil penalty of up to \$20,000 for each willful or repetitive violation by the company.

### Action Needed

Contact U.S. Senator Dianne Feinstein (D-San Francisco) and ask her to **oppose** the discussed compromise on federal “card check” legislation that would limit employers’ communications with their employees and have government arbitration dictate the terms of the contract. Sample letter at [calchambervotes.com](http://calchambervotes.com).

### Action Needed

The CalChamber is urging employers to contact U.S. Senator Dianne Feinstein and ask her to **oppose** the discussed compromise on federal “card check” legislation that would limit employers’ communications with their employees and have government arbitration dictate the terms of the contract.

More information and a sample letter are available at [www.calchambervotes.com](http://www.calchambervotes.com).  
Staff Contact: Marti Fisher

# CalChamber Hosts Delegation from Germany

Renewable energy, climate change and the promotion of small and medium-sized companies were among the topics of discussion July 13 when the California Chamber of Commerce hosted a meeting with the minister of economic affairs for the third largest state in Germany.

Baden Württemberg, population 10 million, is located in southwestern Germany, east of the Upper Rhine. It is

the third largest of the 16 German federal states in both population and land area.

Stuttgart is the capital of Baden Württemberg, which is promoting itself as a center for excellence in solar energy.

During Minister Ernst Pfister's visit to California, he also inaugurated the Intersolar North America 2009 Exhibit in San Francisco—the most diverse exhibition in the United States for the

global solar industry.

Accompanying the minister was a business and government delegation, including Dr. Dieter Salomon, the lord mayor of the City of Freiburg, which has been building a reputation as an "eco-city" with a significant portion of buildings featuring solar power fixtures.

**Staff Contact: Susanne Stirling**



Attending a July 13 CalChamber-hosted meeting with business and government officials from the state of Baden Württemberg in Germany are (from left): Dr. Hans-Dieter Frey, Ministry of Economics, Baden Württemberg; Acting Consul General Eberhard Brockmann, German Consulate General in San Francisco; Karlheinz Bechtle, Ministry of Economics, Baden Württemberg; Dr. Peter Kulitz, president, Ulm Chamber of Commerce; Dr. Dieter Salomon, mayor, City of Freiburg; The Honorable Ernst Pfister, minister, Ministry of Economics, Baden Württemberg; Dr. Bernd Dallmann, president, German Economic Developers Association; CalChamber President and Chief Executive Officer Allan Zarembeg; Dr. Michael Hagenmeyer, chief executive officer, Baden Württemberg International; Susanne Stirling, CalChamber vice president, international affairs.



INTERNATIONAL TRADE UPDATES AT

[www.calchamber.com/international](http://www.calchamber.com/international)

# CalChamber Urges Businesses to Support Petition to Save Water, Jobs in State



The California Chamber of Commerce is supporting a petition to Governor Arnold Schwarzenegger and President Barack Obama to keep water flowing and save jobs.

The CalChamber is encouraging

California businesses to sign the petition to urge Governor Schwarzenegger to use his authority to ask the federal government to convene the Endangered Species Committee to exempt the operations of state and federal water delivery systems from measures that will inflict serious economic and social harm on millions of Californians.

## Impact on Water Supply

Favorable action on this petition spearheaded by the Pacific Legal Foundation (PLF) will permit water to be

pumped from the Delta for growers and others that rely on this important supply.

PLF points out that federal bureaucrats have imposed a regulatory drought on California by requiring that water supplies be diverted from farms and cities to various fish species. The basis of the requirement is a federal “biological opinion”—a plan to protect several species.

Governor Schwarzenegger has said that the biological opinion used to justify severe water restrictions in California’s Sacramento-San Joaquin Delta “puts fish above the needs of millions of Californians and the health and security of the world’s eighth-largest economy.”

## Statewide Drought

The water system that contributed to California’s emergence as one of the world’s major economic powers is faltering. Existing facilities are barely able to meet current public demands. Over the next 25 years, demand for water statewide will grow between 2 million and 6 million acre-feet, yet California

is still a dry winter or two away from a drought and subsequent water rationing for parts of the state.

As a result of California’s third consecutive year of drought, the Governor proclaimed a state of emergency in March and ordered immediate action to manage the crisis.

In the proclamation, the Governor directs all state government agencies to utilize their resources, implement a state emergency plan and provide assistance for people, communities and businesses impacted by the drought, pointing out that the drought and water restrictions are causing additional devastating economic and business losses.

Agricultural revenue losses exceed \$300 million to date and could exceed \$2 billion in the coming season, with a total economic loss of nearly \$3 billion in 2009, according to the proclamation.

A link to the petition is available on the water issues page at [www.calchamber.com](http://www.calchamber.com).

**Staff Contact: Valerie Nera**

## Key to Status Descriptions

- **Assembly Second Reading or Assembly Third Reading:** Bill awaits action by full Assembly.
- **Assembly Print:** Bill introduced; awaiting assignment to a policy committee.
- **Chapter:** A bill listing a chapter number has been signed by the Governor and will become law on January 1, 2010, unless it is an urgency measure, which takes effect immediately.
- **Consent Calendar:** List of non-controversial bills that will be acted upon with a single vote, without debate.
- **Enrollment:** Bill has passed both houses of the Legislature and is being prepared (including proofreading of amended bills) for delivery to and consideration by the Governor.
- **Failed Deadline:** Missed the deadline to pass the house in which the bill was introduced; eligible to be considered next year.
- **Held in a committee:** No further action on bill.
- **Inactive File:** To be considered at a later date. One day’s notice required to place bill back on daily agenda.
- **Senate Third Reading:** Bill awaits action by full Senate.
- **Suspense File:** Bills with fiscal impact are placed on the suspense file pending the Legislature’s review of their overall financial impact.

# CalChamber Status Update Report on Major Legislation for Business

The following list summarizes top priority bills for the California Chamber of Commerce and their status as of July 17, the date the Legislature was scheduled to begin its summer recess.

Within each subject area, the list presents bills in order of priority with the highest priorities at the top.

As this report was being prepared for publication, numerous proposals dealing with the Sacramento-San Joaquin Delta, including its ecosystem, water conveyance, fees and governance, were expected to be dealt with by a conference

committee made up of legislators from both the Senate and Assembly. The Delta legislation will be added to the Status Report when the conference committee has developed a proposal to present to fellow legislators for a vote.

The CalChamber will publish a second status report in September, showing the status of priority legislation when the Legislature adjourns for its interim recess on September 11.

October 11 is the last day for the Governor to sign or veto bills passed by the Legislature on or before September 11.

The CalChamber will publish its final status report, showing the ultimate fate of priority bills sent to the Governor this year, in October.

Each fall, the CalChamber also publishes a record of legislators' votes on key bills affecting the California business climate. Generally, the bills selected for the vote record have appeared in one of the status reports. This year's vote record is scheduled to be published on November 6.

Federal bills are marked with an \*.

Status of bills as of July 17, 2009, the originally scheduled start of the Legislature's summer recess. Dates listed are the date the bill was assigned to a committee, the latest date of committee action, the next hearing date or when the bill reached the floor, unless action is stated. Key to status descriptions: Page 6.

Subject and Bill — CalChamber Position	Status
<b>Agriculture and Natural Resources</b>	
<b>Coastal Commission Enforcement.</b> AB 226 (Ruskin; D-Redwood City) Creates a new bounty hunter provision in law and creates a conflict of interest by allowing the Coastal Commission to impose civil penalties and retain the money to augment its budget. Oppose.	Senate Appropriations 7/14/09
<b>Coastal Development Permits.</b> AB 291 (Saldaña; D-San Diego) Halts development in the coastal zone by refusing to grant permits to anyone who has any outstanding unresolved violations on contiguous property before the Coastal Commission. Guilty until proven innocent presumption. Oppose.	Senate Appropriations 7/7/09
<b>State Infrastructure Projects.</b> SB 372 (Kehoe; D-San Diego) Halts job and infrastructure projects like utility, water or transportation improvements within or near any boundaries of a state park by allowing Parks Department to refuse a project if it determines the project is incompatible with park purposes and requires any modifications to existing infrastructure to be approved by the Legislature. Oppose.	Assembly Third Reading 7/16/09
<b>Infrastructure Improvements.</b> SB 679 (Wolk; D-Davis) Stops infrastructure projects (utility, roads or water) from occurring within or near state park boundaries by abrogating existing contracts between the state parks and owners of property within the parks and disallowing any "use" like an access road to a concession unless similar park land is made available in substitution for that use. Oppose.	Assembly Appropriations 7/7/09
<b>Timber Harvest Plans.</b> AB 1066 (Mendoza; D-Artesia) Allows forest landowners more flexibility to plan harvests to meet market demands by extending the effective date of timber harvest plans. Support.	Senate Appropriations 7/16/09
<b>Forest Management.</b> SB 144 (Pavley; D-Agoura Hills) Increases costs to forestland owners for converting to non-forestry land use. Unfairly targets conversion to pay for unfunded mandate for Forestry Department to develop global warming baselines. Oppose.	Assembly Natural Resources 6/15/09



Subject and Bill — CalChamber Position	Status
<b>Conservation Easements.</b> SB 555 (Kehoe; D-San Diego) Hinders condemnation process. Expands the scope of easements protected from condemnations. Could use conservation easements to block infrastructure projects that are subject to those easements. Oppose.	Assembly Appropriations 7/13/09
<b>California-Only Food Labels.</b> SB 562 (Florez; D-Shafter) Threatens marketplace stability by requiring a California-only label on products from animals treated with approved subtherapeutic antibiotics. Oppose.	Assembly Agriculture 7/1/09
<b>Port Resources.</b> SB 139 (Kehoe; D-San Diego) Maintains the restrictions on trust property to preserve the ability of current and future ports to make full use of their resources to conduct interstate and international trade activities. Support.	Senate Local Government 3/9/09; Failed Deadline
<b>Treatment of Egg-Laying Hens.</b> AB 1437 (Huffman; D-San Rafael) Requires compliance with Proposition 2 regarding cages for laying hens but provides no standards for industry to use, thus opening the door to litigation. Oppose.	Senate Health 7/13/09
<b>Working Dogs.</b> SB 250 (Florez; D-Shafter) Increases the cost of doing business for ranchers by limiting their ability to breed working dogs that herd and guard farm property. Oppose.	Assembly Appropriations Suspense File 7/15/09
<b>Antibiotics.</b> SB 416 (Florez; D-Shafter) Disadvantages California livestock producers by drastically limiting the appropriate and safe use of a U.S. Food and Drug Administration-approved antibiotic to keep livestock healthy when out-of-state producers who sell into California may use them. Oppose.	Failed Passage in Senate 6/3/09; Failed Deadline
<b>Williamson Act Cancellations.</b> SB 170 (Florez; D-Shafter) Undermines the tax benefits under the Williamson Act contracts by allowing unconstitutional impairments of the act. Oppose.	Senate Local Government 4/15/09; Failed Deadline
<b>Non-Native Species.</b> AB 1253 (Fuller; R-Bakersfield) Requires a literature search on studies of non-native fish preying on endangered species in the Delta. It is likely that these non-natives are part of the reason for the decline in the smelt population currently being attributed to the water pumps. Support.	Senate Appropriations 7/14/09
<b>Farms: Hazardous Materials Business Plans.</b> AB 256 (B. Berryhill; R-Ceres) Saves money by waiving the requirement to file a hazardous materials business plan for farms storing minimal amounts of lubricating oils and small amounts of pesticides for limited days. Support.	Assembly Environmental Safety and Toxic Materials 4/28/09; Failed Deadline
<b>Subdivision Maps.</b> AB 666 (Jones; D-Sacramento) Before amendments, would have halted new development by imposing unnecessary fire protection measures and would have ignored new non-flammable construction materials, the use of defensible space around houses and fire shelters embedded in new developments. Now requires county boards of supervisors to determine if a project is properly designed to minimize fire potential and has adequate fire suppression availability. No Position.	Senate Appropriations 7/8/09
<b>Coastal Commission Meetings.</b> SB 262 (Lowenthal; D-Long Beach) Before amendments, slowed the permitting process before the commission by reducing the number of commission meetings and extending California Environmental Quality Act and permit streamlining deadlines. Now establishes the commission shall meet 10 times a year. Neutral.	Assembly Third Reading 7/14/09
<b>Local Planning: Fire Hazard Impacts.</b> SB 505 (Kehoe; D-San Diego) Before amendments, would have revised the safety element requirements for state responsibility areas and very high fire hazard zones. Would also have imposed onerous and conflicting requirements on local agencies and developers. Now requires local government in high fire-risk areas to consider fire prevention in their general plans. No Position.	Assembly Appropriations 7/13/09



Subject and Bill — CalChamber Position	Status
<b>Banking/Finance</b>	
<b>Mortgage Loan Restrictions.</b> AB 1534 (M. Perez; D-Coachella) Inappropriately restricts residential developers from helping customers find an appropriate mortgage lender, which would cost jobs and further delay the recovery of the housing market. Oppose.	Held in Assembly Business and Professions 4/28/09; Failed Deadline
<b>Financial Institutions.</b> AB 365 (Ammiano; D-San Francisco) Places enormous burdens on state-chartered financial institutions by enacting the Consumer Overdraft Protection Fair Practices Act. The measure is unworkable and also unnecessary given recently adopted and pending federal regulations. Oppose.	Assembly Banking and Finance 4/20/09; Failed Deadline
<b>Foreclosure Process Mandate.</b> AB 603 (Skinner; D-Berkeley) Slows recovery of the housing market and ignores collaborative legislative efforts from last year by prohibiting a successor in interest from terminating any tenancy within 90 days of acquiring ownership of a qualified rental unit. Oppose.	Assembly Inactive File 6/3/09; Failed Deadline
<b>Financial Institutions.</b> AB 1075 (Nava; D-Santa Barbara) Creates an unlevel playing field for state-chartered financial institutions as it relates to the use of emergency economic assistance funds. The resulting dynamic is unfair and could work contrary to the goals of restoring confidence in the financial system, increasing the flow of financing to businesses and consumers, and strengthening the economy. Oppose.	Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline
<b>Reverse Mortgages.</b> SB 660 (Wolk; D-Davis) Threatens to reduce the availability of beneficial financial products to seniors by imposing ambiguous new duties on lenders of reverse mortgages, exposing the industry to new and unnecessary legal liability. Oppose.	Assembly Third Reading 7/16/09
<b>Mortgage Debt Forgiveness.</b> AB 111 (Niello; R-Fair Oaks) Helps to minimize the risk of unnecessary foreclosures by giving financial relief to troubled borrowers who have had debt forgiven by a mortgage lender. Debt forgiven through 2013 would be excluded from a borrower's taxable income, thus helping California conform to federal tax law. Support.	Held in Assembly Revenue and Taxation Suspense File 5/19/09; Failed Deadline
<b>California Financial Literacy Initiative.</b> AB 550 (Lieu; D-Torrance) Encourages financial literacy in California through the California Financial Literacy Initiative, at no cost to the state or taxpayers. Support.	Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline
<b>Mortgage Debt Forgiveness.</b> SB 97 (R. Calderon; D-Montebello) Helps to minimize the risk of unnecessary foreclosures by giving financial relief to troubled borrowers who have had debt forgiven by a mortgage lender. Debt forgiven through 2010 would be excluded from a borrower's taxable income, thus bringing California into closer conformity with federal tax law. Support.	Senate Revenue and Taxation Suspense File 5/13/09; Failed Deadline
<b>Translation of Contracts.</b> AB 1160 (Fong; D-Cupertino) Formerly created unworkable requirements for lenders regarding the translation of disclosures and forms related to loans and extensions of credit, including an unlimited right to rescind mortgage contracts by the consumer. Amendments removed the right of rescission and made technical fixes, thus providing significant new consumer protections without undue burdens on industry. Neutral.	Senate Appropriations 7/14/09
<b>Reverse Mortgages.</b> AB 329 (Feuer; D-Los Angeles) Adds various new consumer protections to the sale of reverse mortgages. Neutral.	Senate Third Reading 6/25/09
<b>Public Contracts.</b> AB 1364 (Evans; D-Santa Rosa) Allows state agencies, with the consent of a grant recipient, to renegotiate the deadlines and timetables for deliverables of a grant agreement in any case where a state agency or grant recipient may not be able to meet such terms due to the suspension of programs by the Pooled Money Investment Board. Neutral.	Senate Appropriations Consent Calendar 7/8/09

Subject and Bill — CalChamber Position	Status
<b>Climate Change</b>	
<b>Climate Change Tax Increase.</b> SB 31 (Pavley; D-Agoura Hills) Increases costs and discourages job growth by granting the Air Resources Board broad authority to implement unlimited fees and taxes with little or no oversight. Oppose/ <b>Job Killer</b> .	Failed Passage in Senate 6/3/09; Failed Deadline
<b>Discourages Emission Reductions.</b> AB 1404 (De León; D-Los Angeles) Significantly increases business costs and threatens state jobs and businesses by severely limiting the amount of offsets California industries can use to meet their greenhouse gas emission goals. Oppose/ <b>Job Killer</b> .	Senate Appropriations 7/6/09
<b>Climate Change Tax Increase.</b> AB 1405 (De León; D-Los Angeles) Increases costs and discourages job growth by granting the Air Resources Board broad authority to implement unlimited fees and taxes with little or no oversight. Oppose/ <b>Job Killer</b> .	Senate Appropriations 7/13/09
<b>Increases Liability.</b> SB 722 (Steinberg; D-Sacramento) Chills the voluntary carbon offset market by creating a private right of action and requiring offset providers to adhere to ambiguous standards. Oppose.	Assembly Third Reading 7/1/09
<b>Expands Agency Authority to Regulate.</b> SB 104 (Oropeza; D-Long Beach) Gives Air Resources Board broad new and open-ended authority by requiring the board to add any other gas designated by an outside entity to its list of greenhouse gas emissions to be regulated under AB 32. Oppose.	Assembly Third Reading 7/16/09
<b>Ensures Cost-Effectiveness.</b> SB 295 (Dutton; R-Rancho Cucamonga) Ensures that the state is using the best tool possible to implement AB 32 regulations by requiring the Air Resources Board to do additional economic analysis before pursuing further AB 32 regulations. Support If Amended.	Failed Passage in Senate Environmental Quality 5/20/09; Failed Deadline
<b>Carbon Footprint Labeling.</b> AB 19 (Ruskin; D-Redwood City) Disadvantages California business by requiring the Air Resources Board to develop and implement a program for the voluntary assessment, verification and standardized labeling of the carbon footprint of consumer products sold in this state. Oppose.	Senate Appropriations 7/6/09
<b>Climate Change Tax Increase.</b> AB 231 (Huffman; D-San Rafael) Before 6/18/09 amendments, would have increased costs and discouraged job growth by granting the Air Resources Board broad authority to implement unlimited fees and taxes with little or no oversight. Due to amendments, opposition removed. No Position/ <b>Former Job Killer</b> .	Senate Environmental Quality 6/26/09
<b>Education</b>	
<b>High School Instruction: Course of Study.</b> SB 381 (Wright; D-Inglewood) Sets back efforts to increase the number of students attending college by prohibiting districts from adopting graduation requirements that require additional coursework to meet admission standards for post-secondary education unless a district also adopts alternative graduation requirements designed to attain entry-level employment. Oppose.	Assembly Appropriations 7/16/09
<b>California Community Colleges: Student Transfer.</b> AB 440 (Beall; D-San Jose) Reinforces the state's commitment to increase the number of students attending college by authorizing community colleges to grant an associate degree in transfer studies for students who complete the equivalent of lower division general education requirements for California State University or University of California. Support.	Failed Passage in Senate Education 7/15/09; Reconsideration Granted

Subject and Bill — CalChamber Position	Status
<b>Energy</b>	
<b>Green Energy.</b> AB 222 (Adams; R-Hesperia) Encourages new investment and job creation by allowing conversion of solid waste to energy at a biorefinery to count toward meeting the state mandate that 20 percent of energy come from renewable sources by 2010. Support/ <b>Job Creator</b> .	Senate Environmental Quality 7/16/09
<b>Expands Renewable Portfolio Standard.</b> SB 14 (Simitian; D-Palo Alto) Increases the Renewable Portfolio Standard to 33 percent by 2020 without appropriate consideration of grid reliability and cost containment for the state's ratepayers. Oppose.	Assembly Appropriations 7/14/09
<b>Expands Renewable Portfolio Standard.</b> AB 64 (Krekorian; D-Burbank) Threatens grid reliability and increases energy prices for all ratepayers by mandating 33 percent of the state's power come from renewables. Oppose.	Senate Appropriations 7/14/09
<b>Jeopardizes State Energy Supply.</b> SB 42 (Corbett; D-San Leandro) Depresses business growth and vitality by barring desalination plants that provide new water supply sources and threatening the state's core energy supply. Oppose.	Senate Energy, Utilities and Communications 4/14/09; Failed Deadline
<b>Supports Construction of Vital Projects.</b> SB 696 (Wright; D-Inglewood) Prevents the loss of thousands of jobs and keeps businesses in California by re-establishing the South Coast Air Quality Management District's credit bank. Support/ <b>Job Creator</b> .	Senate Environmental Quality 6/17/09
<b>Disrupts Authority at the Public Utilities Commission.</b> AB 1315 (Ruskin; D-Redwood City) Takes power and authority away from the president of the Public Utilities Commission. Oppose.	Senate Energy, Utilities and Communications 7/7/09
<b>Environmental Regulation</b>	
<b>Expanded Waste Bureaucracy.</b> AB 283 (Chesbro; D-Arcata) Leads to increased cost for consumers and businesses by requiring producers of select products sold in California to collect their products after use by the consumer and manage the recycling and/or disposal of those products. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/28/09
<b>Expanded Waste Bureaucracy.</b> AB 479 (Chesbro; D-Arcata) Circumvents an existing public process by the California Integrated Waste Management Board to develop a new mandatory commercial recycling program with stakeholders and prejudices the outcome of such work by prematurely imposing a similar program on California businesses. Oppose/ <b>Former Job Killer</b> .	Senate Appropriations 7/16/09
<b>Economic Review of Regulations.</b> AB 1107 (Blakeslee; R-San Luis Obispo) Reduces the likelihood that overly burdensome regulations will be adopted by ensuring that accurate, science-based assessments are conducted, revealing the true cost to California businesses and the economy. Sponsor/ <b>Job Creator</b> .	Assembly Environmental Safety and Toxic Materials 4/21/09; Failed Deadline
<b>Product Management: Disposable Food Containers.</b> AB 1358 (Hill; D-San Mateo) Increases costs without taking into consideration the practicality or availability of alternative products to food vendors, restaurants, state departments or retail food vendors by prohibiting them to sell consumers prepared foods in polystyrene packaging. Oppose.	Assembly Inactive File 6/2/09; Failed Deadline
<b>Air Quality: Port of Oakland.</b> AB 1431 (Hill; D-San Mateo) Increases costs of importing and exporting goods through Port of Oakland by mandating the port impose the same types of expensive emission reduction strategies that have been imposed at the ports of Los Angeles and Long Beach. Oppose.	Assembly Transportation 4/27/09; Failed Deadline
<b>PVC Packaging.</b> AB 1329 (Brownley; D-Santa Monica) Increases costs to business by banning the sale, import or distribution of polyvinyl chloride packaging containers in California even if the product being sold is most suitably packaged in such a container. Oppose.	Senate Third Reading 7/8/09

Subject and Bill — CalChamber Position	Status
<p><b>Product Safety: Bisphenol A.</b> SB 797 (Pavley; D-Agoura Hills) Circumvents the Green Chemistry Program where scientific experts assess the product by prohibiting the manufacture, sale or distribution of certain children’s products if they contain Bisphenol A in concentrations over 0.1 parts per billion and requires manufacturers to use the least toxic alternative when replacing Bisphenol A in accordance with this law. Oppose.</p>	<p>Assembly Third Reading 7/16/09</p>
<p><b>Fire Retardant Ban.</b> SB 772 (Leno; D-San Francisco) Seeks to circumvent the science-based green chemistry process being developed at the Department of Toxic Substances Control and changes fire safety standards for some children’s products in order to prohibit the use of certain fire retardants. Oppose.</p>	<p>Assembly Appropriations 7/14/09</p>
<p><b>Solid Waste.</b> SB 25 (Padilla; D-Pacoima) Imposes a costly mandate on local government and business by increasing the statewide target for solid waste diversion to 75 percent by an unspecified date and provides additional authority to the California Integrated Waste Management Board to achieve that goal. Oppose.</p>	<p>Assembly Natural Resources 7/6/09</p>
<p><b>Solid Waste: Fees.</b> SB 730 (Wiggins; D-Santa Rosa) Expands the existing in-state disposal fee that is applied to waste disposed of within California to waste that is disposed of outside of California. Oppose.</p>	<p>Assembly Natural Resources 6/15/09</p>
<p><b>State Air Resources Board: Regulations.</b> AB 1085 (Mendoza; D-Artesia) Improves government transparency by requiring the California Air Resources Board to make available to the public all methodologies, inputs, assumptions and other information used in developing a proposed regulation. Support.</p>	<p>Senate Consent Calendar 7/15/09</p>
<h2 style="color: red;">Fuels (Not Air Related)</h2>	
<p><b>Flexible Compliance.</b> AB 453 (Garrick; R-Carlsbad) Protects jobs and the environment by providing station owners with additional time to comply with the Enhanced Vapor Recovery regulations adopted by the California Air Resources Board. Support.</p>	<p>Assembly Appropriations Suspense File 5/20/09; Failed Deadline</p>
<h2 style="color: red;">Government Procurement</h2>	
<p><b>Public Contracts: State Contract Eligibility: Genocidal Regimes.</b> AB 961 (Krekorian; D-Burbank) Creates an unreasonable liability burden on a company when contracting with the state. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<h2 style="color: red;">Health</h2>	
<p><b>New Health Care Tax.</b> SB 227 (Alquist; D-Santa Clara) Increases health care premiums by establishing a new targeted tax and government bureaucracy to change California’s major risk medical insurance program (MRMIP). Oppose/<b>Job Killer</b>.</p>	<p>Assembly Appropriations 7/13/09</p>
<p><b>Increased Health Coverage Litigation.</b> AB 2 (De La Torre; D-South Gate) Drives up the cost of health care premiums and increases the number of uninsured by establishing litigation as the only meaningful approach to resolving disputes over rescinding coverage. Oppose/<b>Job Killer</b>.</p>	<p>Senate Appropriations 7/14/09</p>
<p><b>Government-Run Health Care.</b> SB 810 (Leno; D-San Francisco) Creates a new government-run, multibillion-dollar socialized health care system based on a yet-to-be specified “premium structure”—in essence, a tax on all employers. Oppose/<b>Job Killer</b>.</p>	<p>Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline</p>



Subject and Bill — CalChamber Position	Status
<p><b>Limited Choice and Increased Costs.</b> AB 786 (Jones; D-Sacramento) Leads to higher premiums by creating a new government bureaucracy, new administrative burdens on health plans, and eliminating some lower-priced plans. Oppose.</p>	<p>Senate Appropriations 7/15/09</p>
<p><b>Rate Regulation.</b> AB 1218 (Jones; D-Sacramento) Reduces health care choices, access and quality by creating additional bureaucracy to impose price controls on health insurance policies while failing to address the major cost drivers of rising medical costs. Oppose.</p>	<p>Failed Passage in Assembly Health 4/28/09; Failed Deadline</p>
<p><b>Reduced Medical Services.</b> SB 316 (Alquist; D-Santa Clara) Imposes an arbitrary 85 percent medical loss ratio on health plans, leading to potentially less service to plan subscribers rather than more, and eliminating low-cost products. Oppose.</p>	<p>Failed Passage in Senate 6/3/09; Failed Deadline</p>
<p><b>Unreasonable Prescription Requirement.</b> SB 484 (Wright; D-Inglewood) Increases the cost of health care coverage for everyone by forcing individuals to obtain a prescription for some products that are now available without a prescription. Oppose.</p>	<p>Failed Passage in Assembly Public Safety 6/30/09; Reconsideration Granted</p>
<p><b>Increased Costs: Mandated Expanded Reconstructive Surgery Coverage.</b> SB 630 (Steinberg; D-Sacramento) Increases health care premiums by mandating that health plans provide coverage for dental and orthodontic services as part of cleft palate reconstructive procedures. Oppose.</p>	<p>Assembly Appropriations 6/30/09</p>
<p><b>Increased Costs: Mandated Oral Cancer Drug Coverage.</b> SB 161 (Wright; D-Inglewood) Increases health care premiums by mandating that health insurers and health plans provide coverage for orally administered anti-cancer medications on a basis no less favorable than coverage provided for injected or intravenously administered anti-cancer medications. Oppose.</p>	<p>Assembly Appropriations 7/7/09</p>
<p><b>Increased Health Coverage Costs.</b> AB 29 (Price; D-Inglewood) Raises the eligible age to 27 for dependent children to be covered under their parents' employer-sponsored health insurance plan which is likely to result in increasing the cost of health coverage for everyone. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>Private Board Member Selection Interference.</b> SB 364 (Florez; D-Shafter) Prohibits certain qualified and dedicated individuals from serving their community cancer centers as board members due to their corporation's legal and legitimate affiliation with tobacco. Oppose.</p>	<p>Assembly Appropriations 7/14/09</p>
<p><b>Increased Costs: Mandated Expanded Mental Health Coverage.</b> AB 244 (Beall; D-San Jose) Increases health care premiums by mandating that health plans and insurers provide parity coverage for more than 400 mental disorders. Oppose.</p>	<p>Senate Appropriations 7/15/09</p>
<p><b>Increased Health Coverage Costs: Inappropriate Cost Pooling Mandate.</b> AB 119 (Jones; D-Sacramento) Moves California closer to community rating for health coverage policies, ultimately increasing the ranks of the uninsured and increasing the cost of coverage to everyone by prohibiting gender to be used as actuarial rating criteria. Oppose.</p>	<p>Senate Third Reading 6/30/09</p>
<p><b>Increased Costs: Mandated Durable Medical Equipment Coverage.</b> AB 214 (Chesbro; D-Arcata) Increases health care premiums by mandating that health plans provide coverage for durable medical equipment. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>Increased Costs: Mandated Lactation Consultant and Breast Pump Coverage.</b> AB 513 (De León; D-Los Angeles) Increases health care premiums by mandating coverage of lactation consultation provided by an International Board Certified Lactation Consultant and coverage for the rental of a breast pump. Oppose.</p>	<p>Senate Appropriations 7/15/09</p>
<p><b>Increased Costs: Mandated HPV Vaccination Coverage.</b> SB 158 (Wiggins; D-Santa Rosa) Increases health care premiums by mandating that health insurers that provide coverage for cervical cancer also cover a human papillomavirus (HPV) vaccination. Oppose.</p>	<p>Assembly Appropriations Suspense File 7/1/09</p>

Subject and Bill — CalChamber Position	Status
<p><b>Increased Costs: Mandated Maternity Services Benefits Coverage.</b> AB 98 (De La Torre; D-South Gate) Increases health insurance premiums and increases the ranks of the uninsured by mandating that all health insurance policies provide maternity coverage. Oppose.</p>	<p>Senate Appropriations 7/8/09</p>
<p><b>Increased Costs: Mandated Amino Acid-Based Elemental Formulas Benefit Coverage.</b> AB 163 (Emmerson; R-Redlands) Increases health insurance premiums by mandating that health plans cover amino acid-based formulas, regardless of delivery method for the treatment of certain conditions. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>Administrative Burden.</b> AB 26 (Hernandez; D-West Covina) Creates an administrative burden intended to provide an advantage to employers that fund health coverage for employees at a specified, arbitrary level by creating a public works contractor bid preference for those employers. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>Health Insurance Tax Deductions.</b> AB 326 (Garrick; R-Carlsbad) Entitles individuals to a state tax deduction for contributions to a Health Savings Account (HSA) in conformity with federal tax law, allowing individuals to save tax-free dollars to pay for near-term medical expenses and save for future longer-term medical costs. Support.</p>	<p>Held in Assembly Revenue and Taxation Suspense File 5/19/09; Failed Deadline</p>
<p><b>Health Insurance Tax Deductions.</b> SB 353 (Dutton; R-Rancho Cucamonga) Entitles individuals to a state tax deduction for contributions to a Health Savings Account (HSA) in conformity with federal tax law, allowing individuals to save tax-free dollars to pay for near-term medical expenses and save for future longer-term medical costs. Support.</p>	<p>Assembly Revenue and Taxation Suspense File 5/13/09; Failed Deadline</p>
<h2 style="color: red;">Housing and Land Use</h2>	
<p><b>Construction Costs Increase.</b> AB 212 (Saldaña; D-San Diego) Substantially increases the cost of new housing by mandating on-site or near-site energy generation for all new residential buildings. Oppose/<b>Job Killer</b>.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>New Home Construction.</b> AB 333 (Fuentes; D-Sylmar) Facilitates the smooth recovery of the housing market by extending the life of active tentative subdivision maps and parcel maps for a period of two years. Support/<b>Job Creator</b>.</p>	<p>Chapter 18 (Urgency Statute)</p>
<p><b>Homebuyer Tax Credit.</b> SB 49 (Dutton; R-Rancho Cucamonga) Encourages recovery in the residential housing market by extending the duration and raising the funding cap of an already-successful economic stimulus program that offers homebuyers a \$10,000 personal income tax credit for new home purchases. Support/<b>Job Creator</b>.</p>	<p>Senate Revenue and Taxation 6/9/09</p>
<p><b>California Environmental Quality Act (CEQA).</b> SB 476 (Correa; D-Santa Ana) Helps speed economic recovery by clarifying the duration of the public comment period in regards to non-compliance challenges as part of the CEQA environmental review process. Support.</p>	<p>Assembly Natural Resources and Assembly Judiciary 5/28/09</p>
<p><b>Green Building Standards.</b> AB 210 (Hayashi; D-Castro Valley) Clarifies that a local jurisdiction has the authority to adopt green building standards more stringent than those adopted by the state and published in the State Building Standards Code. Such clarification in statute will significantly reduce the need for legal review (and the related costs) on this issue by local jurisdictions concerned that such authority may not exist. Support.</p>	<p>To Enrollment</p>
<p><b>Development Impact Fees.</b> AB 1084 (Adams; R-Hesperia) Supports new residential and commercial development by ensuring that development impact fees are transparent and reflect the current cost to cities and counties to construct such facilities more closely. Support.</p>	<p>Senate Third Reading 7/7/09</p>

Subject and Bill — CalChamber Position	Status
<p><b>Energy Consumption Data.</b> AB 531 (Saldaña; D-San Diego) Fixes existing implementation issues with California’s historic energy benchmarking law, which will help the state continue to lead the nation in building energy efficiency. Support.</p>	<p>Senate Appropriations 7/7/09</p>
<p><b>Mobile Home Rent Control.</b> AB 761 (C. Calderon; D-Montebello) Provides vacancy decontrol relief to mobile home parks by allowing rents, upon vacancy, to gradually reach market levels. Support.</p>	<p>Senate Rules 6/25/09</p>
<p><b>Homebuyer Tax Credit.</b> AB 765 (Caballero; D-Salinas) Allows new home purchasers to reserve an already-available tax credit earlier in the home buying process. Originally encouraged recovery in the residential housing market by extending the duration and raising the funding cap of an already-successful economic stimulus program that offers homebuyers a \$10,000 personal income tax credit for new home purchases. Support/<b>Former Job Creator.</b></p>	<p>Senate Revenue and Taxation Suspense File 7/8/09</p>
<p><b>Building Ventilation Systems.</b> AB 433 (Ammiano; D-San Francisco) Originally put new requirements on the construction industry by requiring the Building Standards Commission (BSC) to adopt new regulations that would require new construction near freeways to have state-of-the-art ventilation systems. Now requires the Department of Housing and Community Development to simply propose such standards to the BSC. Previously opposed. Neutral.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>Industrial Safety and Health</b></p>	
<p><b>Unnecessary Regulation.</b> AB 838 (Swanson; D-Oakland) Directs Cal/OSHA to draft an unnecessary regulation to address exposure to excessive heat in indoor workplaces, while the existing Injury and Illness Prevention Program requirement currently requires all employers to address unique hazards. Oppose.</p>	<p>Senate Appropriations 7/8/09</p>
<p><b>International Relations/Trade</b></p>	
<p><b>*U.S.-Panama Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. The agreement also will increase momentum toward lowering trade barriers and set a positive example for other small economies in the Western Hemisphere. Support.</p>	<p>Pending Congressional Action</p>
<p><b>*U.S.-Colombia Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. The agreement also will increase momentum toward lowering trade barriers and set a positive example for other small economies in the Western Hemisphere. Support.</p>	<p>Pending Congressional Action</p>
<p><b>*U.S.-Korean Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries and is a critical element of the U.S. strategy to liberalize trade through multilateral, regional and bilateral initiatives. Support.</p>	<p>Pending Congressional Action</p>
<p><b>*Increasing International Business Tax.</b> Administration proposal to increase taxes on U.S. companies that are competing in international markets by repealing “deferral,” thereby imposing a unilateral tax on the foreign earnings of U.S. companies and upsetting the competitive balance between U.S. and foreign companies. This will result in a loss of U.S. jobs and serious negative impacts on the U.S. economy. Oppose.</p>	<p>Pending Congressional Action</p>
<p><b>*Trade Reform, Accountability, Development and Employment (TRADE) Act.</b> H.R. 3012 (Michaud; D-Maine) Generates additional bureaucratic reporting requirements relating to international trade agreements on top of those that already exist, thereby creating new roadblocks to future trade agreements intended to lower foreign taxes on U.S. exports. Requires renegotiation of existing trade agreements. Oppose.</p>	<p>Pending Congressional Action. U.S. Senate bill expected too.</p>

Subject and Bill — CalChamber Position	Status
<b>International Trade.</b> AB 1276 (Skinner; D-Berkeley) Prohibits the Governor from binding the state to an international trade agreement without specific legislation authorizing the action. Oppose.	Senate Third Reading 7/15/09
<b>Human Trafficking.</b> SB 657 (Steinberg; D-Sacramento) Requires business to actively engage to eliminate human trafficking from supply chain down to raw materials. Oppose.	Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline
<h2 style="color: red;">Labor and Employment</h2>	
<b>Comprehensive Meal Period Solution.</b> SB 287 (R. Calderon; D-Montebello) Reduces unnecessary litigation costs for all employers by providing clarity and guidance for complying with and enforcing meal period laws so employees have the opportunity to take meal breaks, enter into on-duty meal period agreements in appropriate situations, and collectively bargain for meal periods. Sponsor/ <b>Job Creator</b> .	Senate Labor and Industrial Relations 4/29/09; Failed Deadline
<b>Paid Sick Days Mandate.</b> AB 1000 (Ma; D-San Francisco) Unreasonably expands employer's costs and liability for a new protected and paid sick leave for employees. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline
<b>Hurts Struggling Businesses.</b> AB 842 (Swanson; D-Oakland) Expands mandates and increases liability for employers related to the state version of the federal Workers Adjustment and Retraining Notification (WARN) Act of 1988. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline
<b>Hampers Employment Decisions.</b> AB 943 (Mendoza; D-Artesia) Unduly restricts the ability of businesses to use all legally available information in employment decisions, including consumer credit reports. Oppose/ <b>Job Killer</b> .	Senate Appropriations 7/9/09
<b>Pay for Commuting.</b> AB 1421 (Swanson; D-Oakland) Imposes new costs on employers that provide transportation to the worksite by requiring them to pay employees for time spent commuting from the parking lot to the workstation. Oppose/ <b>Job Killer</b> .	Placed on Assembly Inactive File 6/3/09; Failed Deadline
<b>Increased Agricultural Costs.</b> SB 789 (Steinberg; D-Sacramento) Undermines the process that now guarantees, through secret-ballot elections, a fair vote and the expression of agricultural employees' true sentiments on the selection of a collective bargaining representative. This act will hurt California's businesses by driving up costs, making employers less competitive in a global market. Oppose/ <b>Job Killer</b> .	Senate Third Reading 7/7/09
<b>Flexible Work Schedules.</b> SB 187 (Benoit; R-Bermuda Dunes) Helps employees and employers achieve greater flexibility in work schedules by allowing workers to request and employers to mutually agree to a four-day 40-hour workweek without the payment of overtime. Sponsor/ <b>Job Creator</b> .	Failed Passage in Senate Labor and Industrial Relations 4/29/09; Failed Deadline
<b>Flexible Work Schedules.</b> AB 141 (Tran; R-Costa Mesa) Helps employees and employers achieve greater flexibility in work schedules by allowing workers to request and employers to mutually agree to a four-day 40-hour workweek without the payment of overtime. Support/ <b>Job Creator</b> .	Assembly Labor and Employment 2/26/09; Failed Deadline
<b>Meal Period Clarification.</b> SB 807 (Benoit; R-Bermuda Dunes) Reduces unnecessary litigation costs for employers by providing clarity and guidance for complying with meal period laws by clarifying how employees take meal breaks, enter into on-duty meal period agreements, and revising the timeframe for recovering penalties. Support/ <b>Job Creator</b> .	Senate Labor and Industrial Relations 4/15/09; Failed Deadline
<b>Meal Period Clarification.</b> SB 380 (Dutton; R-Rancho Cucamonga) Reduces unnecessary litigation costs for employers by providing clarity and guidance for complying with meal period laws by clarifying how employees take meal breaks, enter into on-duty meal period agreements, and revising the timeframe for recovering penalties. Support/ <b>Job Creator</b> .	Senate Labor and Industrial Relations 4/15/09; Failed Deadline



Subject and Bill — CalChamber Position	Status
<p><b>Payroll Records.</b> AB 527 (Fuentes; D-Sylmar) Creates an unreasonable burden-shifting scheme giving an unfair advantage to employees in unpaid wage disputes before the Labor Commissioner by creating a presumption that all records are false where the Labor Commissioner finds that one was falsified, effectively precluding an employer’s ability to present its case. Oppose.</p>	<p>Passed Senate Labor and Industrial Relations 7/16/09</p>
<p><b>Familial Status Protection.</b> AB 1001 (Skinner; D-Berkeley) Unnecessarily creates a vague and expansive new basis for employer liability under the Fair Employment and Housing Act by adding “familial status” to the list of classes protected from employment discrimination. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>Lactation Accommodation.</b> AB 514 (De León; D-Los Angeles) Unnecessarily seeks to quantify a reasonable amount of break time for lactation accommodation, which the law currently requires. Oppose.</p>	<p>Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline</p>
<h2 style="color: red;">Legal Reform and Protection</h2>	
<p><b>Unreasonable New Liability for Employers.</b> AB 793 (Jones; D-Sacramento) Imposes unfair and costly litigation burden on California employers by unreasonably expanding employer liability in workplace lawsuits far beyond the federal Lilly Ledbetter Fair Pay Act of 2009. Oppose Unless Amended/<b>Job Killer.</b></p>	<p>Senate Third Reading 6/17/09</p>
<p><b>New Lawsuits Against Small Business.</b> SB 242 (Yee; D-San Francisco/San Mateo) Could result in new shakedown lawsuits against business establishments by making it a strict liability violation of the Unruh Civil Rights Act, subject to minimum damages of \$4,000, if a business limits the use of a customer’s language, even if unintentionally. Oppose/<b>Job Killer.</b></p>	<p>Assembly Third Reading 7/15/09</p>
<p><b>Anti-Business Cost Increases.</b> AB 846 (Torricon; D-Newark) Significantly increases the cost of doing business in California by increasing fines and penalties, while disregarding good faith efforts of California’s businesses to comply with complex regulations, and removing the incentive for agencies to work out settlements. Oppose/<b>Job Killer.</b></p>	<p>Senate Governmental Organization 7/8/09</p>
<p><b>Improved Fairness in Class Action System.</b> AB 298 (Tran; R-Costa Mesa) Improves fairness in class action system by providing appeal right for orders both granting and denying class certification. Support.</p>	<p>Failed Passage in Assembly Judiciary 3/31/09</p>
<p><b>Equitable Court Judgments.</b> SB 393 (Harman; R-Huntington Beach) Improves fairness and equity of court awards by tying the interest rate on judgments to more closely follow the prime rate. Support/<b>Job Creator.</b></p>	<p>Failed Passage in Senate Judiciary 5/12/09; Failed Deadline</p>
<p><b>Unnecessary Clogging of Courts.</b> SB 705 (Lowenthal; D-Long Beach) Results in unnecessary and wasteful litigation for employers and the courts by allowing employees to file lawsuits without first exhausting the employer’s internal administrative remedies. Oppose.</p>	<p>Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>New Liability for Tire Dealers.</b> AB 496 (Davis; D-Los Angeles) Creates unreasonable new liability exposure for tire dealers by establishing disclosure regulations related to tire age that are not objective and shift the burden of proof on retailers. Oppose.</p>	<p>Senate Business, Professions and Economic Development 7/13/09</p>
<p><b>Government Interference with Private Contracts.</b> AB 335 (Fuentes; D-Sylmar) Discourages out-of-state companies from hiring California residents, such as entertainers, sports figures, executives, telecommuters and traveling employees, by doing away with the ability of such companies to require employment disputes be handled in the company’s home state rather than in California. Oppose.</p>	<p>Senate Appropriations 7/14/09</p>
<p><b>Updated Discovery Rules for Electronic Records.</b> AB 5 (Evans; D-Santa Rosa) Provides clarification and certainty for all parties to litigation by providing procedures for electronic discovery. Support.</p>	<p>Chapter 5 (Urgency Statute)</p>

Subject and Bill — CalChamber Position	Status
<p><b>Prevents Meritless Litigation.</b> SB 367 (Negrete McLeod; D-Chino) Helps prevent meritless litigation against California businesses that give discounts to consumers who have lost jobs or pay in the economic downturn by clarifying that such discounts are not a form of discrimination under the Unruh Civil Rights Act. Support.</p>	<p>Assembly Consent Calendar 7/16/09</p>
<p><b>Vehicle Price Increase.</b> SB 95 (Corbett; D-San Leandro) Before amendments, would have imposed new surety costs on car dealers in an already-difficult economy by placing excessive restrictions on the sale of trade-in vehicles and unreasonably expanding dealer liability and damages. Amended to strengthen regulations to ensure consumers are paid what they are owed on their trade-ins. Opposition removed. No Position/<b>Former Job Killer.</b></p>	<p>Assembly Third Reading 7/16/09</p>
<p><b>Other</b></p>	
<p><b>Retail Restrictions.</b> SB 601 (Padilla; D-Pacoima) Severely restricts retailers from growing their businesses in California by limiting the sale of a legal product in a legal venue. Oppose/<b>Job Killer.</b></p>	<p>Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>Retail Restrictions.</b> SB 603 (Padilla; D-Pacoima) Severely restricts retailers from growing their businesses in California by limiting the sale of a legal product in a legal venue. Oppose/<b>Job Killer.</b></p>	<p>Assembly Governmental Organization 7/8/09</p>
<p><b>Digital Displays.</b> AB 109 (Feuer; D-Los Angeles) Eliminates jobs and restricts businesses' ability to advertise by imposing a moratorium on outdoor digital billboards. Oppose.</p>	<p>Failed Assembly Governmental Organization 4/30/09; Failed Deadline</p>
<p><b>Food Recalls.</b> SB 550 (Florez; D-Shafter) Increases costs to grocery stores by requiring programmable checkout scanners to notify checkers if the product has a recall notice. Oppose.</p>	<p>Assembly Third Reading 7/13/09</p>
<p><b>Retail Restrictions.</b> SB 602 (Padilla; D-Pacoima) Before amendments, would have severely restricted retailers from growing their businesses in California by limiting the sale of a legal product in a legal venue. Amended to a different subject. No Position/<b>Former Job Killer.</b></p>	<p>Assembly Rules 7/2/09</p>
<p><b>Political Affairs</b></p>	
<p><b>Elections: Primaries.</b> SB 6 (Maldonado; R-Santa Maria) Places an open primary proposal on the June 2010 ballot that if passed by the voters expands voter choice and forces candidates to address a broader voter base. Support.</p>	<p>Chapter 1</p>
<p><b>Check and Balance Denial.</b> SB 34 (Corbett; D-San Leandro) Denies the check and balance on the legislative branch by the public by limiting the use of paid signature gatherers critical for successfully sponsoring a referendum. Oppose.</p>	<p>Assembly Appropriations 7/7/09</p>
<p><b>Privacy and Confidentiality</b></p>	
<p><b>Data Breaches.</b> SB 20 (Simitian; D-Palo Alto) Potentially exposes business to further data breaches by expanding the content of required breach notifications to include information that could help hackers further infiltrate and bypass security measures. Oppose.</p>	<p>Assembly Appropriations 7/15/09</p>
<p><b>Identity Theft Jurisdictions.</b> SB 226 (Alquist; D-Santa Clara) Makes it easier to prosecute identity theft offenses by expanding the jurisdiction to include any place where an offense occurred. Support.</p>	<p>To Enrollment</p>

Subject and Bill — CalChamber Position	Status
<p><b>Internet-Based Social Networking: Privacy.</b> AB 632 (Davis; D-Los Angeles) Before amendments, required social networking sites to disclose that images uploaded onto the site may be copied by those viewing the images. Neutral.</p>	<p>Senate Third Reading 7/9/09</p>
<h2 style="color: red;">Small Business</h2>	
<p><b>Small Business Impact Analysis.</b> SB 356 (Wright; D-Inglewood) Improves the small business climate in California by reforming the regulatory development process to include a specific small business economic impact analysis and other provisions that mitigate the cost of regulation to small business. Support/<b>Job Creator</b>.</p>	<p>Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline</p>
<p><b>Small Business Opportunities.</b> AB 31 (Price; D-Inglewood) Allows for more small business opportunities in state contracts by increasing the maximum allowable contract amount given to certified small businesses when specified competitive bidding requirements are exempted. Support.</p>	<p>Senate Third Reading 7/16/09</p>
<p><b>Small Business Opportunities.</b> SB 642 (Denham; R-Merced) Allows for more small business opportunities in state contracts by increasing the maximum allowable contract amount given to certified small businesses when specified competitive bidding requirements are exempted. Support.</p>	<p>Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline</p>
<h2 style="color: red;">Taxation</h2>	
<p><b>Increased Tax Burden.</b> SB 96 (Ducheny; D-San Diego) Imposes a new tax increase on personal income. Oppose/<b>Job Killer</b>.</p>	<p>Senate Revenue and Taxation Suspense File 6/10/09</p>
<p><b>Gas Price Increase.</b> AB 656 (Torrico; D-Newark) Increases gas prices and dependence on foreign oil by targeting the oil industry for a tax on oil extracted only in California. Oppose/<b>Job Killer</b>.</p>	<p>Assembly Revenue and Taxation 7/13/09</p>
<p><b>Targeted Tax Increase/Flawed Budget Philosophy.</b> SB 600 (Padilla; D-Pacoima) Exacerbates state budget problems and harms tobacco industry by unfairly targeting it for a new cigarette tax, a declining revenue source, to fund new government spending programs. Oppose/<b>Job Killer</b>.</p>	<p>Senate Revenue and Taxation Suspense File 7/9/09</p>
<p><b>Targeted Tax Increase/Flawed Budget Philosophy.</b> AB 89 (Torlakson; D-Antioch) Exacerbates state budget problems and harms tobacco industry by unfairly targeting it for a new cigarette tax, a declining revenue source, to fund new government spending programs. Oppose/<b>Job Killer</b>.</p>	<p>Assembly Revenue and Taxation and Assembly Governmental Organization 4/30/09</p>
<p><b>Targeted Tax Increase/Flawed Budget Philosophy.</b> ACA 22 (Torlakson; D-Antioch) Exacerbates state budget problems and harms tobacco industry by unfairly targeting it for a new cigarette tax, a declining revenue source, to fund new government spending programs. Oppose/<b>Job Killer</b>.</p>	<p>Assembly Governmental Organization and Assembly Revenue and Taxation 4/23/09</p>
<p><b>Removes Onerous Tax Burden.</b> AB 697 (C. Calderon; D-Montebello) Relieves employers of an onerous, costly tax burden by prospectively repealing an unfair, strict liability tax penalty that applies even to reasonable tax disputes, that was enacted as part of the September 2008 budget. Support/<b>Job Creator</b>.</p>	<p>Senate Revenue and Taxation Suspense File 7/8/09</p>
<p><b>Research and Development Investment Incentive.</b> AB 1565 (Ruskin; D-Redwood City) Encourages investment and jobs in research and development by increasing the research and development tax credit rate from 15 percent to 20 percent, in conformity with federal law, beginning in 2012. Support/<b>Job Creator</b>.</p>	<p>Senate Revenue and Taxation 7/8/09</p>

Subject and Bill — CalChamber Position	Status
<b>Manufacturing Investment Incentive.</b> SB 699 (Alquist; D-Santa Clara) Encourages investment and jobs in manufacturing by establishing a sales and use tax exemption for manufacturing equipment, beginning in 2013. Support/ <b>Job Creator.</b>	Senate Revenue and Taxation 5/28/09
<b>Discourages Investments.</b> ACA 6 (C. Calderon; D-Montebello) Discourages investments in jobs and operations by imposing an automatic sunset of seven years on any new or extended tax credit, exemption or deduction. Oppose/ <b>Job Killer.</b>	Assembly Appropriations Suspense File 7/1/09
<b>New Internet Taxation.</b> AB 178 (Skinner; D-Berkeley) Harms California online marketplaces, web-service providers, and websites of small businesses and non-profits by changing California's sales tax law in a way that will encourage out-of-state retailers to instead do business with out-of-state counterparts. Oppose.	Assembly Revenue and Taxation 4/27/09
<b>New Internet Taxation.</b> ABX3 27 (C. Calderon; D-Montebello) Harms California online marketplaces, web-service providers, and websites of small businesses and non-profits by changing California's sales tax law in a way that will encourage out-of-state retailers to instead do business with out-of-state counterparts. Oppose.	Assembly Print 1/30/09
<b>Undermines Economic Development.</b> AB 1139 (J. Perez; D-Los Angeles) Threatens California's economy and economic recovery by effectively gutting the California Enterprise Zone (EZ) program by creating new eligibility requirements that will drastically reduce the number of companies which will be able to participate in the program, including a requirement that they provide health care and full-time employment. Oppose.	Assembly Revenue and Taxation 4/28/09
<b>Targeted Tax Increase/Flawed Budget Philosophy.</b> AB 1019 (Beall; D-San Jose) Harms alcohol industry by proposing to impose a 10-cent per drink surcharge in order to fund alcohol-related services. Oppose.	Failed Passage in Assembly Health 4/21/09; Reconsideration Granted
<b>Targeted Tax Increase/Flawed Budget Philosophy.</b> AB 462 (Price; D-Inglewood) Harms small businesses, many of whom file personal income tax returns, by unfairly targeting incomes in excess of \$1 million for a 1 percent tax increase in order to fund higher education. Oppose.	Failed Passage in Assembly Higher Education 4/21/09
<b>Sales and Use Taxes: Failure to Furnish Information.</b> AB 347 (Block; D-San Diego) Unfairly penalizes tax-compliant taxpayers by creating a new penalty that, while aimed at unreasonable behavior, is so broad and vague it could apply to reasonable behavior. Oppose.	Placed on Assembly Inactive File 5/28/09
<b>Unreasonable Taxpayer Penalty.</b> SB 401 (Wolk; D-Davis) Unfairly penalizes tax-compliant taxpayers by creating a new penalty that, while aimed at abusive tax avoidance behavior, is so broad and vague it would penalize legitimate tax liability management. Oppose.	Assembly Appropriations 7/15/09
<b>Unfair Taxation of Foreign Income.</b> AB 1178 (Block; D-San Diego) Undermines water's-edge election by deeming foreign income from "tax havens" to be taxable. Oppose.	Assembly Revenue and Taxation 5/11/09
<b>Hospital Tax.</b> AB 1383 (Jones; D-Sacramento) Increases health care costs by imposing new, unspecified tax on hospitals. Oppose.	Senate Appropriations 7/15/09
<b>Improves Taxpayer Confidentiality.</b> AB 129 (Ma; D-San Francisco) Extends taxpayer confidentiality that currently exists with attorneys to federally authorized tax practitioners. Support.	Senate Inactive File 7/13/09
<b>Punishment for Using Tax Credits.</b> AB 179 (Portantino; D-La Cañada Flintridge) Violates taxpayer confidentiality and punishes taxpayers who use tax credits by creating a "list of shame" of any individual or corporation that uses any tax exemption, credit or deduction which results in reduction of tax liability of \$1 million or more. Oppose.	Senate Rules 6/29/09



Subject and Bill — CalChamber Position	Status
<p><b>Simplifies Sales Tax Compliance.</b> AB 1486 (Furutani; D-Long Beach) Streamlines sales tax compliance for non-profits by simplifying the rules for payment of sales taxes on purchases of member-logo products they sell to their own members. Support.</p>	<p>Senate Appropriations 7/14/09</p>
<p><b>Reduced Tax Administrative Burden and Costs.</b> AB 1580 (Committee on Revenue and Taxation) Eases the burden of complying with two sets of laws and reduces potential confusion and the risk of penalties of non-compliance by bringing California tax laws into conformity with a number of federal tax laws. Position Pending.</p>	<p>Senate Revenue and Taxation Suspense File 7/8/09</p>
<p><b>Manufacturing Investment Incentive.</b> AB 829 (Caballero; D-Salinas) Before 5/26/09 amendments, encouraged investment and jobs in manufacturing by establishing a sales and use tax exemption for manufacturing equipment, beginning in 2013. Now states legislative intent to establish sales and use tax. No Position/<b>Former Job Creator.</b></p>	<p>Assembly Appropriations 6/2/09</p>
<b>Telecommunications</b>	
<p><b>Unlisted Telephone Numbers.</b> SB 437 (Pavley; D-Agoura Hills) Regulates price for a legitimate service offered by telephone company with no evidence of a problem. Oppose.</p>	<p>Senate Energy, Utilities and Communications 5/5/09; Failed Deadline</p>
<b>Tourism</b>	
<p><b>Economy Hotels: Police Calls.</b> SB 355 (Romero; D-East Los Angeles) Could negatively impact the ability of the hotel to do business and damages the good working relationship that currently exists with law enforcement by creating a mandate that California “economy” hotels make public data about police calls to the property. Oppose.</p>	<p>Senate Business, Professions and Economic Development 5/4/09; Failed Deadline</p>
<p><b>Passports.</b> AB 1191 (Conway; R-Visalia) Helps to protect California’s tourism industry by allowing passports to be used as a valid form of identification for wine and other age-specific purchases. Support.</p>	<p>To Enrollment</p>
<b>Transportation and Infrastructure</b>	
<p><b>Sustainable Communities Strategies (SCS).</b> AB 782 (Jeffries; R-Lake Elsinore) Enhances the ability of a Sustainable Communities Strategy to be successful by facilitating the delivery of all necessary development associated with an SCS. Also gives businesses more certainty when complying with climate change laws. Support.</p>	<p>Assembly Natural Resources and Assembly Local Government 4/27/09; Failed Deadline</p>
<p><b>Encroachment Permits.</b> AB 439 (Miller; R-Corona) Helps facilitate the timely delivery of transportation projects by streamlining the encroachment permit process for the California highway system. Support.</p>	<p>Assembly Transportation 4/27/09; Failed Deadline</p>
<p><b>Railroad Safety Month.</b> SCR 10 (Liu; D-La Cañada Flintridge) Designates September as “Railroad Safety Month,” increasing awareness of railroad safety through education. Support.</p>	<p>Resolution Chapter 42</p>
<p><b>Parking Services and Fees.</b> SB 518 (Lowenthal; D-Long Beach) Required local governments to adopt new measures that seek to increase the cost of parking for users, including measures that would dictate an employer’s transportation policies for its employees. Now only authorizes local governments to do so. Neutral.</p>	<p>Failed Senate 6/3/09; Failed Deadline</p>

Subject and Bill — CalChamber Position	Status
<b>Unemployment Insurance</b>	
<b>Unemployment Insurance Tax Increase.</b> SB 222 (Ducheny; D-San Diego) Creates a disincentive to hire new employees by tripling the already-high unemployment insurance taxes on California employers without a proper analysis of what is needed to reform California’s broken unemployment insurance system. Oppose/ <b>Job Killer</b> .	Senate Labor and Industrial Relations and Senate Revenue and Taxation 4/15/09
<b>Employment Training.</b> AB 816 (Hagman; R-Chino Hills) Helps California workers and companies stay competitive by ensuring that employer-generated funds are available to train employees for businesses that are locating or expanding in California, as well as those that are retraining employees to make California operations more viable. Support/ <b>Job Creator</b> .	Failed passage in Assembly Insurance 4/22/09; Failed Deadline
<b>Unemployment Insurance.</b> ABX3 23 (Coto; D-San Jose) Makes conforming changes to California law that allow California to take full advantage of federal stimulus funds that provide extended duration benefits to unemployed Californians. Support.	Chapter 22 (Urgency Statute)
<b>Unemployment Insurance.</b> ABX3 29 (Coto; D-San Jose) Makes changes to the unemployment insurance system to improve efficiency in administration for employers, such as providing for telephonic hearings at the Unemployment Insurance Appeals Board. Support.	Chapter 23
<b>Unemployment Insurance: Alternate Base Period.</b> SBX3 3 (DeSaulnier; D-Concord) Makes changes to conform to federal law with regards to the alternative base period in order to qualify for \$840 million in federal stimulus funds. Oppose Unless Amended.	Senate Unfinished Business 3/17/09
<b>Water Supply and Quality</b>	
<b>Water Conservation.</b> AB 1408 (Krekorian; D-Burbank) Discourages homebuilders from employing voluntary water conservation measures in new homes by imposing unfair and costly requirements for their use. Oppose Unless Amended.	Failed Passage in Assembly 6/2/09; Failed Deadline
<b>Water Recycling.</b> SB 565 (Pavley; D-Agoura Hills) Imposes a new fee for discharging wastewater to the ocean. Requires development of a new plan by the water board to recycle 50 percent of the wastewater going to the ocean. Oppose.	Assembly Water, Parks and Wildlife 6/30/09
<b>Water Conservation.</b> SB 261 (Dutton; R-Rancho Cucamonga) Requires agricultural and urban water suppliers to have and implement a water use efficiency and conservation plan to meet the goal of reducing water consumption by 20 percent by 2020. Support.	Assembly Appropriations 7/13/09
<b>Water Conservation.</b> AB 300 (Caballero; D-Salinas) Promotes greater water use reductions in new subdivisions by encouraging voluntary water conservation measures in new homes. Measures must be permanently attached to building. Support.	Senate Natural Resources and Water 7/7/09
<b>Water Use Efficiency Financing.</b> AB 474 (Blumenfield; D-Woodland Hills) Creates voluntary financing opportunities for residential and commercial property owners. Allows public agencies to provide upfront financing for water use efficiency improvements that will be repaid by assessing participating property owners. Support.	Senate Third Reading 7/9/09
<b>Groundwater Monitoring.</b> SB 122 (Pavley; D-Agoura Hills) Imposes a redundant groundwater monitoring program that would be funded locally. Before the state imposes another costly program, it should compile existing groundwater data already being collected in many areas of the state and specify why the data is needed. Oppose.	Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline

Subject and Bill — CalChamber Position	Status
<b>Workers' Compensation</b>	
<b>Increased Workers' Compensation Costs.</b> AB 664 (Skinner; D-Berkeley) Increases workers' compensation costs by creating a legal presumption that neck and back injuries, and bloodborne and specific infections suffered by hospital employees are related to employment. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline
<b>Workers' Compensation Cost Increase.</b> SB 773 (Florez; D-Shafter) Increases workers' compensation costs significantly and makes it more expensive to employ Californians by arbitrarily increasing permanent disability benefits. Oppose/ <b>Job Killer</b> .	Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline
<b>Workers' Compensation Apportionment.</b> SB 145 (DeSaulnier; D-Concord) Erodes recent workers' compensation reforms and leads to higher premiums for California employers by undercutting fair and reasonable provisions in current law that protect an employer from paying for disability that was not caused by a workplace accident. Oppose/ <b>Job Killer</b> .	Assembly Inactive File 7/13/09
<b>Utilization Review.</b> AB 933 (Fong; D-Cupertino) Increases the cost of performing utilization review (UR) on medical treatment requests by requiring all doctors who make UR decisions to be licensed in California. Oppose.	Senate Labor and Industrial Relations 6/15/09
<b>Minimum Temporary Disability Rate.</b> AB 516 (Niello; R-Fair Oaks) Promotes fairness in workers' compensation temporary disability benefits by repealing the law that allows some injured workers to be paid more in insurance wage replacement benefits than they earned while working. Support.	Assembly Insurance 3/12/09; Failed Deadline
<b>Supplemental Job Displacement Voucher.</b> SB 3 (Cedillo; D-Los Angeles) Makes changes to how the supplemental job displacement voucher is provided to injured workers who cannot return to their pre-injury employer. Provides the benefit earlier and replaces the variable amount based on permanent disability with a single benefit amount. Oppose Unless Amended.	Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline
<b>Pre-Designation of Primary Treating Physician.</b> SB 186 (DeSaulnier; D-Concord) Increases costs to employers in the workers' compensation system by deleting the sunset provision in current law on pre-designation. Oppose.	Assembly Third Reading 7/9/09
<b>Penalties for Being Uninsured.</b> SB 313 (DeSaulnier; D-Concord) Levels the playing field and benefits businesses that comply with mandatory workers' compensation laws by increasing penalties on employers that intentionally leave their employees uninsured for workers' compensation insurance. Support.	Assembly Appropriations 7/8/09
<b>Group Self Insurance Audits.</b> SB 683 (R. Calderon; D-Montebello) Increases transparency by requiring a group self-insurer to annually file with the Department of Workers' Compensation an annual audit of financial ad claim information by an independent third-party CPA and prohibits the information from specific individual members from being made public. Oppose Unless Amended.	Assembly Insurance 7/8/09

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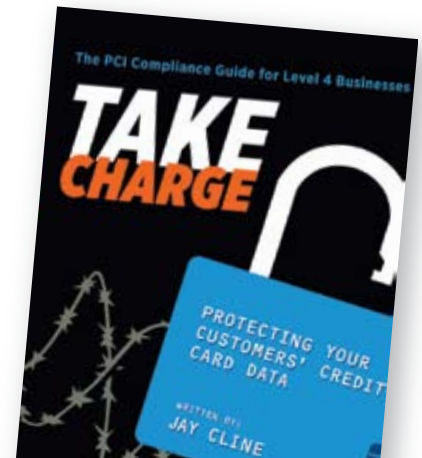
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