

ALERT

VOLUME 39, NUMBER 28 • SEPTEMBER 20, 2013

 **CalChamber**
CALIFORNIA CHAMBER OF COMMERCE

Only 1 ‘Job Killer’ Bill Moves Out of Legislature



Thirty-seven of 38 “job killer” bills identified by the California Chamber of Commerce this year failed to move out of the Legislature.

The stalled or defeated proposals included one establishing double penalties, which was created just a week before the close of the legislative year through the controversial “gut and amend” technique.

Stopped

That bill, **AB 1330 (J. A. Pérez; D-Los Angeles)** would have discouraged investment and expansion in some disadvantaged regions of the state by doubling most fines and penalties issued by the Air Resources

Board (ARB), Department of Toxic Substances Control (DTSC) and Air Quality Management Districts (AQMDs) on facilities located there.

AB 1330 was placed on the Senate Floor inactive file on September 12.

Also stopped in the final week of the session were:

- **SB 365 (Wolk; D-Davis)**, which would have imposed an arbitrary maximum 10-year sunset on all future tax credits. The bill was gutted and amended on September 11 to deal with another subject. The CalChamber removed its opposition and the “job killer” designation for SB 365 and has no position on the bill.

- **SB 691 (Hancock; D-Berkeley)**,

See Only 1: Page 4

Attorney General Cites Need for Court Funding



In a wide-ranging presentation to the CalChamber Board of Directors on September 13, California Attorney General Kamala Harris emphasizes the importance of providing adequate funding for California courts to prevent delay in resolving disputes and assuring access to justice for business and consumers.

Governor Signs Regulatory Reform Bill



A regulatory reform bill **supported** by the California Chamber of Commerce was signed recently by Governor Edmund G. Brown Jr.

SUPPORT

SB 401 (Hueso; D-Logan Heights) addresses the economic impact of building standards.

Transparency

It provides transparency for the commercial construction industry by requiring economic impact analysis of new commercial building standards, building upon current law, which already provides this information for residential building standards.

Since 1982, state agencies have been required to prepare an economic impact analysis that clearly identifies any adverse economic impacts on business, small business and housing.

That analysis, however, has most often been accompanied by boilerplate language that states: “The agency has determined that there will be no significant economic impact on business/housing.”

As is widely recognized, such regulations more often than not *do* have a cost impact, and this generic sentence gives no real indication to the public as to what the estimated cost (in dollars) and benefits are with the proposed building standard.

See Governor Signs: Page 4

Inside

**Status Report on
Major Bills: Pages 7-23**

Cal/OSHA Corner

Revised HazCom Rule Requires New Training by December 1



Mel Davis
Cal/OSHA Adviser

What effect will the Cal/OSHA Standards Board's adoption of the new federal hazard communication regulations, Section 5194, have on the manufacturing and shipping of industrial chemicals and those employees who are required to handle and distribute packaged materials?

The first requirement is training on new labels and safety data sheets, as outlined below, by December 1.

California Chamber Officers

Frederick E. Hitchcock
Chair

Anne Buettner
First Vice Chair

Joseph M. Otting
Second Vice Chair

Michael W. Murphy
Third Vice Chair

Timothy S. Dubois
Immediate Past Chair

Allan Zaremborg
President and Chief Executive Officer

Alert (ISSN 0882-0929) is published weekly during legislative session with exceptions by California Chamber of Commerce, 1215 K Street, Suite 1400, Sacramento, CA 95814-3918. Subscription price is \$50 paid through membership dues. Periodicals Postage Paid at Sacramento, CA.

POSTMASTER: Send address changes to Alert, 1215 K Street, Suite 1400, Sacramento, CA 95814-3918. Publisher: Allan Zaremborg. Executive Editor: Ann Amioka. Associate Editor: Sara Espinosa. Art Director: Neil Ishikawa. Capitol Correspondent: Christine Haddon.

Permission granted to reprint articles if credit is given to the California Chamber of Commerce Alert, and reprint is mailed to Alert at address above.

Email: alert@calchamber.com.
Home page: www.calchamber.com.

The U. S. Department of Labor, Occupational Safety and Health Administration (OSHA) published the revised Hazard Communication regulation on March 26, 2012.

The purpose for the revision was international. With expanding international markets, the international community ascertained that uniform regulations are necessary to ensure improvement of quality and consistency of information provided to employers and employees regarding chemical hazards and associated protective measures.

These modifications conform to the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals (GHS).

As required by law, California has six months from the date the regulation was published in the *Federal Register* to adopt the federal regulations if it is determined that California's regulations are not as effective as the modified federal rules.

California's revised Hazard Communication Standard was submitted and heard by the Cal/OSHA Standards Board on November 15, 2012. The regulation was adopted March 21, 2013 and went into effect on May 6, 2013.

California Changes

Because the regulation deals primarily with health-related issues, Cal/OSHA reviewed the revised text to determine what, if any modifications to the California standard were necessary.

This review resulted in the modification and adoption of:

- revised criteria for classifying chemical hazards;
- revised labeling provisions that include requirements for use of standardized signal words, pictograms, hazard statements and precautionary statements;
- a specified format for safety data sheets (previously referred to as material safety data sheets); and
- related revisions to definitions of terms used in the standard, and requirements for employee training on labels and safety data sheets.

Regulations that the review committee determined to be more effective than the federal standard were retained. A complete strike-out/underline copy of the revised hazcom regulation can be seen at www.dir.ca.gov/oshsb/GHS_update_to_hazard_communication_-_health_apprvdtxt.pdf.

See Revised HazCom: Page 3

CalChamber-Sponsored Seminars/Trade Shows

More information: calchamber.com/events.
Labor Law

Leaves of Absence: Making Sense of it All. CalChamber. October 4, Huntington Beach. (800) 331-8877.

California Rules for Pay/Scheduling Nonexempt Webinar. CalChamber. October 17. (800) 331-8877.

HR Boot Camp. CalChamber. December 4, San Francisco. (800) 331-8877.

Business Resources

Best of Beverly Hills Golden Palm Awards Gala. Beverly Hills Chamber of Commerce. September 25, Beverly Hills. (310) 248-1000.

International Trade

Trade Mission to Myanmar. California State Trade and Export Promotion (STEP). September 19–26, Myanmar. (951) 571-6458.

Go Global Webinars. U.S. Department of Commerce. September 24: Understanding Export Regulations; October

8: Avoiding and Solving Problems. <http://go.usa.gov/T37A>.

Sacramento Roundtable: Trade Barriers Affecting U.S. U.S. Department of Commerce. September 25, Sacramento. (916) 566-7171.

The Americas Business Forum. Los Angeles Area Chamber. September 25–26, Los Angeles. (213) 580-7570.

Digital Trade in the U.S. and Global Economies. U.S. International Trade Commission. September 25, Moffett Field, Mountain View.

International Trade Finance: Methods of
See CalChamber-Sponsored: Page 5

CalChamber Calendar

2013 PAC Workshop:

September 27, Burbank

Fall Public Affairs Conference:

October 17–18, Laguna Niguel



Covered California Exec Answers Questions Affecting Large Employers

As employers look for answers to questions about what the federal Affordable Care Act means for them, the California Chamber of Commerce, in partnership with Health Law Guide for Business, has released the final installment of a four-part educational video series about the health care law.

Under the federal Patient Protection and Affordable Care Act (ACA), employers face new rules and responsibilities regarding health care delivery.

This last video in the series answers employers' questions about changes in the health care landscape and what they need to do to prepare for the law.

The video features Covered California Executive Director Peter Lee, who discusses specifics of the ACA as they relate to large employers. Rick Niello, president of Niello Auto Group in Sacramento, also is featured asking a number of questions that reflect the types of issues large employers face.

Employers who have fewer than 50 employees are not required to provide health insurance. However, employers with more than 50 full-time employees will be subject to fees beginning January

1, 2015 if the employer does not offer insurance, offers insurance that is unaffordable, or offers coverage that does not meet a minimum standard as defined by Covered California.

This video series on the ACA represents CalChamber's commitment to ensuring employers, both large and small,

are educated and prepared to comply and take advantage of the benefits of the ACA.

To view the video, visit www.calchamber.com/calchambernews. More information about the ACA can be found at www.HealthLawGuideforBusiness.org.



In the latest *CalChamber News* video, Rick Niello, president of Niello Auto Group in Sacramento, asks questions that reflect the types of issues large employers face in complying with the federal health care reform law.

Revised HazCom Rule Requires New Training by December 1

From Page 2

Phase-In Dates

Four phase-in dates are associated with the revised regulation. The first, and primary date is that training regarding the new label elements and safety data sheet format shall be given to employees by December 1, 2013.

Label contents and pictograms necessary for the training, in addition to frequently asked questions (faq) can be seen at <https://www.osha.gov/dsg/hazcom/hazcom-faq.html>.

The remaining three dates deal with the employer/manufacturer/ distributors labeling and shipping requirements. These dates are June 1, 2015; December 1, 2015; and June 1, 2016.

Complete details can be found at the above site and <https://www.osha.gov/dsg/hazcom/index.html>.

New Appendices

Appendices A through D to Section 5194 have been repealed. Title 29, Code

of Federal Regulations (CFR), Section 1910.1200, Appendices A through D, respectively, are referenced.

These are mandatory requirements addressing health hazard definitions, hazard determination, allocation of label elements and safety data sheets.

New appendices E and F, Definition of "Trade Secret" (Mandatory) and Guidance for Hazard Classification RE: Carcinogenicity (Non Mandatory), respectively, also referring to the CFR Section 1910.1200, Appendices E and F, have been adopted.

Federal OSHA adopted nine new pictograms. California adopted just eight pictograms, however. One of the nine pictograms deals with environmental hazards. Cal/OSHA recognizes that it does not have enforcement authority for environmental hazards and therefore deemed that pictogram would be irrelevant in Title 8.

As could be expected with a rulemaking as extensive as the modified hazcom, many concerns were expressed at the

public hearing. For example, the Standards Board retained some sections [5194(d) (3)-(5)] rather than adopting the federal language, and some people preferred the less restrictive federal language.

Because of the number of comments, Cal/OSHA will be conducting future advisory committees to address these concerns.

Additional rulemaking affects flammable and combustible liquids, process safety management, and most substance-specific health standards, to ensure consistency with the modified hazcom requirements. These modifications were heard at the August Standards Board meeting and will be addressed in a later article.

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.

Only 1 ‘Job Killer’ Bill Moves Out of Legislature

From Page 1

which would have dramatically increased penalties for a single-day violation triggered by a release of an air toxic contaminant. SB 691 was placed on the Assembly Floor inactive file on September 12.

Minimum Wage

The one “job killer” sent to the Governor was **AB 10 (Alejo; D-Salinas)**, which increases the minimum wage in California by \$2 over the next three years—from the current \$8 an hour to \$9 an hour on July 1, 2014, and \$10 an hour on January 1, 2016. The federal minimum wage is \$7.25 an hour.

The Governor expressed strong support for AB 10 in a joint press release with legislative leaders.

Green Zone Trust Fund

AB 1330 sought to establish the Green Zone Trust Fund, funded by civil and criminal fines and penalties exacted on facilities located within communities in the state deemed to be disproportionately impacted by environmental hazards, regardless of any causal relationship between a facility’s conduct and the factors that led to the community’s characterization.

While well intended, AB 1330 would have had serious unintended consequences for the very communities it sought to help by discouraging private investment in those communities through use of geographically targeted penalties.

The CalChamber and a large coalition expressed their concerns over this very significant measure and told the bill’s author there was no compelling event or circumstance that required it to be adopted in 2013. AB 1330 will benefit from greater public input through the 2014 session, allowing stakeholders and legislators adequate time to discuss the policy merits of the measure.

Governor Signs Regulatory Reform Bill

From Page 1

Narrowly Drafted

SB 401 is narrowly drafted, and merely requires a state agency proposing a building standard to cite the estimated cost and benefits of compliance.

For decades state agencies have been

Tax Credit Sunset

Before the September 11 amendments, SB 365 created uncertainty for California employers making long-term investment decisions by requiring tax incentives end 10 years after their effective date.

The CalChamber supports efforts of the state to consider the effectiveness of tax policies and programmatic expenditures.

SB 365, however, attempted to address this periodic review and good government structure related to tax policy by mandating a maximum 10-year sunset on all future tax credits. This would have the adverse effect of creating uncertainty about the future of the state’s tax structure.

Dramatic Penalty Increase

SB 691 would have dramatically increased existing strict-liability penalties for nuisance-based, nonvehicular air-quality violations without adequately defining what types and levels of pollution would trigger those penalties.

Businesses, public agencies, universities, power producers and hospitals were among entities subject to the increased penalties.

SB 691 proposed a tenfold increase in penalties for Title V facilities for a one-day violation from a maximum of \$10,000 under current law to a maximum of \$100,000.

Although the proponents claimed SB 691 was intended to apply only to “major events,” it did not define “major events” or criteria for this enhanced penalty.

As a result, this increase could have affected any Title V facility in California. There are more than 700 Title V facilities in the Bay Area Air Quality Management District, South Coast Air Quality Management District and San Joaquin Air Pollution Control District alone.

Nuisance penalties are relatively low

because “nuisance” is a strict-liability offense. This means that someone accused of creating a nuisance can be held liable even if they had no knowledge of the event and no intent to create a nuisance.

An air district simply had to allege that several people had complained about an air emission and the alleged violator would have been subject to enormous liability.

SB 691 would have significantly increased the penalty in an area where air districts already have extraordinary prosecutorial and penalty recovery authority. The air district can determine when a nuisance occurs and then has complete discretion to determine the amount of penalty. SB 691 created an incentive for the air district to levy the highest penalties possible.

To review the final status of the “job killer” bills this year, visit www.calchamber.com/jobkillers.

www.calchamber.com/jobkillers.

Staff Contacts: Mira Guertin, Jeremy Merz, Jennifer Barrera

State Electricity Network CEO Outlines Challenge of Keeping Lights On



Steve Berberich, president and CEO of the California Independent System Operator (ISO) Corporation, explains to the CalChamber Board of Directors the challenges of managing renewable energy and other sources in maintaining a reliable supply of electricity across the state, day and night. He predicts that economics and innovative technologies will lead soon to significant changes in electricity use and delivery.

developing this information to support a determination of economic impact. SB 401 simply requires disclosure of information already being prepared.

SB 401 is Chapter 212, Statutes of 2013. It will go into effect on January 1, 2014.

Staff Contact: Marti Fisher

U.S. Trade Commission Seeks Input on Trade Barriers, Digital Trade

The U.S. International Trade Commission (USITC) is seeking comments about the digital trade economy and trade barriers at two public hearings next week.

Wednesday, September 25

The first hearing, “Digital Trade in the U.S. and Global Economies,” is focused on understanding the impact of the Internet on the U.S. economy, and trade barriers faced by firms engaging in “digital trade.”

More specifically, the USITC has been asked to investigate the value and potential growth of digital trade, linkages between digital trade and the U.S. economy, and the effect of impediments to digital trade.

Digital trade has increased rapidly in recent years, and is an increasingly important activity within the global economy. According to researchers, the Internet has fostered gross domestic product (GDP) growth, improved productivity for large and small firms, acted as a

catalyst for job creation, and provided substantial value to individual users. At the same time, policymakers face unprecedented challenges as they seek to ensure that digital trade remains open while producer/consumer data remain secure.

Written comments are due by Friday, March 21, 2014.

Thursday, September 26

The second hearing, “Trade Barriers that U.S. SMEs Perceive as Affecting Exports to the European Union,” is focused on barriers faced by U.S. small and medium-sized enterprises (SMEs) exporting to the European Union. The Office of the U.S. Trade Representative (USTR) requested this investigation to help inform its Transatlantic Trade and Investment Partnership (TTIP) negotiations.

This investigation will catalog trade-related barriers that SMEs perceive as disproportionately affecting exporting to

the EU, compared to larger U.S. exporters to the EU. In the past three years since the USTR launched its Small Business Initiative, there have been intensified efforts to ensure the specific export challenges and priorities of SMEs are addressed in trade policy and enforcement activities, and to have enhanced cooperation with trading partners on small business trade initiatives.

Written comments for this hearing are due by October 15, 2013.

More Information

Both hearings present opportunities to go on the record and discuss any potential barriers to trade that firms face, either when engaging in digital, Internet-related commerce, or when exporting to the EU.

The events will be held at: NASA Ames Research Center, Mountain View, CA 94035. More information on how to participate is available at www.usitc.gov.
Staff Contact: Susanne Stirling

CalChamber-Sponsored Seminars/Trade Shows

From Page 3

Payment. Center for International Trade Development (CITD). September 26, Sacramento. (916) 563-3200.
Invest Chile Forum. Foreign Investment Committee. September 26, San Francisco. (415) 937-5371.
Trade Barriers Affecting U.S. U.S. International Trade Commission. September 26, San Jose. (202) 205-2000.
Expo Pakistan. Trade Development Authority of Pakistan. September 26–29, Karachi, Pakistan.
Advanced Management of an Import/Export Business. Northern California CITD. September 28, Sacramento. (916) 929-9200.
Trade Mission to Japan. California Asian Pacific Chamber. September 29–October 9. (916) 446-7883.
Expanding Horizons for Small Businesses. World Affairs Council of Northern California. October 1, Sacramento. (415) 293-4600. Members and students: free; Nonmembers: suggested donation of \$5.
West Coast Trade/Export Finance Conference. Northern California CITD. October 9, San Jose. (916) 319-4276.
Global Entrepreneurship Summit 2013.

Ministry of Finance, Malaysia. October 11–12, Kuala Lumpur, Malaysia.
California Trade and Investment Delegation to China. Bay Area Council. October 13–20. (415) 946-8734.
Trade Expo Indonesia 2013. Indonesia Ministry of Trade. October 16–20. Jakarta Fairground, Kemayoran, Indonesia.
SelectUSA 2013 Investment Summit. U.S. Department of Commerce, International Trade Administration, and SelectUSA. October 31–November 1, Washington, D.C. (202) 482-6800.
Multi-Sector Trade Mission to Mexico. California STEP. November 6–13, Sacramento. (916) 563-3200.
K-Tech Conference and Expo. KOTRA, Korea Trade-Investment Promotion Agency NIPA, National IT Industry Promotion Agency. November 14–15, Santa Clara. (408) 432-5011.
U.S.-Spain Council Annual Forum. U.S. Senator Robert Menendez and U.S.-Spain Council. November 15–17, Santa Barbara. (202) 455-4902.
Latina Style Business Series. Latina Style Magazine. November 21, Universal City. (703) 531-1424.

Federal Health Care Reform Expert Shares Insights on Benefit Rules



Liliana Salazar, Wells Fargo Insurance Services USA, Inc., gives the CalChamber Board of Directors an overview of key requirements and the timeline for complying with the federal Patient Protection and Affordable Care Act (ACA). Salazar was the guest presenter at the CalChamber webinar on employee benefits compliance. A recording of that presentation (free to CalChamber members) is available at www.calchamber.com/acaweinars.

UC Professor Explains China in Transition at CalChamber International Gathering

As China's phenomenal economic growth of the last three decades is slowing, Chinese leaders are committing to a new round of reforms, a University of California, San Diego expert recently explained to a California Chamber of Commerce audience.

Market-oriented economic reform is one of three possibly contradictory priorities for the president of China, Barry J. Naughton, UC San Diego professor of Chinese economy and chair of Chinese international affairs, said at a CalChamber international trade breakfast on September 13.

New Style

Xi Jinping, president of the People's Republic of China since last November, is trying to reinvent the style of the current regime and distinguish it from its predecessor, Naughton noted.

One element of Xi's agenda is a dramatic anti-corruption effort, said Naughton, commenting that the Chinese people see corruption as the biggest problem in China today because it "undermines their sense that they have a future, that they can get ahead through hard work and creativity."

The anti-corruption campaign includes strict limits on spending by Chinese officials and an increase in the number of officials being charged with corruption. Expected to be charged is a high-profile retired Communist Party official, Naughton said.

A second "basket" of Xi's effort, according to Naughton, is a push for "increased ideological conformity." That effort involves tightening controls on the Internet and China's Twitter (*weibo*).

Reform Program

The economic reform program, the third "basket" of Xi's agenda, is being developed now behind closed doors by

six writing teams and will be presented at the November gathering (Third Plenum) of the Chinese Communist Party, Naughton said.

Based on past Chinese efforts, Naughton predicted that the market reforms will work around the massive

decline in the working-age population—a consequence of China's strict policy of one child per family, in force since the early 1980s. The labor force grew rapidly through the 2000s, but peaked and began to decline in 2010.

At the same time, there has been a sharp increase in the number of high-skilled Chinese workers with science and engineering backgrounds (either college degrees or technical school graduates), he said.

"The low-wage China is a thing of the past," Naughton observed, adding that the change marks a shift to a "middle-income society" where labor conditions matter more.

The simultaneous increase in wages coupled with a decline in the labor force distinguishes China from other Asian growth miracles, such as Japan and Korea, Naughton commented.

Making the transition to a more diverse economy with economic power distributed more equally

"will demand things of the Chinese system that it has never succeeded in providing in the past," Naughton said.

The processes driving change in China over the next five years are known, he observed. What's unknown is how Chinese leaders will respond to short-term economic shocks that are likely to occur as the Chinese economy shifts.

China Trade/Investment

In 2012, China continued as California's third largest export destination, with more than \$14 billion in exports. Chinese direct investment in California is increasing. The Rhodium Group estimates that Chinese firms now employ 27,000 people in the United States, up from fewer than 10,000 five years ago.

More information on China is available at www.calchamber.com/china.
Staff Contact: Susanne Stirling



Barry J. Naughton

state-owned enterprises, and will instead focus on "creating more equal competitive conditions" through financial reforms (capital markets and interest rates); fiscal reforms; pricing of natural resources and energy; and reducing legal discrimination against rural Chinese.

Changing Economy/ Demographics

In implementing their economic reforms, China's leaders will encounter opposition from lots of people who are making money from the current system, Naughton commented.

So far, China has dealt with the slowdown in economic growth by ramping up government investment in areas such as infrastructure (high speed rail) and housing, Naughton said.

Another transition that has begun already, according to Naughton, is a

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 September 13, when the Legislature began its interim recess.

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

October 13 is the last day for the

Governor to sign or veto bills passed by the Legislature on or before September 13.

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

Bills signed by the Governor will become law on January 1, 2014. Urgency and budget-related measures go into

effect immediately upon being signed.

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 8.

Federal bills are marked with an *.

Status of bills as of August 13, 2013. Dates listed are the date of the bill was assigned to a committee, the latest date of committee action or when the bill reached the floor, unless action is stated.

| Subject—CalChamber Position | Status |
|--|--|
| Agriculture and Natural Resources | |
| Mandatory Mediation. SB 25 (Steinberg; D-Sacramento) Inappropriately shortens the bargaining process, forces mediation within 90 days and binds a new owner to a contract negotiated by the prior owner by making various changes to the Agricultural Labor Relations Act. Oppose. | Senate Inactive File 9/12/13 |
| Coastal Commission Enforcement. AB 976 (Atkins; D-South Park/Golden Hill) Inappropriately expands the Coastal Commission's enforcement authority by allowing the commission to impose administrative civil penalties and incentivizes the imposition of fines and penalties at the expense of due process that occurs in the judicial system. Oppose. | Assembly Refused to Concur in Senate Amendments 9/10/13; To Conference Committee |
| Coastal Permits. AB 203 (Stone; D-Scotts Valley) Slows development in the coastal zone by allowing commission staff to halt the permit process for alleged violations anywhere on the project. Carves out new development projects in harbors, ports, or marinas if under separate ownership. Oppose. | Assembly Inactive File 5/31/2013; Failed Deadline |
| Slack Fill. SB 465 (Correa; D-Santa Ana) Makes it easier for companies to comply with labeling and packaging requirements by clarifying what the acceptable difference is between the actual capacity of a package and the volume of product it contains. Support. | To Governor |
| Fire Prevention. AB 350 (Wieckowski; D-Fremont) Preserves rural economies by allowing thinning of larger trees near structures as fire suppression activities exempt from the requirements to file a Timber Harvest Plan. Support. | Failed passage in Assembly Natural Resources 4/29/13; Failed Deadline |
| Livestock Trailers. SB 478 (Cannella; R-Ceres) Helps rural economies by giving California ranchers more access to auction yards and facilities near highways and national routes by allowing 53-foot livestock trailers to operate on state highways. Support. | Senate Transportation and Housing 3/11/13; Failed Deadline |
| Increased Penalties. SB 507 (Cannella; R-Ceres) Aids agricultural businesses by increasing the penalty for deliberately burning feedlots or stockyards including livestock. Support. | Failed passage in Senate Public Safety 4/30/13; Failed Deadline |
| Bans. AB 1213 (Bloom; D-Santa Monica) Causes economic losses in the livestock industry from bobcat predations by prohibiting the trapping of bobcats in certain areas. Oppose. | To Governor |
| Banking/Finance | |
| Verification. AB 844 (Dickinson; D-Sacramento) Before amendments, severely limited information an online retailer could request to verify credit/debit card holders. Opposition removed due to 5/28/13 amendments. No Position. | Senate Banking and Financial Institutions 7/12/13; Failed Deadline |

| | |
|--|---|
| <p>ID Verification. SB 383 (Jackson; D-Santa Barbara) Interferes with fraud prevention efforts by limiting the information that may be requested to verify the identity of a credit card holder during an online purchase. Oppose.</p> | <p>Senate Inactive File 5/30/13; Failed Deadline</p> |
| <p>Uniform Commercial Code. AB 502 (Wagner; R-Irvine) Updates and conforms California law with federal law regarding the Uniform Commercial Code covering transactions that involve credit secured by personal property. Support.</p> | <p>To Governor</p> |
| <h2 style="color: red;">Budget</h2> | |
| <p>Business Filings Processing. AB 113 (Committee on Budget) Ensures that California is competitive by eliminating the Secretary of State backlog of business filings by appropriating funds to support overtime and temporary workers. Support.</p> | <p>Signed—Chapter 3</p> |
| <h2 style="color: red;">California Environmental Quality Act (CEQA)</h2> | |
| <p>Vehicle for Comprehensive CEQA Reform. SB 731 (Steinberg; D-Sacramento) Seeks to advance meaningful CEQA reform but the current version falls short and could actually make approval of worthy and responsible projects even more difficult by introducing new requirements for lead agencies and project proponents and creating more opportunities for meritless lawsuits against projects that have otherwise complied with CEQA and other stringent state and local environmental and planning laws and requirements. Position changed to Oppose Unless Amended on 7/23/13. Former Job Creator.</p> | <p>Assembly Local Government 9/11/13</p> |
| <p>Dramatic CEQA Expansion. SB 754 (Evans; D-Santa Rosa) Expands and incentivizes litigation under the California Environmental Quality Act (CEQA) and increases the complexity and cost of CEQA compliance by 1) prohibiting a lead agency from asking a project proponent to draft an EIR, 2) forcing re-analysis of projects that are more than seven years old, 3) creating a new cause of action to allow anyone to stop a project by alleging a mitigation measure has not been implemented, and 4) removing limits on archeological resources mitigation fees. Oppose/Job Killer.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline</p> |
| <p>CEQA Consultation with Tribes. AB 52 (Gatto; D-Los Angeles) Creates new opportunities for CEQA litigation by requiring lead agencies to engage in “meaningful consultation” with Native American tribes regarding land use projects that could have an adverse impact on a tribal cultural resource. Oppose/Job Killer.</p> | <p>Senate Environmental Quality 9/5/13</p> |
| <p>Increases CEQA Litigation. AB 953 (Ammiano; D-San Francisco) Invites more litigation over CEQA projects by overturning a recent court decision and allowing project opponents to challenge EIRs that don’t adequately evaluate and mitigate impacts related to conditions and physical features in the environment like sea-level rise and fault-lines. Oppose/Job Killer.</p> | <p>Assembly Inactive File 5/31/13; Failed Deadline</p> |
| <p>Comprehensive CEQA Expansion. SB 617 (Evans; D-Santa Rosa) Inappropriately expands CEQA, slowing development and growth in the state and inviting more litigation over CEQA projects, by requiring lead agencies to evaluate and mitigate for potential impacts on a project caused by conditions in the environment like earthquakes, wildfires, flooding, and sea-level rise. Oppose/Job Killer.</p> | <p>Senate Inactive File 5/30/13; Failed Deadline</p> |
| <p>Mandatory CEQA Mitigation. AB 823 (Eggman; D-Stockton) Adds additional costs and hurdles to critically needed new infrastructure and development projects by imposing unreasonable, mandatory mitigation requirements whenever agricultural land is converted to another use. Oppose/Job Killer.</p> | <p>Assembly Agriculture 4/29/13; Failed Deadline</p> |
| <p>Costly New CEQA Requirement. AB 543 (Campos; D-San Jose) Increases the cost and burden of development, and exposes lead agencies and project proponents to new lawsuits, by requiring them to translate CEQA notices into all languages spoken by 25% or more of the individuals located at or near an area of the proposed project. Oppose.</p> | <p>Senate Environmental Quality 7/12/13; Failed Deadline</p> |
| <p>Misuse of Judicial Resources. SB 123 (Corbett; D-San Leandro) Uses already limited judicial resources to establish a new land use division within the state court system rather than fixing problems with the CEQA process and other areas of land use policy that lead to excessive litigation in the first place. Oppose.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline</p> |

| | |
|--|---|
| <p>Misuse of Judicial Resources. AB 515 (Dickinson; D-Sacramento) Taxes already-limited judicial resources by establishing a land-use division in the court system to try and expedite CEQA and other permitting cases. Oppose.</p> | <p>Assembly Judiciary 4/23/13; Failed Deadline</p> |
| <p>Expedites CEQA Litigation. AB 37 (Perea; D-Fresno) Originally streamlined CEQA litigation for projects by allowing a project proponent to have the lead agency prepare the administrative record for trial concurrently with the CEQA process at the project proponent's expense. Amended June 20 to deal with another subject, so support changed to No Position.</p> | <p>Senate Labor and Industrial Relations 8/14/13; Failed Deadline</p> |
| <p>Limits CEQA Litigation. SB 787 (Berryhill; R-Modesto) Streamlines the CEQA process and provides certainty for employers seeking to expand in California by prohibiting litigation over aspects of a project that meet all existing state, local and federal environmental standards. Support.</p> | <p>Failed passage in Senate Environmental Quality 5/1/13; Failed Deadline</p> |
| <p>Limits CEQA Litigation. AB 1302 (Hagman; R-Chino Hills) Streamlines the CEQA process and provides certainty for employers seeking to expand in California by prohibiting litigation over aspects of a project that meet all existing state, local and federal environmental standards. Support.</p> | <p>Assembly Desk 5/3/13; Failed Deadline</p> |
| <h2 style="color: red;">Climate Change</h2> | |
| <p>Greenhouse Gas Emissions Reductions. SB 605 (Lara; D-Bell Gardens) Increases the cost of AB 32 compliance and leads to leakage of emissions and jobs by requiring specified criteria be included in the California Air Resources Board scoping plan and requiring greenhouse gas emission reductions be achieved within the areas that are most impacted by greenhouse gas emissions and other air pollutants. Prematurely spends AB 32 auction revenues. Oppose Unless Amended.</p> | <p>Assembly Appropriations Suspense File 8/21/13; Hearing postponed</p> |
| <p>Increased Regulatory Costs. AB 726 (Lara; D-Bell Gardens) Before amendments, would have increased the costs of AB 32 compliance by expanding the authority of the California Air Resources Board to regulate short-lived climate pollutants under AB 32. Opposition removed due to 9/11/13 amendments. No Position.</p> | <p>To Governor</p> |
| <p>AB 32 Auction Revenues. AB 26 (Bonilla; D-Concord) Prematurely establishes parameters around the expenditure of AB 32 auction revenues and specifies that money from the Greenhouse Gas Reduction Fund is public money. Oppose.</p> | <p>Senate Labor and Industrial Relations 7/12/13; Failed Deadline</p> |
| <p>AB 32 Auction Revenues. AB 574 (Lowenthal; D-Long Beach) Prematurely spends AB 32 auction revenues to fund the implementation of sustainable communities. Oppose.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |
| <p>AB 32 Auction Revenues. AB 1023 (Eggman; D-Stockton) Prematurely spends AB 32 auction revenues to create the Greenhouse Gas Reduction through Recycling, Composting, and Recycled Content Manufacturing Investment Program providing incentives for eligible industry sectors to reduce greenhouse gas emissions. Oppose.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |
| <p>AB 32 Auction Revenues. AB 1051 (Bocanegra; D-Pacoima) Prematurely spends AB 32 auction revenues and from that appropriates an unspecified sum to the Department of Housing and Community Development to provide loans for the development and construction of housing development projects within close proximity to transit stations, and to other projects and programs that show greenhouse gas reductions. Oppose.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |
| <p>AB 32 Auction Revenue Expenditures. SB 64 (Corbett; D-San Leandro) Prematurely spends AB 32 auction revenues to establish the Clean Technology Investment Fund for development, demonstration and deployment of technologies with the intent of reducing greenhouse gas emissions. Oppose.</p> | <p>Assembly Natural Resources 6/24/13; Failed Deadline</p> |
| <p>AB 32 Auction Revenue Expenditures. AB 1375 (Chau; D-Alhambra) Prematurely spends AB 32 auction revenues to establish the Clean Technology Investment Fund for development, demonstration and deployment of technologies with the intent of reducing greenhouse gas emissions. Oppose.</p> | <p>Assembly Appropriations 5/15/2013; Failed Deadline</p> |
| <p>California Global Warming Solutions Act of 2006: Offsets. AB 153 (Bonilla; D-Concord) Encourages cost-effective emission reductions and helps businesses meet their AB 32 goals by promoting the development of offsets in the cap-and-trade program. Support If Amended.</p> | <p>Held in Assembly Appropriations Suspense File 5/15/13; Failed Deadline</p> |

| | |
|---|--|
| <p>Creates Regulatory Certainty. SB 34 (R. Calderon; D-Montebello) Advances the state’s environmental policies and promotes job creation by reducing the regulatory burdens for the permitting process of carbon capturing and storage projects. Support/Job Creator.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13</p> |
|---|--|

Crime

| | |
|--|--------------------|
| <p>Penalties. AB 924 (Bigelow; R-O’Neals) Saves ranchers money by increasing penalties for stealing livestock. Support.</p> | <p>To Governor</p> |
|--|--------------------|

| | |
|---|--------------------|
| <p>Enforcement. AB 909 (Gray; D-Merced) Saves businesses money by escalating enforcement of metal theft crimes. Support.</p> | <p>To Governor</p> |
|---|--------------------|

| | |
|--|--------------------|
| <p>Licenses. SB 485 (R. Calderon; D-Montebello) Enhances enforcement efforts of metal theft crimes by requiring junk dealers/recyclers to pay a supplemental fee for a new or renewal of a weighmaster’s license and allows sealers to verify that the dealers’ permits and licenses are valid and up-to-date. Support.</p> | <p>To Governor</p> |
|--|--------------------|

Education

| | |
|---|--------------------|
| <p>Education Testing. AB 484 (Bonilla; D-Concord) Eliminates accountability and performance standards by removing standardized testing and Academic Performance Index reporting for the 2014–2015 school year. Oppose.</p> | <p>To Governor</p> |
|---|--------------------|

| | |
|--|--------------------|
| <p>Higher Education. SB 440 (Padilla; D-Pacoima) Increases student success by improving the existing Associate Degree for Transfer pathway for students by setting implementation dates for SB 1440 (Padilla; D-Pacoima; Chapter 428, Statutes of 2010). Support.</p> | <p>To Governor</p> |
|--|--------------------|

| | |
|--|--|
| <p>Improves Teacher Quality. SB 453 (Huff; R-Diamond Bar) Improves the quality of teachers in California and ensures that when schools must lay off teachers due to budget cuts, they have the ability to make cuts based on teacher quality, rather than just on seniority. Support.</p> | <p>Failed passage in Senate Education 4/24/13; Failed Deadline</p> |
|--|--|

| | |
|---|---|
| <p>Civics Education. SB 696 (Block; D-San Diego) Promotes civic engagement, which is important to democracy and free enterprise, by requiring the California Department of Education to recommend for adoption to the State Board of Education an assessment to measure a student’s understanding of the relevance of public policy, the structure of the federal, state and local governments, and both the California and U.S. Constitutions. Support.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline</p> |
|---|---|

| | |
|---|--------------------|
| <p>Civics Education. AB 137 (Buchanan; D-Alamo) Promotes civic engagement, which is important to democracy and free enterprise, by requiring the Instructional Quality Commission, when revising the history-social science framework, to receive input from civics learning experts. Support.</p> | <p>Chapter 225</p> |
|---|--------------------|

| | |
|---|---|
| <p>Civics Education. SB 619 (Yee; D-San Francisco/San Mateo) Promotes civic engagement, which is important to democracy and free enterprise, by requiring the Department of Education, if private funds are secured for this purpose, to develop and make available online a state employee civics orientation on federal and state government. Support.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline</p> |
|---|---|

| | |
|---|--------------------|
| <p>Workforce Development. SB 594 (Steinberg; D-Sacramento) Originally provided California employers with a highly skilled workforce by authorizing financial incentives to integrate academic and work-based learning. Gutted and amended to deal with a different subject. No Position.</p> | <p>To Governor</p> |
|---|--------------------|

Elections and Fair Political Practices

| | |
|---|---|
| <p>Corporation and Shareholder Detriment. SB 121 (Evans; D-Santa Rosa) Exposes publicly held companies to harassing lawsuits and duplicate reporting of political expenditures by creating a cause of action if the company does not meet all of the requirements of the mandated shareholder disclosure and notification of the company’s political expenditures. Oppose.</p> | <p>Failed passage in Senate Banking and Financial Institutions 4/17/13; Failed Deadline</p> |
|---|---|

Energy

| | |
|--|---|
| <p>Reduces Energy Costs. AB 762 (Patterson; R-Fresno) Reduces energy costs and promotes renewable energy by including hydroelectric generation in the definition of a renewable energy resource. Support/Job Creator.</p> | <p>Failed passage in Assembly Utilities and Commerce 4/22/13; Failed Deadline</p> |
| <p>Natural Gas Act. AB 1257 (Bocanegra; D-Pacoima) Benefits California businesses and consumers by requiring the California Energy Commission to evaluate and recommend natural gas strategies to reduce greenhouse gas emissions and cultivate a clean energy economy in order to ensure the efficient use of natural gas. Support.</p> | <p>To Governor</p> |
| <p>Unnecessary and Duplicative Oversight. SB 448 (Leno; D-San Francisco) Requires the California Energy Commission (CEC) to identify data already collected by the CEC to determine whether improper fuel price manipulation has occurred, analyze whether improper fuel price manipulation is occurring, and develop a Motor Vehicle Fuel Market Advisory Committee. Both the California Attorney General and U.S. Department of Justice already conduct these types of investigations. Oppose</p> | <p>To Governor</p> |
| <p>Bid Preference. SB 124 (Corbett; D-San Leandro) Increases the cost of state contracts and limits choice by establishing a 5% bid preference to businesses that use a clean energy device, technology or system manufactured in California. Oppose.</p> | <p>Held on Assembly Appropriations Suspense File 8/30/13</p> |

Environmental Regulation

| | |
|--|---|
| <p>New Double Penalties. AB 1330 (J. A. Pérez; D-Los Angeles) Discourages investment and expansion in some disadvantaged regions of the state by doubling most fines and penalties issued by the Air Resources Board (ARB), Department of Toxic Substances Control (DTSC) and Air Quality Management Districts (AQMDs) on facilities located there. Oppose/Job Killer.</p> | <p>Senate Inactive File 9/12/13</p> |
| <p>Threatens All Oil and Gas Production. SB 395 (Jackson; D-Santa Barbara) Threatens all oil and gas production in California, driving up fuel and energy prices and harming the job market in these sectors, by requiring oil and gas generators to prove that produced water used in oil and natural gas wells is not hazardous before it can be disposed of in a disposal well, the most commonly used and cost-effective means of disposal available in California. Oppose/Job Killer.</p> | <p>Senate Inactive File 5/30/13; Failed Deadline</p> |
| <p>Moratorium on Hydraulic Fracturing. AB 1323 (Mitchell; D-Los Angeles) Substantially hinders oil and gas production in the state, driving up fuel and energy prices and harming the job market in these sectors, by prohibiting hydraulic fracturing and the use of fresh water in hydraulic fracturing until Cal/EPA re-authorizes the practice under a new regulatory scheme, if at all, in 2019. Oppose/Job Killer.</p> | <p>Failed passage in Assembly 5/30/13; Failed Deadline</p> |
| <p>Moratorium on Hydraulic Fracturing. AB 1301 (Bloom; D-Santa Monica) Substantially hinders oil and gas production in the state, driving up fuel and energy prices and harming the job market in these sectors, by imposing a moratorium on the use of hydraulic fracturing until the Legislature re-authorizes it through subsequent legislation that limits the conditions under which it can be conducted. Oppose/Job Killer.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |
| <p>Moratorium on Hydraulic Fracturing. AB 649 (Nazarian; D-Studio City) Substantially hinders oil and gas production in the state, driving up fuel and energy prices and harming the job market in these sectors, by prohibiting hydraulic fracturing and the use of fresh water in hydraulic fracturing until Cal/EPA re-authorizes the practice under a new regulatory scheme, if at all, in 2019. Oppose/Job Killer.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |
| <p>Unnecessary New Regulatory Scheme. SB 747 (DeSaulnier; D-Concord) Establishes a costly, duplicative, and burdensome program that requires the Department of Public Health to regulate manufacturers of consumer products that the department determines contribute to a significant public health epidemic (i.e., obesity, diabetes, cancer, heart disease), and allows the department to restrict or prohibit the sale of such products. Oppose/Job Killer.</p> | <p>Senate Health 4/25/13; Failed Deadline</p> |
| <p>Dramatically Increases Pollution Penalties. SB 691 (Hancock; D-Oakland) Dramatically increases existing strict-liability penalties for nuisance-based, non-vehicular air-quality violations without adequately defining what types and levels of pollution would trigger those penalties. Oppose/Job Killer.</p> | <p>Assembly Inactive File 9/12/13</p> |

| | |
|---|---|
| <p>Disposable Fast-Food Container Ban. SB 529 (Leno; D-San Francisco) Places an unworkable ban on disposable food services containers or single-use carryout bags, unless they can meet an increasing recycling threshold that will reach 75% on July 1, 2020. Oppose/Job Killer.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline</p> |
| <p>Threatens Use of Hydraulic Fracturing. AB 288 (Levine; D-San Rafael) The most recent amendments deleted a de facto moratorium on the use of hydraulic fracturing in the state, but the measure still deletes California’s policy in favor of in-state energy production, driving up fuel and energy prices and threatening the job market in these sectors. Job killer status removed due to 5/28/13 amendments, but the CalChamber remains opposed. Oppose/Former Job Killer.</p> | <p>Assembly Inactive File 6/3/13; Failed Deadline</p> |
| <p>Stops Drive-by Lawsuits. AB 227 (Gatto; D-Los Angeles) Protects small businesses from drive-by lawsuits by providing a 14-day right to cure for allegations of a failure to post a Proposition 65 warning related to chemicals produced during the cooking process, alcohol, second-hand smoke, and car exhaust. Support/Job Creator.</p> | <p>To Governor</p> |
| <p>Protects Auto Industry Jobs. SB 498 (Lara; D-Bell Gardens) Protects automobile manufacturers from duplicative regulation by the Department of Toxic Substances Control by exempting automobiles from the Green Chemistry program. Support/Job Creator.</p> | <p>Senate Environmental Quality 5/1/13; Failed Deadline</p> |
| <p>Ensures Proposition 65 List is Scientific. AB 1026 (Quirk; D-Hayward) Provides certainty for businesses and guidance for the state Office of Environmental Health Hazard Assessment as to the evidentiary standard to use when placing a chemical on the Proposition 65 list using the Labor Code listing mechanism. Sponsor/Co-Sponsor.</p> | <p>Assembly Environmental Safety and Toxic Materials 4/30/13; Failed Deadline</p> |
| <p>Threatens Oil and Gas Production. SB 4 (Pavley; D-Agoura Hills) Requires overly restrictive and burdensome regulation of the use of hydraulic fracturing, jeopardizing oil and gas production in the state, which could drive up fuel and energy prices and harm the job market in these sectors. Oppose.</p> | <p>To Governor</p> |
| <p>Unworkable Recycling Program. AB 521 (Stone; D-Scotts Valley) Establishes an unworkable “producer responsibility”-style recycling program for the 10 most common types of marine litter, forcing product manufacturers to meet aggressive recycling rates and dates, which will not actually impact litter rates. Oppose.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |
| <p>Costly Regulation of Pharmaceuticals. SB 727 (Jackson; D-Santa Barbara) Drives up the cost of prescription drugs and harms the pharmaceutical industry by mandating that pharmaceutical companies pay for 100% of the costs to administer a new, expansive statewide product stewardship program for pharmaceutical drugs, and subjects those employers to harsh penalties. Oppose.</p> | <p>Senate Environmental Quality 5/1/13; Failed Deadline</p> |
| <p>Industry-Run Mattress Recycling. SB 254 (Hancock; D-Oakland) Establishes a private sector-run product stewardship program patterned on successful recycling legislation for paint and carpet products. Support.</p> | <p>To Governor</p> |
| <p>Air Pollution Bounty-Hunter Provision. AB 818 (Blumenfeld; D-San Fernando Valley) Inappropriately grants some city attorneys, without expertise in this area, the authority to bring an action to recover air pollution control penalties and keep the profits without evidence that enforcement by the Air Resources Board and regional air districts is inadequate. Oppose.</p> | <p>Assembly Natural Resources 4/25/13; Failed Deadline</p> |
| <p>Cost-Effective Options for Employers. AB 358 (Holden; D-Pasadena) Potentially reduces the cost of lead testing by allowing the Department of Public Health to adopt regulations permitting the use of less costly tests. Support.</p> | <p>Senate Appropriations 8/12/13</p> |
| <p>New Infrastructure and Investment Program. SB 798 (De León; D-Los Angeles) Prematurely uses AB 32 auction revenues to establish a Green Infrastructure Bank charged with helping fund various types of economic development projects. Oppose.</p> | <p>Senate Governance and Finance 4/15/13; Failed Deadline</p> |
| <h2 style="color: red;">Gaming/Alcohol</h2> | |
| <p>Beer Manufacturers. AB 779 (Bocanegra; D-Pacoima) Expands business opportunities by allowing certain beer manufacturers to make and sell cider. Support.</p> | <p>To Governor</p> |
| <p>Liquor Licenses. AB 593 (Quirk; D-Hayward) Originally encouraged new business by streamlining the permit process for restaurants. Provisions removed in 8/26/13 amendments. No Position.</p> | <p>To Governor</p> |

Health

| | |
|--|--|
| <p>Expansion of Discrimination Litigation and New Health Care Coverage Penalties. AB 880 (Gomez; D-Los Angeles) Discourages hiring of entry or re-entry workers, increases discrimination litigation and increases costs by taxing large employers with a penalty if any of their employees who work as little as 8 hours per week enroll in California’s Medi-Cal program and expands the Labor Code to include a protected classification for any person who is enrolled in California’s Medi-Cal program or in the California Health Benefit Exchange. Oppose/Job Killer.</p> | <p>Failed passage in Assembly 6/27/13; Placed on Assembly Inactive File 7/1/13</p> |
| <p>Tax Increase. AB 1176 (Bocanegra; D-Pacoima) Taxes health plans, which will be passed on to small employers and individual consumers in the form of higher health insurance premiums, by assessing \$5 per covered life to pay for medical residencies. Oppose.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13</p> |
| <p>Wellness Programs. SB 189 (Monning; D-Carmel) Undermines important wellness incentive provisions of the federal Patient Protection and Affordable Care Act designed to improve health and reduce medical costs by imposing stringent unworkable requirements on wellness programs. Oppose.</p> | <p>Failed passage in Senate Appropriations 5/23/13; Failed Deadline</p> |
| <p>Limits Choice for Small Business. SB 161 (E. Hernandez; D-West Covina) Before amendments, severely limited a small employer’s ability to select the most appropriate, affordable health care coverage for its employees by regulating stop-loss insurance and requiring the employer to bear an unreasonably high level of claims costs before stop-loss coverage applies. Opposition removed due to 5/28/13 amendments. No Position.</p> | <p>To Governor</p> |
| <p>Health Premium Increases. SB 639 (E. Hernandez; D-West Covina) Before amendments, would have eliminated lower-priced plans, inhibited competition and innovation, and led to less affordable coverage for California businesses and their employees. Opposition removed due to 9/6/13 amendments. No Position.</p> | <p>To Governor</p> |
| <p>Increased Health Insurance Premiums. AB 975 (Wieckowski; D-Fremont) Increases costs and limits the ability of California’s nonprofit hospitals to invest in community prevention efforts that meet the needs of the local community by creating an unnecessary new definition of charity care and mandating a rigid process for developing a community needs assessment and community benefit plans. Oppose.</p> | <p>Assembly Inactive File 5/31/13; Failed Deadline</p> |
| <p>Increased Health Insurance Premiums. AB 889 (Frazier; D-Oakley) Reduces health plan flexibility in benefit management, increases health care costs and premiums and reduces employers’ choice of benefit packages to offer their employees by limiting step-therapy protocols to manage prescription drug use. Oppose.</p> | <p>Held in Senate Appropriations Suspense File 8/30/13</p> |
| <p>Increased Health Insurance Premiums. AB 912 (Quirk-Silva; D-Fullerton) Increases medical costs, which will be passed on to medium and large employers in the form of higher premiums, by mandating coverage of fertility preservation services in certain medical treatments. Oppose.</p> | <p>To Governor</p> |
| <p>Individual Health Care Coverage. AB 18 (Pan; D-Sacramento) Increases costs for dental insurance by subjecting dental plans to unnecessary new administrative burdens. Oppose Unless Amended.</p> | <p>Assembly Appropriations 7/3/13</p> |
| <p>Increases Health Insurance Premiums. AB 219 (Perea; D-Fresno) Reduces employers’ flexibility to purchase a benefit design that will fit within their budget by imposing a rigid copayment cap. Oppose.</p> | <p>To Governor</p> |
| <p>Increased Health Insurance Premiums. SB 320 (Beall; D-San Jose) Drives up employers’ health insurance premiums by undermining the ability of health plans and insurers to manage their networks by mandating the plans and insurers to contract with various types of facilities. Oppose.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline</p> |
| <p>Increased Health Insurance Premiums. SB 353 (Lieu; D-Torrance) Increases costs for health plans, which will be passed on to employers in the form of higher premiums, by imposing significant new translation requirement on plans that advertise or market to new communities that speak languages other than English. Oppose.</p> | <p>To Governor</p> |
| <p>Health Premium Increase. SB 746 (Leno; D-San Francisco) Interferes with an employer’s negotiation with health plans and increases costs by subjecting insurers to excessive, onerous disclosure requirements. Oppose.</p> | <p>To Governor</p> |

| | |
|--|---|
| <p>Curbs Illegal Drug Manufacturing. SB 506 (Hill; D-San Mateo) Curbs the illegal manufacture of methamphetamine by making it more difficult to purchase pseudoephedrine (PSE) by implementing a statewide electronic tracking program that monitors all California over-the-counter PSE purchases to prevent purchases beyond federal limits. Support.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline</p> |
| <p>Increased Health Insurance Premiums. SB 780 (Jackson; D-Santa Barbara) Increases costs for health plans, which will be passed on to employers in the form of higher premiums and drive affordable preferred provider organization products out of the market, by imposing new reporting and disclosure requirements not appropriate to this type of product. Oppose.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13; Failed Deadline</p> |

Housing and Land Use

| | |
|--|---|
| <p>Stifles Economic Development. AB 667 (R. Hernández; D-West Covina) Undermines local land use discretion by mandating an additional and costly economic and community impact report prior to approving a permit to construct a large retail establishment. Oppose.</p> | <p>Failed passage in Senate Governance and Finance 6/26/13; Failed Deadline</p> |
| <p>Barriers to Development. SB 673 (DeSaulnier; D-Concord) Undermines local land use discretion by requiring a project proponent to provide a cost benefit analysis on development projects that will receive a subsidy of more than \$1 million. Oppose.</p> | <p>Senate Inactive File 5/30/13; Failed Deadline</p> |
| <p>Barrier to Development. AB 453 (Mullin; D-South San Francisco) Undermines the implementation of SB 375 by adding Local Agency Formation Commissions (LAFCOs) to the list of governmental agencies required to consider greenhouse gas emissions related to development. Oppose</p> | <p>Held in Senate Appropriations Suspense File 8/30/13</p> |
| <p>Sustainable Communities Strategy. AB 1002 (Bloom; D-Santa Monica) Increases the cost of doing business by imposing a \$6 fee on vehicle registration to carry out the state’s sustainable communities strategies (SB 375). Oppose.</p> | <p>Assembly Local Government 4/30/13</p> |
| <p>Increased Housing Costs. AB 1229 (Atkins; D-South Park/Golden Hill) Increases the cost of housing by allowing the adoption of inclusionary housing elements as a condition of development. Oppose.</p> | <p>To Governor</p> |
| <p>New Home Construction. AB 116 (Bocanegra; D-Pacoima) 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.</p> | <p>Signed—Chapter 62 (urgency)</p> |
| <p>Unnecessary and Duplicative Regulation. AB 127 (Skinner; D-Berkeley) Before amendments, would have established an unnecessary and duplicative regulatory process by delegating authority to the California Building Standards Commission to regulate the use of flame retardant chemicals in building insulation. Now requires, if deemed necessary, the State Fire Marshal to propose updated insulation flammability standards to the Building Standards Commission. Opposition removed due to 9/3/13 amendments. No Position.</p> | <p>To Governor</p> |

Immigration

| | |
|--|--------------------|
| <p>Foreign Labor Contractors. SB 516 (Steinberg; D-Sacramento) Before amendments, approached the real problem of human trafficking in an overly broad manner that would have harmed legitimate employers by imposing significant burdens on and risks to employers who hire workers from foreign countries. Opposition removed due to 9/4/13 amendments. No Position.</p> | <p>To Governor</p> |
|--|--------------------|

Industrial Safety and Health

| | |
|--|---|
| <p>Occupational Safety and Health Appeals Board. AB 1277 (Skinner; D-Berkeley) Creates employer exposure to unwarranted Cal/OSHA citations. Unduly burdens employers in the Cal/OSHA citation and appeals process, creating new unwarranted opportunities for citations and litigation against employers. Oppose.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |
|--|---|

| | |
|---|---|
| <p>Increased Costs for Citation Appeal Process. AB 1165 (Skinner; D-Berkeley) Proposes a costly double-appeal process for workplace safety citations that presumes guilt for employers, undermines due process with regards to citations for workplace safety violations and is unnecessary in light of recently adopted regulations for an expedited appeals process for these situations. Oppose.</p> | <p>To Governor</p> |
| <p>Unjustified Disclosure of Customer Information. SB 193 (Monning; D-Carmel) Increases administrative burdens on business and jeopardizes confidentiality of sensitive customer information by allowing Cal/OSHA’s repository of toxicity data—Hazard Evaluation System and Information Service (HESIS)—to obtain customer lists of certain chemicals from manufacturers, formulators, suppliers and distributors. Oppose Unless Amended.</p> | <p>Assembly Appropriations 8/30/13</p> |
| <p>Injury Reporting. AB 326 (Morrell; R-Rancho Cucamonga) Provides clarity for employers regarding when a work-related hospitalization or fatality must be reported to Cal/OSHA by conforming with federal OSHA rules. Support.</p> | <p>Failed passage in Assembly Labor and Employment 4/10/13; Failed Deadline</p> |

Insurance

| | |
|---|---|
| <p>New Tax to Fund Emergency Response. AB 468 (Chesbro; D-North Coast) Replaces targeted fire prevention fee with new and higher tax of 4.8% on all property insurance. Oppose.</p> | <p>Assembly Natural Resources 5/2/13</p> |
| <p>Increased Auto Insurance Costs. AB 862 (Wieckowski; D-Fremont) Creates a new type of auto insurance to provide higher maximum payouts for liability in the event of an accident, which would result in higher premiums. Oppose.</p> | <p>Assembly Insurance 5/2/13; Failed Deadline</p> |

International Relations/Trade

| | |
|---|---|
| <p>*Trade Promotion Authority. Grants authority to the President and U.S. Trade Representative, by Congress to enter into trade negotiations in order to lower trade barriers. Support.</p> | <p>Pending Congressional Action</p> |
| <p>Facilitate Expeditious Exporting. AB 1400 (Committee on Jobs, Economic Development and the Economy) Improves the business climate in California by reducing delays in processing necessary documents for California exporters. Support.</p> | <p>To Governor</p> |

Labor and Employment

| | |
|---|---|
| <p>Automatic Minimum Wage Increase. AB 10 (Alejo; D-Salinas) Unfairly imposes an automatic \$2 increase in minimum wage over the next three years that will continue to increase costs on employers of all sizes, regardless of other economic factors or costs that California employers are struggling with to sustain their business. Oppose/Job Killer.</p> | <p>To Governor</p> |
| <p>Unproven Wage Liens. AB 1164 (Lowenthal; D-Long Beach) Creates a dangerous and unfair precedent in the wage-and-hour arena by allowing employees to file liens on an employer’s real or personal property, or property where work was performed, based upon alleged yet unproven wage claims. Oppose/Job Killer.</p> | <p>Assembly Appropriations 5/15/13; Failed Deadline</p> |
| <p>Expansion of Paid Family Leave Program. SB 761 (DeSaulnier; D-Concord) Transforms the paid family leave program from a wage replacement program into a new protected leave of absence that will burden small and large businesses by allowing an employee to file litigation for any alleged retaliation or discrimination as a result of their intent, request, or use of the paid family leave program. Oppose/Job Killer.</p> | <p>Senate Inactive File 5/30/13; Failed Deadline</p> |
| <p>Expansion of Discrimination Litigation. SB 404 (Jackson; D-Santa Barbara) Makes it virtually impossible for employers to manage their employees and exposes them to a higher risk of litigation by expanding the Fair Employment and Housing Act to include a protected classification for any person who is, perceived to be, or associated with an individual who provides medical or supervisory care to a listed family member. Oppose/Job Killer.</p> | <p>Held in Assembly Appropriations Suspend File 8/30/13</p> |
| <p>Unconstitutional Budget Trailer Bill. SB 71 (Committee on Budget and Fiscal Review) Violates Proposition 25, approved by voters in June 2010, by including policy language in this budget trailer bill that is unrelated to the implementation of the budget. Oppose Unless Amended.</p> | <p>Signed—Chapter 28</p> |

| | |
|---|---|
| <p>Unconstitutional Budget Trailer Bill. AB 76 (Committee on Budget) Violates Proposition 25, approved by voters in June 2010, by including policy language in this budget trailer bill that is unrelated to the implementation of the budget. Oppose.</p> | <p>Vetoed</p> |
| <p>Flexible Workweek Schedules. AB 907 (Conway; R-Tulare) Allows an employee to voluntarily request a flexible work schedule, with an opportunity to work 4/10-hour workdays without the employer incurring overtime. Support/Job Creator.</p> | <p>Assembly Labor and Employment 4/22/13; Failed Deadline</p> |
| <p>Reduced Costs to Employers. SB 607 (Berryhill; R-Modesto) Lowers costs for employees and provides more flexibility by allowing employees to request and work up to 10 hours in a day without the payment of overtime. Support/Job Creator.</p> | <p>Failed passage in Senate Labor and Industrial Relations 4/24/13; Failed Deadline</p> |
| <p>Expansion of Discrimination Lawsuits. SB 400 (Jackson; D-Santa Barbara) Before amendments, increased the burden on California employers to conduct business and exposed them to a higher risk of litigation by creating a protected classification for employees who are victims of domestic violence, sexual assault, or stalking, and imposed a burden on employers to accommodate such individuals. Opposition removed due to 8/6/13 amendments. No Position.</p> | <p>To Governor</p> |
| <p>Local Enforcement of Labor Laws. AB 1383 (Committee on Labor and Employment) Before amendments, allowed local authorities to impose more stringent labor and employment requirements than those already required in the Labor Code, including stricter reporting requirements, notifications, overtime laws, meal and rest breaks, etc., leading to a patchwork of labor laws across the state that would burden small employers as well as large employers that have multiple locations. Gutted and amended 9/6/13 to deal with another subject, so opposition removed. No Position.</p> | <p>Senate Environmental Quality 9/9/13</p> |
| <p>Prevailing Wages on Private Projects. SB 54 (Hancock; D-Berkeley). Significantly expands the mandate to pay prevailing wages to the construction of refineries that are privately funded and do not qualify as “public works.” Oppose.</p> | <p>To Governor</p> |
| <p>Expansive Employer Liability. AB 263 (R. Hernández; D-West Covina) Before amendments, unfairly expanded employer liability and threatened the complete loss of the ability to conduct business in California if a supervisor engaged in “unfair immigration practices.” Opposition removed due to 8/12/13 amendments. No Position.</p> | <p>To Governor</p> |
| <p>Mixed-Motive Discrimination. SB 655 (Wright; D-Inglewood) Before amendments, directly undermined a Supreme Court ruling issued February 2013 by establishing a mandatory statutory penalty of \$25,000, as well as noneconomic damages, against an employer who had an objective, independent, non-discriminatory basis upon which to terminate or discipline an employee. Opposition removed due to 9/6/13 amendments. No Position</p> | <p>To Governor</p> |
| <p>Domestic Work Employees. AB 241 (Ammiano; D-San Francisco) Before amendments, discouraged individuals from retaining the services of domestic work employees by requiring individuals and families who hire “domestic work employees” to comply with onerous wage-and-hour mandates that even sophisticated businesses in California struggle to satisfy. Opposition removed due to 9/6/13 amendments. No Position.</p> | <p>To Governor</p> |
| <p>Reduced Costs to Employers of Licensed Residential Facilities. SB 554 (Anderson; R-Alpine) Lowers costs for these facilities by generally exempting employees from daily overtime requirements. Support.</p> | <p>Senate Labor and Industrial Relations 4/24/13; Failed Deadline</p> |
| <p>Mandatory Right to Inspect Payroll Records. AB 155 (Alejo; D-Salinas) Creates an unsafe work environment for other employees by requiring an employer to allow a former employee, about whom the employer has concerns with regard to safety, to enter the premises in order to inspect payroll records. Oppose.</p> | <p>Senate Labor and Industrial Relations 7/12/13; Failed Deadline</p> |
| <p>Employee-Union Agent Evidentiary Privilege. AB 729 (R. Hernández; D-West Covina) Creates a new evidentiary privilege that is one-sided and will provide a union representative with an unfair opportunity to preclude relevant evidence during litigation regarding labor disputes or collective bargaining, that may ultimately result in the miscarriage of justice. Oppose.</p> | <p>To Governor</p> |

| | |
|---|--------------------|
| <p>Employer Right to Attorney Fees. SB 462 (Monning; D-Carmel) Undermines a recent Supreme Court ruling and existing statute to preclude the recovery of attorney fees for employers who prevail in wage-and-hour litigation, unless the employer can prove the action was pursued in “bad faith.” Oppose.</p> | <p>Chapter 142</p> |
| <p>Successor Liability of Farm Labor Contractors. SB 168 (Monning; D-Carmel) Creates potential liability for successor employers with regard to a predecessor’s wage-and-hour violations, despite the lack of fair notice to the successor employer or a significant degree of continuity between the business of the successor and the predecessor. Oppose Unless Amended.</p> | <p>To Governor</p> |
| <p>Exempt Employees/Piece Rate. SB 435 (Padilla; D-Pacoima) Before amendments, would have increased labor costs for employers by significantly expanding the meal-and-rest period requirements by including exempt employees under the meal-and-rest period requirement as well as any employee who is paid in part, on a piece rate basis. Opposition removed due to amendments. No Position.</p> | <p>To Governor</p> |
| <p>Exposure to Increased Litigation for Compliance with Federal Law. SB 666 (Steinberg; D-Sacramento) Before amendments, imposed significant penalties and increased frivolous litigation against attorneys and employers for alleged retaliation or discrimination on the basis of actual or perceived immigration or citizenship status, for any current, prospective, or former employee who exercises an employment-related right under the Labor Code, Government Code, or Civil Code, including a statutory penalty up to \$10,000, as well as litigation under the Private Attorney General Act. Opposition removed due to amendments. No Position.</p> | <p>To Governor</p> |

Legal Reform and Protection

| | |
|--|---|
| <p>Safety Recalls. SB 686 (Jackson; D-Santa Barbara) Exposes car dealers to significant liability and precludes them from renting, leasing, loaning, or selling a car despite the lack of actual knowledge that the car was subject to a recall, that may or may not pose any imminent harm to the consumer or renter. Oppose/Job Killer.</p> | <p>Assembly Business, Professions and Consumer Protection 7/2/13</p> |
| <p>Reliance on State Agencies’ Written Advice. SB 713 (Correa; D-Santa Ana) Protects employers from inappropriate litigation by affirming they can rely upon the state government to provide them with information regarding how to comply with the law. Sponsor/Co-Sponsor/Job Creator.</p> | <p>Senate Judiciary 5/7/13; Failed Deadline</p> |
| <p>Increased Exposure to Frivolous Litigation. AB 5 (Ammiano; D-San Francisco) Before amendments, would have imposed on employers costly and unreasonable mandates that could jeopardize the health and safety of others by creating a new protected classification of employees and customers who are or are perceived to be homeless, low-income, suffering from a mental disability or physical disability, and establishing a private right of action for such individuals that includes statutory damages, punitive damages, and attorney fees. With 4/30/13 amendments, “job killer” status removed. CalChamber still opposes. Oppose/Former Job Killer.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |
| <p>Expanded Liability for Use of Independent Contractors. SB 556 (Corbett; D-San Leandro) Before amendments, unfairly imposed liability on any contracting entity for the damages caused by the contractor or contractor’s employees, including wage-and-hour violations, penalties, fines, and willful misconduct, solely on the basis that the contractor or its employees wore a uniform similar to that of the contracting entity or drove a vehicle with the contracting entity’s logo. “Job killer” status removed due to 5/29/13 amendments. Opposition removed due to 6/19/13 amendments. No Position/Former Job Killer.</p> | <p>Assembly Inactive File 9/11/13</p> |
| <p>Independent Contractors. AB 906 (Pan; D-Sacramento) Before amendments, harmed small businesses that contract with the state by prohibiting the state from contracting for personal services unless specifically authorized by the Legislature and even then, significantly limited the duration of the contract. With 4/22/13 amendments, “job killer” status removed. Opposition removed due to 5/24/13 amendments. No Position/Former Job Killer.</p> | <p>To Governor</p> |
| <p>Reduction of Summary Judgment Standard of Review. AB 715 (Dickinson; D-Sacramento) Before amendments, unjustifiably reduced the standard of review regarding the admissibility of evidence used to support a summary judgment in order to more easily overturn such decisions. Opposition removed due to 6/25/13 amendments. No Position.</p> | <p>Senate Inactive File 9/10/13</p> |

| | |
|--|---|
| <p>Burden on Arbitration Providers. AB 802 (Wieckowski; D-Fremont) Imposes burdensome data collection requirements, some of which are confidential, on arbitration providers and subjects them to private litigation for failure to accurately report such data, which will ultimately discourage such providers from offering arbitration as an alternative dispute resolution in California. Oppose.</p> | <p>Assembly Inactive File 5/30/13; Failed Deadline</p> |
| <p>Limitation of Vehicle Sales. AB 964 (Bonta; D-Alameda) Significantly limits the ability for a dealer to sell a used vehicle if the dealer “knew or should have known” the vehicle was subject to a safety recall, even though the anticipated federal database where such information should be located is not yet operative and will not identify an existing recall as “safety” versus “non-safety.” Oppose.</p> | <p>Assembly Inactive File 5/31/13; Failed Deadline</p> |
| <p>Reduction of Class Action Litigation. SB 737 (Huff; R-Diamond Bar) Reduces unmeritorious class actions by permitting the right to petition for appeal of an order granting or denying class certification and sets forth factors the court must consider when granting or denying the appeal. Support.</p> | <p>Failed passage in Senate Judiciary 4/30/13; Failed Deadline</p> |
| <p>Motion to Compel. AB 1183 (Jones; R-Santee) Reduces abuses of the discovery process by clarifying that the deadline to file a motion to compel starts to accrue from the service of a verified discovery response. Support.</p> | <p>Signed—Chapter 18</p> |
| <p>Expansion of Litigation for Franchisors. SB 610 (Jackson; D-Santa Barbara) Creates a new private right of action for failure to act in “good faith” as defined, with the right to recover attorney fees only for franchisees. Oppose.</p> | <p>Assembly Business, Professions and Consumer Protection 8/16/13</p> |
| <p>Unnecessary Restrictions on Trial Courts. AB 566 (Wieckowski; D-Fremont) Unfairly limits the trial courts’ ability to minimize costs in light of the budget reductions they have faced by placing severe restrictions on their ability to contract for services. Oppose.</p> | <p>To Governor</p> |
| <p>Employer Immunity for Good Samaritan Employees. AB 633 (Salas; D-Bakersfield) Encourages employees to voluntarily provide emergency services to patrons in need by specifying an employer has no legal duty to train employees regarding how to perform emergency medical services. Support.</p> | <p>To Governor</p> |
| <p>Jeopardizing Contracts Based on “Undue Influence.” AB 140 (Dickinson; D-Sacramento) Before amendments, would have broadened the definition of what constitutes undue influence on the elderly, which would have unfairly allowed the right to revoke valid contracts as well as the exposure to frivolous litigation. Opposition removed due to 5/6/13 amendments. No Position.</p> | <p>To Governor</p> |
| <p>Unfair Restrictions on State-Funded Research. AB 609 (Nestande; R-Palm Desert) Interferes with publishers’ ability to regain costs for value-added research if such research is funded in any way through state grants. Oppose.</p> | <p>Senate Governmental Organization 6/25/13</p> |
| <p>Undue Settlement Pressure. AB 458 (Wieckowski; D-Fremont) Creates undue pressure to settle potentially unwarranted damages awards without the opportunity for review on appeal. Oppose.</p> | <p>Senate Inactive File 9/12/13</p> |
| <h2 style="color: red;">Privacy and Confidentiality</h2> | |
| <p>Disclosures. AB 1291 (Lowenthal; D-Long Beach) Unduly burdens business by imposing unworkable new regulations regarding disclosure requirements and invites lawsuits for technical violations. Oppose.</p> | <p>Assembly Judiciary 5/7/13; Failed Deadline</p> |
| <p>Imposes Unnecessary Costs on Businesses. AB 242 (Chau; D-Alhambra) Invites frivolous litigation and increases costs to business by requiring every business to revamp its privacy policy and hire experts to ensure that it is written at an 8th grade reading level. Oppose.</p> | <p>Assembly Judiciary 4/16/13; Failed Deadline</p> |
| <p>New Duties. AB 1220 (Skinner; D-Berkeley) Before amendments, created new burdensome disclosure and reporting requirements for businesses using consumer credit reports in decision making resulting in adverse recommendations for consumers. Opposition removed due to 5/20/13 amendments. No Position.</p> | <p>To Governor</p> |
| <p>Social Networking. SB 501 (Corbett; D-San Leandro) Inappropriately requires website operators to remove information from a minor’s site and places the operator in the impossible position of determining who is a minor’s legal guardian. Oppose.</p> | <p>Assembly Arts, Entertainment, Sports, Tourism and Internet Media 6/5/13; Failed Deadline</p> |

| | |
|---|--------------------|
| <p>Medical Software. AB 658 (I. Calderon; D-Whittier) Before amendments, would have subjected “non-prescription” software providers to the Confidentiality of Medical Information Act. Opposition removed due to amendments. No Position.</p> | <p>Chapter 296</p> |
| <p>Privacy. AB 370 (Muratsuchi; D-Torrance) Before amendments, imposed an unworkable process for website operators to allow consumers to opt out of online marketing by containing undefined terms and confusing language that actually limited consumer choice. Concerns position removed due to amendments. Neutral.</p> | <p>To Governor</p> |

Regulatory Reform

| | |
|--|--|
| <p>Regulatory Impact Analysis Accountability. AB 12 (Cooley; D-Rancho Cordova) Increases transparency and accountability for regulations by strengthening the requirements for agencies that conduct regulatory impact analysis for new major regulations. Support.</p> | <p>To Governor</p> |
| <p>Centralized Information for Business. AB 393 (Cooley; D-Rancho Cordova) Eases the burden on employers to locate permit information from a variety of websites and offices by centralizing the information regarding permits and fees at the Governor’s Office of Business and Economic Development (GO-Biz) website. Support.</p> | <p>Chapter 124</p> |
| <p>Economic Impact of Building Standards. SB 401 (Hueso; D-Logan Heights) Provides transparency for the commercial construction industry by requiring economic impact analysis of new commercial building standards, building upon current law which already provides this information for residential building standards. Support.</p> | <p>Chapter 212</p> |
| <p>Expands Public Notice Requirements for Rulemaking. SB 176 (Galgiani; D-Stockton) Expands the opportunity for the public to participate in rulemaking by expanding the rulemaking activities required to be noticed to the public. Support.</p> | <p>Held in Assembly Appropriations Suspense File 8/30/13</p> |

Taxation

| | |
|--|--|
| <p>Split Roll Change of Ownership. AB 188 (Ammiano; D-San Francisco) Unfairly targets commercial property by redefining “change of ownership” so that such property is more frequently reassessed, which will ultimately lead to higher property taxes that will be passed on to tenants, consumers, and potentially employees. Oppose/Job Killer.</p> | <p>Held in Assembly Revenue and Taxation Suspense File 5/13/13</p> |
| <p>Oil and Gas Severance Tax: Fuel and Gas Price Increase. SB 241 (Evans; D-Santa Rosa) Drives up fuel prices for businesses and consumers by imposing a severance tax at the rate of 9.5% of the average price of the barrel of oil severed or 3.5% of the average price of each unit of gas, thereby discouraging production of oil and gas in this state. Oppose/Job Killer.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13</p> |
| <p>Split Roll Parcel Tax. AB 59 (Bonta; D-Alameda) Potentially increases the tax burden on businesses by permitting local agencies to assess a higher parcel tax on commercial property than residential property, overturning an appellate decision that determined such taxes were unconstitutional. Oppose/Job Killer.</p> | <p>Assembly Revenue and Taxation 5/10/13</p> |
| <p>Creates Inequity in the Tax Structure. AB 769 (Skinner; D-Berkeley) Harms struggling small businesses and start-ups by repealing the Net Operating Loss (NOL) carryback deduction, a lifeline that helps employers stay afloat, retain employees, and continue investing in their businesses in an economic downturn. Oppose/Job Killer.</p> | <p>Assembly Revenue and Taxation Suspense File 5/13/13</p> |
| <p>Lowers Vote Requirement for Tax Increases. ACA 3 (Campos; D-San Jose) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners to support public safety services by giving local government new authority to enact a special tax, including parcel taxes, by lowering the vote threshold from two-thirds to only 55%. Oppose/Job Killer.</p> | <p>Assembly Local Government 4/4/13</p> |

| | |
|--|--|
| <p>Lowers Vote Requirement for Tax Increases. SCA 4 (Liu; D-La Cañada Flintridge) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners for local transportation projects by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/Job Killer.</p> | <p>Senate Appropriations 8/29/13</p> |
| <p>Lowers Vote Requirement for Tax Increases. SCA 7 (Wolk; D-Davis) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners to finance library construction by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/Job Killer.</p> | <p>Senate Appropriations 6/27/13</p> |
| <p>Lowers Vote Requirement for Tax Increases. SCA 8 (Corbett; D-San Leandro) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners for transportation projects by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/Job Killer.</p> | <p>Senate Appropriations 8/29/13</p> |
| <p>Lowers Vote Requirement for Tax Increases. SCA 9 (Corbett; D-San Leandro) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners to finance community and economic development projects by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/Job Killer.</p> | <p>Senate Appropriations 6/27/13</p> |
| <p>Lowers Vote Requirement for Tax Increases. SCA 11 (Hancock; D-Oakland) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners by giving local government new authority to enact special taxes, including parcel taxes, by lowering the vote threshold from two-thirds to 55%. Oppose/Job Killer.</p> | <p>Senate Appropriations 6/27/13</p> |
| <p>Lowers Vote Requirement for Tax Increases. SCA 3 (Leno; D-San Francisco) Before amendments, added complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners for education programs by giving school districts and community colleges new authority to enact a parcel tax, by lowering the vote threshold from two-thirds to 55%. Opposition and “job killer” status removed due to 6/ 20/13 amendments. No Position/Former Job Killer.</p> | <p>To Enrollment 9/20/13</p> |
| <p>Targeted Tax. SB 622 (Monning; D-Carmel) Threatens jobs in beverage, retail and restaurant industries by arbitrarily and unfairly targeting certain beverages for a new tax in order to fund children’s health programs. Oppose/Job Killer.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13</p> |
| <p>Limitations on Tax Credits. SB 365 (Wolk; D-Davis) Originally created uncertainty for California employers making long-term investment decisions by requiring that tax incentives end 10 years after their effective date. Gutted and amended 9/11/13 to deal with another subject, so opposition and “job killer” status removed. No Position/Former Job Killer.</p> | <p>Assembly Third Reading 6/26/13</p> |
| <p>Increase Manufacturing and R&D Jobs. SB 376 (Correa; D-Santa Ana) Encourages employers to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing and research-and-development equipment. Support/Job Creator.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13</p> |
| <p>Increase Manufacturing and R&D Jobs. AB 486 (Mullin; D-South San Francisco) Encourages employers to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing and research-and-development equipment. Support/Job Creator.</p> | <p>Assembly Appropriations 5/14/13</p> |
| <p>Increase Aerospace Manufacturing and R&D Jobs. SB 412 (Knight; R-Palmdale) Encourages employers to maintain and expand their aerospace manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of aerospace manufacturing and research-and-development equipment made through January 1, 2019. Support/Job Creator.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13</p> |

| | |
|---|--|
| <p>Increases Aerospace Industry Jobs. SB 19 (Knight; R-Palmdale) Encourages aerospace industry employers to maintain and expand California operations by providing a full sales tax exemption for purchases of equipment used to construct the facilities designed to launch a space vehicle. Support/Job Creator.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13</p> |
| <p>Increase Manufacturing and R&D Jobs. SB 235 (Wyland; R-Escondido) Encourages employers to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing and research-and-development equipment. Support/Job Creator.</p> | <p>Senate Governance and Finance 5/14/13</p> |
| <p>Increase Manufacturing and R&D Jobs. SB 90 (Galgiani; D-Stockton) Encourages employers to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing and research-and-development equipment. Support.</p> | <p>Signed—Chapter 70 (urgency)</p> |
| <p>Increase Aerospace Manufacturing Jobs. AB 1326 (Gorell; R-Camarillo) Encourages manufacturers of unmanned aerial vehicles to maintain and expand their manufacturing operating in California by providing a full state sales-and-use tax exemption for purchases of manufacturing equipment used to produce unmanned aerial vehicles through January 1, 2024. Support/Job Creator.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13</p> |
| <p>Stops Retroactive Tax. SB 209 (Lieu; D-Torrance) Repeals the decision by the Franchise Tax Board to retroactively tax small business investors who relied in good faith on the law when they made the decision to invest in California and use the Qualified Small Business tax incentive which was recently found unconstitutional. Support.</p> | <p>To Governor</p> |
| <p>Stops Retroactive Tax. AB 1412 (Bocanegra; D-Los Angeles) Repeals the decision by the Franchise Tax Board to retroactively tax small business investors who relied in good faith on the law when they made the decision to invest in California and use the Qualified Small Business tax incentive, which was recently found unconstitutional. Support.</p> | <p>To Governor</p> |
| <p>Eliminates Taxpayer Penalties for Good Faith Reliance. AB 1203 (Gorell; R-Camarillo) Bars penalties and interest on any additional tax owed by a taxpayer that resulted from a court striking down a statute the taxpayer relied on when calculating tax liability. Support.</p> | <p>Held in Assembly Revenue and Taxation Suspense File 4/29/13</p> |
| <p>Elimination of Tax Exemption. SB 808 (De León; D-Los Angeles) Unfairly penalizes airline carriers by eliminating the jet fuel tax exemption if the carriers’ contractors fail to provide employer-offered health care coverage to the contractors’ employees. Oppose.</p> | <p>Senate Governance and Finance 5/7/13</p> |
| <p>Reduction of Minimum Franchise Tax. SB 641 (Anderson; R-Alpine) Eliminates the minimum franchise tax for the first four years of any new corporation that has gross receipts of \$10,000 or less. Support.</p> | <p>Senate Appropriations 5/13/13</p> |
| <p>Tax Reduction. AB 1173 (Bocanegra; D-Pacoima) Reduces the state tax penalty imposed on employees for nonqualified deferred compensation from 20% to 5%, as well as provides the ability to utilize the film tax credit to offset income. Support.</p> | <p>To Governor</p> |
| <p>Targeted Tax on Cigarettes. SB 768 (De León; D-Los Angeles) Unfairly imposes an additional, targeted tax on every dealer and wholesaler of cigarettes, for the privilege of holding or storing cigarettes, in order to support new programs, which will create additional pressure on the General Fund as the taxation of cigarettes has already proven to be a declining revenue source. Oppose.</p> | <p>Held in Senate Appropriations Suspense File 5/23/13</p> |
| <p>Invades Taxpayer Privacy. AB 562 (Williams; D-Santa Barbara) Facilitates the misuse of sensitive tax information and discourages local economic development projects by requiring local agencies to publicly disclose sensitive tax information of any employer who receives a public subsidy. Oppose.</p> | <p>To Governor</p> |
| <p>Documentary Transfer Tax. AB 561 (Ting; D-San Francisco) Significantly expands the imposition of the documentary transfer tax to the transfer of property upon the termination of a partnership as well as expanding the definition of “realty sold” to include any change of ownership in a legal entity, despite the fact that no real property has been transferred. Oppose.</p> | <p>Assembly Revenue and Taxation 5/24/13</p> |
| <p>Improper Tax on Civil Litigants. AB 648 (Jones-Sawyer; D-Los Angeles) Before amendments, sought to unfairly impose a \$30 tax on any civil litigant that requests a hearing of one hour or less to offset the cost of official court reporters without obtaining the necessary two-thirds vote requirement. Opposition removed due to amendments. No Position.</p> | <p>To Governor</p> |

| | |
|--|--|
| <p>Tax Agent Registration. AB 1151 (Ting; D-San Francisco) Unnecessarily requires additional registration requirements for attorneys, accountants, and registered agents, who advocate on behalf of their clients at the county level with regard to the assessment of property taxes, when such individuals are already licensed and regulated by the state or federal government. Oppose Unless Amended.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13</p> |
| <p>Interest on Overpayments to the State. AB 1049 (Harkey; R-Dana Point) Corrects an inequity in interest rates by requiring the payment of interest on overpayments to the state to be determined in the same manner as the interest applied to underpayments. Support.</p> | <p>Held in Assembly Revenue and Taxation Suspense File 4/29/13</p> |
| <p>Lowers Vote Requirement for Tax Increases. ACA 8 (Blumenfield; D-San Fernando Valley) Adds complexity and uncertainty to the current tax structure and pressure to increase taxes on commercial, industrial and residential property owners to finance local public safety, transportation, water and recreation infrastructure by lowering the vote threshold for bonded debt supported by property taxes from two-thirds to 55%. Oppose.</p> | <p>Senate Governance and Finance 7/10/13</p> |
| <p>Enterprise Zone Reform. AB 28 (V. M. Pérez; D-Coachella) Strengthens enterprise zone program by implementing reforms that address recognized issues and ensure the program meets its intended economic and community development goals. Support.</p> | <p>Assembly Jobs, Economic Development and the Economy 4/30/13</p> |
| <p>Protects Earned Tax Credits. AB 106 (Committee on Budget) Ensures that employers can utilize already-earned enterprise zone tax credits and clarifies that these tax credits may be carried forward for 10 years. Support.</p> | <p>To Governor</p> |
| <p>Protects Earned Tax Credits. SB 100 (Committee on Budget and Fiscal Review) Ensures that employers can utilize already-earned enterprise zone tax credits and clarifies that these tax credits may be carried forward for 10 years. Support.</p> | <p>To Governor</p> |
| <p>Guts Enterprise Zone Program. SB 434 (Hill; D-San Mateo) Severely harms the enterprise zone program by eliminating many economic incentives that encourage employers to create and retain jobs in impoverished areas of the state. Oppose.</p> | <p>Senate Inactive File 7/8/13</p> |
| <p>Property Tax Decisions. AB 43 (Bocanegra; D-Pacoima) Before amendments, required a court to specify the reasons for its decision regarding a property tax refund case and specific instructions on remand. Support position removed due to 4/29/13 amendments. No Position.</p> | <p>Assembly Revenue and Taxation 8/12/13</p> |
| <p>Port Infrastructure Investments. AB 886 (Allen; R-Huntington Beach) Promotes job development and infrastructure growth in ports and surrounding areas by allowing exporters and importers to receive tax credits for their investments in port infrastructure and increased utilization of California ports. Support.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13</p> |
| <p>Parcel Tax Transparency. AB 892 (Daly; D-Anaheim) Requires the Board of Equalization to provide an annual report on all locally assessed parcel taxes in order to provide transparency on the different parcel taxes imposed throughout the state. Support.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13</p> |
| <p>Establishes the Centralized Intelligence Partnership Act. AB 576 (V. M. Pérez; D-Coachella) Brings representatives of state tax agencies together as an advisory committee to help fight the underground economy and protect legitimate businesses. Support.</p> | <p>To Governor</p> |
| <h2 style="color: red;">Telecommunications</h2> | |
| <p>Lifeline Service. AB 1407 (Bradford; D-Gardena) Modernizes the Universal Telephone Service to include wireless service to better service low-income citizens. Enables business to reach potential candidates for employment more quickly. Support.</p> | <p>Held in Senate Appropriations Suspense File 8/30/13</p> |
| <h2 style="color: red;">Transportation and Infrastructure</h2> | |
| <p>Enhanced Driver License. SB 397 (Hueso; D-Logan Heights) Encourages international trade and tourism by authorizing the Department of Motor Vehicles to issue enhanced driver licenses to U.S. citizens to expedite legal traffic at the border. Support/Job Creator.</p> | <p>Held in Assembly Appropriations Suspense File 8/30/13</p> |

| | |
|---|---|
| <p>Enhanced Driver License. AB 17 (Hueso; D-Logan Heights) Encourages international trade and tourism by authorizing the Department of Motor Vehicles to issue enhanced driver licenses to U.S. citizens to expedite legal traffic at the border. Support. Bill shifted to SB 397 when author won election to Senate.</p> | <p>Assembly Transportation 4/8/13; Failed Deadline</p> |
| <h2 style="color: red;">Unemployment Insurance</h2> | |
| <p>Unemployment Insurance Costs. AB 152 (Yamada; D-Davis) Diverts employer-paid unemployment insurance (UI) taxes to a new program, without adequate controls, to provide UI benefits to unemployed individuals seeking to become self-employed. Oppose.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13</p> |
| <h2 style="color: red;">Water Supply and Quality</h2> | |
| <p>Drinking Water. AB 1 (Alejo; D-Salinas) Begins the process of identifying affordable and efficient ways to access safe drinking water in productive agriculture areas and appropriately funds the process from the Waste Permit Fund rather than impose another new fee on business. Support.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13</p> |
| <p>Fertilizer Tax. AB 69 (Perea; D-Fresno) Inappropriately and unfairly burdens agricultural operations by imposing a fertilizer tax to address one contaminant in two regions, completely ignoring other contributors of the contaminant. Oppose.</p> | <p>Senate Agriculture 8/12/13</p> |
| <p>Contaminated Aquifers. SB 658 (Correa; D-Santa Ana) Robs businesses of their right to insist that cleanup actions be necessary, cost-effective and subject to public scrutiny, and fosters meritless lawsuits without providing any cleanups. Oppose.</p> | <p>Senate Inactive File 5/24/13; Failed Deadline</p> |
| <p>Delta. SB 735 (Wolk; D-Davis) Undermines existing state policy to advance the co-equal goals of water supply reliability and ecosystem restoration by giving the Delta Stewardship Council the authority to amend the Bay Delta Conservation Plan, thereby upsetting the balance of the co-equal goals agreed to by stakeholders. Oppose.</p> | <p>Assembly Water, Parks and Wildlife 8/13/13</p> |
| <h2 style="color: red;">Workers' Compensation</h2> | |
| <p>Massive Workers' Compensation Cost Increase. SB 626 (Beall; D-San Jose) Unravels many of the employer cost-saving provisions in last year's workers' compensation reform package and results in employers paying nearly \$1 billion in benefit increases to injured workers without an expectation that the increases will be fully offset by system savings. Oppose/Job Killer.</p> | <p>Senate Labor and Industrial Relations 4/24/13; Failed Deadline</p> |
| <p>Massive Exposure to Civil Penalties and Liability. AB 1138 (Chau; D-Alhambra) Before amendments, inappropriately increased civil cases and civil penalties on employers by permitting civil action against those employers who fail to conspicuously post a list of every employee covered under an employer's workers' compensation insurance policy and to retain this list for five years. With 4/16/13 amendments, "job killer" status removed. CalChamber still opposes this bill as it places onerous and unnecessary requirements on an employer to quarterly submit a list of all employees to the employer's workers' compensation insurance provider and to produce this list for any employee upon request. Oppose/Former Job Killer.</p> | <p>Assembly Insurance 4/24/13; Failed Deadline</p> |
| <p>Increased Workers' Compensation Costs. AB 454 (Dickinson; D-Sacramento) Exposes employers to higher costs by effectively forcing them to prematurely pay higher temporary disability payments before prevailing wage disputes are adjudicated. Oppose.</p> | <p>To Governor</p> |
| <p>Assists Victims of Underground Economy. AB 638 (Alejo; D-Salinas) Expedites hearings for injured employees of illegally uninsured employers to quickly resolve issues and ensure the injured employees receive access to appropriate benefits and care. Support.</p> | <p>Held in Assembly Appropriations Suspense File 5/24/13; Failed Deadline</p> |

ALERT

CALIFORNIA CHAMBER OF COMMERCE

P.O. BOX 1736 SACRAMENTO, CA 95812-1736
(916) 444-6670 FACSIMILE (916) 444-6685
www.calchamber.com

Where Advocacy Meets Compliance®

Periodicals
Postage
PAID
Sacramento, CA

ADDRESS SERVICE REQUESTED

ALERT

WWW.CALCHAMBER.COM

CALIFORNIA CHAMBER OF COMMERCE

SEPTEMBER 20, 2013 • PAGE 24

Protect your business and employees.



California companies with 50 or more employees are required to provide two hours of sexual harassment prevention training to all supervisors **within six months of hire or promotion**, and every two years thereafter. CalChamber's online supervisor course meets state training requirements and helps your company avoid work situations that put you at risk for costly lawsuits. Regardless of company size, we recommend training for all nonsupervisory employees as well. Learners can start and stop anytime because the system tracks their progress.

Take 20% Off Our Online California Harassment Prevention Training.

Preferred and Executive members get 20% on top of their 20% member discount! Use priority code HPTDE2 by 9/30/13.



Online harassment prevention training in English or Spanish features videos covering realistic scenarios.

ORDER online at calchamber.com/calHPT or call (800) 331-8877.