

# ALERT

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## Workshop Highlights Cost of Truck/Bus Retrofit Rule

*Mandate Will Force Replacement of Truck Fleets*

The California Chamber of Commerce held a workshop this week to educate the public and business community about the negative impacts of the upcoming California Air Resources Board (ARB) truck and bus replacement rule.

The ARB is working on the regulation, which could affect more than 1.5 million diesel trucks and buses in California by requiring major engine replacements/retrofitting.

The proposed regulation would apply to on-road diesel vehicles greater than 14,000 pounds Gross Vehicle Weight Rating (GVWR) that operate in California, regardless of where they are registered.

### Compliance Date Looming

The ARB's goal is to have the entire model year 2006 and older heavy-duty truck fleet meet model year 2007 emission levels by 2014. Compliance options begin phasing in starting December 31, 2010.

The CalChamber is warning that this could result in significant financial burdens to California businesses that will, in effect, be forced to prematurely replace their truck fleets and buy new equipment before it would otherwise be acquired.

"There is currently no device that will get you 70 percent reduction on a '07 engine, so the catch is what you need is a 2010 model year engine," said Matt Schrap of the California Trucking Association at the workshop, attended by more than 100 interested businesspeople.

If the rule goes into effect, the market will be flooded with "outdated" trucks, greatly diminishing the ability of businesses to sell used equipment or recoup any resale value, Schrap said.

### New Coalition

The CalChamber, along with truck owners, farmers, construction contractors  
*See Workshop: Page 4*

## Democrats Propose Higher Taxes on Business

The Democratic majority on the Legislature's joint budget conference committee this week proposed billions of dollars in tax increases on business.

The proposal includes increasing the corporate tax rate from 8.8 percent to 9.3 percent; eliminating for three years the ability to deduct net operating losses; boosting the tax rate for annual incomes above \$321,000 (an increase affecting all business owners and professionals who file personal rather than corporate taxes); and no longer indexing state income tax brackets to inflation.

News reports quote Republicans as reiterating their opposition to tax hikes, pointing out that the increases will drive businesses out of state and hurt families already bearing the brunt of the economic slowdown. Any tax hikes (and the budget plan) must be approved by a two-thirds vote of the Legislature, which would include Republicans.

In response to reporters' questions, Governor Arnold Schwarzenegger said he is open-minded but against tax increases.

The next stop for the plan is a vote by the full Assembly and Senate.

The CalChamber is encouraging members to let legislators know a tax hike would have a harmful impact on California's chances for economic recovery.

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Photos by Aaron Lambert



Jeanne Cain, CalChamber executive vice president, policy, kicks off a workshop outlining for more than 100 attendees the wide-ranging impacts of the truck/bus replacement rule being developed by the California Air Resources Board for implementation starting December 31, 2010.

## Labor Law Corner

# Handling Employee Requests: Three-Step Process Helps Prevent Trouble



**Ellen S. Savage**  
Senior Helpline  
Consultant

*Employees often come to me with special requests, such as for a leave of absence, a flexible schedule or the option to telecommute. Is there a simple way I can figure out which requests I must grant?*

Employees make many kinds of requests and it's often difficult to determine which ones you must — or should

— grant. Considering each request using a simple three-step process will help you figure out how to respond without getting into legal hot water.

### Steps to Consider

For illustration here, let's consider the case of an employee who asks you for time off to care for his seriously ill mother:

#### ● Step 1: What does the law say?

In many instances, the employee's request will be governed by law. For example, the employee who requests a leave of absence to care for his seriously ill mother may be eligible for a legally protected leave under the state and federal family leave laws. You must determine if the employee meets the legal criteria to take a family leave, such as whether you are a large enough employer and whether the employee has worked for you long enough.

If the employee meets the requirements, then grant the leave. If not, don't deny the leave yet without considering step two.

#### ● Step 2: What does your employee handbook say?

Even if the law doesn't require you to grant the employee's request, look at what your employee handbook says about it. Many companies have policies that are more generous than what the law provides. (Note: Sometimes these policies are not contained in a formal employee handbook, but have been issued piecemeal throughout the years as individual policies.)

Does your company have a policy providing medical leaves of absence other than those required by the family leave laws? Or perhaps a policy allowing personal leaves of absence?

If so, determine whether the employee meets the requirements of those policies. If not, move on to step three.

#### ● Step 3: What is your past practice?

If nothing in the law or your policies would require you to grant the request, consider your past practices. Even if your handbook does not provide for leaves of absence of any kind, look back to whether any leaves have nonetheless been granted in the past.

Often the way a company actually acts is very different from what is stated in its employee handbook. Maybe you granted an employee a leave of absence a few years ago when her child had surgery, or gave another employee a week of unpaid leave when her sister was terminally ill.

If you've granted such leaves before, consider whether this is a similar situation. Could this employee claim you were discriminating against him by not granting this leave? The key is to treat similarly situated employees similarly unless there is a valid business justification for treating them differently.

If there is a valid business reason for denying this leave even though others have been granted, could you document that reason if necessary? For example, you could show that this employee requested time off during your busy season, while the other requests were during the slow season.

### Precedent

If nothing in the law, your policies or your past practices indicates you must grant the request, then you are free to grant or deny it at your company's discretion. Keep in mind, however, that this decision will set a precedent for future requests.

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

## CalChamber Calendar

ADA Regulations Phone Workshop:  
July 22

**Next Alert: July 25**

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## *Small Business Advocate of Year Award*

# Milpitas Leader Generates Record Number of Letters to Legislators

Last year, Frank De Smidt of Milpitas generated 11,255 of the letters of concern to state leaders regarding legislation that would negatively affect California business.

De Smidt, a recipient of the California Chamber of Commerce 2008 Small Business Advocate of the Year Award, has led efforts for a healthy business climate at the local, regional and statewide levels for years.

De Smidt “embodies the spirit of a small business advocate,” said CalChamber Grassroots Coordinator Cathy Mesch. “His example . . . has set a standard that should challenge others statewide.”

### Active in Business

In April 1970, while in his 20s, De Smidt opened his first Straw Hat Pizza after his brother’s friends kept telling him “how much money those places made.” A few months later, he signed up as a member of his local chamber.

“People came in the store and said ‘you should get involved in the chamber,’” De Smidt said. So he jumped right in and began advocating for more local jobs and expanding the business community.

In 1972, he accepted the president’s gavel at the chamber and in 1973 opened his second Milpitas Straw Hat Pizza.

“This was an extremely busy year for Frank,” said Gaye Morando, executive director of the Milpitas Chamber. “You couldn’t find a more dedicated leader in the community.”

De Smidt later dabbled in FM radio as the president and general manager of Los Altos Broadcasting Inc., operating the fusion jazz station KPEN 97.7 FM from 1978 to 1982.

“That was a hectic business,” he said. “You’ve got these on-air guys, you gotta deal with the FCC [Federal Communications Commission] and the public too. You have to have an attorney on retainer in this business.”

The radio program also dedicated time to interviewing local leaders.

### Advocacy

In addition to the pizza and radio business, De Smidt became deeply involved in local government matters in



Frank De Smidt

the 1970s. He tracked state legislation for the chamber newsletter, in which he wrote a monthly government affairs report. The newsletter and report, which are still produced, cover local, state and federal policies that could affect business.

By the early to mid 1990s, he had sold his two pizza restaurants and began focusing more on governmental affairs.

“After he sold his two businesses, he actually had more time to devote to his passion of tracking legislation for the chamber,” Morando said.

De Smidt’s policy-related activities now include:

- participating on numerous task forces such as those dealing with parking and the sign ordinance;
- attending all city council, planning commission and transportation meetings;
- participating with the Chambers of Commerce Coalition of Santa Clara County;
- serving as the chamber’s representative on the Milpitas Economic Development Commission for five years;

- participating in the weekly legislation phone call with the CalChamber.

De Smidt helps advise the Milpitas City Council on housing, employment, commercial and industrial development through the Economic Development Commission. For the Milpitas Parking Task Force, he helps review the city’s parking ordinance and current practices for revisions sought by residents, customers, business owners and the city.

He also is a member and past president of the local Rotary Club.

### State Issues

Recently, De Smidt assisted the CalChamber’s effort to oppose AB 2279 (Leno; D-San Francisco), a “job killer” bill that prohibits employers from refusing to hire applicants or fire current workers who use medical marijuana.

“That would really put the employer in a precarious position,” De Smidt said. “If someone comes in to work and they are stoned and [they] are hurt, you have a workers’ comp situation.”

So he began sending letters to legislators.

On this and other legislation, De Smidt uses the tools at the CalChamber’s grassroots website, [www.calchambervotes.com](http://www.calchambervotes.com), to, on average, send out seven or eight e-mails at a time that “might get forwarded.”

### Serving Community

Getting involved in the community to improve the local economy, and the state as a whole, is what motivates him.

“The chamber serves the community,” he said.

His dedication to serving the community and anybody around him has prompted some of his peers to call him the “walking dictionary.”

“People ask what’s going on and I usually know because I read a lot,” he said. “I attend all of the [city council/planning commission] meetings.”

De Smidt is hoping that his participation eventually leads to more involvement from other chambers.

“The legislators need to hear from these people, and they also need to get out and support good candidates to replace some of these anti-business candidates,” he said.



## ADA Regulatory Revisions Focus of CalChamber Phone Workshop

The California Chamber of Commerce has scheduled a telephone workshop to explain the business impact of newly released revisions to the federal regulations implementing the Americans with Disabilities Act (ADA).

The phone workshop is scheduled for July 22 beginning at 2 p.m.

The featured speaker at the workshop will be Gregory F. Hurley, Esq., principal shareholder in the Greenberg

Taurig law firm. Hurley is a nationally recognized expert on disability law and author of an upcoming CalChamber book providing guidance on the ADA.

The U.S. Department of Justice has proposed significant revisions and commentary on guidelines issued in 2004. Questions to be addressed at the workshop include what the department's commentary means for business, the significance of the department's cost

analysis and whether businesses should provide public comments before the August 18 deadline.

Phone workshop space is limited. CalChamber members will receive priority. To register, contact Laurie Lively, (916) 444-6670, ext. 219, or e-mail [laurie.lively@calchamber.com](mailto:laurie.lively@calchamber.com).

More information on the regulations is available at [www.calchamber.com/ada](http://www.calchamber.com/ada).

## Workshop Highlights Cost of Truck/Bus Retrofit Rule *Mandate Will Force Replacement of Truck Fleets*

*From Page 1*

and other business and community leaders, has formed a coalition focusing on the pending rule.

The coalition, Driving Toward a Cleaner California (DTCC), is committed to working with the ARB to craft a sensible truck and bus replacement rule that both cleans the air and keeps California's economy moving forward.

Given the multibillion-dollar cost of this regulation—and the current volatile economic environment—the DTCC coalition is advocating that the affected industries and other sectors be given the opportuni-

ty to comply in the most reasonable timeframe and flexible manner possible.

According to the ARB, 55 percent of truck owners are small firms with five trucks or fewer. Nearly one-third of truck owners-operators—32 percent—own just one vehicle.

### Learn More

Business owners are invited to join DTCC to learn more about the proposed regulation and the coalition's effort to craft an alternative that cleans the air while keeping the maximum number of companies in business and workers

employed; ensuring the business environment stays competitive; and holding increased costs to other businesses and consumers to a minimum.

The ARB is holding workshops around the state through early August to explain the proposal. The ARB will consider adoption of the regulation at its October 23–24 meeting.

More information is available at the DTCC website, [www.drivecleanca.org](http://www.drivecleanca.org). A link to the coalition website is available on the CalChamber home page at [www.calchamber.com](http://www.calchamber.com).

**Staff Contact: Jeanne Cain**

## Secretary of State Assigns November Ballot Proposition Numbers



California Secretary of State Debra Bowen recently released proposition numbers for the 11 measures that will appear on the November 4 General Election ballot.

The California Chamber of Commerce Board of Directors voted to oppose Proposition 7 and support Proposition 11.

### CalChamber Positions

● **OPPOSE Proposition 7:** The Solar and Clean Energy Act of 2008 requires

all utilities, including government-owned utilities, to generate 20 percent of their power from renewable energy by 2010, a standard currently applicable only to private electrical corporations. It raises the requirement for all utilities to 40 percent by 2020 and 50 percent by 2025.

The CalChamber Board voted to oppose Proposition 7 due to its potential to substantially drive up energy prices in the state and its unworkable mandates.

● **SUPPORT Proposition 11:** The Voters First Initiative creates a 14-member redistricting commission responsible for drawing new district lines for state Senate, Assembly and Board of Equalization districts. It requires the state auditor

to randomly select commission members from a voter applicant pool to create a commission with five members from each of the two largest political parties, and four members unaffiliated with either political party.

The CalChamber has long believed that fair redistricting is the key to meaningful political reform. Proposition 11 will allow the citizens of California, rather than the Legislature, to create legislative districts that will require elected officials to be accountable to the voters.

For more information and to view all of the November ballot measures, visit the Secretary of State website, [www.ss.ca.gov](http://www.ss.ca.gov).

# CalChamber Status Update Report on Major Legislation for Business

The following list summarizes top priority bills for the California Chamber of Commerce and their status as of July 3, the date the Legislature's summer recess would have begun if a budget bill had passed.

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

The CalChamber will publish a second

status report in September, showing the status of priority legislation when the Legislature begins its final recess on August 31. In October, the CalChamber will publish its final status report on priority bills, showing the ultimate fate of bills sent to the Governor this year.

September 30 is the last day for the Governor to act on bills passed by the

Legislature before September 1.

Each fall, the CalChamber also publishes a record of legislators' votes on key bills affecting California's business climate. Generally, the bills selected for the vote record have appeared in one of the status reports. This year's vote record will be published on October 10.

Federal bills are marked with an \*.

Status of bills as of July 3, 2008, the originally scheduled start of the Legislature's summer recess. Bills signed by July 9 also noted. Dates listed are the latest date of committee action, the next hearing date or when the bill reached the floor, unless action is stated. Key to status descriptions: Page 23.

Subject and Bill — CalChamber Position	Status
<b>Agriculture and Natural Resources</b>	
<b>Construction Job Loss.</b> AB 2447 (Jones; D-Sacramento) severely limits residential and commercial development to a degree that it could virtually shut down any suburban development in certain areas of California by prohibiting the approval of development in fire-risk areas without a mitigating finding by the city or county. Oppose/ <b>Job Killer</b> .	Passed Senate Local Government 6/25/08
<b>Agricultural Operations: California Endangered Species Act Take.</b> SB 1436 (Ducheny; D-San Diego) provides an incentive for California farmers and ranchers to run their operations in a wildlife-friendly manner by extending to 2011 agriculture's accidental take exemption for an endangered species during normal and customary agricultural practices. Support.	Chapter 82
<b>Clear Cutting.</b> AB 2926 (Lieber; D-Mountain View) interferes with forestry practices by imposing an arbitrary prohibition on clear cutting. Oppose.	Failed Passage in Assembly Natural Resources 4/17/08
<b>Food Packing Surveillance.</b> SB 200 (Florez; D-Shafter) increases production costs to agriculture and government by requiring video surveillance of meat packing facilities already inspected by Department of Food and Agriculture. Oppose.	Assembly Agriculture 6/30/08
<b>Pest Eradication.</b> AB 2760 (Leno; D-San Francisco) increases costs to agriculture and jeopardizes international trade by delaying light brown apple moth pest eradication projects as a result of requiring an environmental impact report. Oppose.	Passed Senate Environmental Quality 6/24/08
<b>Infrastructure Planning.</b> SB 1557 (Wiggins; D-Santa Rosa) adversely affects major infrastructure and housing projects and complicates the state's planning priorities for orderly infrastructure development by adding the requirement to limit greenhouse gas emissions before regulations are in place and reduce vehicle miles traveled without consideration of how the reduction relates to rural and urban connectivity. Oppose.	Assembly Appropriations Hearing 7/9/08
<b>Fire Defense.</b> SB 1231 (Correa; D-Santa Ana) establishes several useful wild land fire safety measures by requiring the Fire Marshal to develop a "model defensible space" guideline and training manual for use by local jurisdictions in high-risk fire areas, finishing fire risk maps and developing a building standards compliance manual. Support.	Held in Senate Appropriations 5/22/08

Subject and Bill — CalChamber Position	Status
<b>Pest Eradication.</b> AB 2764 (Hancock; D-Berkeley) increases costs to agriculture by limiting pest eradication spraying in urban areas to Governor's state of emergency proclamations. Oppose.	Failed Passage in Assembly Agriculture 4/16/08
<b>Pest Eradication.</b> AB 2892 (Swanson; D-Oakland) delays pest eradication activities by requiring a two-thirds local vote to allow aerial spraying in urban areas, potentially increasing costs to agriculture. Oppose.	Failed Passage in Assembly Agriculture 4/16/08
<b>Pest Eradication Advanced Planning.</b> AB 2763 (Laird; D-Santa Cruz) better prepares the state for the inevitable infestations of invasive species by requiring the Department of Food and Agriculture to develop and maintain a list of invasive species that may enter the state and require eradication or control. Support.	Senate Appropriations Suspense File 6/30/08
<b>Labeling.</b> SB 1121 (Migden; D-San Francisco) conflicts with federal law and creates a patchwork of labeling requirements by requiring state-only labeling identifying food products containing cloned animals or their progeny. Oppose.	Held in Senate Appropriations Suspense File 5/22/08
<b>Banking/Finance</b>	
<b>Limits Investments.</b> AB 2359 (Jones; D-Sacramento), before amendments, would have limited investment by capital markets by imposing legal liability on the secondary market for flaws in home loans written by other lenders and brokers. Amendments removed the negative "assignee liability" provisions that would have limited investments and reduced liquidity, so no longer considered a "job killer." However, the bill still contains unresolved mortgage loan concerns, including language limiting binding arbitration. Oppose/ <b>Former Job Killer.</b>	Failed Passage in Senate Banking, Finance & Insurance 6/18/08; Reconsideration Granted
<b>Foreclosure Procedures.</b> SB 926 (Perata; D-Oakland) creates an ill-conceived, one-size-fits-all approach to altering the foreclosure process that includes substantial compliance challenges and significant new legal exposure for California lenders. Oppose.	Died on Senate Third Reading 1/31/08
<b>Foreclosure Procedures.</b> SB 1137 (Perata; D-Oakland), before amendments, created an ill-conceived, one-size-fits-all approach to altering the foreclosure process that included substantial compliance challenges and significant new legal exposure for California lenders. After amendments, addresses several key issues that have been identified as most problematic concerning the foreclosure process and represents a compromise between industry, consumers and the author. Neutral.	Chapter 69
<b>California-Only Home Loan Rules.</b> AB 2740 (Brownley; D-Santa Monica) imposes a burdensome new regimen of California-specific restrictions and requirements for mortgage servicing that ignore pending federal regulations. Oppose.	Failed Passage in Senate Banking, Finance & Insurance 6/18/08
<b>Unclaimed Property.</b> SB 1319 (Machado; D-Linden) imposes significant new burdens and increases the exposure and amount of civil penalties assessed against property holders under the unclaimed property law. Oppose.	Assembly Appropriations Hearing 7/9/08
<b>Mortgage Rate Information.</b> AB 529 (Torrico; D-Newark) imposes new disclosure requirements on mortgage lenders that are likely to cause consumer confusion rather than the intended assistance by requiring mortgage lenders to provide information to borrowers in a way that exceeds existing federal standards and with information that only estimates future loan payments. Oppose.	Senate Third Reading 6/26/08
<b>Mortgage Lending Reporting.</b> AB 69 (Lieu; D-Torrance), before amendments, imposed problematic and duplicative reporting requirements on state-chartered financial institutions that service mortgage loans. With amendments, essentially codifies the existing practice of the Corporations Commissioner collecting reports on residential mortgage loan servicing activities from state-licensed lenders, servicers and brokers. Neutral.	Passed Senate Banking, Finance & Insurance 6/18/08

Subject and Bill — CalChamber Position	Status
<b>Loans: Consumer Complaints.</b> AB 2161 (Swanson; D-Oakland), before amendments, created a hugely burdensome and administratively impractical grievance system that applied only to two types of state-licensed mortgage lenders. After amendments, requires the Corporations Commissioner to submit a written report to the Legislature regarding the consumer complaint process involving certain mortgage loans. Neutral.	Passed Senate Banking, Finance & Insurance 6/18/08
<b>Mortgage Debt Forgiveness.</b> AB 1918 (Niello; R-Fair Oaks) helps borrowers in a short sale of their home by excluding the forgiven debt from the borrower's taxable income. Would apply only to debt forgiven during 2007-2009, and would help provide conformity to federal income tax laws. Support.	Assembly Appropriations Hearing 7/9/08
<b>Mortgage Debt Forgiveness.</b> SB 1055 (Machado; D-Linden) helps borrowers in a short sale of their home by excluding the forgiven debt from the borrower's taxable income. Would apply only to debt forgiven in 2007 and 2008 and would help provide conformity to federal income tax laws. Support.	Assembly Revenue & Taxation Suspense File 5/12/08
<b>California Financial Literacy Initiative.</b> AB 2123 (Lieu; D-Torrance) promotes a healthier economy by establishing the California Financial Literacy Initiative, whose goal would be to better educate Californians on the subject of proper financial management. Support.	Passed Senate Banking, Finance & Insurance 6/18/08
<b>Mortgage Loan Limits.</b> AJR 45 (Coto; D-San Jose) encourages Congress and the President to permanently raise the federal conforming loan limit to \$729,750 in order to better reflect California's high home prices and to stimulate the economy. Support.	Chapter 81
<b>Real Estate Law Violations.</b> SB 1054 (Machado; D-Linden) helps to address the mortgage market situation by making it easier for the Department of Real Estate to discipline violators of the real estate law, and also helps to remove conflicts of interest in real estate transactions. Support.	Failed Passage in Assembly Banking & Finance 6/23/08; Reconsideration Granted
<b>Unclaimed Property.</b> AB 2642 (Niello; R-Fair Oaks) eases the burden of the unclaimed property law on certain businesses by allowing unreturned bank statements and tax forms to be considered forms of contact with financial property owners. Support.	Failed Passage in Senate Judiciary 6/24/08; Reconsideration Granted
<b>Mortgage Loan Limits.</b> SJR 21 (Machado; D-Linden) aids California's mortgage market by encouraging Congress and the President to pass an immediate increase in the conforming loan limit as part of the economic stimulus package.	Assembly Banking & Finance 5/8/08
<b>Climate Change</b>	
<b>Restrictive Fuel Standard.</b> SB 1240 (Kehoe; D-San Diego) interferes with the development of a competitive alternative fuels market and threatens job creation in California by creating a costly Low Carbon Fuel Standard that conflicts with the existing standard created by Governor's Executive Order S-7-04. Oppose/ <b>Job Killer</b> .	Assembly Appropriations Suspense File 7/2/08
<b>New Fuel Mandate.</b> SB 140 (Kehoe; D-San Diego), before amendments, would have disadvantaged California businesses and increased fuel prices by creating a fuel mandate that picks a winner in the alternative fuels market, preventing the research and development of additional viable options that may be cheaper and more efficient. Gutted and amended to deal with a different subject. No Position/ <b>Former Job Killer</b> .	Assembly Business & Professions 7/3/08
<b>Climate Change Tax.</b> AB 2558 (Feuer; D-Los Angeles) assesses an unconstitutional tax on businesses and consumers in Los Angeles County and the Bay Area by imposing a tax by a majority vote on either motor vehicles or vehicle fuel. Oppose/ <b>Job Killer</b> .	Senate Appropriations 7/2/08
<b>Climate Change Tax.</b> SB 445 (Torlakson; D-Antioch) assesses an unfair tax on businesses and consumers by authorizing specified regional transportation agencies to impose a tax on either motor vehicles or vehicle fuel. Oppose/ <b>Job Killer</b> .	Assembly Transportation 6/9/08

Subject and Bill — CalChamber Position	Status
<b>Climate Change Fuel Tax.</b> AB 2744 (Huffman; D-San Rafael) increases transportation costs on businesses and consumers in the Bay Area region by creating a new fuel tax to pay for a regional climate plan. Oppose.	Failed Passage in Assembly Transportation 4/14/08
<b>Vehicle Registration Fees.</b> AB 2388 (Feuer; D-Los Angeles) hurts California's businesses and consumers by creating a new tax on vehicles by increasing the vehicle license fee based on its weight and carbon emissions. Oppose.	Assembly Transportation 4/14/08; Failed Deadline
<b>Crime</b>	
<b>Scrap Metal Dealers.</b> SB 691 (R. Calderon; D-Montebello) deters theft of valuable metals used by utilities, construction sites and agricultural operations by imposing new identification requirements on sellers and buyers of scrap metals. Support.	Passed Assembly Judiciary 6/24/08
<b>Scrap Metal Dealers.</b> AB 844 (Berryhill; R-Modesto) deters theft of valuable metals used by utilities, construction sites and agricultural operations by imposing new identification requirements on sellers and buyers of scrap metals. Support.	Passed Senate Business, Professions & Economic Development 6/23/08
<b>Rural Crime Prevention.</b> AB 186 (Maze; R-Visalia) deters rural crime by extending the sunset provision for the Central Valley Rural Crime Task Force and prevention programs. Support.	Senate Appropriations Suspense File 6/23/08
<b>Education</b>	
<b>Work-Based Learning.</b> AB 2078 (Fuentes; D-Sylmar) eliminates barriers to work-based learning programs by allowing school districts to purchase liability insurance for work-based learning programs. Support.	Passed Senate Education 6/18/08
<b>Higher Education.</b> SB 325 (Scott; D-Pasadena) promotes accountability and performance-based measures in higher education by requiring a new accountability framework. Support.	Assembly Appropriations Suspense File 7/2/08
<b>Supplemental Instruction.</b> SB 1442 (Wiggins; D-Santa Rosa) provides flexibility to schools by allowing them to use supplemental instruction funds for project-based learning. Support.	Assembly Appropriations Suspense File 7/2/08
<b>Graduation/Job Placement Rates.</b> SB 823 (Perata; D-Oakland) exposes private corporations to tremendous liability by requiring onerous disclosures of vague graduation and job placement rate details. Oppose.	Assembly Unfinished Business 6/23/08
<b>Energy</b>	
<b>Thermal Powerplant Certification.</b> AB 1909 (Hayashi; D-Castro Valley) threatens growth of our energy supply by adding an unnecessary and burdensome step to the siting of thermal power plants by requiring the California Energy Commission to get approval for the project from local entities. Oppose.	Assembly Utilities & Commerce 6/18/08
<b>Environmental Regulation</b>	
<b>Tax on Freight Movement.</b> SB 974 (Lowenthal; D-Long Beach) increases the cost of shipping goods and makes California less competitive by imposing an illegal per-container tax in the ports of Long Beach, Los Angeles and Oakland. Oppose/ <b>Job Killer</b> .	Assembly Third Reading 2/26/08



Subject and Bill — CalChamber Position	Status
<b>Plastic Packaging Ban.</b> SB 899 (Simitian; D-Palo Alto), before amendments, would have pushed jobs out of California and increased costs for industries that use plastic packaging by banning the manufacturing and distribution of specified plastic packaging in California. As amended, now requires the establishment of a program to reduce and recover derelict fishing gear. No Position/ <b>Former Job Killer</b> .	Assembly Appropriations Hearing 7/9/08
<b>Food Packaging Cost Increase/Collection Mandate.</b> AB 904 (Feuer; D-Los Angeles), before amendments, would have increased costs on all businesses that sell food by imposing new mandates on food service packaging and creating a new requirement that food providers collect and recycle 25 percent of the food service packaging they sell. As amended, increases costs on all restaurants by requiring them to provide only recyclable and compostable food service packaging. Oppose.	Passed Senate Environmental Quality 6/23/08
<b>Consumer Products Content Reporting.</b> SB 509 (Simitian; D-Palo Alto) increases costs and may limit product choices for small businesses and consumers by banning the sale of common consumer products, including air fresheners, household and automotive cleansers, unless manufacturers list on a website all ingredients making up more than 1/10 of 1 percent of the product. Oppose.	Assembly Inactive File 6/26/08
<b>Chemical Regulation.</b> AB 1879 (Feuer; D-Los Angeles) limits the ability of California businesses to provide valuable goods to consumers by imposing a vast new chemical regulatory program that is not based on sound science. Oppose.	Passed Senate Environmental Quality 6/23/08
<b>Polyvinyl Chloride Packaging.</b> AB 2505 (Brownley; D-Santa Monica) increases the cost of packaging for consumer products by banning any product packaging that contains polyvinyl chloride by 1/1/2010. Packaging that contains polyvinyl chloride has many useful applications and cannot be completely replaced by alternatives. Oppose.	Passed Senate Environmental Quality 6/23/08
<b>Fire Retardants Ban.</b> AB 706 (Leno; D-San Francisco) increases fire risk to consumers by prohibiting use of brominated or chlorinated fire retardants in seating, bedding, furniture products. Oppose.	Senate Inactive File 2/13/08
<b>PBDE: Prohibition.</b> AB 513 (Lieber; D-San Jose) makes many consumer products less resistant to fire by limiting the manufacturing, processing or distributing of products containing PBDE. Oppose.	Assembly Third Reading 1/28/08; Failed deadline
<b>Expanded Chemical Restriction.</b> SB 1713 (Migden; D-San Francisco) makes products less useful and more costly by expanding current restrictions on phthalates in children's products to include restrictions on lead and bisphenol. Oppose.	Assembly Third Reading 7/02/08
<b>Chemical List.</b> SB 973 (Simitian; D-Palo Alto), before amendments, would have raised threat of new regulatory actions by requiring state to adopt list of "chemicals of concern" based on Canadian list identified for elimination with no assessment of the effects on California. No Position.	Passed Assembly Health 6/24/08
<b>Oil Spill Prevention and Response Fund Diversion.</b> AB 2547 (Leno; D-San Francisco) increases the cost of oil by increasing the cost of spill prevention and response programs by diverting funds for grant research programs and requiring increased dedicated response resources that are not necessary for effective response time, containment and cleanup of oil spills. Oppose.	Passed Senate Natural Resources & Water 6/25/08
<b>Oil Spill Definition.</b> AB 2912 (Wolk; D-Davis) dilutes the state's ability to respond to oil spills by expanding the definition of an oil "spill" to include any release of oil over one barrel in non-marine waters of the state. Oppose.	Held in Assembly Appropriations Suspense File 5/22/08
<b>Packaging Content.</b> AB 3025 (Lieber; D-San Jose), before amendments, would have banned the polystyrene loosefill packaging that is commonly referred to as "packaging peanuts" without regard to the existence of practical alternatives. As amended, requires polystyrene loosefill packaging to contain a specified amount of recycled materials. No Position.	Passed Senate Environmental Quality 6/23/08

Subject and Bill — CalChamber Position	Status
<b>Product Recalls.</b> AB 1860 (Huffman; D-San Rafael) confuses consumers and creates new burdens on California businesses by creating a one-size-fits-all response to consumer product recalls that does not take into consideration the level of threat to consumer safety. Oppose.	Passed Senate Judiciary 6/24/08
<b>Computer E-Waste Fee.</b> AB 1535 (Huffman; D-San Rafael) increases the cost of electronics by expanding current e-waste provisions to include personal computers and imposes a \$6 fee on such personal computers. Oppose.	Assembly Environmental Safety & Toxic Materials 1/07/08; Failed Deadline
<b>Regulatory Impact Review.</b> AB 2118 (Villines; R-Clovis) balances regulatory goals and economic impacts on business by prohibiting a state agency from adopting a regulation that would require any person or entity to use a specific technology unless that technology has been operational and proven effective for more than two years or would place an undue burden on California business on an annual basis and result in significant loss of jobs. Support.	Failed Passage in Assembly Business & Professions 4/01/08
<b>Product Ban.</b> AB 2694 (Ma; D-San Francisco) creates an infeasible standard for products and prohibits the manufacture, sale or exchange of any product intended for use by children that contains a lead-bearing substance. Oppose Unless Amended.	Passed Senate Environmental Quality 6/16/08
<b>Fee Increase.</b> AB 2032 (Hancock; D-Berkeley) increases the cost of shipping goods by increasing the cap on fees per barrel of oil to increase the level of funding for the Oil Spill Response Trust Fund. Oppose.	Passed Senate Environmental Quality 6/16/08
<b>Oil Spill Reporting.</b> SB 578 (Simitian; D-Palo Alto), before amendments, would have wasted valuable public and industry resources by creating California-only reporting mandate for certain chemicals that duplicates existing federal program and prohibits the manufacture or import of that chemical into California if the reporting requirements are not met. No Position.	Senate Appropriations 1/14/08; Failed Deadline
<b>Recycling Redemption Rate.</b> SB 1625 (Corbett; D-San Leandro) expands the fee to new containers and could undermine recycling efforts by increasing the redemption value for any type of beverage container if the redemption rate falls below 65 percent. Oppose.	Assembly Appropriations Suspense File 7/02/08
<b>Emission Reduction Offsets.</b> SB 1662 (Cox; R-Fair Oaks) creates flexibility for businesses by expanding current law to allow offsets for emissions of air pollutants by a stationary source to occur outside of their own air basin. The bill would also allow the offsets to occur in the Sacramento Metro federal non-attainment area. Support.	Passed Assembly Appropriations 7/02/08
<b>Duplicate Certification.</b> SB 1334 (R. Calderon; D-Montebello) increases the cost for plastic pipes, pipe or plumbing fittings by requiring manufacturers to complete a duplicate certification process to show that the pipes contain no lead. Oppose Unless Amended.	Passed Assembly Environmental Safety & Toxic Materials 6/10/08
<b>Health</b>	
<b>New Government Bureaucracy for Rate Regulation.</b> AB 1554 (Jones; D-Sacramento) reduces health care choice, access and quality by creating additional bureaucracy to impose price controls on health insurance policies, while failing to address the major cost drivers of rising medical care costs. Oppose/ <b>Job Killer.</b>	Senate Health 6/26/08
<b>Increased Health Care Costs.</b> AB 2847 (Krekorian; D-Burbank) raises health care costs due to increased litigation by shifting the burden of proof from providers to insurers in legal disputes about the appropriateness of care regardless of whether the medical care is based on any sound clinical foundation or is evidence-based. Oppose/ <b>Job Killer.</b>	Held in Assembly Appropriations Suspense File 5/22/08
<b>Government-Run Health Care.</b> SB 840 (Kuehl; D-Santa Monica) creates a new government-run, multibillion-dollar socialized health care system financed from a yet-to-be-specified tax increase. Oppose/ <b>Job Killer.</b>	Assembly Appropriations 7/10/07

Subject and Bill — CalChamber Position	Status
<b>Medical Injury Lawsuits.</b> AB 2910 (Huffman; D-San Rafael), before amendments, would have led to higher health plan premiums for employers by allowing medical injury lawsuits to exceed current statutory limits of the Medical Injury Compensation Reform Act (MICRA) by imposing liability on health plans for the negligence of providers. As amended, creates new rules for notice of waivers of Knox-Keene provisions granted by the Department of Managed Health Care. No Position.	Passed Senate Health 6/25/08
<b>Reduced Medical Services.</b> SB 1440 (Kuehl; D-Santa Monica) imposes an arbitrary medical cost ratio of 85 percent on health care service plans and health insurers, leading potentially to less service to plan subscribers rather than more. Oppose.	Passed Assembly Health 6/24/08
<b>Increased Health Care Costs.</b> AB 2805 (Ma; D-San Francisco) drives up health care premiums by undermining health plans' ability to create provider networks. Oppose.	Failed Passage in Assembly 5/29/08
<b>Rent Control.</b> AB 2598 (Leno; D-San Francisco) could diminish supply of quality assisted living facilities for senior citizens by reducing revenue for services, facility enhancement and maintenance. Oppose.	Assembly Third Reading 5/8/08
<b>Health Savings Accounts.</b> AB 2292 (Garrick; R-Solana Beach) brings California income tax law into conformity with federal tax laws to provide personal tax deductions for health savings accounts, providing greater flexibility for employee health care options. Support.	Held in Assembly Revenue & Taxation 5/12/08; Failed Deadline
<b>Increased Hospital Care Costs.</b> SB 1688 (Ridley-Thomas; D-Los Angeles) prohibits some hospitals from making sensible decisions regarding allocation of funds for patient care and capital investment, virtually eliminating the hospital's ability to implement cost containment measures. Oppose.	Passed Assembly Health 6/17/08
<b>Reduced Hospital Services.</b> SB 1734 (Kuehl; D-Santa Monica) creates difficult situations for private hospitals to respond to community needs and implement cost containment when responding to a change in the terms of a lease. Oppose.	Passed Assembly Health 6/17/08
<b>Increased Costs: Mandated Cancer Screening Coverage.</b> AB 1774 (Lieber; D-San Jose) increases health care premiums by requiring health plans to provide coverage for expensive and unnecessary uterine and cervical cancer screening. Oppose.	Assembly Appropriations Suspense File 5/22/08; Failed Deadline
<b>Increased Costs: Mandated Expanded Mental Health Coverage.</b> AB 1887 (Beall; D-San Jose) increases health care premiums by mandating that health plans and insurers provide parity coverage for all of the over 400 mental disorders identified in the latest <i>Diagnostic and Statistical Manual of Mental Disorders</i> . Oppose.	Passed Senate Health 6/18/08
<b>Increased Costs: Mandated Acupuncture Benefit Coverage.</b> AB 54 (Dymally; D-Compton) increases health care premiums by requiring health plans to provide coverage for acupuncture. Oppose.	Passed Senate 7/2/08
<b>Increased Costs: Mandated Durable Medical Equipment Coverage.</b> SB 1198 (Kuehl; D-Santa Monica) increases health care premiums because it requires health plans to provide coverage for durable medical equipment. Oppose.	Assembly Appropriations Hearing 7/09/08
<b>Increased Costs: Mandated Maternity Services Benefit Coverage.</b> AB 1962 (De La Torre; D-South Gate) increases health care premiums by mandating that all health plans provide maternity coverage. Oppose.	Passed Senate Health 6/18/08
<b>Increased Costs: Mandated Hearing Aids Benefit Coverage.</b> AB 368 (Carter; D-Rialto) increases health care premiums by requiring health plans to offer coverage for hearing aids. Oppose.	Passed Senate Health 6/25/08

Subject and Bill — CalChamber Position	Status
<b>Increased Costs: Mandated HIV Testing Benefit Coverage.</b> AB 1894 (Krekorian; D-Burbank) increases health care premiums by requiring health plans to cover testing for AIDS and HIV regardless of whether the testing is related to a primary diagnosis. Oppose.	Passed Senate Health 6/18/08
<b>Increased Costs: Mandated Cancer Screening and Diagnosis Benefit Coverage.</b> AB 2234 (Portantino; D-La Cañada Flintridge) increases health care premiums because it mandates that health plans provide coverage for testing and screening of breast conditions. Oppose.	Held in Assembly Appropriations Suspense File 5/22/08; Failed Deadline
<b>Increased Costs: Mandated Cleft Palates Benefit Coverage.</b> SB 1634 (Steinberg; D-Sacramento) increases health care premiums because it requires health plans to provide coverage for orthodontics for cleft palates. Oppose.	Assembly Appropriations Hearing 7/9/08
<b>Increased Costs: Mandated Amino Acid-Based Elemental Formulas Benefit Coverage.</b> AB 2174 (Laird; D-Santa Cruz) increases health care premiums by requiring health plans to provide coverage for amino-based elemental formulas. Oppose.	Passed Senate Health 6/18/08
<b>Housing and Land Use</b>	
<b>Construction Costs Increase.</b> AB 1065 (Lieber; D-San Jose) substantially increases the cost of housing and development in California by implementing significant energy efficiency measures for all new residential and commercial buildings without regard for the additional costs that will be passed on to consumers. Oppose/ <b>Job Killer</b> .	Passed Senate Transportation & Housing 6/17/08
<b>Construction Costs Increase.</b> AB 2112 (Saldaña; D-San Diego) substantially increases the cost of housing, interferes with the utilities' ability to meet the AB 32 carbon cap mandates and drives up the cost of AB 32 compliance through increased utility bills by mandating on-site energy generation and efficiency standards for all new residential buildings. Oppose/ <b>Job Killer</b> .	Passed Assembly 5/28/08
<b>Construction Costs Increases.</b> AB 2030 (Lieu; D-Torrance) substantially increases the cost of commercial development, interferes with the utilities' ability to meet the AB 32 carbon cap mandates and drives up the cost of AB 32 compliance through increased utility bills by mandating on-site energy generation and efficiency standards for all new commercial development. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/22/08; Failed Deadline
<b>Limits Transportation Capacity.</b> SB 375 (Steinberg; D-Sacramento) thwarts the intent of voters who approved broad-based transportation bonds and limits increased transportation capacity in certain areas of the state by prioritizing transportation projects in areas identified as a preferred area for growth. Oppose/ <b>Job Killer</b> .	Assembly Appropriations 3/24/08
<b>Building Energy Audits.</b> AB 2678 (Núñez; D-Los Angeles), before amendments, would have threatened already-beleaguered existing housing and commercial real estate markets by establishing a process to adopt mandatory time of sale energy efficiency audits without any specificity on what would ultimately be required by the audits. Now, requires the California Energy Commission to develop a regulatory strategy to help address energy efficiency of existing residential and commercial buildings. Neutral/ <b>Former Job Killer</b> .	Passed Senate Energy, Utilities & Communications 6/19/08
<b>Building Cost Increases.</b> AB 2939 (Hancock; D-Berkeley) increases costs to developers by encouraging adoption of building standards written by private entities whose process is not open to public input or scrutiny consideration. Oppose.	Passed Senate Environmental Quality 6/23/08
<b>Housing Production.</b> SB 303 (Ducheny; D-San Diego) attempts to remove barriers to housing production in California by making various changes to planning and zoning law. Support.	Assembly Appropriations Hearing 7/9/08



Subject and Bill — CalChamber Position	Status
<b>Subdivision Maps.</b> SB 1185 (Lowenthal; D-Long Beach) relieves developers of increased entitlement costs by extending the time an expired tentative map may be applicable from 12 to 24 months. Support.	Passed Assembly Appropriations 7/2/08
<b>Small Business Assistance.</b> AB 2998 (Carter; D-Rialto) promotes small business development by requiring the California Workforce Investment Board to develop guidelines for the delivery of technical assistance and training for microenterprises. Support.	Passed Senate Business, Professions & Economic Development 6/23/08
<b>Mobilehome Park Rules.</b> AB 1111 (DeSaulnier; D-Concord) impedes mobilehome park owners' ability to adjust to tenant market fluctuations by prohibiting the owners from opening unoccupied spaces to families. Oppose.	Senate Third Reading
<b>Mobilehomes: Rent Control.</b> AB 1309 (C. Calderon; D-Montebello) allows mobilehome parks to adjust to market fluctuations by establishing a vacancy decontrol for mobilehomes sold in mobilehome parks and permits the management of a mobilehome park to set the initial rent for a mobilehome space. Support.	Assembly Inactive File 1/29/08; Failed Deadline
<b>Model Green Building Program.</b> AB 2144 (Smyth; R-Santa Clarita) creates the "California Green Building Program" as a model program for use by local jurisdictions interested in promoting voluntary green building standards for commercial buildings. Support.	Failed Passage in Assembly Natural Resources 4/14/08
<b>Industrial Safety and Health</b>	
<b>Flavoring Ban.</b> AB 514 (Lieber; D-San Jose) bans the use of diacetyl as a food flavoring, therefore forcing food manufacturers and processors to use replacement substances that may or may not be as harmful, rather than developing standards for its use in the workplace. Oppose.	Senate Inactive File 2/13/08
<b>Bypasses Open Rulemaking.</b> AB 515 (Lieber; D-San Jose) requires the Occupational Safety and Health Standards Board to adopt permissible exposure levels as determined by the Office of Environmental Health Hazards Assessment, with few exceptions, trumping the effective and participatory rulemaking process now in place. Oppose.	Passed Senate Environmental Quality 6/16/08
<b>Employer Liability Assumption.</b> AB 1988 (Swanson; D-Oakland) proposes a potentially costly double appeal process that presumes guilt for employers and undermines due process with regards to citations for workplace safety violations. Oppose.	Passed Senate Labor & Industrial Relations 6/25/08
<b>Insurance</b>	
<b>Vehicle Repair Task Force.</b> SB 1167 (Wiggins; D-Santa Rosa), before amendments, inappropriately limited informed consumer choice by restricting information that insurers can provide to policyholders in regards to their auto repair options. After amendments, requires Insurance Commissioner to convene task force to review the issues arising from the implementation of existing anti-steering laws related to auto repairs and report its findings in writing to Legislature by December 31, 2009. Neutral.	Passed Assembly Appropriations 7/2/08
<b>Annuity Sales Disclosure.</b> AB 2464 (Duvall; R-Yorba Linda) provides greater protections for insurance consumers by modernizing California insurance law to be consistent with the National Association of Insurance Commissioners (NAIC) Annuity Disclosure Model Regulation. Support.	Passed Senate Judiciary 6/26/08
<b>International Trade</b>	
<b>*U.S.-Colombia Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. This agreement is a critical element of a possible U.S.-Andean Free Trade Agreement. Support.	Pending Congressional Action

Subject and Bill — CalChamber Position	Status
<b>*U.S.-Panama Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. The agreement also will increase momentum toward lowering trade barriers and set a positive example for other small economies in the Western Hemisphere. Support.	Pending Congressional Action
<b>*U.S.-Korea Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries and is a critical element of the U.S. strategy to liberalize trade through multilateral, regional and bilateral initiatives. Support.	Pending Congressional Action
<b>U.S.-Colombia Trade Promotion Agreement.</b> AJR 55 (Villines; R-Clovis) expresses the Legislature's recognition of and support for the U.S.-Colombia Trade Promotion Agreement. Support.	Refused Adoption in Assembly Jobs, Economic Development & Economy 6/24/08
<b>U.S.-Colombia Trade Promotion Agreement.</b> SJR 29 (Ackerman; R-Tustin) expresses the Legislature's recognition of and support for the U.S.-Colombia Trade Promotion Agreement. Support.	Refused Adoption in Senate Business, Professions & Economic Development 6/23/08
<b>Labor and Employment</b>	
<b>Employer Benefit Mandate.</b> AB 2716 (Ma; D-San Francisco) unreasonably expands employer's costs and liability by mandating a specific paid sick leave policy. Oppose/ <b>Job Killer</b> .	Passed Senate Labor & Industrial Relations 6/25/08
<b>Employee Safety Risk.</b> AB 2279 (Leno; D-San Francisco) hurts employee safety and employers' right to maintain drug-free workplace policies and exposes employers to potential litigation by prohibiting employers from refusing to hire applicants or fire current workers who use medical marijuana. Oppose/ <b>Job Killer</b> .	Passed Senate Judiciary 6/24/08
<b>Meal Period Clarification.</b> SB 1539 (R. Calderon; D-Montebello) provides a comprehensive solution to compliance and enforcement of meal period laws that provides clarity and flexibility to employers and employees across all industries regardless of employer size or union status. Sponsor/Co-Sponsor.	Senate Rules 4/21/08; Failed Deadline
<b>Meal Period Confusion.</b> AB 1711 (Levine; D-Van Nuys) fails to provide ALL employees and employers in California with a clear solution to current meal period challenges. The current interpretation of the law by the state enforcement agency is so rigid that employers are forced to police their workforce in order to ensure that their employees are taking their meal periods. Oppose.	Senate Labor & Industrial Relations 6/25/08
<b>Alternative Workweek Schedules (Small Business Family Scheduling Option).</b> AB 2127 (Benoit; R-Bermuda Dunes) allows employees and employers flexibility in work schedules to help accommodate employees' diverse family obligations, personal pursuits, commuting issues and environmental concerns by allowing a small business not covered by a collective bargaining agreement to agree to provide scheduling options requested by an employee. Sponsor/Co-Sponsor.	Failed Passage in Assembly Labor & Employment 4/09/08
<b>Independent Contractors.</b> SB 1490 (Padilla; D-Pacoima) exposes business to private rights of action and does not address the underlying problem of clarifying who is and is not an independent contractor by imposing new requirements and liabilities on business. Oppose.	Held in Senate Appropriations Suspense File 5/22/08
<b>Independent Contractors.</b> SB 1583 (Corbett; D-San Leandro) creates joint and several liability penalizing advisors who work with businesses on the complex task of determining worker status, by making the advisor liable along with the business for any penalty if an independent contractor is later found to be an employee, regardless of whether the misclassification was deliberate. Oppose.	Assembly Appropriations Hearing 7/9/08

Subject and Bill — CalChamber Position	Status
<b>Increased Liability.</b> AB 1989 (Swanson; D-Oakland) proposes to expand mandates and increase liability for employers related to the state version of federal Workers Adjustment and Retraining Notification (WARN) Act of 1988. Oppose.	Passed Senate Labor & Industrial Relations 6/25/08
<b>Cost Reimbursement Mandate.</b> AB 3061 (Committee on Labor and Employment) proposes a costly mandate requiring employers to reimburse for all expenses incurred by an employee in the performance of his/her job, regardless of reasonableness, business necessity and compliance with employer policies. Oppose.	Senate Labor & Industrial Relations 6/5/08
<b>Credit Reports.</b> AB 2918 (Lieber; D-San Jose) unduly restricts the ability of businesses to use all legally available information in employment decisions, including consumer credit reports. Oppose.	Senate Third Reading 6/26/08
<b>Handicaps Employment Decisions.</b> AB 3063 (Committee on Labor and Employment) prohibits employers from asking applicants to disclose certain prior criminal convictions which could legitimately impact an employer's hiring decisions. Oppose.	Passed Senate Labor & Industrial Relations 6/25/08
<b>Prevailing Wage Payments.</b> SB 569 (Steinberg; D-Sacramento) increases employment-related lawsuits by establishing an unprecedented database of publicly accessible contractor information and expanding private rights of action leveled by joint labor management committees. Oppose.	Assembly Appropriations Suspense File 7/2/08
<b>Temporary Employees: Wages.</b> SB 940 (Yee; D-San Francisco), before amendments, would have exposed employers to joint and several liability for workers' compensation with temporary staffing agencies while proposing to resolve terminal pay timing for employees of temporary staffing agencies. Amended to remove this objectionable provision. No Position.	To Governor
<b>Employment Retaliation.</b> SB 1244 (Alquist; D-Santa Clara) creates a vague and expansive new basis for liability under the Labor Code by adding a protected class of "a co-worker or family member" of a person who has filed a claim with the Labor Commissioner, or is testifying in a proceeding before the Labor Commissioner. Oppose.	Held in Senate Appropriations Suspense File 5/22/08
<b>Final Paycheck.</b> SB 1283 (Harman; R-Huntington Beach) creates reasonable time frame to permit employers to provide paychecks after termination if accounting department is closed at time of termination. Support.	Failed Passage in Senate Labor & Industrial Relations 4/23/08
<b>Unemployment Insurance Increase.</b> SB 1661 (Kuehl; D-Santa Monica) proposes to increase the cost of doing business for small employers by creating a new eligibility requirement for employees to receive unemployment insurance benefits. Oppose.	Assembly Appropriations Hearing 7/9/08
<b>Expanded Employer Liability.</b> AB 2075 (Fuentes; D-Sylmar) expands employer liability in meal period litigation by adding to what is included within the prohibition of an execution of a release by an employee for wages due and hours worked. Oppose.	Senate Third Reading 7/1/08
<b>Legal Reform and Protection</b>	
<b>Advancing Disability Access.</b> SB 1608 (Corbett; D-San Leandro) Comprehensive reform that increases public access for individuals with disabilities while reducing unwarranted litigation, including by encouraging use of state-certified disability access specialists and establishing court procedure for early judicial review of lawsuit claims. Support/ <b>Job Creator</b> .	Passed Assembly Judiciary 6/24/08
<b>Increased Employer Liability Exposure.</b> AB 437 (Jones; D-Sacramento) significantly expands employers' liability exposure and hampers their ability to defend themselves by effectively removing any statute of limitations for lawsuits challenging any employer decision that affects pay or benefits. Oppose/ <b>Job Killer</b> .	Assembly Inactive File 9/12/07

Subject and Bill — CalChamber Position	Status
<b>Increased Insurance Costs.</b> AB 1456 (Laird; D-Santa Cruz) greatly increases liability exposure for companies and may lead to higher insurance rates for consumers by preventing Medi-Cal amounts paid on behalf of a plaintiff from being considered in determining an insurance company's liability for medical damages. Oppose/ <b>Job Killer</b>	Senate Inactive File 2/13/08
<b>Increased Health Care Costs.</b> AB 2690 (Krekorian; D-Burbank) expands liability of manufacturers of prescription pharmaceutical products by eliminating a well-established and common-sense legal defense which recognizes that a patient's doctor should warn them of the risks and side effects of drugs. Oppose/ <b>Job Killer</b> .	Assembly Inactive File 5/29/08; Failed Deadline
<b>Incentive to Sue.</b> SB 1113 (Migden; D-San Francisco) expands reward to plaintiffs for costs of litigation stemming from private attorney general actions while providing no cost recovery for those who must defend themselves against such actions, even if those actions are found to be baseless. Oppose/ <b>Job Killer</b> .	Assembly Third Reading 6/19/08
<b>Trademark Protections.</b> AB 1394 (Krekorian; D-Burbank) improves protections of trademark owner rights and consumer health and safety by strengthening California laws against trafficking of fake products such as auto parts, prescription drugs and children's toys. Sponsor/Co-Sponsor/ <b>Job Creator</b> .	Passed Senate Public Safety 6/17/08
<b>Attorney's Fees.</b> AB 2379 (Evans; D-Santa Rosa) could expose companies' proprietary or sensitive personnel information by undermining the right to appeal an order to unseal records. Oppose.	Senate Inactive File 6/23/08
<b>Negotiation Bypass.</b> SB 1765 (Kuehl; D-Santa Monica) undermines contract rights by using legislation to dictate contract terms and impermissibly rewrite a collective bargaining agreement. Oppose.	Senate Inactive File 5/29/08; Failed Deadline
<b>Lost Profits.</b> AB 2780 (Lieu; D-Torrance) undermines fundamental contracts principles by allowing the state and local government entities to breach contracts without liability on the basis of an initiative being enacted, leaving businesses who relied upon the contracts on the hook for lost profits. Oppose.	Assembly Third Reading 5/23/08
<b>Punitive Damages.</b> SB 423 (Harman; R-Huntington Beach) helps improve California's rock-bottom legal climate by preventing out-of-control, extreme punitive damages awards with a cap that limits them to an amount no greater than three times the compensatory damages award. Sponsor/Co-Sponsor.	Failed Passage in Senate Judiciary 1/15/08
<b>Reduces Lawsuits.</b> AB 1891 (Niello; R-Fair Oaks) reduces frivolous litigation by giving the judge more latitude to respond to and punish individual harassing, meritless tactics and claims that take place during the course of a lawsuit, while allowing meritorious aspects of the lawsuit to go forward. Support.	Failed Passage in Assembly Judiciary 3/25/08
<b>Class Action Reform.</b> AB 1905 (Adams; R-Hesperia) improves equity of appeals of class certification deny or grant decisions by giving both plaintiffs and defendants the right to immediate appeal, rather than just plaintiffs. Support.	Failed Passage in Assembly Judiciary 3/25/08
<b>Class Action Fairness.</b> SB 1202 (Harman; R-Huntington Beach) ensures class action settlements are fairly administered by allowing the judge to require that prevailing plaintiffs receive the settlement amounts to which they are entitled before the plaintiffs' attorney is awarded attorneys' fees. Support.	Failed Passage in Senate Judiciary 3/25/08
<b>Commercial Airlines.</b> AB 1943 (Leno; D-San Francisco) may result in airline delays and compromise airline passenger and employee safety by imposing new regulations on airline industry that are pre-empted by federal law. Oppose.	Senate Third Reading 6/26/08
<b>Free Speech.</b> AB 2616 (DeVore; R-Irvine) overturns long-established property rights principles by mandating that retailers' customer entry ways be a forum for exercise of free speech such as signature gathering. Oppose.	Assembly Judiciary 5/27/08; Failed Deadline



Subject and Bill — CalChamber Position	Status
<b>Corporate Director's Duties.</b> AB 2944 (Leno; D-San Francisco) confuses the duty of care standard and creates liability exposure for directors by unnecessarily singling out certain factors to be listed in statute such as the environment and employees and instructing directors that they "may" consider them in determining the best interests of the corporation and its shareholders. Oppose.	Senate Third Reading 6/18/08
<b>Consumer Rebates.</b> SB 1257 (Machado; D-Linden) increases cost of doing business by creating unnecessary new regulations for processing of manufacturer rebates, but as amended on 6/9/08, removes the unworkable and overly burdensome provisions. No Position.	Passed Assembly Business & Professions 6/17/08
<b>Rental Car Companies.</b> SB 1614 (Oropeza; D-Long Beach) imposes a costly and unnecessary new mandate and potential new liability exposure on our tourism and visitor industry by requiring rental car companies to provide each renter with a partial list of California driving laws. Oppose.	Failed Passage in Assembly Transportation 6/23/08; Reconsideration granted
<b>Donated Food.</b> SB 1443 (Oropeza; D-Long Beach) creates new unreasonable and impractical regulatory burdens and liability for caterers and undermines the right to contract by mandating that every catering contract include a provision by which the caterer can be required to donate the leftover food. Oppose.	Passed Assembly Judiciary 6/17/08
<b>Arbitration Restrictions.</b> AB 2947 (Eng; D-Monterey Park) undermines the right to contract for arbitration by creating new restrictions on arbitration agreements in long-term care facility contracts. Oppose.	Senate Third Reading 7/2/08
<b>Other</b>	
<b>Infrastructure and Construction Jobs Loss.</b> SB 1165 (Kuehl; D-Santa Monica) jeopardizes economic growth by restricting environmental impact statements to a five-year lifetime which will delay permitting of the project and open the door for frivolous lawsuits in an attempt to block the project. Oppose/ <b>Job Killer</b> .	Failed Passage in Senate 5/29/08
<b>Costly Construction Delays.</b> AB 2514 (Eng; D-Monterey Park) delays construction of commercial and residential projects and obstructs normal agricultural practices by requiring an unworkable resolution to disposition of human remains that are not Native American. Oppose/ <b>Job Killer</b> .	Passed Senate Judiciary 6/24/08
<b>Human Trafficking.</b> SB 1649 (Steinberg; D-Sacramento) Overly broad mandate that business in California develop, maintain and implement a policy to eradicate slavery and human trafficking from their supply chain down to raw materials. The requirements of the legislation are extremely expensive, ripe with liability and do not clearly outline how businesses should comply. Oppose.	Passed Assembly Judiciary 6/24/08
<b>Nutritional Information.</b> SB 1420 (Padilla; D-Pacoima) creates a costly and impractical mandate that forces restaurants to reproduce their menus in order to provide nutritional information to customers while providing businesses no flexibility for compliance. Oppose.	Assembly Appropriations Suspense File 7/2/08
<b>Sweepstakes.</b> SB 1400 (Simitian; D-Palo Alto) imposes an unprecedented "opt-in" requirement on businesses for information-sharing purposes related to non-sensitive customer information gathered during a sweepstakes. Oppose.	Assembly Appropriations Hearing 7/9/08
<b>Nutrition Information.</b> AB 2572 (Parra; D-Hanford) allows restaurants to provide important nutritional information to their customers in a practical and flexible fashion, without putting undue burdens on businesses. Support.	Passed Senate Health 6/25/08
<b>Environmental Quality Defendants.</b> SB 68 (Kuehl; D-Santa Monica) disadvantages business by changing how the California Environmental Quality Act (CEQA) names defendants in lawsuits. Bars legitimate parties from participating in the action. Oppose.	Passed Assembly Natural Resources 6/23/08

Subject and Bill — CalChamber Position	Status
<b>Environmental Complaints.</b> SB 1631 (Ackerman; R-Tustin) prevents abuse of the CEQA process by prohibiting filing or threatening to file a lawsuit alleging an environmental complaint in order to extort money or other things of value. Support.	Failed Passage in Senate Governmental Organization 4/15/08
<b>Short Form Environmental Impact Report.</b> SB 1210 (Dutton; R-Rancho Cucamonga) expedites the permitting process by allowing use of a short form environmental impact statement for urban residential and mixed use residential projects. Support.	Failed Passage in Senate Environmental Quality 5/12/08
<b>Political Affairs</b>	
<b>Public Financing of Secretary of State Campaigns.</b> AB 583 (Hancock; D-Berkeley) inappropriately allocates precious tax dollars for highways and schools and instead directs those dollars to political campaigns of candidates running for the Secretary of State. Oppose.	Passed Senate Elections, Reapportionment & Constitutional Amendments 6/18/08
<b>Privacy and Confidentiality</b>	
<b>New Business Liability.</b> AB 1779 (Jones; D-Sacramento) imposes onerous and unneeded data management requirements on business and creates new financial liabilities for small and medium-sized businesses accepting credit and debit cards. Oppose.	Senate Judiciary 6/24/08
<b>New Reason to Sue.</b> AB 624 (Coto; D-San Jose) requires charitable organizations to provide infrequently available ethnic and gender information and could adversely impact charitable giving in California. Oppose.	Senate Business, Professions & Economic Development 6/23/08
<b>Breach Notification Expansion.</b> SB 364 (Simitian; D-Palo Alto) helps hackers circumvent security programs by requiring businesses to give too much information in security breach notices. Oppose.	Passed Assembly Judiciary 6/24/08
<b>Increased Mortgage Costs/Delays.</b> AB 512 (Lieber; D-San Jose) increases costs and paperwork, and causes delays in mortgage lending practices by requiring contract summaries to be translated into the five most common languages spoken in the state, if any part of the loan was negotiated in that language. Oppose.	Senate Banking, Finance & Insurance 6/19/08
<b>Social Security Numbers.</b> AB 2383 (Ruskin; D-Redwood City) imposes extra security requirements for retailers and landlords requesting Social Security numbers. The number must be entered on a point-of-sale device, be encrypted and not kept any longer than absolutely necessary. Oppose.	Assembly Judiciary 4/8/08; Failed Deadline
<b>Consumer Credit Reports: Security Freezes.</b> AB 372 (Salas; D-Chula Vista), before amendments, imposed new unwarranted additional penalties on businesses for recordkeeping violations. Amended to reduce consumer fees for credit freezes and requires requests for freezes to be sent via mail and implemented within three business days of receipt. Neutral.	To Governor
<b>Identification Documents.</b> SB 31 (Simitian; D-Palo Alto) imposes jail time and a monetary penalty for any person or entity that intentionally tries to read remotely through radio frequency identification (RFID) a person's identification document without his or her knowledge. Support If Amended.	Passed Assembly Appropriations 7/2/08
<b>Small Business</b>	
<b>Small Business Contracts.</b> AB 2773 (Price; D-Inglewood) facilitates greater small business participation in state procurement by increasing the maximum allowable contract amount given to certified small businesses when specified competitive bidding requirements are exempted. Support.	Passed Senate Governmental Organization 6/24/08

Subject and Bill — CalChamber Position	Status
<b>Taxation</b>	
<b>Personal Income Tax Increase.</b> AB 2372 (Coto; D-San Jose) harms numerous small business taxpayers who file personal income tax rather than corporate income tax returns by imposing a new 1 percent personal income tax increase on incomes over \$1 million in order to fund education programs. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/22/08
<b>Personal Income Tax Increase.</b> AB 2897 (Hancock; D-Berkeley) harms numerous small business taxpayers who file personal income tax rather than corporate income tax returns by increasing tax rates on incomes over \$100,000 and \$200,000 to 10 percent and 11 percent respectively and the alternative minimum tax to 8.5 percent. Oppose/ <b>Job Killer</b> .	Assembly Revenue & Taxation 5/12/08
<b>Gas Price Increase.</b> ABX3 9 (Núñez; D-Los Angeles) imposes a billion-plus-dollar tax increase on California oil companies which would result in higher gas prices for consumers, increased dependence on foreign oil and further damage to our already-suffering economy. Oppose/ <b>Job Killer</b> .	Assembly Unfinished Business 3/12/08
<b>New Internet Taxes.</b> ABX3 22 (C. Calderon; D-Montebello) greatly increases the cost of doing business for a host of California technology sector and entertainment industry companies and harms consumers by ordering Board of Equalization to implement and impose through the regulatory process an expansive, unprecedented new tax on digital products, including software, e-books, music, videos, cell phone ring tones, cable television and movies on demand. Oppose/ <b>Job Killer</b> .	Assembly Print 6/25/08
<b>New Internet Taxes.</b> ABX3 23 (C. Calderon; D-Montebello) greatly increases the cost of doing business for a host of California technology sector and entertainment industry companies and harms consumers by creating an expansive, unprecedented new tax on Californians who purchase digital media, including software, e-books, music, videos, cell phone ring tones, cable television and movies on demand. Oppose/ <b>Job Killer</b> .	Assembly Print 6/25/08
<b>New Internet Taxes.</b> AB 1956 (C. Calderon; D-Montebello) greatly increases the cost of doing business for a host of California technology sector and entertainment industry companies and harms consumers by ordering Board of Equalization to implement and impose through the regulatory process an expansive, unprecedented new tax on digital products, including software, e-books, music, videos, cell phone ring tones, cable television and movies on demand. Oppose.	Failed Passage in Assembly Revenue & Taxation 4/14/08
<b>Internet Tax.</b> AB 1840 (C. Calderon; D-Montebello)/ ABX3 2 (C. Calderon; D-Montebello) encourages companies that provide services via the Internet and which operate and provide jobs in California to move their operations out of California. Oppose/ <b>Job Killer</b> .	AB 1840 Assembly Unfinished Business 5/27/08; ABX3 2 Assembly Print 1/29/08
<b>Cigarette Tax.</b> SCA 13 (Torlakson; D-Antioch) creates a new excessive tax on cigarette distribution. Oppose.	Senate Revenue & Taxation 5/8/08
<b>Business Investment Incentives.</b> SB 98 (Committee on Budget and Fiscal Review) promotes investments in and expansions of California-based operations and jobs by establishing key tax incentives that will significantly improve California's tax climate by: 1) providing sales and tax relief for the airline industry; 2) improving the research and development credit for all industries; 3) providing investment incentives to the motion picture industry; and 4) reducing the tax burden on multistate and multinational companies that locate and expand jobs and operations within the state. Support.	Senate Inactive File 1/14/08
<b>Income Tax: Withholding.</b> AB 1848 (Ma; D-San Francisco) greatly increases cost of doing business in California and increases business tax administrative burden by requiring companies to track state tax liability and collect taxes from outside companies and independent contractors. Oppose.	Passed Senate Revenue & Taxation 6/25/08

Subject and Bill — CalChamber Position	Status
<b>Eliminates Sales Tax Refunds.</b> AB 1839 (C. Calderon; D-Montebello)/ABX3 1 (C. Calderon; D-Montebello) reduces consumer credit and therefore sales of large-ticket items such as autos, appliances and furniture by making it more costly and difficult for small and large retailers to offer in-store credit by eliminating refunds of sales taxes for credit accounts that become bad due to non-payment by the consumer. Oppose.	AB 1839 Failed Passage in Assembly 5/27/08; ABX3 1 Assembly Print 1/29/08
<b>Federal Conformity.</b> AB 1561 (C. Calderon; D-Montebello), before amendments, eased the burden of complying with two sets of laws and reduced potential confusion and the risk and penalties of non-compliance by bringing California tax laws into conformity with a number of federal tax laws. Recent amendments increase tax liability for some industries without improving conformity. No Position.	Passed Senate Revenue & Taxation 6/25/08
<b>Restricts Taxpayer Remedies.</b> AB 1546 (C. Calderon; D-Montebello) violates fundamental taxpayer rights by restricting taxpayer remedies retroactively and prospectively in any taxpayer court challenges of unconstitutionally discriminatory personal or corporate tax laws and sets a dangerous precedent for restricting remedies in taxpayer challenges of other tax laws and the Legislature's continued passage of unconstitutional tax laws. Oppose.	Failed Passage in Senate Revenue & Taxation 4/09/08; Reconsideration granted
<b>Adult Entertainment Tax.</b> AB 2914 (C. Calderon) conflicts with federal law and violates First Amendment rights by imposing a new 25 percent tax on retailers on the gross receipts of pay-per-view and other lawful adult entertainment materials sold digitally or through the Internet. Oppose.	Assembly Revenue & Taxation 6/23/08
<b>Split Roll Property Tax: Study.</b> AB 2461 (Davis; D-Los Angeles) threatens to undermine Proposition 13 property protections of commercial property by ordering Board of Equalization to conduct a potentially skewed and incomplete study of the amount of revenue that would be generated from a split roll tax, without ensuring the impact on the business community is considered. Oppose.	Assembly Revenue & Taxation 4/14/08; Failed Deadline
<b>Clean Energy Technology.</b> SB 1484 (Alquist; D-Santa Clara) increases dependence on foreign oil by eliminating existing tax credits and deductions relied upon by small California oil refineries in order to create a new tax credit for clean energy technology manufacturing or processing. Oppose.	Senate Revenue & Taxation Suspense File 6/25/08
<b>Accountancy: Licensure.</b> AB 2473 (Niello; R-Fair Oaks) improves and streamlines cost and burden of hiring accountants across state lines by establishing national accountancy mobility safeguards and standards. Support.	Assembly Business & Professions 4/9/08; Failed Deadline
<b>Property Tax: Refunds.</b> AB 2411 (Caballero; D-Salinas) improves administration of property tax overpayments, while maintaining taxpayer notification rights and protections. Support.	Passed Senate Revenue & Taxation 6/25/08
<b>Transient Occupancy Tax.</b> AB 2676 (C. Calderon; D-Montebello) helps to ensure taxes are imposed in an equitable, lawful and fair manner by prohibiting local taxing authorities from retroactively imposing new hotel occupancy taxes. Support.	Assembly Local Government 4/30/08; Failed Deadline
<b>Corporation Tax Law: Allocation and Apportionment.</b> AB 2114 (Villines; R- Clovis) promotes investments in jobs and operations in California by requiring a study of the penalty effect of the current formula used to determine the tax liability of companies with a significant jobs and operations presence within the state. Support.	Passed Senate Revenue & Taxation 6/25/08
<b>California Cleantech Advantage Act of 2008.</b> AB 1527 (Arambula; D-Fresno) promotes and encourages small business production of clean technology by creating a sales and use tax exemption for manufacturing and research and development. Support.	Assembly Revenue & Taxation 1/14/08; Failed Deadline
<b>Franchise Tax Board: Burden of Proof.</b> AB 2727 (La Malfa; R-Richvale) improves taxpayer protections by imposing a clear and convincing evidence standard on Board of Equalization assertion of penalties for alleged taxpayer fraud. Support.	Held in Assembly Revenue & Taxation Suspense File 4/14/08; Failed Deadline



Subject and Bill — CalChamber Position	Status
<b>Sales and Use Taxes: Interest.</b> AB 1926 (Horton; R-Chula Vista) improves taxpayer equity by making the interest rate on underpayments the same as that for overpayments. Support.	Held in Assembly Revenue & Taxation Suspense File 4/14/08; Failed Deadline
<b>Telecommunications</b>	
<b>Unlisted Telephone Numbers.</b> SB 1423 (Kuehl; D-Santa Monica) reduces company revenues as much as \$50 million annually, which will have to be made up elsewhere, by prohibiting all telephone companies from charging customers for an unlisted telephone number. Oppose.	Senate Inactive File 5/29/08; Failed Deadline
<b>Telephone: Subscriber Information.</b> AB 3011 (Huffman; D-San Rafael) puts state law in conflict with the Federal Communication Commission's customer proprietary network information (CPNI) rules and hampers phone companies' ability to outsource their customer service centers by attempting to clarify that California's privacy rules apply to mobile telephone providers. Oppose.	Failed Passage in Assembly 5/29/08
<b>Emergency Telephone Users.</b> SB 1040 (Kehoe; D-San Diego) provides clarity and removes liability exposure for telephone companies regarding collection of the 911 surcharge on Voice Over Internet Protocol service. Support.	Chapter 17
<b>Digital Television.</b> AB 2769 (Levine; D-Van Nuys) places the burden to provide signage and collateral information regarding the transition to digital television on the retailer. Currently this responsibility is on the federal government, which is funded to provide such consumer information. Oppose.	Senate Inactive File 6/30/08
<b>Caller Identification.</b> SB 1389 (Padilla; D-Pacoima) streamlines the merger process for certain telephone corporations by removing outdated requirements that the California Public Utilities Commission must identify before approval. Support.	Passed Senate Appropriations 5/19/08; Failed Deadline
<b>Tourism</b>	
<b>Reduces California Tourism.</b> SB 1057 (Migden; D-San Francisco), before amendments, would have reduced California's investment in the promotion of California as a tourist destination by reducing the tourism concession assessment. Would have removed about 80 percent of the non-governmental funding for tourism promotion. Amended to deal with a different subject. No Position/ <b>Former Job Killer.</b>	Senate Rules 5/19/08; Failed Deadline
<b>Ocean Rangers.</b> SB 1582 (Simitian; D-Palo Alto) establishes an Ocean Ranger that competes with existing law enforcement and regulatory agencies already covered by the FBI, the Coast Guard, and international treaties and laws. The unnecessary program will add \$6.7 million in annual cruise ship passenger fees. Oppose.	Failed Passage in Senate Public Safety 6/24/08
<b>Transportation</b>	
<b>Construction Jobs Loss.</b> AB 2705 (Jones; D-Sacramento) makes new housing less affordable, risks the loss of construction jobs and squeezes support for maintenance costs for parks and schools by expanding Mello Roos Fees to include financial support of transit services. Oppose/ <b>Job Killer.</b>	Failed Passage in Senate Local Government 6/18/08; Reconsideration granted
<b>Interference of Goods Movement.</b> AB 2546 (De La Torre; D-South Gate) increases the cost of moving goods and jeopardizes rail yards by setting up an unreasonable requirement to regulate the emissions from mobile emitters that visit their facility even if they have no control over the mobile sources. Oppose/ <b>Job Killer.</b>	Passed Senate Transportation & Housing 6/24/08

Subject and Bill — CalChamber Position	Status
<b>Office of Public-Private Partnerships.</b> AB 1850 (DeVore; R-Irvine) creates the Office of Public-Private Partnerships within the Governor's office and enables public-private partnerships in an effort to promote efficient and cost effective construction and maintenance of the state's transportation systems, sewage and water reclamation works, water supply and treatment works, flood control and drainage works, schools, libraries, parks and more. Support.	Failed Passage in Assembly Business & Professions 4/1/08
<b>State Parks: Roads.</b> AB 1457 (Huffman; D-San Rafael) increases construction costs for roads or extending existing roads through state parks by requiring project applicants to pay costs for the Department of Parks and Recreation's determinations. Would have stopped a major project in Southern California. Oppose.	Failed Passage in Assembly Water, Parks & Wildlife 1/15/08
<b>Water Supply and Quality</b>	
<b>Construction Jobs Loss.</b> AB 2153 (Krekorian; D-Burbank) imposes an unconstitutional developer fee on new residential and commercial development that will be used to finance water conservation strategies in existing communities by requiring that all new development be water-demand neutral. Oppose/ <b>Job Killer</b> .	Failed Passage in Assembly 5/29/08
<b>Construction Jobs Loss.</b> AB 2046 (Jones; D-Sacramento), before amendments, would have halted construction of housing, cost construction jobs and provided a disincentive to clean up groundwater by inappropriately denying use of some groundwater resources as a stable water supply. As amended, requires water agencies to specify remediation and financial plans for groundwater that will be used as a water supply in the future. Neutral/ <b>Former Job Killer</b> .	Passed Senate Natural Resources & Water 6/25/08
<b>Water Quality: Enforcement.</b> AB 1946 (Nava; D-Santa Barbara) promotes inconsistent enforcement of water quality regulations, hindering business' compliance. Allows city or county attorneys to file cases that are handled by a single unit in the Attorney General's office. Oppose.	Passed Senate Judiciary 6/24/08
<b>Omnibus Water Board Bill.</b> SB 1176 (Perata; D-Oakland) limits business input into the regulatory process by allowing the state water board to remove the regional water board's authority; changing the number, composition and compensation of regional board members; and requiring regional boards to submit workplans, etc. Oppose.	Held in Senate Appropriations Suspense File 5/22/08; Failed Deadline
<b>Delta Emergency Preparedness.</b> SB 27 (Simitian; D-Palo Alto), before amendments, imposed additional layers of government bureaucracies over land use decisions in the Delta. As amended, deals with stockpiling emergency supplies for levee failures. Neutral.	Assembly Appropriations Hearing 7/9/08
<b>Workers' Compensation</b>	
<b>Workers' Compensation Reform Roll Back.</b> SB 1717 (Perata; D-Oakland) increases workers' compensation costs and rolls back the workers' compensation reforms from 2004 by arbitrarily doubling permanent disability benefits and altering the 15 percent bump up/down provision in current law. Oppose/ <b>Job Killer</b> .	Assembly Inactive File 6/30/08
<b>Workers' Compensation Reform Roll Back.</b> SB 1115 (Migden; D-San Francisco) increases workers' compensation costs and rolls back the workers' compensation reforms from 2004 by making apportionment very difficult to prove. Oppose/ <b>Job Killer</b> .	Passed Assembly Insurance 6/25/08
<b>Workers' Compensation Insurance.</b> AB 2692 (Hernandez; D-La Puente) deprives employers of choice and stability in the workers' compensation insurance market by creating an unworkable scheme for regulating the rates of insurance companies. Oppose.	Assembly Insurance 4/16/08; Failed Deadline

Subject and Bill — CalChamber Position	Status
<b>Supplemental Job Displacement Benefits.</b> AB 2987 (Benoit; R-Bermuda Dunes) harmonizes provisions in current law to ease administration of return-to-work provisions in workers' compensation law. Sponsor/Co-Sponsor/ <b>Job Creator</b> .	Passed Senate Labor & Industrial Relations 6/25/08
<b>Medical Treatment Utilization Reviews.</b> AB 2969 (Lieber; D-San Jose) increases the cost of utilization review services and makes it harder for employers to apply objective medical treatment guidelines and control costs. Oppose.	Senate Third Reading 6/12/08
<b>Internet Web Sites.</b> AB 507 (De La Torre; D-South Gate) potentially provides incorrect information to the public by creating a website through the Workers' Compensation Insurance Rating Bureau that would provide coverage information for employers in California that are insured for workers' compensation insurance. Oppose.	Passed Senate Judiciary 6/24/08
<b>Predesignation of Physician.</b> SB 1338 (Migden; D-San Francisco) increases medical costs in workers' compensation insurance by undermining medical provider networks, which were established to ensure that injured employees received appropriate medical care. Oppose.	Assembly Appropriations Hearing 7/9/08
<b>Implantable Medical Devices.</b> SB 1309 (R. Calderon; D-Montebello) increases the cost of some medical devices by arbitrarily increasing reimbursement rates for durable medical equipment in workers' compensation. Oppose.	Senate Labor & Industrial Relations 4/22/08; Failed Deadline
<b>Supplemental Job Displacement Voucher.</b> SB 1189 (Cedillo; D-Los Angeles) increases workers' compensation costs by requiring employers to provide a supplemental job displacement voucher prior to having all of the information required to accurately calculate the benefit. Oppose.	Held in Senate Appropriations Suspense File 5/22/08; Failed Deadline
<b>State Compensation Insurance Fund.</b> SB 723 (Yee; D-San Francisco) weakens the State Compensation Insurance Fund (SCIF) role as the workers' compensation carrier of last resort by authorizing SCIF to also provide small group health insurance. Oppose.	Senate Banking, Finance & Insurance 1/8/08; Failed Deadline
<b>Public Employees: Leaves of Absence.</b> AB 419 (Lieber; D-San Jose) increases workers' compensation costs by expanding the number of public safety workers who are eligible for expanded benefits and preferential treatment in California's workers' compensation law. Oppose.	Senate Appropriations 4/17/08

## Key to Status Descriptions

- Assembly or Senate Inactive file: In house of origin; no further action on bill.
- Assembly or Senate Appropriations Suspense file: Bills with fiscal impact are placed on the suspense file pending the Legislature's review of their overall financial impact.
- Assembly Second Reading or Assembly Third Reading: Bill awaits action by full Assembly.
- Assembly Print: Introduced; awaiting assignment to a policy committee.
- Chapter: A bill listing a chapter number has been signed by the Governor and will become law on January 1, 2009.
- Failed Deadline: Missed the deadline to pass the house in which bill was introduced.
- Held in a committee: No further action on bill.
- Reconsideration granted: No further action.
- Senate Third Reading: Bill awaits action by full Senate.



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