

ALERT

Governor Completes Action on Priority Business Bills



Last Friday, Governor Gavin Newsom completed action on bills sent to him by

the Legislature, including priority bills for the California Chamber of Commerce.

Just two job killers reached the Governor for action, and he signed both — **SB 1137 (Lena Gonzalez; D-Long Beach)**, dealing with setback requirements for oil and gas extraction sites; and **AB 2183 (Stone; D-Scotts Valley)**, establishing a card check process for unionizing agricultural employees.

The Governor also vetoed many CalChamber-opposed bills. In some cases, his veto messages echoed concerns expressed by the CalChamber. In addition, many CalChamber-supported bills were signed into law.

Following are some highlights of the Governor’s actions on priority business bills. For a full list and to see what happened to legislation where amendments removed CalChamber opposition, see the [Final Status Report](#) listing inside this edition.

Opposed Bills Vetoed

• **AB 2106 (R. Rivas; D-Hollister)** would have established new water quality permit requirements on stormwater

discharges from commercial and institutional facilities that may have exposed permittees to citizen lawsuits. The bill’s constraints on State Water Board discretion in addressing stormwater may have had unintended consequences on regulated entities.

The Governor’s veto message pointed out, as the CalChamber did, that the water board has existing authority to set priorities, make findings and determine the necessity of new stormwater regulations. Citing the bill’s potential to result in significant new costs or ongoing General Fund support, the Governor said changes to stormwater management are best addressed in the budget process. In a theme repeated in other veto messages, the Governor noted that the state is facing lower-than-expected revenues over the first few months of the fiscal year and called for remaining disciplined when it comes to spending.

• **AB 2784 (Ting; D-San Francisco)** would have set out unreasonable timelines and percentages for thermoform plastic containers to achieve recycled plastic goals while also requiring producers to pay arbitrary and excessive fees. In opposing AB 2784, the CalChamber and a coalition of business and industry groups pointed out AB 2784’s overlap with the circular economy and recycling compromise bill signed earlier in the year, **SB 54 (Allen; D-Santa Monica)**.

See Governor Completes: Page 6

New California Law Expands Pay Scale Disclosure, Pay Data Reporting



Legislation signed by Governor Gavin Newsom last week requires employers to

make pay scales available to job applicants and employees and expands California’s pay data reporting requirements.

Now that **SB 1162 has been signed**, employers should review the new requirements and begin preparing to comply with the changes for 2023.

Pay Scale Disclosures

Currently, California employers are prohibited from asking job applicants about their salary history during the hiring process. Current law also requires employers to provide job applicants with pay scale information upon the job applicant’s request.

Beginning January 1, 2023, however, employers will have new pay scale obligations — and not just to job applicants.

First, in addition to job applicants being able to request a pay scale for the position they’re applying for, employers must provide, upon request, a pay scale to an employee for the position that they are currently working. The law defines pay

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Labor Law Corner

No Retroactive Fix for Underpayment to Exempt Employee



David Leporiere
HR Adviser

I recently took over as HR director for my company, and I discovered that for the last seven months, the company wasn't paying the required minimum salary for one of the employees that it had designated as exempt from overtime pay. Is there any way to correct the underpayment?

This question comes up more often than you would believe. There is a way to correct the underpayment, but it is not an easy fix.

Many employers believe they can fix the failure to pay the required minimum

salary by retroactively paying the amount of salary necessary to meet the minimum requirement, but that will not correct the mistake.

Lost Exemption

Once an employer fails to pay the required minimum salary to an employee designated to be exempt from minimum wage, the exemption is lost. An employer cannot regain that exempt status retroactively.

In effect, during the period that the employee was underpaid, that employee was misclassified and actually must be treated as a non-exempt employee. For each month that the employer failed to pay the minimum salary required by law, the employee was entitled to premium pay for all hours worked over 8 in a day or 40 in a workweek.

In addition, because that employee was non-exempt during that time frame, the employee also may be entitled to premium pay for any missed meal and rest breaks.

How to Compensate

The only way to compensate the employee who was not paid the minimum salary to be exempt from overtime, is to retroactively pay the employee for all overtime hours worked during those months. In order to make that payment, the employer would have to sit down with the employee and work together to determine the number of hours worked in each workweek to make the proper overtime payments.

I would strongly recommend to any employer that finds itself in this position to consult with their legal counsel on the best course of action moving forward.

Column based on questions asked by callers on the Labor Law Helpline, 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.

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CalChamber-Sponsored Seminars/Trade Shows

More at www.calchamber.com/events.

Labor and Employment

Virtual HR Symposium. CalChamber. November 3–4, Online. (800) 331-8877.
HR Boot Camp Virtual Seminar. CalChamber. December 8–9, Online. (800) 331-8877.

International Trade

2022 Taiwan Trade Shows. Taiwan External Trade Development Council. Through October 30, Online and In-Person. +886-2-2725-5200.
Taiwan Expo USA 2022. Taiwan Trade Center, San Francisco. October 12–14, Washington D.C. (408) 988-5018.

37th Trade Expo Indonesia (Virtual and In-Person). Ministry of Trade, Republic of Indonesia. October 19–23, Indonesia Convention Exhibition, BSD City, Tangerang-Banten, Indonesia. (628) 209-9207.

Singapore Week of Innovation and Technology (SWITCH). October 25–28, Singapore.

AmCham Colombia Annual Business Encounter 2022. Colombian American Chamber of Commerce. October 27,

Bogotá, Colombia. (+571) 5877828.
Women in Tech Trade Mission to Europe. U.S. Department of Commerce. October 30–November 5.
43rd World Congress of Vine and Wine. National Assembly, International Organization of Vine and Wine. October 31–November 4, Baja California. +52 (55) 9000-0199.
Information and Communication Technology (ICT) and Clean Technology Trade Mission to Serbia and Montenegro. U.S. Department of Commerce. October 31–November 4. (817) 684-5348.

See CalChamber-Sponsored: Page 6

CalChamber Calendar

Public Affairs Conference:

November 29–30, Laguna Niguel

Next Alert: October 21

Get Behind Golden State Pathways to Get Ahead on California's Economic Future



Loren Kaye

If you've seen it, you know. I'm talking about the spark in the eyes of young people who discover a career path they didn't know existed, who begin to recognize

connections between what they're learning now and the world of opportunities ahead.

Add to this the drive of employers who realize the significant role they can play in cultivating the workforce of the future — and who partner with their schools in bringing that future about.

Education and economy are intrinsically linked. When educators and employers work together, they transform communities by building the talent pipeline required for economic prosperity. We are poised to make those changes at scale and bring it to life as never before if we act wisely and collectively with our state's \$500 million investment in the [Golden State Pathways program](#).

Challenges

Still, current challenges might limit what we see ahead for ourselves and our state. No one can deny that we are living in a moment of severe labor shortages in so many industries, such as construction, health care, agriculture, and many more. Families and businesses alike are strapped by inflation. Our state is strugg-

ling to attract new minds and hearts and losing population — especially young families — to lower-cost locales.

We cannot allow these challenges to diminish our ability to connect education and the workforce in ways that strengthen our talent pipeline and generate social equity and economic opportunity for all. We've got what it takes to problem solve, grow, and inspire. These very deterrents can fuel our determination to do better.

Guest Commentary By Loren Kaye

Linked Learning

As president of the California Foundation for Commerce and Education, a think tank affiliated with CalChamber, I've had the opportunity to collaborate on the bridge building, research, and progress of the Linked Learning approach. By integrating rigorous academics with real-world learning and strong support services, Linked Learning prepares students for success in both college and career.

The Golden State Pathways program is rooted in the [evidence and impact](#) of this proven approach, which has a long and rich history of breaking down silos between school, industry, and community to make our state's systems work better for young people and our economy.

Collaborations

I've seen how some of our members, like The Wonderful Company in the San Joaquin Valley and Sutter Health in Sacramento, among many employers

spanning industries throughout California, have collaborated closely with their local school districts and postsecondary institutions to develop, test, and strengthen educational pathways that build on their mutual strengths and needs.

I've seen employer-informed and -supported internships, student projects, mentorships, and career-tech experiences integrate with rigorous academics and crucial student support services on a path to valuable, job-ready skills and credentials.

Through Linked Learning, everyone wins. Students experience a path into an industry that is rewarding on many levels. In health care pathways, for example, they're encountering not just doctors and nurses, but administrative and tech jobs with relevance everywhere.

In agriculture pathways, they're encountering not just fieldwork but business, biosciences, and more. Within and beyond the industry specifics, students are exposed to careers that connect to their passions and sense of purpose.

Employers also benefit from participation. They are actively reaching out, building awareness, interest, skills, and relationships salient to the work that must be done for their own growth and for their communities at large.

They have a hand in building the pipeline of talent they really need and that they will use, rather than waiting to see what might otherwise show up from training agencies. They develop talent locally and help create the kinds of workplaces and communities that attract even more. They and their collaborators

See [Get Behind Golden State](#): Page 19



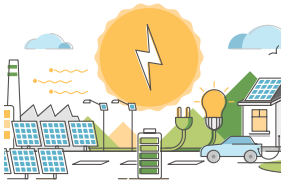
CalChamber Member Feedback

"CalChamber has a successful track record not only in the state Legislature, but with regulatory agencies, in the courts, and at the ballot box."

Christopher D. Howard
President and Chief Executive Officer
Sharp HealthCare

Immense Progress for State's Energy Grid

New Technologies Will Bring Clean Energy to Hard-to-Electrify Sectors



Top energy sector leaders from across the state joined the California Chamber

Board of Directors meeting recently to discuss California's clean energy future, and give an update on the current practices to handle peak demand on hot days and prevent outages.

The "California Energy Future" panel on September 9 was moderated by Marybel Batjer, partner of California Strategies and former president of the California Public Utilities Commission, and featured:

- CalChamber Board member Maryam Brown, president of Southern California Gas Company;
- CalChamber Board member Patti Poppe, CEO of PG&E Corporation; and
- Steve Powell, president and CEO of Southern California Edison.

Efforts to Manage Peak Energy Demand During Heat Waves

California's historic heat wave last month saw the state's daily energy demand hit a record 52,000 megawatts (MW), Batjer said.

Fortunately, California has invested in energy storage technology, renewable energy and has removed bureaucracy to facilitate open communication among energy generators.

"What we have done in the last two years is quite extraordinary," Batjer said.

Powell agreed, recalling that in 2020, California was forced to curtail energy. If the state had the advancements in 2020 that it currently has, the energy curtailments would not have been necessary, he said.

During the extreme heat wave in early September, batteries provided approximately 3,000 MW of energy, and Tesla Powerwall customers pitched in as well — providing a glimpse of the role electric vehicles (EVs) may one day soon play in California's energy generation, Poppe said.

A strategy with immense impact was the dissemination of text alerts asking residents to lower their power usage. Residents heeded the request and demand

potential to lower customer energy costs by a third.

The problem, he said, is how to get there because there is a lot that needs to be done. Over the last four years, Southern California Edison system average rates have gone up by 40%. When the rates are looked at overall since 2001, rates in total have gone up by less than inflation.

Since about 2019, the investments made to wildfire mitigation and increased

commodity costs for natural gas have led to the spike in rates. In the end, however, these investments must happen, especially given that energy usage will only increase in the future.

To figure out how to make these investments affordably, energy generators and the state will need to improve costs around technology, EVs and energy storage, Powell said. And critically, everyone has to participate in the active planning of this: state agencies have to get better at how they plan, utilities must participate, and customers must

provide information in order to avoid drawn-out planning fights that delay projects.

"We have to know where we have to build our infrastructure," he said. "You can't just snap your fingers and have infrastructure show up... everyone has got to be sharing more information and finding ways where we can just say 'yes' and move forward. It's too late to twiddle our thumbs and do a few pilots."

Exciting Innovations on the Horizon

One of the most exciting innovations within reach is the bidirectional charging that electrical vehicles can provide, Poppe said. This technology would essentially become a personal power plant right where people are.

See Immense Progress: Page 18



From left are CalChamber Board member Maryam Brown, president of Southern California Gas Company; Marybel Batjer, partner of California Strategies and former president of the California Public Utilities Commission; Steve Powell, president and CEO of Southern California Edison; and CalChamber Board member Patti Poppe, CEO of PG&E Corporation.

on the power grid decreased by approximately 2,000 MW, helping to avert a blackout, Poppe said.

Brown pointed out that an important takeaway from this heat wave was the importance of the integration of renewable and traditional energy sources (such as natural gas). While the integration between gas and electricity is changing, the grid still relied on natural gas for power, drawing 65% of its energy from gas.

Mitigating Costs

Between decarbonization and wildfire mitigation, California has set very ambitious climate goals.

In order to meet its 2045 carbon neutrality goal, California will need more clean energy and clean fuel, Powell said. If done right, this development has the

British Expert: Long Ties, Friendship a Solid Base for State-UK Trade Relations



Long ties of trade and friendship between California and the United

Kingdom are a solid foundation for continuing relations in this time of flux, a British political scientist and historian told a California Chamber of Commerce audience on September 22.

Dr. Matt Beech, founding director of the Centre for British Politics and senior fellow at the Institute of European Studies at the University of California, Berkeley, listed things to celebrate and build upon in the relationship between the U.K. and California, as well as the U.K. and the United States.

“The great thing about an open and liberal economy is that trade can bring countries together,” Beech said.

California-U.K. Relations

Highly valued goods are a significant component of U.K.-California trade, Beech said. “What we sell to California, California ... sells back to us.”

The high-end products include aeronautical engineering, computer components, chemicals and petrochemicals.

Another factor that bodes well for U.K.-California relations, he said, is that Prime Minister Elizabeth Truss understands the importance of the U.K. trading relationship with the state and is familiar with California, having [visited here](#) while she was trade secretary.

Truss was appointed prime minister

on September 6, just two days before the death of Queen Elizabeth II ended the beloved monarch’s 70-year reign.

Economics were less of a central concern for Prime Minister Truss’ predecessor, Boris Johnson, Beech commented.

U.S.-U.K. Relations

Prime Minister Truss has taken the role in a challenging time, Beech said, citing the inflation rate in the U.K., the

with the U.S. and Biden administration, including human rights, the environment, exchanges and — most important — security.

America is the “central, indispensable partner in NATO” for global security, Beech commented. Also important, he said, is the intelligence sharing between the U.S., U.K., Canada, Australia and New Zealand.

Intelligence work often falls “under the radar,” he observed, but the work the men and women in the intelligence community do to keep society open and free is “absolutely central.”

The most difficult issue for U.K. leaders, Beech said is the Northern Ireland Protocol — the agreement when the U.K. left the European Union not to add customs checks when goods are transported between Northern Ireland (which is part of the U.K. and therefore not part of the EU) and the Republic of Ireland, which remains in the EU and shares a land border with Northern Ireland.

He called the Ireland question a “national headache” for the Conservative Party.

Adding to the concerns of the Conservative Party, which has been in power since 2010, is the rise of the Labour Party. Polls show the Labour Party is ahead

and is providing a “very robust opposition” to the Conservative government, Beech commented.

History will decide, he said, whether the resurgent, progressive opposition prevails, as in the late 1990s or “shy Conservatives” come to the fore as in the early 1990s.

Staff Contact: Susanne T. Stirling



Dr. Matt Beech, founding director, Centre for British Politics

cost-of-living crisis reflected in higher energy costs, Russian aggression in the Ukraine, and the aftermath of the pandemic.

Truss has said that it is unlikely that the U.S. and U.K. will negotiate a trade deal for some years, Beech explained.

Even so, he said, there are solid areas where the U.K. can work together

Governor Completes Action on Priority Business Bills

From Page 1

In his veto message, the Governor also expressed concern that AB 2784 would have imposed confusing requirements in conflict with some of SB 54's key provisions, unfairly resulting in duplicative fees and penalties for the same material. Like the coalition, the Governor pointed out that SB 54 was designed to create a comprehensive regulatory framework for all recycled materials instead of piecemeal approaches for individual products.

"We should allow CalRecycle to begin its work to implement the reforms required by SB 54 before contemplating any new recycling requirements for individual materials," the Governor said.

• **AB 1262 (Cunningham; R-San Luis Obispo)** would have established significant prohibitions on the use of information from smart speakers, including sharing, selling or using that information for advertising. It also would have created an opt-in requirement for smart speakers and placed limitations on how voice data could be used by manufacturers, all while requiring smart speakers to continue functioning.

Like the CalChamber and coalition opposing AB 1262, the Governor's veto message noted that the opt-in provisions of AB 1262 could create confusion for consumers who would be required to take an extra step to use their own devices and services as intended. The Governor also echoed opponents' concern that the bill's language could inhibit development of improved voice recognition technologies and assistive devices.

• **SB 346 (Wieckowski; D-Fremont)**, by placing restrictions on in-vehicle cameras, would have significantly hindered the ability of automakers and other technology providers to provide safety technology to consumers.

The Governor's veto message noted that SB 346 contains broad language that could unintentionally prohibit a vehicle manufacturer from updating or improving critical technology.

He cited the importance of "balanced policies that protect consumers and their privacy without inadvertently impeding our ability to innovate and improve new technologies — especially when a technology has the potential to save lives."

Cumulative Job Killer Vetoes

- 2022: 19 Job Killer bills identified, 2 sent to Governor Gavin Newsom, 2 signed;
- 2021: 25 Job Killer bills identified, 2 sent to Governor Newsom, 1 signed, 1 vetoed;
- 2020: 19 Job Killer bills identified, 2 sent to Governor Newsom, 1 signed, 1 vetoed;
- 2019: 31 Job Killer bills identified, 2 sent to Governor Newsom, 1 signed, 1 vetoed;
- 2018: 29 Job Killer bills identified, 1 sent to Governor Edmund G. Brown Jr., 1 vetoed;
- 2017: 27 Job Killer bills identified, 3 sent to Governor Brown, 2 signed, 1 vetoed;
- 2016: 24 Job Killer bills identified, 5 sent to Governor Brown, 4 signed, 1 vetoed;
- 2015: 19 Job Killer bills identified, 3 sent to Governor Brown, 1 signed, 2 vetoed;
- 2014: 27 Job Killer bills identified, 2 sent to Governor Brown, 2 signed;
- 2013: 38 Job Killer bills identified, 1 sent to Governor Brown, 1 signed;
- 2012: 32 Job Killer bills identified, 6 sent to Governor Brown, 4 signed, 2 vetoed;

- 2011: 30 Job Killer bills identified, 5 sent to Governor Brown, 1 signed, 4 vetoed;

- 2010: 43 Job Killer bills identified, 12 sent to Governor Arnold Schwarzenegger, 2 signed, 10 vetoed;
- 2009: 33 Job Killer bills identified, 6 sent to Governor Schwarzenegger, 6 vetoed;
- 2008: 39 Job Killer bills identified, 10 sent to Governor Schwarzenegger, 1 signed, 9 vetoed;
- 2007: 30 Job Killer bills identified, 12 sent to Governor Schwarzenegger, 12 vetoed;
- 2006: 40 Job Killer bills identified, 11 sent to Governor Schwarzenegger, 2 signed, 9 vetoed;
- 2005: 45 Job Killer bills identified, 8 sent to Governor Schwarzenegger, 1 signed, 7 vetoed;
- 2004: 23 Job Killer bills identified, 10 sent to Governor Schwarzenegger, 10 vetoed;
- 2003: 53 Job Killer bills identified, 13 sent to Governor Gray Davis, 11 signed, 2 vetoed;
- 2002: 35 Job Killer bills identified, 17 sent to Governor Davis, 12 signed, 5 vetoed;
- 2001: 12 Job Killer bills identified, 5 sent to Governor Davis, 3 signed, 2 vetoed;
- 2000: No Job Killers identified. Of 4 bad bills identified at end of session, Governor Davis signs 2 and vetoes 2;
- 1999: 30 Job Killer bills identified, 9 sent to Governor Davis, 6 signed, 3 vetoed;
- 1998: 64 Job Killer bills identified, 11 sent to Governor Pete Wilson, 11 vetoed;
- 1997: 57 Job Killer bills identified, 9 sent to Governor Wilson, 9 vetoed.

CalChamber-Sponsored Seminars/Trade Shows

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Aerospace and Defense Trade Mission to the Middle East. U.S. Department of Commerce. November 6–11, Tel Aviv, Israel; Riyadh, Saudi Arabia; Manama, Bahrain. (623) 377-9641.

Exporting 101: Pathways to Developing International Markets. California Centers for International Trade Development. November 9, February 22, 2023, Online. (559) 243-7280.

U.S. Pavilion at Formnext 2022. U.S. Department of Commerce. November 15–18, Frankfurt, Germany. 49-211-737767-30.

Beijing International Life and Health Industry Expo. Ministry of Commerce, World Federation of Chinese Medicine Societies, Chinese Research Hospital Association, China Chamber of International Commerce. November 25, Online. +86 15801079798.

Spain and Portugal Trade Mission. U.S. Department of Agriculture. November 29–December 2, Madrid, Spain. Deadline to Apply: September 15.

VI International InvestChile Forum 2022. InvestChile. December 5–7, Santiago, Chile. (56-2) 2663 9200.

U.S. EXIM Bank 2022 Annual Conference. Export-Import Bank of the United States. December 13, Washington, D.C. and Online. (800) 565-3946.

Final Status Report on Major Business Bills

The following list summarizes the final status of California Chamber of Commerce priority bills sent to the Governor this year or resolutions adopted by the Legislature.

Bills signed by the Governor will become law on January 1, 2023. Urgency,

tax and budget-related measures go into effect immediately upon being signed. In those cases, the date the Governor signed the bill is noted.

The CalChamber will publish a record of legislators' votes on key bills affect-

ing the California business climate on October 21. Generally, the bills selected for the vote record have appeared in one of the status reports.

Subject—CalChamber Position	Status
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Agriculture, Food and Natural Resources

Product Restrictions. AB 2146 (Bauer-Kahan; D-Orinda) Imposes restrictions on use of pesticide import-ant for combatting citrus disease. Circumvents science-focused regulatory processes. Oppose.	Vetoed
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Air Quality

Carbon Capture Projects. SB 905 (Caballero; D-Salinas) Requires California Air Resources Board (CARB) to create the Geologic Carbon Sequestration Demonstration Initiative but caps the number of demonstration projects at 3 and limits the projects to a very narrow list of industries, thereby stifling the ability of carbon capture technology to become more prevalent and help to reduce additional greenhouse gases (GHGs). Oppose Unless Amended.	Signed—Chapter 359
Sustainable Aviation Fuel Incentives. AB 1322 (R. Rivas; D-Hollister) Requires state agencies to develop a plan to incentivize the production of sustainable aviation fuel to no less than 1.5 billion gallons per year by 2030 and implement said plan by July 1, 2024. Support.	Vetoed
Carbon Capture Sequestration Expansion. AB 2101 (Flora; R-Ripon) Adds whole orchard recycling projects to the list of eligible Carbon Capture Sequestration Registry projects that are eligible to seek fund-ing from state agencies or private entities. Support.	Signed—Chapter 117

Banking and Finance

Credit Availability. AB 2424 (B. Rubio; D-Baldwin Park) Prevents frivolous and false disputes made by credit repair services that delay credit availability. Updates the Credit Repair Services Act to provide trans-parency for costs of services rendered and expected results. Support.	Signed—Chapter 965
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Budget

California Employer Economic Relief. SB 113 (Committee on Budget and Fiscal Review) Restores Net Operating Loss deduction and lifts cap placed on business incentive tax credits that were suspended in 2020's state budget. Support.	Signed—Chapter 3 2/9/22
Performing Arts. SB 1116 (Portantino; D-La Cañada Flintridge) Provides funding to increase performing arts jobs throughout California. Support.	Signed—Chapter 731 9/29/22

Subject—CalChamber Position	Status
<h2 style="color: red;">California Environmental Quality Act (CEQA)</h2>	
<p>CEQA Streamlining. SB 886 (Wiener; D-San Francisco) Streamlines the CEQA process for housing development around University of California campuses to increase student housing. Support.</p>	Signed—Chapter 663
<h2 style="color: red;">Climate Change</h2>	
<p>Threatens Oil and Gas Development Operations. SB 1137 (Lena Gonzalez; D-Long Beach) Threatens to eliminate thousands of high-paying California jobs and force California to import even more foreign oil by politicizing and undermining the California Geologic Energy Management (CalGEM) Division’s ongoing regulatory process regarding new requirements near oil and gas extraction sites by predisposing what setback requirements should be before the agency even begins its analysis. Oppose/Job Killer.</p>	Signed—Chapter 365
<p>Limits Technological Development. AB 1279 (Muratsuchi; D-Torrance) Proposes to limit the technology necessary to reach our carbon neutrality goals by more than doubling our state goal while also imposing limits on technology-assisted carbon reductions, sending market signal to not develop carbon removal or storage technology. Oppose.</p>	Signed—Chapter 337
<p>Government Regulation of Natural Lands. AB 1757 (C. Garcia; D-Bell Gardens) Requires the State’s Natural Resources Agency to come up with unattainable targets for carbon sequestration on various public and private lands while doing nothing to streamline the deployment of carbon sequestration projects that would help the state achieve its climate goals. Oppose.</p>	Signed—Chapter 341
<h2 style="color: red;">Education</h2>	
<p>Inland Rising Fund. AB 2046 (Medina; D-Riverside) Establishes Inland Rising Fund to support development, operation and maintenance of new research into medicine and climate change at the University of California Riverside, and the University of California Merced. Support.</p>	Signed—Chapter 526
<p>STEM Partnership Academies. AB 1923 (Mathis; R-Visalia) Reprioritizes existing science, technology, engineering and math (STEM) grant funding to prioritize education for pupils that are underrepresented in STEM, including rural populations, economically disadvantaged populations, as well as other populations. Support.</p>	Signed—Chapter 114
<h2 style="color: red;">Energy</h2>	
<p>Grid Regionalization. ACR 188 (Holden; D-Pasadena). Encourages the California Independent System Operator to report on the impacts of grid regionalization with other organizations in Colorado, Nevada and other regional states. Grid regionalization is an effective policy to help ensure that energy is delivered in an efficient and effective manner. Support.</p>	Resolution Chapter 138
<p>Diablo Canyon Powerplant. SB 846 (Dodd; D-Napa) Extends for a limited time the operation of the Diablo Canyon Nuclear Power Plant, which supplies 8.6% of California’s total electricity supply and 17% of the state’s carbon-free electricity supply. Ensures supply reliability and safeguards residential health and safety, as well as investment in new industries that depend on a reliable electricity supply. Support.</p>	Signed—Chapter 239 9/2/22
<p>Undergrounding Mandate. SB 884 (McGuire; D-Healdsburg) The bill attempts to incentivize investor-owned utilities (IOU) to underground their poles and wires, but in reality it simply reduces the IOU’s ability to generate a rate of return for the massive investment that this would require. Additionally, it requires telecommunications companies to underground their equipment on any site that is collocated with the energy companies. This would slow the pace of undergrounding that is currently being proposed while dramatically increasing the cost of energy for consumers — residential, commercial and industrial. Neutral.</p>	Signed—Chapter 819

Subject—CalChamber Position	Status
Environmental Regulation	
<p>Ban on Enhanced Oil Recovery. SB 1314 (Limón; D-Goleta) Prohibits enhanced oil recovery produced by a carbon dioxide capture project or a carbon dioxide capture and sequestration project into a Class II injection well, including the facilitation of enhanced oil recovery from another well. This prohibits an important tool to potentially reduce greenhouse gases. Oppose.</p>	Signed—Chapter 336
Health Care	
<p>CARE ACT Services for the Mentally Ill. SB 1338 (Umberg; D-Santa Ana) Changes the state’s process for caring for those facing extreme mental illness or drug addiction. Creates a system with advocates for those who need care, but also provides wraparound services to ensure those most in need get the treatment that’s needed. Support.</p>	Signed—Chapter 319
<p>Health Care Cost Increase. AB 1859 (Levine; D-San Rafael) Before amendments, increased health care costs by requiring health plans and insurers to schedule outpatient appointments within an extremely short period of time. Amendments allowed plans more time to schedule follow-up appointments. Neutral.</p>	Vetoed
<p>Health Care Cost Driver. AB 1880 (Arambula; D-Fresno) Increases health care costs for employers by requiring prior authorization and step therapy denial appeals be reviewed by clinical peers in addition to expensive new reporting requirements for health plans and insurers. Oppose Unless Amended.</p>	Vetoed
<p>Expensive Diagnostic Imaging Mandate. SB 974 (Portantino; D-La Cañada Flintridge) Increases premiums for employers and employees by mandating plans and insurers provide coverage without imposing cost sharing for follow-up screening mammography and medically necessary diagnostic breast imaging. Oppose.</p>	Vetoed
<p>Health Care Cost Driver. SB 999 (Cortese; D-San Jose) Increases health care costs for employers by requiring plans and insurers to retain expensive health care providers to review step therapy and prior authorization appeals and denials. Oppose Unless Amended.</p>	Vetoed
Housing and Land Use	
<p>Los Angeles County Tax Authority. SB 679 (Kamlager; D-Los Angeles) Creates new agency with broad taxing authority on various entities in Los Angeles County under the guise of creating a new low-income housing program. However, the County already has jurisdiction over this issue and has billions in unspent funds to build affordable housing. Oppose.</p>	Signed—Chapter 661
Labor and Employment	
<p>Publication of Pay Data. SB 1162 (Limón; D-Goleta) Encourages litigation against employers based on the publication of broad, unreliable data collected by the state. Undermines employers’ ability to hire, imposes burdensome administrative and record keeping requirements, and subjects employers to a private right of action. Job killer tag removed due to August 15, 2022 amendments removing requirement to publish individual pay data reports online. Oppose/Former Job Killer.</p>	Signed—Chapter 559
<p>State of Emergency. SB 1044 (Durazo; D-Los Angeles) Allows employees to leave work or refuse to show up to work if employee feels unsafe regardless of whether employer has provided health and safety protections and subjects employers to costly PAGA lawsuits if they dispute the employee’s decision or need to have another employee take over any job duties. Job killer tag and opposition removed due to amendments taken on August 15, 2022 narrowing the scope of the bill and recognizing existing health and safety regulations. Neutral/Former Job Killer.</p>	Signed—Chapter 829

Subject—CalChamber Position	Status
<p>Forced Unionization Process for Agricultural Employees. AB 2183 (Stone; D-Scotts Valley) Limits an employee’s ability to independently and privately vote for unionization in the workplace and forces employers into union submission, by eliminating a secret ballot election and replacing it with card check or requiring employers to waive certain rights to proceed through an untested ballot procedure under which the ballot can be filled out by labor organizations. Also, unfairly limits an employer’s ability to challenge the cards submitted by forcing employers to post an unreasonable bond, and then limits an employee’s ability to decertify a union, by forcing them to go through the ballot election process instead of submission of representation cards. Also includes an unnecessary presumption of retaliation that is effectively unlimited in scope because it would apply for the duration of an election campaign, which could last for a year or more. Oppose/Job Killer.</p>	Signed—Chapter 673
<p>Fast Food Industry: Franchises; Wage and Hour. AB 257 (Holden; D-Pasadena) Establishes Fast Food Sector Council that would have unprecedented authority to write its own labor and employment laws for fast food restaurant employees, circumventing the California Legislature and other regulatory agencies’ position in establishing such laws. Oppose.</p>	Signed—Chapter 246
<p>Significant Expansion of Family Leave and Paid Sick Leave. AB 1041 (Wicks; D-Oakland) Prior to amendments, would have significantly expanded multiple existing leave requirements in California that apply to employers of five or more, including small employers with limited employees who are struggling as a result of the pandemic, by allowing an employee to take leave to care for any family member or any person of their choosing without limitation, and subjecting the employer to costly litigation under the Fair Employment and Housing Act or the Labor Code Private Attorneys General Act (PAGA), for any alleged interference, interruption, discouragement, or denial. Job killer tag removed due to April 22, 2021 amendments narrowing the bill so that the only additional persons that an employee can take leave to care for is one designated person per 12-month period. Oppose/Former Job Killer 2021.</p>	Signed—Chapter 748
<p>University of California: Vendors. SB 1364 (Durazo; D-Los Angeles) Discourages small businesses and other vendors from contracting with the University of California to the detriment of students, faculty, and the local community, especially as it relates to the UC hospitals that provide vital healthcare services. Oppose.</p>	Vetoed
<p>Call Centers. AB 1601 (Weber; D-San Diego) Improperly seeks to penalize California companies who move their call centers out of the country. Oppose.</p>	Signed—Chapter 752
<p>Background Checks. SB 1262 (Bradford; D-Gardena) Preserves access to work by removing roadblocks to timely completion of employment background checks. Support.</p>	Vetoed
<p>Disability Access: Funding. AB 2164 (Lee; D-San Jose) Benefits small businesses and consumers by providing funding to small businesses to ensure their properties are accessible. Support.</p>	Signed—Chapter 895

Legal Reform and Protection

<p>Sexual Assaults Claims Reviver. AB 2777 (Wicks; D-Oakland) Formerly created vague liability for any “inappropriate conduct” going back decades, including comments which may have been appropriate at the time. Amendments limited liability to sexual assault, eliminating the risk of conversations or other nonphysical conduct creating liability. Due to these significant amendments, opposition removed. Neutral.</p>	Signed—Chapter 442
<p>Changes to Judgments and Debts. SB 1200 (Skinner; D-Berkeley) Previously provided for complete end of ability to renew judgment debts and created confusing system of applicable interest rates. Opposition removed with amendments protecting ability for one renewal filing on judgments for five years, and providing a clearer, simpler 5% interest applicable to renewals. Neutral.</p>	Signed—Chapter 883

Subject—CalChamber Position	Status
<p>Wage Garnishment. SB 1477 (Wieckowski; D-Fremont) Adjusts formula for permissible wage garnishment in California. Initially included a doubling of the baseline discretionary income for which garnishment was allowed. Amendments greatly reduced baseline threshold, resulting in a significantly reduced effect for the bill. Due to this change in the formula, opposition removed. Neutral.</p>	Signed—Chapter 849
<p>Changes to Unfair Competition Law. AB 2766 (Maienschein; D-San Diego) Previously provided relatively unchecked new authority for city attorneys to enforce statute presently reserved for district attorneys and Attorney General. With amendments, limitations were placed on use of power by city attorneys. Neutral.</p>	Signed—Chapter 698

Privacy and Cybersecurity

<p>Political Purpose Disclosures. SB 746 (Skinner; D-Berkeley) Originally expanded the California Privacy Rights Act (CPRA) to require a business that collects personal information about a consumer and uses that information for a political purpose to make certain disclosures, among other things. Opposition removed after amendments struck all changes to the CPRA and instead ensure that existing disclosure requirements, prohibitions, and limitations of the Political Reform Act generally apply to any business entity that intentionally uses its products or services to disseminate communications made for political purposes. Neutral.</p>	Signed—Chapter 876
<p>Restrictions on Smart Speakers. AB 1262 (Cunningham; R-San Luis Obispo) Establishes significant prohibitions on the use of information from smart speakers, including sharing, selling or using that information for advertising. Creates an opt-in requirement for smart speakers and places limitations on how voice data can be used by manufacturers, all while requiring smart speakers to continue functioning, subject to significant liability. Oppose.</p>	Vetoed
<p>Student Test Taker Privacy Protection Act. SB 1172 (Pan; D-Sacramento) As amended, adds a new provision to the Business and Professions Code to prohibit a business providing proctoring services in an educational setting from collecting, retaining, using, or disclosing personal information except to the extent strictly necessary to provide those proctoring services and in other specified circumstances. Enforceable per existing law, Business and Professions Code Section 17200. Opposition removed after June 29, 2022 amendments. Neutral.</p>	Signed—Chapter 720
<p>Age-Appropriate Design Code. AB 2273 (Wicks; D-Oakland) Creates overinclusive and difficult to interpret/implement standard for designing online services, products or features for young people by importing requirements used in United Kingdom without the guidance UK regulators make available to companies. Provides fewer opportunities to fix mistakes and a more aggressive approach to fines and penalties than the UK model. Uses subjective standard for the children to be protected rather than a well-established federal standard under the Children's Online Privacy Protection Act (COPPA). Oppose Unless Amended.</p>	Signed—Chapter 320
<p>Cyberbullying. AB 2879 (Low; D-Campbell) Requires social media platforms, as defined and subject to specified exceptions, to disclose all “cyberbullying,” reporting procedures in the social media platform’s terms of service and requiring a social media platform to establish a mechanism within its internet-based service that allows an individual to report cyberbullying or any content that violates the existing terms of service. Delayed enactment of penalties. Starting September 1, 2023, intentional violations are subject to specified civil penalties or injunction, to be prosecuted in a court of competent jurisdiction by the Attorney General. Specifies that its provisions shall not be deemed to create a private right of action or limit any existing private right of action. Opposition removed after June 21, 2022 amendments. Neutral.</p>	Signed—Chapter 700
<p>In-Vehicle Cameras. SB 346 (Wieckowski; D-Fremont) Prohibits outright any images or video recordings collected through the operation of an in-vehicle camera from being used for any advertising purpose or being sold to third parties for any purpose. Establishes overly restrictive prohibitions against sharing data, thereby significantly hindering the ability of automakers and technology providers to provide safety technology. Confusingly, prohibits automakers from denying any consumer the goods, services or benefits of the vehicle technology, while simultaneously prohibiting automakers from updating or repairing inoperable or flawed technology or software (that is, denying the benefit of the technology) unless the consumer opts in. Ultimately undermines and complicates compliance with the Consumer Privacy Rights Act. Oppose.</p>	Vetoed

Subject—CalChamber Position	Status
<p>Platform Accountability and Transparency Act. SB 1018 (Pan; D-Sacramento) Requires social media platforms to disclose statistics regarding the extent to which items of content that the platform determined violated its policies were recommended or amplified by its algorithms, not only after a violation of their terms of service was identified, but before. States that this does not require the dissemination of confidential business information or trade secrets. Any violation is subject to enforcement by the Attorney General, city attorneys and district attorneys (as well as city prosecutors with the consent of the district attorney) for civil penalties of up to \$100,000 for each violation. Oppose Unless Amended.</p>	Vetoed
<p>Mandatory Content Moderation Reporting and Auditing. AB 587 (Gabriel; D-San Fernando Valley) Requires all social media companies to make detailed disclosures on a quarterly basis detailing content moderation practices and procedures, including details that could threaten the security and efficacy of content moderation practices currently in place. Oppose Unless Amended.</p>	Signed—Chapter 269

Procurement

<p>Equity in State Procurement. AB 2019 (Petrie-Norris; D-Laguna Beach) Promotes equity and inclusion in the state’s public contracting process by ensuring consideration for disadvantaged business enterprises. Support.</p>	Signed—Chapter 730
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Product Regulation

<p>State Regulation of Household Products. AB 2247 (Bloom; D-Santa Monica) Sets up an unprecedented level of state regulation for perfluoroalkyl and polyfluoroalkyl substances (PFAS) including duplicating oversight already done by the U.S. Environmental Protection Agency. Oppose.</p>	Vetoed
<p>Disrupts Personal Care Products. AB 2771 (Friedman; D-Glendale) Negatively affects aerosol personal care products that are transitioning from hydrofluorocarbons (HFCs) to lower Global Warming Potential refrigerants. Oppose Unless Amended.</p>	Signed—Chapter 804

Recycling

<p>Circular Economy and Recycling. SB 54 (Allen; D-Santa Monica) Creates the first Extended Producer Responsibility program in California for single-use packaging in order to create a circular economy that significantly increases recycling, reduces superfluous packaging, and mitigates any environmental impacts associated with improper disposal or recycling of single-use plastic packaging. No Position.</p>	Signed—Chapter 54 6/30/22
<p>Battery Recycling. AB 2440 (Irwin; D-Thousand Oaks) Updates and streamlines the process for batteries to be recycled throughout the state. Neutral.</p>	Signed—Chapter 351
<p>Thermoform Containers. AB 2784 (Ting; D-San Francisco) Sets out unreasonable timelines and percentages for thermoform plastic containers to achieve recycled plastic goals while also requiring producers to pay arbitrary and excessive fees. Oppose Unless Amended.</p>	Vetoed

Taxation

<p>Manufacturing Tax Credit Expansion. AB 1951 (Grayson; D-Concord) Expands investment and production in California by expanding the sales and use tax exemption for the purchase of manufacturing and research and development (R&D) equipment. Support.</p>	Vetoed
<p>Special Tax Authority Expansion. SB 852 (Dodd; D-Napa) Allows a climate resiliency district, which is a kind of Enhanced Infrastructure Financing District (EIFD), to levy taxes due to a new and expanded special tax authority which exceeds current EIFD law. Oppose Unless Amended.</p>	Signed—Chapter 266

Subject—CalChamber Position	Status
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Telecommunications

<p>Broadband Deployment Streamlining. AB 2749 (Quirk-Silva; D-Fullerton) Streamlines the state’s California Advanced Services Fund grant application process which will hasten the deployment of broadband to all communities within the state. Support.</p>	Vetoed
<p>Streamline Broadband Deployment. SB 717 (Dodd; D-Napa) Requires the state Department of Technology to create a report identifying obstacles to, opportunities for and investment in broadband access points. This will allow for a more rapid deployment of broadband infrastructure throughout the state. Support.</p>	Signed—Chapter 813

Transportation and Infrastructure

<p>Reducing Harassment of Women on Public Transit. SB 1161 (Min; D-Irvine) Requires the Mineta Transportation Institute to help transportation agencies gather consistent data on the prevalence of harassment of women on their vehicles and in their stations. Support.</p>	Signed—Chapter 318
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Unemployment Insurance

<p>Work Sharing Plans. AB 1854 (Boerner Horvath; D-Encinitas) Extends availability of workshare programs to allow employers the option of taking advantage of program when attempting to reduce workforce while minimizing salary loss for employees. Support.</p>	Signed—Chapter 112
<p>Self-Employed Individuals. SB 1138 (Allen; D-Santa Monica) Originally sought to provide unemployment insurance to self-employed individuals without any funding stream, effectively charging unrelated employers for self-employed individuals’ benefits. Opposition removed after amendments to provide for a study by Employment Development Department of the issues surrounding self-employed individuals. Neutral.</p>	Signed—Chapter 836

Water Supply and Quality

<p>New Water Quality Permit Requirement. AB 2106 (R. Rivas; D-Hollister) Imposes new permitting requirements on stormwater discharges from commercial and institutional facilities that may expose permittees to citizen lawsuits. Constrains State Water Board discretion in addressing stormwater that may have unintended consequences on regulated entities. Oppose.</p>	Vetoed
<p>Water Quality Regulation. AB 2108 (R. Rivas; D-Hollister) Imposes unnecessary requirements on the composition of State and Regional Water Boards. Injects burdensome analyses and mitigation requirements for State and Regional Water Board decisions on water quality planning and permitting decisions. Oppose Unless Amended.</p>	Signed—Chapter 347
<p>Water Rights Permits. SB 1205 (Allen; D-Santa Monica) Requires development of standardized methods for determining water availability for those seeking water rights permits. Support.</p>	Signed—Chapter 369

Workers’ Compensation

<p>Review of Claims. SB 1127 (Atkins; D-San Diego) Fundamentally alters longstanding rules and timeframes related to investigation of eligibility of workers’ compensation claims such that it substantially reduces the time an employer has to investigate a claim. Significantly increases mandatory penalties that will be leveraged to increase litigation costs. Oppose.</p>	Signed—Chapter 835
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Subject—CalChamber Position	Status
<p>Extends COVID-19 Workers’ Compensation Presumption. AB 1751 (Daly; D-Anaheim) Originally extended sunset date on existing workers’ compensation presumption for COVID-19 for two years. Opposition removed based on August 25, 2022 amendments reducing extension from two years to one year. Neutral.</p>	<p>Signed—Chapter 758</p>
<h2 style="color: red;">Workplace Safety</h2>	
<p>Workplace Marijuana Testing. AB 2188 (Quirk; D-Hayward) Requires saliva (or other non-metabolite) testing be used when conducting marijuana testing in pre-employment or workplace settings, along with prohibiting discrimination based on marijuana usage. Job killer status removed due to June 30, 2022 amendments which, among other provisions, protected pre-employment testing and handled federal/state conformity issues surrounding marijuana’s legality. Oppose/Former Job Killer.</p>	<p>Signed—Chapter 392</p>
<p>Cal/OSHA Regulatory Suggestions. AB 2243 (E. Garcia; D-Coachella) Suggests Cal/OSHA consider various updates to the Wildfire Smoke Regulation and Heat Illness Prevention in Outdoor Places of Employment regulations, but does not compel action. Previously included duplicative and ambiguous provisions, as well as compelling Cal/OSHA to approve the listed changes. Due to significant amendments limiting its scope and making such changes optional, opposition removed. Neutral.</p>	<p>Signed—Chapter 778</p>
<p>COVID-19 Workplace Notice. AB 2693 (Reyes; D-San Bernardino) Formerly required individual written notice for all employees after a case entered the workplace and maintained emergency-level notice requirements until 2025, despite COVID-19 becoming an endemic disease and considerable medical improvements related to vaccination and treatment. Amended for a shorter duration and more feasible notice provisions, resulting in significantly shorter and more feasible requirements for California businesses. Due to these amendments, opposition removed. Neutral.</p>	<p>Signed—Chapter 799</p>
<p>Access to Non-Public Restrooms for Certain Health Conditions. AB 1632 (Weber; D-San Diego) Originally allowed individuals with certain health conditions to have access to non-public restrooms in virtually all businesses based on vague standards, and potentially created new construction obligations, and potentially prevented discipline of employees who denied legally required access. Opposition removed after August 1, 2022 amendments to address concerns. Neutral.</p>	<p>Signed—Chapter 893</p>

Overview of November Ballot Measures

Following are brief summaries of the measures that will appear on the November 8 General Election ballot. When the California Chamber of Commerce has taken a position, the reasons for that position are summarized.

The CalChamber encourages employers to share this information with their employees. Businesses are within their

rights to do so — just remember: NO PAYCHECK STUFFERS, no coercion, no rewarding or punishing employees (or threatening to do so) for their political activities or beliefs.

For more guidelines on political communications to employees, see the brochure at www.calchamber.com/guidelines. Note the distinction between

internal communications (to employees, stockholders, and their families) and communications to *external* audiences (such as nonstockholder retirees, outside vendors, customers and passersby).

For more information on the ballot measures, see the links listed below or visit the website of the Secretary of State at www.sos.ca.gov.

Proposition 1

Constitutional Right to Reproductive Freedom. Legislative Constitutional Amendment.

Amends California Constitution to expressly include an individual's fundamental right to reproductive freedom, including the right to choose to have an abortion and the right to choose or refuse contraceptives. The amendment does not narrow or limit existing rights to privacy and equal protection.

Placed on Ballot by: Legislature: SCA 10 (Atkins; D-San Diego), Chapter 97, Statutes of 2022.

Ballot Arguments For

Proposition 1 places in the Constitution the fundamental right to an abortion and the fundamental right to contraceptives. It

protects individual choices on reproductive care and the right to choose to have an abortion, keeping medical decisions where they belong — between a patient and their provider.

More Information

www.Yeson1CA.com

Ballot Arguments Against

Proposition 1 is an extreme law that allows late-term abortions at taxpayer expense up to the moment of birth, even if the baby is healthy and the mother's life isn't threatened. Current state law already guarantees a woman's right to choose.

More Information

www.NoProposition1.com

Proposition 26

NO POSITION

Allows In-Person Roulette, Dice Games, Sports Wagering on Tribal Lands. Initiative Constitutional Amendment and Statute.

Also allows sports wagering at certain horseracing tracks and private lawsuits to enforce certain gambling laws. Directs revenues to the state's General Fund, problem gambling programs, enforcement.

Placed on Ballot by: Petition signatures.

CalChamber Position: No Position

Ballot Arguments For

Proposition 26 limits sports wagering to adults only and supports Indian self-reliance by providing revenue for tribal education, health care and other vital

services. Proposition 26 promotes safe, responsible gaming and helps stop and prevent illegal gambling.

More Information

www.Yeson26.com

Ballot Arguments Against

Proposition 26 is a massive expansion of gambling that will lead to more underage gambling and addiction. It is sponsored by five wealthy gaming tribes that want to expand their monopoly on gambling to include sports betting and will devastate other communities of color.

More Information

www.VoteNoOnProp26.org

Proposition 27

NO POSITION

Allows Online and Mobile Sports Wagering Outside Tribal Lands. Initiative Constitutional Amendment and Statute.

Allows Indian tribes and affiliated businesses to operate online/mobile sports wagering outside tribal lands. Directs revenues to regulatory costs, homelessness programs, nonparticipating tribes.

Placed on Ballot by: Petition signatures.

CalChamber Position: No Position

Ballot Arguments For

Proposition 27 is supported by California tribes, homelessness and mental health experts. It will permanently fund housing, mental health and addiction treatment by

regulating and taxing online sports betting. Proposition 27 contains strict rules protecting minors, regular audits, and oversight by the Attorney General.

More Information

<https://yestoprop27.com>

Ballot Arguments Against

Proposition 27 is a deceptive scheme funded by out-of-state gambling corporations to legalize a huge expansion of online and mobile sports gambling. Out-of-state corporations would receive 90% percent of the profits. Proposition 27 is opposed by more than 50 California tribes.

More Information

<https://noon27.com>

Proposition 28

NO POSITION

Provides Additional Funding for Arts and Music Education in Public Schools. Initiative Statute.

Provides additional funding from the state General Fund for arts and music education in all K–12 public schools, including charter schools.

Placed on Ballot by: Petition signatures.

CalChamber Position: No Position.

Ballot Arguments For

Barely 1 in 5 California public schools have a full-time arts or music program.

Proposition 28 provides additional funding to ensure every student in public school from pre-kindergarten to grade 12 has access to arts and music education without raising taxes. Protects existing education funding. Includes strict accountability, transparency provisions. Parents, teachers and children support.

More Information

<https://voteyeson28.org>

Ballot Arguments Against

No argument was submitted in opposition to Proposition 28.

Proposition 29



Requires On-Site Licensed Medical Professional at Kidney Dialysis Clinics and Establishes Other State Requirements. Initiative Statute.

Requires a physician, nurse practitioner or physician assistant on site during treatment. Requires clinics to disclose physicians' ownership interests, report infection data.

Placed on Ballot by: Petition signatures.

CalChamber Position: Oppose

Arguments Against

Because dialysis treatment is prescribed by a patient's personal physician and administered by specially trained nephrol-

ogy nurses and patient care technicians, the physician on-site requirement is unnecessary and would dramatically increase the costs of care. The increased costs would be passed along to everyone in the form of higher insurance premiums and higher taxes for government-sponsored health care, and cause many dialysis clinics to become financial unsustainable and possibly close. California voters have rejected nearly identical dialysis propositions in each of the last two elections.

More Information

<https://noprop29.com>

Proposition 30



Provides Funding for Programs to Reduce Air Pollution and Prevent Wildfires by Increasing Tax on Personal Income Over \$2 Million. Initiative Statute.

Allocates tax revenues to zero-emission vehicle purchase incentives, vehicle charging stations, and wildfire prevention.

Placed on Ballot by: Petition signatures.

CalChamber Position: Oppose

Arguments Against

Proposition 30 burdens the most productive elements of our economy with a punitive income tax increase, which will raise the marginal tax rate on incomes to 15.05%, by far the highest in the country. This will not only discourage investment

in California, but add to the volatility of the income tax and resulting state budget revenues.

Proposition 30 is also unnecessary. The Governor and Legislature have devoted billions in state surplus revenues to create incentives for electric vehicle purchases and deploy statewide charging infrastructure. Accelerating these subsidies would threaten the capacity and reliability of the state’s electrical grid.

Proposition 30 is opposed by a diverse coalition, including the CalChamber, Governor Gavin Newsom, the California Teachers Association, and numerous taxpayer, small business, local chamber, labor and veterans organizations.

More Information
<https://votenoprop30.com>

Proposition 31

NO POSITION

Referendum on 2020 Law That Would Prohibit the Retail Sale of Certain Flavored Tobacco Products.

A “yes” vote approves and a “no” vote rejects a 2020 law prohibiting the retail sale of certain flavored tobacco products.

Placed on Ballot by: Petition signatures.

CalChamber Position: No Position

Ballot Arguments For

Voting yes on Proposition 31 protects kids by ending the sale of candy-flavored tobacco, including e-cigarettes and minty menthol cigarettes. Of kids who have used tobacco, 80% started with a flavored tobacco product. A yes on 31 vote will save lives and save taxpayers money by

preventing tobacco-related health care expenses.

More Information
<https://voteyeson31.com>

Ballot Arguments Against

Proposition 31 is an unnecessary prohibition for adults. It already is illegal to sell tobacco products, including vapes, to anyone under age 21. Proposition 31 will cost taxpayers \$1 billion over four years while enabling criminal gangs to control increased smuggling and underground markets, leading to more neighborhood crime.

More Information
<https://votenooprop31.com>

CalChamber Positions on November 2022 Ballot Measures

Proposition	Subject	Position
Proposition 1	Constitutional Right to Reproductive Freedom	
Proposition 26	In-Person Sports Wagering on Tribal Lands	No Position
Proposition 27	Online and Mobile Sports Wagering Outside Tribal Lands.	No Position
Proposition 28	Additional Funding for Arts and Music in Public Schools	No Position
Proposition 29	On-Site Licensed Medical Professional at Kidney Dialysis Clinics	Oppose
Proposition 30	Funding for Zero-Emission Vehicle Purchase Incentives, Wildfire Prevention	Oppose
Proposition 31	Referendum on Law Prohibiting Sales of Certain Flavored Tobacco Products	No Position

New California Law Expands Pay Scale Disclosure, Pay Data Reporting

From Page 1

scale as the salary or hourly wage range that the employer reasonably expects to pay for the position.

In addition, employers with 15 or more employees must include the pay scale information for a position in any job posting. If an employer uses a third party to “announce, post, publish or otherwise make known a job posting,” the employer must provide the pay scale to the third party, who must include it in the job posting.

Finally, employers must maintain records of job titles and wage rate histories for each employee for the duration of their employment plus three years after the end of employment for the California Labor Commissioner to determine if there are any wage discrepancies. The Labor Commissioner must be able to inspect the records. If an employer fails to keep records as required, the law creates a rebuttable presumption in favor of an employee’s claim.

An individual that claims to be aggrieved by a violation of the law can file a claim with the Labor Commissioner or a civil action, which could result in penalties, injunctive relief or any other relief a court deems appropriate.

Civil penalties range from \$100

to \$10,000. However, the Labor Commissioner will not assess a penalty for the first violation of the law if the employer demonstrates that all job postings for open positions have been updated to include the pay scale as required.

Pay Data Reporting

SB 1162 also revises and expands California’s [pay data reporting requirements](#), including adding a new data requirement and requiring separate pay data reports for employers with 100 or more employees hired through labor contractors.

Current law requires employers with 100 or more employees to submit pay data reports to the California Civil Rights Department (formerly the California Department of Fair Employment and Housing) that contain, based on their chosen snap-shot period, the following:

- The number of employees by race, ethnicity and sex in 10 different job title categories;
- The number of employees by race, ethnicity and sex, whose annual earnings fall within each of the pay bands used by the U.S. Bureau of Labor Statistics in the Occupational Employment Statistics survey;

- Total number of hours worked by each employee counted in each band during the reporting year; and
- North American Industry Classification System (NAICS) code.

Employers must now report one more category in their pay data report — in addition to the above, employers must provide, “within each job category, for each combination of race, ethnicity, and sex, **the median and mean hourly rate.**”

Notably, the law adds the requirement for private employers that have “100 or more employees hired through labor contractors within the prior calendar year” to submit a separate pay data report covering the employees hired through labor contractors. The report must include the ownership names of all labor contractors used to supply employees.

The new law also specifies that for employers with multiple establishments, the employer must submit a report covering each establishment.

Lastly, the law changed the deadline for the reports to the second Wednesday of May annually. The first report under the new requirements will be due **May 10, 2023.**

Staff Contact: James Ward

Immense Progress for State’s Energy Grid

From Page 4

EVs could one day be used to power a household’s energy needs for up to three days. The vehicles could be charged in the morning or overnight, when energy demand is low, and give that energy back to the household power grid during Flex Alerts.

While the role new electrification technology can play is exciting, not everything can be electrified. Due to its unique ability to be stored and deployed on demand, gas is the No. 1 energy source that is used in every sector of our economy: residential, transportation, commercial and industrial, Brown said.

Examples of these hard-to-electrify sectors that are critical to California’s economy are:

- High heat manufacturing: California has the largest manufacturing sector in the country, with steel, glass, refining, and cement manufacturing relying on the high heat that gas provides;

- Heavy duty vehicle transportation; and

• Electric generation: As more renewable energy sources come on the grid, the more we will need to find alternative sources of energy to complement that renewable energy when the sun doesn’t shine, and the wind doesn’t blow. The grid will need batteries, but it also will need traditional electric generation to support demand in the evenings.

One innovation that can make a significant environmental impact, provide energy to hard-to-electrify sectors, and allow us to continue to have a thriving economy and middle-class jobs is green hydrogen technology, Brown said.

The Southern California Gas Company is leading the Angeles Link initiative, which utilizes renewable energy rich areas in the eastern parts of California to obtain hydrogen gas from water and bring it into the Los Angeles basin via a pipeline to fuel hard-to-electrify sectors.

This technology, Brown said, could displace up to 3 million gallons of diesel fuel per day and 1 billion gallons a year by replacing diesel powered heavy-duty trucks with hydrogen fuel cell trucks.

For Powell, the most exciting innovation on the horizon is energy storage. In addition to the role EVs and energy power walls can play, increasing battery energy storage will provide reliability and increase affordability for everyone.

Since the summer of 2020, California has added 3,000 MW of energy thanks to its battery storage infrastructure, and Powell estimates that by 2026 the state will have more than 10,000 MW of energy storage capability.

Energy costs have already come down significantly, Powell said, and if the state is able to take advantage of all its energy tools, the grid will only become more stable and energy more affordable.

Get Behind Golden State Pathways to Get Ahead on Economic Future

From Page 3

in education smooth the transition from classroom to productive employment.

The Golden State Pathways program will expand these types of transformative learning opportunities to many more young people throughout the state, but we must work together to ensure the vision of this unprecedented investment is met with a collective commitment to high-quality implementation.

Active Parts for All

We need to articulate a shared value proposition that makes it clear we can't wait until students have graduated from high school to fix California's talent pipeline. Messaging matters, and so do the messengers.

A diverse cross-sector coalition of public and private leaders must be engaged to make a compelling case for why employers, particularly those most stressed by labor shortages, should make this a priority. All have a part to play in realizing the potential of Golden State Pathways, including:

Industry Leaders

Proactive, ongoing employer engagement is central to the high-quality implementation of Linked Learning and will also be critical to making the vision of Golden State Pathways a reality. For my part, I'll be encouraging local cham-

bers of commerce and employers not yet engaged in their schools in this way to explore what's possible, learn from their colleagues across industries, and make meaningful commitments.

Educators

If we are going to cultivate the highly skilled and talented workforce our state needs, it starts with learning that is personally and professionally relevant in K-12. Schools will need to approach this work systemically to remove barriers that too often prevent collaboration with employers.

We need steady liaisons who speak the same language, understand and reinforce the value to employers, and work across sectors to bring coherence to the learning experience, bridging the gaps between K-12, postsecondary, and the workforce. All of this takes staffing and resources.

Policymakers

State and local education leaders working with these new dollars must make sure that they reach school districts that serve students across communities hit hardest by the pandemic, economic hardship, and generations of inequity and neglect. Policymakers must also recognize just how golden this opportunity is and make the most of it.

We have a budget and vision that recognizes the link between education and economy. We must work together to hold ourselves accountable and ensure we

work collectively to keep this vision on track with our ambitions for California communities.

Golden Opportunity

This is our golden moment to support young people of color and those growing up in low-income households disproportionately impacted by the pandemic — and who together account for the vast majority of our school-age population. Definitionally, mathematically, this is how we advance opportunity and prosperity. It's how we solve our talent crisis now and far into the future.

As I've seen in Linked Learning, combining college and career in thoughtful ways really works for students, employers, and communities. I've witnessed the spark and the drive it unleashes and what that can do. And the collaboration it takes to do it well.

We've got the budget, the vision, and the know-how to build a better talent pipeline, connecting education and workforce development more profoundly across our state. This is our golden opportunity to work together and make it happen.

Loren Kaye is president of the California Foundation for Commerce and Education, a think tank affiliated with the California Chamber of Commerce.

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