

# ALERT

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## Legislature Gives Approval to More 'Job Killer' Bills



Before the end of the regular legislative session on August 31, California legislators passed more "job killer" proposals.

Strong **opposition** from the California Chamber of Commerce and other business groups has stopped 25 bills that would have hurt California's competitiveness and stifled job creation.

The CalChamber is reviewing last-minute amendments that may result in additions to the "job killer" list.

A number of special session "job killer" bills dealing with various taxes remain eligible for consideration as long

as the Legislature has not adjourned for the year.

Among the "job killers" to be considered next by the Governor are the following.

### Costly Workplace Mandates

- **AB 2279 (Leno; D-San Francisco) Employee Safety Risk.** 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.

The legislation forces the employer to choose between litigation and worker safety and may hurt the ability of businesses to obtain federal contracts

*See Legislature: Page 4*

## CalChamber Adds to November Ballot Positions



The California Chamber of Commerce Board of Directors has considered seven more ballot measures that will appear on the November 4 General Election ballot.

The CalChamber Board had taken and announced positions on two initiatives following its May meeting:

- **Proposition 11: The California Voters First Initiative—Support.**

"CalChamber has long believed that fair redistricting is key to meaningful political reform," said Allan Zaremberg, CalChamber president and chief executive officer. "The California Voters First Initiative will allow the citizens of California—rather than the Legislature—to create legislative districts that will require elected officials be accountable to the voters."

- **Proposition 7: Solar and Clean Energy Act of 2008—Oppose.**

"The CalChamber Board of Directors voted to oppose this measure due to its potential to substantially drive up energy prices in the state," Zaremberg said.

### Funding Priorities

"There are many competing demands for resources in our state and we must

*See CalChamber: Page 3*

## Job Creator Bills Pass Legislature



Two California Chamber of Commerce-supported bills that will promote

job creation have passed the Legislature and await action by the Governor.

- **Advancing Disability Access.** SB 1608 (Corbett; D-San Leandro) is comprehensive reform that increases public access for individuals with disabilities while reducing unwarranted litigation, including by encouraging the use of state-certified disability access specialists and establishing court procedure for early judicial review of lawsuit claims.

- **Trademark Protections.** AB 1394 (Krekorian; D-Burbank), co-sponsored by the CalChamber, 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.

### Advancing Disability Access

SB 1608 responds to a significant ongoing state problem—a small, but widely destructive, atypical group of plaintiffs and lawyers using the disability laws and court system to systematically extract monetary settlements from businesses rather than to improve

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## *Labor Law Corner*

# No Specific Amount Necessary for Expense Reimbursement



**Gary Hermann**  
Labor Law Consultant

*Are there any minimum amounts required for expense reimbursement?*

California Labor Code Section 2802 provides that an employer shall indemnify his/her employee for all necessary expenditures or losses incurred by the employee in the direct consequence of the discharge of his/her duties. It does not specify what amounts are specifically

necessary. The most common examples are mileage, travel and dining expenses.

### **Test for Recovery**

The test for recovery under Section 2802 is whether the expense or loss was incurred within the course and scope of employment.

In determining whether, for purposes of indemnification, an employee's acts were performed within the course and scope of employment, the courts have held that an employer is vicariously liable for risks broadly incidental to the enterprise—that is, for an employee's conduct that, in the context of the employer's enterprise, is not so unusual or startling that it would seem unfair to include the loss resulting from it among other costs of the employer's business.

An employer is not necessarily liable for an employee's conduct if the employee substantially deviates from his/her course of duty so as to amount to a complete departure.

For instance, an employee who incurs damage or loss through his/her reckless or unlawful acts has acted beyond the scope of his/her duty.

Acts that are necessary to the comfort, convenience, health and welfare of the employee while at work, however, although personal and not acts of service, do not take the employee outside the scope of his/her employment.

### **Careful Evaluation**

The provisions of Section 2802 cover a multitude of situations and care should

be used in determining whether the loss to the employee is covered by that section.

For example, the parties may agree what the cost of operating a vehicle is. These costs would include, of course, gas, insurance, usual maintenance and other upkeep. The danger for an employer who arbitrarily establishes a rate of reimbursement before hire is that an employee may pursue a legal claim that the rate does not accurately reflect the expenses actually incurred.

Since the obligation is statutory in nature, such an employee might be able to reach back three years for any expenses incurred in that period. The Division of Labor Standards Enforcement has opined that use of the Internal Revenue Service mileage allowance, currently 58.5 cents per mile, will satisfy the expenses incurred in use of an employee's car in the absence of evidence to the contrary.

It should be noted that Labor Code Section 2802 is not a wage section and establishes no specific time for payment.

Both interest and attorney's fees incurred in claims and actions to enforce Section 2802 are recoverable and may be awarded by either the courts or the Labor Commissioner to an employee.

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*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).*

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## CalChamber-Sponsored Seminars/Trade Shows

For more information, visit  
[www.calchamber.com/events](http://www.calchamber.com/events).

### **Business Resources**

**Bidder's Conference/Contractor Outreach**  
Event. Caltrans. September 18,  
San Francisco. (510) 410-2243.

### **International Trade**

**Free Trade Agreement Breakfast**  
Conference. Los Angeles Metropolitan  
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September 18, Los Angeles.  
(213) 445-6740.

**Green Trade Network Summit.** Monterey  
Bay International Trade Association.  
September 19, Cocoanut Grove.  
(831) 335-4780.

**Globalization's Roadmap 2008.** Crowell  
& Moring and Irvine Chamber.  
September 25, Irvine. (949) 798-1378.

### **Labor Law**

**HR 201: Labor Law Update On-Demand**  
Web Seminar. CalChamber. 90 minutes.  
(800) 331-8877.



# CalChamber Comments on Recall Launch

The California Chamber of Commerce and the California Business Roundtable released a statement September 9 commenting that the recent step by the California Correctional Peace Officers Association (CCPOA) to launch a recall effort against Governor Arnold Schwarzenegger is misguided and threatens to hurt California and its citizens.

"California has no better advocate and ambassador than Governor Schwarzenegger," said CalChamber President and Chief Executive Officer Allan Zaremborg.

"Our Governor has been a champion of trade, tourism, job creation and

economic opportunity since the day he took office. During his time as Governor, he has been willing to tackle the tough issues and to provide vision and leadership for our state's future. Governor Schwarzenegger has vetoed nearly every piece of job killing legislation that has crossed his desk. He understands the need to promote a vibrant economy and protect quality of life for our state's residents," Zaremborg said.

"Governor Schwarzenegger cares about California and that is demonstrated by his support of redistricting and his commitment to long-term budget reform,"

said Bill Hauck, president of the California Business Roundtable.

"At this critical time in California's history, our leaders need to be focused on resolving the state's budget crisis and moving forward on issues critical to our future like water infrastructure and achieving proficiency in education," Hauck said.

News of the CCPOA plan to launch a recall drive first appeared on September 7. On September 9, the CCPOA served notice to the Governor of its plan to circulate recall petitions.

**Staff Contact: Denise Davis**

## CalChamber Adds to November Ballot Positions

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carefully set our funding priorities," Zaremborg said in announcing the positions voted upon by the Board at its September 5 quarterly meeting.

"Although a comprehensive water bond will not appear on the November 2008 ballot, we must reserve future debt capacity to address one of the state's most critical needs. The positions taken by our Board on November ballot measures reflect that priority," Zaremborg said.

● **Proposition 1A: High Speed Passenger Train Bond Act—Oppose.**

"California will need to invest at least \$50 billion to complete a statewide high speed rail system. There are other projects that mitigate congestion that should be a higher priority," Zaremborg said.

● **Proposition 2: The Standards for Confining Farm Animals Act—Oppose.**

"California imposes more restrictions on agriculture and agricultural practices than any other state. These restrictions increase costs to consumers and reduce competitiveness of California's farmers and ranchers. This measure would severely damage commercial egg production in California, result in the loss of thousands of jobs, hurt school lunch programs and businesses like grocery stores and restaurants, and compromise food safety," Zaremborg said.

● **Proposition 3: Children's Hospital Bond Act—Support.**

"Expanding and improving children's hospitals is an important health care

priority. Without continued investments in medical equipment and facilities, California's health care system will not be prepared to meet the needs of our expanding population. The children served by these hospitals are in need of specialized services and the hospitals that treat them do so without regard to a family's ability to pay. This measure will expand capacity and bring hope to critically ill children and their families," Zaremborg said.

● **Proposition 5: Nonviolent Offender Rehabilitation Act—Oppose.**

"This measure would reduce penalties for crimes against business and would limit the ability of judges to hold parole violators accountable. Property and white collar crimes are costly for businesses and consumers," Zaremborg said.

● **Proposition 6: Safe Neighborhoods Act—No Position.**

● **Proposition 10: Renewable Energy**

**and Clean Alternative Fuel Act—Oppose.**

"The reduction of greenhouse gases is a priority for our state; however, this measure is not the most cost-effective way to achieve reductions. Proposition 10 does not allow all technologies to compete for taxpayer dollars. CalChamber has long advocated for sound, cost-effective energy policies that are market-driven and technology or fuel-neutral. Unfortunately, this measure does not meet that test," Zaremborg said.

● **Proposition 12: Veteran's Bond Act — Support.**

"California's business community supports our brave men and women in uniform. This initiative would make today's wartime veterans eligible for the Cal-Vet loan program, enabling more of them to purchase homes at low interest rates," said Zaremborg. "The program is self-liquidating and does not impact overall bond indebtedness for the state."

## State Economy Underperforming U.S.

California continues to underperform the rest of the United States by most economic indicators, largely as a consequence of its extensive housing/mortgage-related problems, according to the latest quarterly report of the

California Chamber of Commerce Economic Advisory Council.

The full report is available in the CalChamber Reports section at [www.calchamber.com](http://www.calchamber.com).

## Legislature Gives Approval to More 'Job Killer' Proposals



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since marijuana use is illegal under federal law.

● **AB 2386**  
(Núñez; D-Los Angeles)

**Increased Agricultural Costs.**

Hurts the competitiveness of California agricultural producers by artificially increasing labor costs for California producers who must compete in a global market with lower-than-average operating costs. Eliminates the requirement for secret-ballot elections for union representation among farm employees, stripping them of their right to decide free of intimidation on that crucial subject by creating a new, completely unsupervised process called a mediated election.

● **SB 1115** (Migden; D-San Francisco) **Workers' Compensation Reform Roll Back.** Increases workers' compensation costs and rolls back the workers' compensation reforms from 2004 by making apportionment very difficult to prove. The bill will undermine a vital component of the reforms that was intended to promote balance and equity in the workers' compensation system.

● **SB 1717** (Perata; D-Oakland)

**Workers' Compensation Reform Roll Back.** 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. While there has been a clear decline in permanent disability benefits, there is no statistically valid and objective evidence that this situation warrants an increase in benefits.

### Economic Development Barriers

● **AB 2447** (Jones; D-Sacramento) **Construction Job Loss.** 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. The bill ignores current building standards that require new structures to use flame retardant, fire-resistant materials and provide state-mandated defensible space around the structures.

● **SB 375** (Steinberg; D-Sacramento) **Limits Transportation Capacity.**

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.

The bill completely ignores quality of life considerations such as education and public safety as decision points when people choose where they live and mandates that transportation be the most significant factor.

### Inflated Liability Costs

● **AB 437** (Jones; D-Sacramento) **Increased Employer Liability Exposure.** Could result in significant new liability exposure for employers by stating that the Legislature rejects, for purposes of any California statutes of limitation, a recent U.S. Supreme Court decision that provided clear limits on statutes of limitation for lawsuits relating to employer decisions. The bill in effect instructs courts to adopt the alternative, a statute of limitations rule that is broad and limitless, potentially allowing for decades-old lawsuits and indefinite damages amounts.

### Updates on Web

For a full list of the 2008 "job killer" bills and links to status updates, visit [www.calchamber.com/jobkillers](http://www.calchamber.com/jobkillers).

Staff Contact: Marc BURGAT

## Job Creator Bills Pass Legislature; Urge Governor to Sign

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disability access. Too often these lawsuits result in businesses closing their doors.

SB 1608 sets up a process to encourage business owners to be proactive in complying and to obtain the assistance of state-certified access specialists to determine whether buildings comply.

The bipartisan, comprehensive reform legislation is designed to:

● promote and increase compliance with state and federal civil rights laws providing for equal access for individuals with disabilities in public accommodations; and

● reduce unwarranted, unnecessary litigation that does not advance the goals of disability access.

### Trademark Protections

AB 1394 strengthens the state's anti-counterfeiting laws by clarifying



ambiguities in current law that undermine enforcement efforts and bringing state law into greater conformity with federal law.

Counterfeiting and piracy drain the California economy of \$34 billion per year in revenues. In Los Angeles County alone in 2005, counterfeiting and piracy resulted in losses of 106,000 jobs, \$5.2 billion in business revenue and \$483 million in state and local government tax revenue.

Ensuring California's anti-counterfeiting standards are strong and effective will provide greater protections for trademark owners and consumers and will help prevent significant revenue losses sustained by California businesses, the state and local governments due to counterfeiting.

### Action Needed

The CalChamber is encouraging businesses to contact the Governor and urge him to **sign SB 1608 and AB 1394.**

For a sample letter, visit [www.calchambervotes.com](http://www.calchambervotes.com).

Staff Contact: Kyla Christoffersen

**Next Alert:  
October 3**

# 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 August 31, when the regular legislative session ended.

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

September 30 is the last day for the Governor to act on bills passed by the Legislature before September 1 and in the Governor's possession on or after that date. 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.

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.

Federal bills are marked with an \*.

Status of bills as of August 31, 2008, the end of the Legislature's regular session. Dates listed are the latest date of committee action, 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> .	To Enrollment
<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.	Signed - 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.	Held in Senate Appropriations Suspense File 8/7/08
<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.	To Enrollment
<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
<b>Pest Eradication.</b> AB 2764 (Hancock; D-Berkeley) increases costs to agriculture by limiting pest eradication spraying in urban areas To Enrollment'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 state for inevitable infestations of invasive species by requiring Department of Food and Agriculture to develop and maintain a list of invasive species that may enter state and require eradication or control. Support.	To Enrollment
<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.	Signed - 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 new compliance burdens, increases exposure/amount of civil penalties assessed against property holders under Unclaimed Property Law. Oppose.	To Enrollment
<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.	To Enrollment
<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.	To Enrollment
<b>Loans: Consumer Complaints.</b> AB 2161 (Swanson; D-Oakland), before amendments, created hugely burdensome and administratively impractical grievance system that applied only to two types of state-licensed mortgage lenders. After amendments, requires Corporations Commissioner to submit written report to Legislature regarding consumer complaint process involving certain mortgage loans. Neutral.	Held in Senate Appropriations Suspense File 8/7/08

<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.	To Enrollment
<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.	Held in Assembly Appropriations Suspense File 8/8/08
<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.	To Enrollment
<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.	Signed - Chapter 81
<b>Real Estate Law Violations.</b> SB 1737 (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.	To Enrollment
<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. Support.	Assembly Banking & Finance 5/8/08
<b>Climate Change</b>	
<b>Climate Change Disclosure Standard.</b> SB 1550 (Florez; D-Shafter) disadvantages California businesses by requiring the State Controller to develop a climate change disclosure standard for use by listed companies doing business in California. Oppose.	Senate Refused to Concur in Assembly Amendments 8/31/08
<b>Restrictive Fuel Standard.</b> SB 1240 (Kehoe; D-San Diego), before amendments, interfered with the development of a competitive alternative fuels market and threatened 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. No Position/ <b>Former Job Killer</b> .	To Enrollment
<b>New Fuel Mandate.</b> SB 140 (Kehoe; D-San Diego), before amendments, disadvantaged California businesses and increased fuel prices by creating fuel mandate that picks winner in alternative fuels market, preventing research/development of additional viable options that may be cheaper, more efficient. Gutted/amended to deal with different subject. No Position/ <b>Former Job Killer</b> .	To Enrollment
<b>Climate Change Tax.</b> AB 2558 (Feuer; D-Los Angeles) assesses unconstitutional tax on businesses/consumers statewide by imposing tax by majority vote on motor vehicles or vehicle fuel. Oppose/ <b>Job Killer</b> .	Senate Inactive File 8/25/08
<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

<b>Climate Change Fuel Tax.</b> AB 2744 (Huffman; D-San Rafael) increases transportation costs on businesses/consumers in Bay Area by creating new fuel tax to pay for 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/consumers by creating new tax on vehicles by increasing vehicle license fee based on weight/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.	To Enrollment
<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.	To Enrollment
<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.	Held in Senate Appropriations Suspense File 8/7/08
<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.	To Enrollment
<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.	To Enrollment
<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.	To Enrollment
<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.	To Enrollment
<b>Energy</b>	
<b>Thermal Powerplant Certification.</b> AB 1909 (Hayashi; D-Castro Valley) threatens growth of energy supply by adding unnecessary and burdensome step to siting of thermal power plants by requiring California Energy Commission to get approval for project from local entities. Oppose.	Assembly Utilities & Commerce 6/18/08
<b>New Government Program.</b> SB 1762 (Perata; D-Oakland) would increase costs to California rate payers by creating, under the University of California, the Climate Change Research and Workforce Development Institute to research and create workforce training projects throughout the state to address greenhouse gas and climate change mitigation. Oppose.	To Enrollment
<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>	To Enrollment

<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>	To Enrollment
<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.	Held in Senate Appropriations Suspense File 8/7/08
<b>Consumer Products Content Reporting.</b> SB 509 (Simitian; D-Palo Alto) now contains carve-outs to AB 1879 (Feuer; D-Los Angeles) for various types of products. Tied to AB 1879 to complete the green chemistry legislative package. Amended to remove CalChamber opposition. Neutral.	To Enrollment
<b>Chemical Regulation.</b> AB 1879 (Feuer; D-Los Angeles) gives Department of Toxic Substances Control broad authority to implement the California Green Chemistry Initiative. The program will allow DTSC to regulate the use of “chemicals of concern” in some consumer products. No Position.	To Enrollment
<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.	Held in Senate Appropriations Suspense File 8/7/08
<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.	Failed Passage in Senate 8/26/08
<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.	Died on Assembly Third Reading 1/28/08
<b>Expanded Chemical Restriction.</b> SB 1713 (Migden; D-San Francisco) makes products less useful and more costly by using disputed science to expand current restrictions on phthalates in children’s products to include restrictions on lead and bisphenol. Oppose.	Failed Passage in Assembly 8/29/08
<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.	To Enrollment
<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.	To Enrollment
<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.	To Enrollment
<b>Product Recalls.</b> AB 1860 (Huffman; D-San Rafael) creates new state-mandated program to inform consumers about unsafe products by implementing new recall procedures. No Position.	To Enrollment

<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 1/7/08; 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 4/1/08
<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.	Senate Health 6/26/08
<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.	To Enrollment
<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 Rules 8/22/08
<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.	To Enrollment
<b>Certification.</b> SB 1334 (R. Calderon; D-Montebello) requires manufacturers to complete a certification process to show that pipes contain no lead. No Position.	To Enrollment
<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> .	To Enrollment
<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.	Held in Senate Appropriations Suspense File 8/7/08

<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 and eliminating low-cost products. Oppose.	To Enrollment
<b>Autism-Related Services.</b> SB 1563 (Perata; D-Oakland) proposes a workgroup to review health care coverage issues in the delivery of autism-related services. CalChamber opposes unless the bill is amended to expand the scope of services and to include members of the business community as participants in the workgroup because the group market will be impacted by any changes in coverage. Oppose Unless Amended.	To Enrollment
<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.	Assembly Appropriations 6/18/08
<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.	Assembly Appropriations 6/18/08
<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.	Held in Assembly Appropriations Suspense File 5/22/08
<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.	To Enrollment
<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.	Vetoed
<b>Increased Costs: Mandated Durable Medical Equipment Coverage.</b> SB 1198 (Kuehl; D-Santa Monica) increases health care premiums by requiring health plans to provide coverage for durable medical equipment. Oppose.	To Enrollment
<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.	To Enrollment
<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.	To Enrollment
<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.	To Enrollment

<b>Increased Costs: Mandated Cancer Screening and Diagnosis Benefit Coverage.</b> AB 2234 (Portantino; D-La Cañada Flintridge) increases health care premiums by mandating 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 by requiring health plans to provide coverage for orthodontics for cleft palates. Oppose.	To Enrollment
<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.	Held in Senate Appropriations Suspense File 8/7/08
<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> .	Held in Senate Appropriations Suspense File 8/7/08
<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> .	Senate Energy, Utilities & Commerce 6/17/08
<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> .	To Enrollment
<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> .	Held in Senate Appropriations Suspense File 8/7/08
<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.	To Enrollment
<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.	Held in Assembly Appropriations Suspense File 8/7/08
<b>Subdivision Maps.</b> SB 1185 (Lowenthal; D-Long Beach) relieves developers of increased entitlement costs by extending time expired tentative map may be applicable from 12 to 24 months. Support.	Signed - Chapter 124
<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.	Held in Senate Appropriations Suspense File 8/7/08

<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 Inactive File 8/30/08
<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

## Industrial Safety and Health

<b>Bypasses Open Rulemaking.</b> AB 514 (Lieber; D-San Jose) originally banned the use of diacetyl as a food flavoring, therefore forcing food manufacturers and processors to use replacement substances that may or may not be harmful, rather than developing standards for its use in the workplace. Amended with content of AB 515 (Lieber; D-San Jose), requiring the Occupational and Safety 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.	Senate Appropriations 8/13/08
<b>Bypasses Open Rulemaking.</b> AB 515/AB 1183 (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.	AB 515 Senate Appropriations 6/16/08; AB 1183 Senate Rules 8/30/08
<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.	Held in Senate Appropriations Suspense File 8/7/08

## Insurance

<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.	To Enrollment
<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.	Senate Inactive File 8/7/08

## International Trade

<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
<b>*U.S.-Panama Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. Agreement also will increase momentum toward lowering trade barriers and set positive example for other small economies in 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> .	Held in Senate Appropriations Suspense File 8/7/08
<b>Increased Agricultural Costs.</b> AB 2386 (Núñez; D-Los Angeles) hurts the competitiveness of California agricultural producers by artificially increasing labor costs for California producers who must compete in a global market with lower-than-average operating costs. Eliminates the requirement for secret-ballot elections for union representation among farm employees, stripping them of their right to decide free of intimidation on that crucial subject by creating a new, completely unsupervised process called a mediated election. Oppose/ <b>Job Killer</b> .	To Enrollment
<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> .	To Enrollment
<b>Meal Period Clarification.</b> SB 1539 (R. Calderon; D-Montebello) provides comprehensive solution to compliance/enforcement of meal period laws that provides clarity/flexibility to employers/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 4/9/08
<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) establishes new penalties and liability for independent contractor misclassification, rather than the much-needed clarification for who is and who is not an independent contractor, by creating joint and several liability penalizing advisors who work with businesses on the complex task of determining worker status. Oppose.	To Enrollment

<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.	Held in Senate Appropriations Suspense File 8/7/08
<b>Cost Reimbursement Mandate.</b> AB 3061 (Committee on Labor and Employment) proposes costly mandate requiring employers to reimburse for all expenses incurred by employee in performance of his/her job, regardless of reasonableness, business necessity, 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.	To Enrollment
<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.	To Enrollment
<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.	Held in Assembly Appropriations Suspense File 8/7/08
<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.	Signed - Chapter 169
<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) increases cost of doing business by creating new eligibility requirement for employees to receive unemployment insurance (UI) benefits financed by all employers' increased contributions to the UI Trust Fund. Oppose.	To Enrollment
<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.	Signed - Chapter 224
<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> .	To Enrollment
<b>Increased Employer Liability Exposure.</b> AB 437 (Jones; D-Sacramento) could result in significant new liability exposure for employers by stating that the Legislature rejects, for purposes of <i>any</i> California statutes of limitation, a recent U.S. Supreme Court decision that provided clear limits on statutes of limitation for lawsuits relating to employer decisions. Oppose/ <b>Job Killer</b> .	To Enrollment

<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> .	To Enrollment
<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> .	To Enrollment
<b>Attorney's Fees.</b> AB 2379 (Evans; D-Santa Rosa), before amendments that removed opposition, could have exposed companies' proprietary or sensitive personnel information by undermining the right to appeal an order to unseal records. No Position.	To Enrollment
<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 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 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 8/28/08
<b>Free Speech.</b> AB 2616 (DeVore; R-Irvine) overturns long-established property rights principles by mandating that retailers' customer entryways be a forum for exercise of free speech such as signature gathering. Oppose.	Assembly Judiciary 5/27/08; Failed Deadline

<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.	To Enrollment
<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.	To Enrollment
<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 every catering contract include provision by which caterer can be required to donate leftover food. Oppose.	Assembly Inactive File 8/29/08
<b>Arbitration Restrictions.</b> AB 2947 (Eng; D-Monterey Park) undermines right to contract for arbitration by creating new restrictions on arbitration agreements in long-term care facility contracts. Oppose.	To Enrollment
<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> .	Held in Senate Appropriations Suspense File 8/7/08
<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.	Held in Senate Appropriations Suspense File 8/7/08
<b>Encourages Information Technology Procurement Delays.</b> AB 730 (De León; D-Los Angeles) delays procurement by requiring any bidder on a contract for information technology goods or services with a public entity to disclose any ongoing litigation and litigation within the previous five years whether or not it has any relevancy to the service or goods they are bidding upon. Oppose.	Failed Passage in Senate 8/29/08
<b>Nutritional Information.</b> SB 1420 (Padilla; D-Pacoima), before amendments, mandated that nutritional information be provided by restaurants to customers in a prescribed fashion and without necessary safeguards. After amendments, requires chain restaurants to provide caloric information on menus and menu boards by 2011. Provides much-needed uniformity for affected businesses by including explicit statewide pre-emption language and necessary legal protections. Neutral.	To Enrollment
<b>Sweepstakes.</b> SB 1400 (Simitian; D-Palo Alto), before amendments, would have significantly reduced the ability of businesses, non-profits and charitable organizations to operate sweepstakes in California. After amendments, gives added protections to sweepstakes consumers through increased disclosures and representation restrictions. Neutral.	To Enrollment
<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.	Held in Senate Appropriations Suspense File 8/7/08

<b>Environmental Quality Defendants.</b> SB 68 (Kuehl; D-Santa Monica), before amendments, would have disadvantaged business by changing how the California Environmental Quality Act (CEQA) names defendants in lawsuits and barred legitimate parties from participating in the action. After amendments, clarifies who must be named in CEQA judicial reviews. Neutral.	To Enrollment
<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 taxes lobbyists and lobbyist employers to publicly finance the political campaigns of candidates running for the Secretary of State. Oppose.	To Enrollment
<b>Privacy and Confidentiality</b>	
<b>New Business Liability.</b> AB 1779/AB 1656 (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.	AB 1779 Senate Judiciary 6/24/08; AB 1656 To Enrollment
<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.	To Enrollment
<b>Increased Mortgage Costs/Delays.</b> AB 512 (Lieber; D-San Jose) increases costs/paperwork, causes delays in mortgage lending practices by requiring contract summaries to be translated into five most common languages spoken in state, if any part of 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.	Signed - Chapter 151
<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.	To Enrollment
<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.	Held in Senate Appropriations Suspense File 8/7/08

## Taxation

<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 by creating uncertainty in the nexus standard for purposes of sales and use tax collection. 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), before amendments, created a new excessive tax on cigarette distribution. Amended to deal with a different subject. No Position.	Senate Third Reading 8/29/08
<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.	Senate Inactive File 8/26/08

<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) eases the burden of complying with two sets of laws and reduces potential confusion and the risk and penalties of non-compliance by bringing California tax laws into conformity with a number of federal tax laws. Support.	Senate Inactive File 8/30/08
<b>Local Sales Tax Rebates.</b> AB 697 (Hancock; D-Berkeley), before amendments that removed CalChamber opposition, significantly undermined an economic development tool relied upon by many localities by eliminating their ability to offer local sales tax rebates. No Position.	To Enrollment
<b>Increased Penalties.</b> ABX3 25 (C. Calderon; D-Montebello) violates taxpayer rights and exacerbates California's hostile tax climate by doubling penalties on all taxes and fees administered by the Franchise Tax Board and the Board of Equalization. Oppose.	Assembly Print 8/21/08
<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 4/9/08; 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.	Held in Assembly Appropriations Suspense File 8/7/08
<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.	To Enrollment
<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/operations in California by requiring study of penalty effect of current formula used to determine tax liability of companies with significant jobs/operations presence within state. Support.	Senate Inactive File 8/31/08
<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
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<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
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## Telecommunications

<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
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<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
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<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.	Signed - Chapter 17
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<b>Digital Television.</b> AB 2769 (Levine; D-Van Nuys), before amendments, placed 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. Amended to deal with a different subject. No Position.	Urgency Clause Refused Adoption in Senate 8/31/08
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<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
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## Tourism

<b>Reduces California Tourism.</b> SB 1057 (Migden; D-San Francisco), before amendments, reduced California's investment in promotion of California as a tourist destination by reducing tourism concession assessment. Would have removed about 80 percent of non-governmental funding for tourism promotion. Amended to deal with different subject. No Position/ <b>Former Job Killer.</b>	Senate Rules 5/19/08; Failed Deadline
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<b>Ocean Rangers.</b> SB 1582 (Simitian; D-Palo Alto) establishes an Ocean Ranger that competes with existing law enforcement/regulatory agencies already covered by FBI, Coast Guard, international treaties and laws. Unnecessary program will add \$6.7 million in annual cruise ship passenger fees. Oppose.	Failed Passage in Assembly Public Safety 6/24/08
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## Transportation

<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
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<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>	Held in Senate Appropriations Suspense File 8/7/08
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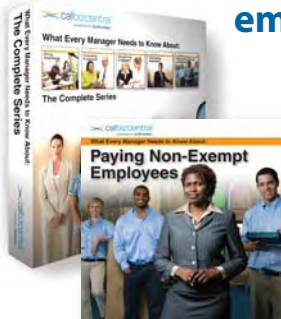
<b>Office of Public-Private Partnerships.</b> AB 1850 (DeVore; R-Irvine) creates the Office of Public-Private Partnerships within the Governor's office and enables public-private partnerships in an effort to promote efficient and cost effective construction and maintenance of the state's transportation 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 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> .	To Enrollment
<b>Water Conservation.</b> AB 2175 (Laird; D-Santa Cruz) penalizes business by requiring water districts to achieve conservation goals using a formula that fails to recognize existing water use efficiencies and conservation efforts already undertaken; provides no credit for existing or future recycled water projects; and inappropriately lumps residential and business water users together. Oppose.	Senate Rules 8/30/08
<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.	To Enrollment
<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.	To Enrollment
<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> .	To Enrollment
<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> .	To Enrollment
<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

<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> .	Senate Inactive File 8/7/08
<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.	To Enrollment
<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.	To Enrollment
<b>Internet Web Sites.</b> AB 507 (De La Torre; D-South Gate) creates 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. No Position.	To Enrollment
<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>Supplemental Job Displacement Voucher.</b> SB 1103 (Cedillo; D-Los Angeles) increases workers' compensation costs by creating a single benefit level for the supplemental job displacement voucher in workers' compensation claims. Oppose.	Assembly Rules 8/15/08
<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.	To Enrollment
<b>Cancer Presumption.</b> SB 1271 (Cedillo; D-Los Angeles) extends cancer presumption of compensability to employees of private companies that operate publicly owned fire departments. No Position.	To Enrollment

## 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 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.
- Enrollment: Phase of process where legislation is proofed and prepared for delivery to the Governor.
- 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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