

ALERT

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Net Receipts Tax Needs Further Study by Legislature



Discussion at the final meeting of a special state commission on September 14 seemed to indicate members were not prepared to recommend a massive reshaping of California's tax

system from the form it has held for close to 70 years until additional and substantial study is done by the Legislature.

Before the meeting, the California Chamber of Commerce and a coalition of more than 40 business and employer groups raised questions and concerns about the new business net receipts tax and called for details in writing.

Gerald Parsky, chairman of the Commission on the 21st Century Economy, said the recommended changes for a new business net receipts tax would be presented to the Legislature and Governor, but "only after the proposal is fully vetted and fully understood by the public.

"It's sufficiently promising, but should

See Tax: Page 6

'Job Creator' Bill Goes to Governor



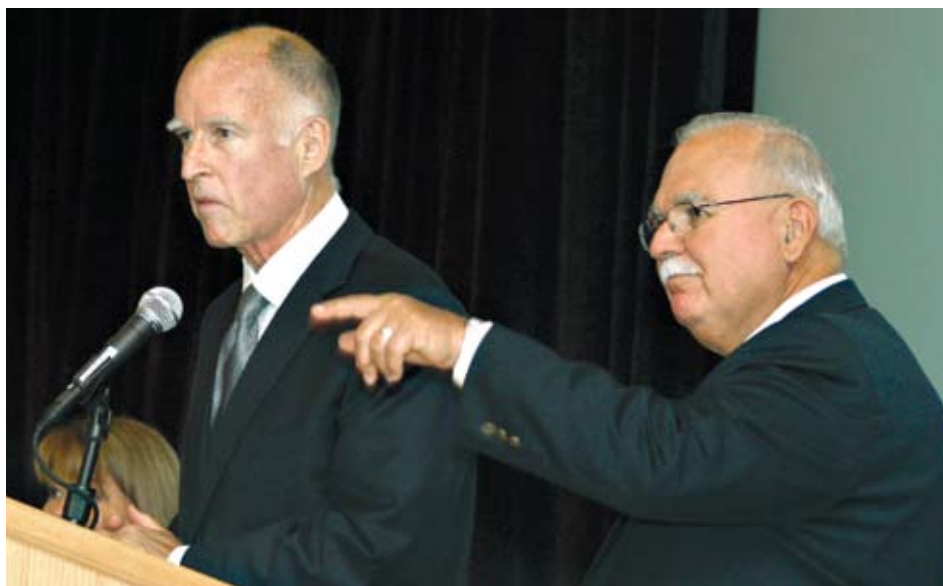
A California Chamber of Commerce-supported "job creator" bill that will save

thousands of jobs passed the Legislature in the final hours of the session and awaits action by Governor Arnold Schwarzenegger.

The bill, **SB 827 (Wright; D-Inglewood)**, prevents the loss of thousands of jobs and keeps businesses in California by re-establishing the South Coast Air Quality Management District's (SCAQMD) credit bank.

See 'Job Creator': Page 4

Attorney General Speaks to CalChamber Board



CalChamber Chair Frederick R. Ruiz moderates a question-and-answer session with California Attorney General Edmund G. "Jerry" Brown Jr. at the September 11 meeting of the CalChamber Board of Directors.

'Job Killer' Bills Awaiting Action by Governor



In the closing days of the legislative session, just five California Chamber of Commerce-opposed "job killer" bills passed the Legislature.

A sixth "job killer" passed the Legislature in late August and was vetoed by the Governor just a few days later.

See 'Job Killer': Page 4

Inside

Status Report on Major Business Bills: Pages 7–23

Labor Law Corner

Examples of 'Disposable Earnings' Deductions Under Garnishment Laws



Gary Hermann
Labor Law Consultant

What does "disposable earnings" mean in the garnishment laws?

Employers who receive notices of garnishment for certain percentages of an employee's disposable earnings are sometimes confused by the term.

Section 16b01 of the Consumer Credit Protection Act defines disposable earnings as "that part of the earnings

of an individual remaining after the deduction from those earnings of any amounts required by law to be withheld."

Earnings Deductions

Examples of such deductions are:

- Federal, state or municipal income taxes;
- Employees' share of Social Security and state unemployment insurance taxes;
- State employee retirement systems withholding required by state law; and
- Federal employment retirement systems (such as the Civil Service Retirement System and the Federal Employees Retirement System) withholding required by law. Under these regulations, voluntary thrift savings plan deductions are treated the same as deductions required by law.

Disposable Earnings

Deductions not required by law are included in "disposable earnings" subject to garnishment. Examples are:

- Medical and hospital insurance premiums;
- Union dues and initiation fees;
- U.S. Savings Bonds;

- Salary advances;
- Contributions to religious or education organizations;
- Board or lodging;
- Purchases of stock in employer's corporation;
- Wage assignments not affected by judgment;
- Retirement plan contributions, except those required by law;
- Credit union payments;
- Uniform rentals;
- Attorneys' fees allowances; and
- Garnishment services fees permitted by state law.

For more information, employers also may want to review the California Franchise Tax Board form FTB 1014, "Earnings Withholding Order for Taxes," available at www.ftb.ca.gov/forms/misc/1014.pdf.

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.

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*E-mail: alert@calchamber.com.
Home page: www.calchamber.com.*

CalChamber-Sponsored Seminars/Trade Shows

More information at
www.calchamber.com/events.

Business Resources

California Sustainable Tourism Summit.
California Travel and Tourism
Commission. October 1, Pacific
Grove. (916) 319-5426.

Northern California Water Tour. Water
Education Foundation. October 7-9,
Sacramento. (916) 444-6240.

Government Relations

Western Conservative Political Action
Conference. Western Conservative
Political Action Conference (CPAC),
Inc. October 16-17, Newport Beach.
(916) 448-4234.

GovLink Conference 2009. The Federal
Technology Center. October 20-21,
Sacramento. (916) 334-9388.

International Trade

2009 L.A. Export Series. Center for
International Trade Development.

September 22, October 6, October 20,
November 3, November 17, Decem-
ber 1, Los Angeles. (213) 580-7569.
Sustainable Cities of the 21st Century.
Monterey Bay International Trade
Association. September 25,
Santa Cruz. (831) 335-4780.
California Trade Mission to Chile.
California Business, Transportation and
Housing Agency. September 26-30,
Santiago, Chile. (916) 323-5408.
Make Sri Lanka Your Next Business Stop.
Sri Lanka Consulate. October 13-14,
Sri Lanka. (213) 387-0214.
China Import/Export Fair. China Foreign
Trade Centre. Phase 1: October 15-19.

See CalChamber-Sponsored: Next Page

Next Alert: October 2



U.S. Political, Trade Issues, State Budget Woes Get Board Attention



Ed Rollins, a senior presidential fellow at Hofstra University in New York and a senior political analyst for CNN, gives a rundown on the early days of the Obama presidency and national politics at the September 10 dinner gathering of the CalChamber Board of Directors.



Providing a federal outlook on prospects for approval of free trade agreements at a CalChamber International Breakfast Forum on September 11 is Carlos M. Gutierrez, former secretary of commerce for President George W. Bush, former chairman and chief executive officer of the Kellogg Company, and now senior advisor to the U.S. Chamber of Commerce.



California Legislative Analyst Mac Taylor discusses the state's budget imbalance and future revenue forecasts with the CalChamber Board of Directors on September 11.



Nancy Sidhu, chair of the CalChamber Economic Advisory Council, presents an update on national and state economic uncertainties.

CalChamber-Sponsored Seminars/Trade Shows

From Previous Page

Phase 2: October 23–27. Phase 3:
October 31–November 4.
Guangzhou, China.
Localization World Conference Silicon
Valley. Localization World Ltd.
October 20–22, Santa Clara.
(208) 263-8178.
The 24th Trade Expo Indonesia.
Indonesian Trade Promotion Center.

October 28–November 1, Jakarta,
Indonesia. (213) 387-7041.
The Africa Dialogue 2009. Gathers
Strategies, Inc. October 28–29,
South Africa. (213) 291-6199.

Labor Law

Social Media and Your Workplace Webinar.
CalBizCentral. September 23, Online
(Free). (800) 331-8877.

CalChamber Calendar

Public Affairs Council Retreat:
October 28–30, Napa

‘Job Creator’ Bill Goes to Governor Schwarzenegger

From Page 1

The bill supports the construction of vital projects and keeps businesses in California by permitting certain businesses in the SCAQMD to be granted emission credits.

A 2007 ruling by the Los Angeles County Superior Court prevents the SCAQMD from allowing certain businesses to use emission reduction credits from previous air quality improvements to meet emission limits required by federal law. SB 827 allows the court case to proceed while enabling

the use of emission credits by certain businesses.

California is currently suffering from a high unemployment rate and weak economy. If businesses and industry in the South Coast region do not have access to the credit bank, they will not be able to obtain much-needed permits to operate on a daily basis. These businesses and facilities represent much of the essential services needed in the South Coast area.

Failing to fix the ongoing crisis due to a lawsuit will further jeopardize the economy while halting many

environmentally friendly upgrades and projects that are being planned at facilities in the region.

SB 827 provides a solution to the existing problem so that these businesses and daily essential services can continue to operate.

Action Needed

The CalChamber is urging members to ask the Governor to **sign SB 827**.

Sample letters are available at www.calchambervotes.com.

Staff Contact: Marc BURGAT

‘Job Killer’ Bills Awaiting Action by Governor

From Page 1

The following bills were awaiting action by Governor Arnold Schwarzenegger as *Alert* went to press:

Costly Workplace Mandates

● **AB 943 (Mendoza; D-Artesia) Hampers Employment Decisions.** Unduly restricts the ability of businesses to use all legally available information in employment decisions, including consumer credit reports.

Economic Development Barriers

● **AB 1404 (De León; D-Los Angeles) Discourages Emission Reductions.** Significantly increases business costs and threatens state jobs and businesses by severely limiting the amount of offsets California industries can use to meet their greenhouse gas emission goals.

Inflated Liability Costs

● **AB 2 (De La Torre; D-South Gate)**

Health Insurance Litigation. Drives up the cost of health care premiums and increases the number of uninsured by establishing litigation as the only meaningful approach to resolving disputes over rescinding coverage.

● **AB 793 (Jones; D-Sacramento) Unreasonable New Liability for Employers.** Imposes unfair and costly litigation burden on California employers by unreasonably expanding employer liability in workplace lawsuits far beyond the federal Lilly Ledbetter Fair Pay Act of 2009 (see story on Page 5.)

● **SB 242 (Yee; D-San Francisco/San Mateo) New Lawsuits Against Small Business.** Could result in new shutdown lawsuits against business establishments by making it a strict liability violation of the Unruh Civil Rights Act, subject to minimum damages of \$4,000, if a business limits the use of a customer’s language, even if unintentionally.

Vetoed

Vetoed by the Governor on September 2 was:

● **SB 789 (Steinberg; D-Sacramento) Increased Agricultural Costs.**

Undermines the process that now guarantees, through secret-ballot elections, a fair vote and the expression of agricultural employees’ true sentiments on the selection of a collective bargaining representative. This act will hurt California’s businesses by driving up costs, making employers less competitive in a global market.

The end-of-session status of other “job killers” is available at www.calchamber.com/jobkillers.

Action Needed

The CalChamber is urging members to contact the Governor and ask him to **veto** the “job killer” bills listed above.

Sample letters are available at www.calchambervotes.com.



 **CalChamber**
PUBLIC AFFAIRS COUNCIL

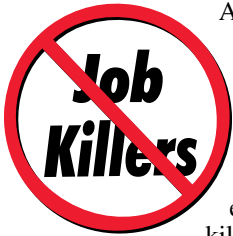


REFORMING CALIFORNIA

October 28–30, 2009 | The Westin Verasa | Napa, California

CALIFORNIA CHAMBER OF COMMERCE • FALL RETREAT | Register online at www.regonline.com/FallRetreat09

CalChamber Seeks Veto of Bill Unreasonably Expanding Liability in Workplace Lawsuits



A California Chamber of Commerce-led coalition of more than 65 private and public employer groups has asked the Governor to **veto** a “job killer” bill that could

expose employers to unlimited liability in lawsuits for workplace decisions many years after the fact.

AB 793 (Jones; D-Sacramento) revises the statute of limitations law for any workplace claim or lawsuit relating to compensation so that the statute of limitations is renewed each time an employee’s compensation is “affected,” including each time it is paid. The bill encompasses a broad array of workplace decisions, including hiring, job evaluations and promotions.

The specific basis for the strong coalition opposition to AB 793, however, is its unreasonable expansion of employer liability in workplace lawsuits far beyond the Lilly Ledbetter Fair Pay Act, enacted early this year. Although AB 793 is modeled after the Ledbetter Act, there are major differences.

Amendments Refused

Earlier in the legislative session, CalChamber requested as part of its “oppose unless amended” position that AB 793 be amended to more closely conform to the scope of the provisions and liability adopted under the federal Ledbetter Act with respect to two issues:

- First, AB 793 applies to any California statute, while the federal law was limited to only those federal statutes comparable to the California Fair Employment and Housing Act (FEHA). CalChamber asked that AB 793 be amended accordingly to expressly apply to FEHA so as to avoid uncertainty and confusion over its scope.

- Second, because of differences between California’s FEHA and the federal employment laws, application of the federal Ledbetter law in California will result in far greater liability exposure for employers. One significant difference is that federal law applies a two-year

backpay limit to wage damages. California FEHA has no such limit, meaning that California private and public sector employers could be exposed to virtually unlimited liability in lawsuits challenging any California employer decision that has an impact on pay or benefits.

For example, if an employee believes that he/she was denied a pay increase at the time of an annual performance evaluation, each paycheck affected from that one decision would restart the statute of limitations, regardless of the passage of 10, 20 or 30 years. The statute of limitations could continue to remain alive throughout the employee’s retirement years, so long as retirement pay also was affected. This would render the statute of limitations meaningless.

Therefore, CalChamber had also requested that AB 793 be amended to apply a two-year backpay limit to those claims brought under the new statute of limitations section which would be codified by AB 793. This would have been to ensure the provision did not create unlimited liability for backpay damages only; the plaintiff still could recover other types of damages without added limitation, such as emotional distress and punitive damages.

California Laws Stronger

California’s current pay discrimination law already has arguably stronger employee protections than federal law,

including a longer statute of limitations, and California courts had no obligation to follow the federal Ledbetter decision, which Congress overturned with the enactment of the Ledbetter law.

Thus, no change to California law is needed in response to the Ledbetter court decision, which has an impact only on federal law.

Similar Bill Vetoed

Last year, Governor Arnold Schwarzenegger vetoed a related bill, AB 437 (Jones; D-Sacramento), which would have codified a statement that California was rejecting the Ledbetter decision. The basis of the veto was that AB 437 would add uncertainty and lead to unnecessary litigation.

AB 793 goes much further—proposing to codify a new statute of limitations rule that would lead, not only to uncertainty and unnecessary litigation, but also could result in unprecedented unlimited liability exposure for both private and public sector California employers.

Action Needed

AB 793 passed the Legislature in the closing days of the session and will be considered next by the Governor. Contact the Governor and urge him to **veto AB 793**.

For a sample letter, visit www.calchambervotes.com.

Staff Contact: Kyla Christoffersen

Council Foresees Slow Economic Recovery

Concerns about this recession have lessened markedly in recent months, as incoming monthly information looked less dire and more “mixed,” the California Chamber of Commerce Economic Advisory Council said in its quarterly report to the CalChamber Board of Directors.

While noting the improvement in the tone of the economy, the council pointed out there have been steep declines in employment, domestic and export sales in many nations.

Given that in the past, such synchronous downturns have been followed by slow recoveries, especially when a financial crisis has occurred, the council suggested that some caution about the recovery seems appropriate.

Like the nation, California’s economy turned down sharply during the last two quarters, though it is not clear the downturn has slowed.

The full report appears on the CalChamber website, www.calchamber.com.

Tax Commission Discussion: Net Receipts Tax Needs Further Study

From Page 1

be adopted only upon satisfactory completion of this process.”

Likely Proposal

If a sufficient majority of commissioners support the proposal (which Parsky said would be circulated for signatures rather than voted upon), it likely will consist of the following:

For consideration and study by Legislature

- A new business net receipts tax, phased in over five years. No fixed rate has been specified, but Parsky said the goal is to cap the rate at around 4 percent.
- Partially flatten the personal income tax, reducing the number of brackets to two and reducing the top rate from 10.3 percent to 7.5 percent.
- Eliminate the corporate income tax.
- Eliminate the state portion of the sales and use tax.

Requiring approval by the people of a constitutional amendment

- Rainy day budget reserve.
- Independent tax body to replace the state Board of Equalization for taxpayer appeals.

Reforms for future

Parsky described the following as reforms the Legislature should consider, but that are not formal commission recommendations:

- Additional royalties from new offshore drilling.
- Minimum tax for all income taxpayers.
- Tax agency consolidation.
- Multi-year budget.

Rejected proposals

The commission rejected two controversial and far-reaching proposals by Commissioner Fred Keeley, a former member of the Assembly. Keeley proposed recommendations for a split roll property tax and an 18-cent-per-gallon gasoline tax, which would escalate annually.

More Study Needed

The proposed business net receipts tax is designed to be a type of value-added tax in which companies are taxed on total receipts minus all purchases from other firms.

The intent is to reduce revenue volatility by basing the tax on total receipts rather than profits. The tax also would bring a large category of services businesses into the tax base.

But in testimony presented to the commission before this week's meeting, the CalChamber and coalition raised questions and concerns about the new business net receipts tax and called for a detailed written proposal, including the tax rate and a full analysis of the policy, operational and transitional implications.

The CalChamber pointed out that to understand the impact of the new tax on companies and industries, businesses must have time to calculate how the tax will affect often-complicated operations. To understand whether the new tax would enhance or harm California's investment and jobs climate, CalChamber called on the commission to further study the economic impacts of the tax.

Massive Change

Observers have noted that the changes outlined by Parsky amount to a massive shuffling of tax sources, repealing about \$50 billion in annual revenues from three existing taxes and replacing them with the equivalent amount from the new business net receipts tax. This is more than half the revenues in the state General Fund and about 3 percent of the state's gross domestic product.

Many of the economic, industry, transitional and operational questions raised by the CalChamber and coalition remain to be answered (see September 4 *Alert*), which likely prompted the commission to recommend to the Legislature and Governor that the proposal be studied further, rather than adopted as is.

In creating the commission last fall, Governor Arnold Schwarzenegger asked the group to examine the state's tax structure with a goal of stabilizing state revenues and reducing volatility, as well as promoting California's prosperity and competitiveness.

In July, the Governor extended to September 20 the deadline for the commission to present its findings and said he will call a special session of the Legislature afterwards to consider the commission's recommendations.

In light of the new direction the commission took with its recommendations, it is not known whether the Governor will immediately call a legislative special session to consider them.

Staff Contact: Kyla Christoffersen

IRS Posts Tax Credit Information on YouTube, iTunes

The Internal Revenue Service (IRS) has launched a YouTube video site and an iTunes podcast to provide information to taxpayers on the 2009 tax provisions in the American Recovery and Reinvestment Act (ARRA).

The YouTube site (www.youtube.com/irsvideos) includes tax tips and highlights the \$8,000 first-time homebuyer's credit

for those who purchase a house this year, the sales or excise tax deduction on new car purchases and the expanded credits for education and energy conservation.

The YouTube channel includes videos in English, Spanish, American Sign Language and other languages. Individuals who have more than one job or working spouses also will be

able to view a video on using the IRS Withholding Calculator to help determine if they should make adjustments.

People can visit the audio site on iTunes to listen to IRS podcasts about ARRA tax credits. People without an iTunes account can hear those same podcasts in English and Spanish in the multimedia center at www.irs.gov.

CalChamber Status Update Report on Major Legislation for Business

The following list summarizes top priority bills for the California Chamber of Commerce and their status as of September 12, when the Legislature began its interim recess.

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

In the closing days of the session, discussions to develop a proposal to deal with the Sacramento-San Joaquin Delta,

including its ecosystem, water conveyance, conservation, water rights, fees and governance, fell short of producing a compromise with sufficient support to pass.

October 11 is the last day for the Governor to sign or veto bills passed by the Legislature before it adjourned. The CalChamber will publish its final status report, showing the ultimate fate of priority bills sent to the Governor this

year, on October 16.

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

Federal bills are marked with an *.

Status of bills as of September 12, 2009, the start of the Legislature's interim recess. Dates listed are the date the bill was assigned to a committee, 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 |
|--|------------------------------------|
| Agriculture and Natural Resources | |
| Coastal Commission Enforcement. AB 226 (Ruskin; D-Redwood City) Creates a new bounty hunter provision in law and creates a conflict of interest by allowing the Coastal Commission to impose civil penalties and retain the money to augment its budget. Oppose. | Senate Inactive File 9/10/09 |
| Coastal Development Permits. AB 291 (Saldaña; D-San Diego) Halts development in the coastal zone by refusing to grant permits to anyone who has any outstanding unresolved violations on property before the Coastal Commission. Guilty until proven innocent presumption. Oppose. | Senate Inactive File 9/10/09 |
| State Infrastructure Projects. SB 372 (Kehoe; D-San Diego) Halts job and infrastructure projects like utility, water or transportation improvements within any boundaries of a state park by allowing Parks Department to refuse a project if it determines the project is incompatible with park purposes and requires any modifications to existing infrastructure to be approved by the Legislature. Oppose. | To Enrollment |
| Infrastructure Improvements. SB 679 (Wolk; D-Davis) Stops infrastructure projects (utility, roads or water) from occurring within state park boundaries. Opens up lawsuit opportunities by those alleging the use is incompatible with park purposes. Oppose. | To Enrollment |
| Timber Harvest Plans. AB 1066 (Mendoza; D-Artesia) Allows forest landowners more flexibility to plan harvests to meet market demands by extending the effective date of timber harvest plans. Support. | To Enrollment |
| Forest Management. SB 144 (Pavley; D-Agoura Hills) Increases costs to forestland owners for converting to non-forestry land use. Unfairly targets conversion to pay for unfunded mandate for Forestry Department to develop global warming baselines. Oppose. | Assembly Natural Resources 6/15/09 |
| Conservation Easements. SB 555 (Kehoe; D-San Diego) Before amendments, would have hindered condemnation process. Expands the scope of easements protected from condemnations. Could use conservation easements to block infrastructure projects that are subject to those easements. Amended to remove private conservation easements. Neutral. | To Enrollment |

| Subject and Bill — CalChamber Position | Status |
|---|--|
| California-Only Food Labels. SB 562 (Florez; D-Shafter) Threatens marketplace stability by requiring a California-only label on products from animals treated with approved subtherapeutic antibiotics. Oppose. | Assembly Agriculture 7/1/09 |
| Port Resources. SB 139 (Kehoe; D-San Diego) Maintains the restrictions on trust property to preserve the ability of current and future ports to make full use of their resources to conduct interstate and international trade activities. Support. | Senate Local Government 3/9/09; Failed Deadline |
| Treatment of Egg-Laying Hens. AB 1437 (Huffman; D-San Rafael) Requires compliance with Proposition 2 regarding cages for laying hens but provides no standards for industry to use, thus opening the door to litigation. Oppose. | Senate Health 7/13/09 |
| Working Dogs. SB 250 (Florez; D-Shafter) Increases the cost of doing business for ranchers by limiting their ability to breed working dogs that herd and guard farm property. Oppose. | Assembly Inactive File 9/10/09 |
| Antibiotics. SB 416 (Florez; D-Shafter) Disadvantages California livestock producers by drastically limiting the appropriate and safe use of a U.S. Food and Drug Administration-approved antibiotic to keep livestock healthy when out-of-state producers who sell into California may use them. Oppose. | Failed Passage in Senate 6/3/09; Failed Deadline |
| Williamson Act Cancellations. SB 170 (Florez; D-Shafter) Undermines the tax benefits under the Williamson Act contracts by allowing unconstitutional impairments of the act. Oppose. | Senate Local Government 4/15/09; Failed Deadline |
| Non-Native Species. AB 1253 (Fuller; R-Bakersfield) Requires a literature search on studies of non-native fish preying on endangered species in the Delta. It is likely that these non-natives are part of the reason for the decline in the smelt population currently being attributed to the water pumps. Support. | Held in Senate Appropriations Suspense File 8/27/09 |
| Farms: Hazardous Materials Business Plans. AB 256 (B. Berryhill; R-Ceres) Saves money by waiving the requirement to file a hazardous materials business plan for farms storing minimal amounts of lubricating oils and small amounts of pesticides for limited days. Support. | Assembly Environmental Safety and Toxic Materials 4/28/09; Failed Deadline |
| Subdivision Maps. AB 666 (Jones; D-Sacramento) Before amendments, would have halted new development by imposing unnecessary fire protection measures and would have ignored new non-flammable construction materials, the use of defensible space around houses and fire shelters embedded in new developments. Now requires county boards of supervisors to determine if a project is properly designed to minimize fire potential and has adequate fire suppression availability. No Position. | To Enrollment |
| Coastal Commission Meetings. SB 262 (Lowenthal; D-Long Beach) Before amendments, slowed the permitting process before the commission by reducing the number of commission meetings and extending California Environmental Quality Act and permit streamlining deadlines. Now establishes the commission shall meet 10 times a year. Neutral. | To Governor |
| Local Planning: Fire Hazard Impacts. SB 505 (Kehoe; D-San Diego) Before amendments, would have revised the safety element requirements for state responsibility areas and very high fire hazard zones. Would also have imposed onerous and conflicting requirements on local agencies and developers. Now requires local government in high fire-risk areas to consider fire prevention in their general plans. No Position. | To Enrollment |
| Banking/Finance | |
| Mortgage Loan Restrictions. AB 1534 (M. Perez; D-Coachella) Inappropriately restricts residential developers from helping customers find an appropriate mortgage lender, which would cost jobs and further delay the recovery of the housing market. Oppose. | Held in Assembly Business and Professions 4/28/09; Failed Deadline |

| Subject and Bill — CalChamber Position | Status |
|--|--|
| Financial Institutions. AB 365 (Ammiano; D-San Francisco) Places enormous burdens on state-chartered financial institutions by enacting the Consumer Overdraft Protection Fair Practices Act. The measure is unworkable and also unnecessary given recently adopted and pending federal regulations. Oppose. | Assembly Banking and Finance 4/20/09; Failed Deadline |
| Foreclosure Process Mandate. AB 603 (Skinner; D-Berkeley) Slows recovery of the housing market and ignores collaborative legislative efforts from last year by prohibiting a successor in interest from terminating any tenancy within 90 days of acquiring ownership of a qualified rental unit. Oppose. | Assembly Inactive File 6/3/09; Failed Deadline |
| Financial Institutions. AB 1075 (Nava; D-Santa Barbara) Creates an unlevel playing field for state-chartered financial institutions as it relates to the use of emergency economic assistance funds. The resulting dynamic is unfair and could work contrary to the goals of restoring confidence in the financial system, increasing the flow of financing to businesses and consumers, and strengthening the economy. Oppose. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Reverse Mortgages. SB 660 (Wolk; D-Davis) Threatens to reduce the availability of beneficial financial products to seniors by imposing ambiguous new duties on lenders of reverse mortgages, exposing the industry to new and unnecessary legal liability. Oppose. | Senate Unfinished Business 9/10/09 |
| Mortgage Debt Forgiveness. AB 111 (Niello; R-Fair Oaks) Helps to minimize the risk of unnecessary foreclosures by giving financial relief to troubled borrowers who have had debt forgiven by a mortgage lender. Debt forgiven through 2013 would be excluded from a borrower's taxable income, thus helping California conform to federal tax law. Support. | Held in Assembly Revenue and Taxation Suspense File 5/19/09; Failed Deadline |
| California Financial Literacy Initiative. AB 550 (Lieu; D-Torrance) Encourages financial literacy in California through the California Financial Literacy Initiative, at no cost to the state or taxpayers. Support. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Mortgage Debt Forgiveness. SB 97 (R. Calderon; D-Montebello) Helps to minimize the risk of unnecessary foreclosures by giving financial relief to troubled borrowers who have had debt forgiven by a mortgage lender. Debt forgiven through 2010 would be excluded from a borrower's taxable income, thus bringing California into closer conformity with federal tax law. Support. | Senate Revenue and Taxation Suspense File 5/13/09; Failed Deadline |
| Translation of Contracts. AB 1160 (Fong; D-Cupertino) Formerly created unworkable requirements for lenders regarding the translation of disclosures and forms related to loans and extensions of credit, including an unlimited right to rescind mortgage contracts by the consumer. Amendments removed the right of rescission and made technical fixes, thus providing significant new consumer protections without undue burdens on industry. Neutral. | To Enrollment |
| Reverse Mortgages. AB 329 (Feuer; D-Los Angeles) Adds various new consumer protections to the sale of reverse mortgages. Neutral. | To Enrollment |
| Public Contracts. AB 1364 (Evans; D-Santa Rosa) Allows state agencies, with the consent of a grant recipient, to renegotiate the deadlines and timetables for deliverables of a grant agreement in any case where a state agency or grant recipient may not be able to meet such terms due to the suspension of programs by the Pooled Money Investment Board. Neutral. | To Enrollment |
| Climate Change | |
| Climate Change Tax Increase. SB 31 (Pavley; D-Agoura Hills) Increases costs and discourages job growth by granting the Air Resources Board broad authority to implement unlimited fees and taxes with little or no oversight. Oppose/ Job Killer. | Failed Passage in Senate 6/3/09; Failed Deadline |
| Discourages Emission Reductions. AB 1404 (De León; D-Los Angeles) Significantly increases business costs and threatens state jobs and businesses by severely limiting the amount of offsets California industries can use to meet their greenhouse gas emission goals. Oppose/ Job Killer. | To Enrollment |

| Subject and Bill — CalChamber Position | Status |
|--|---|
| Climate Change Tax Increase. AB 1405 (De León; D-Los Angeles) Increases costs and discourages job growth by granting the Air Resources Board broad authority to implement unlimited fees and taxes with little or no oversight. Oppose/ Job Killer . | Senate Inactive File 9/10/09 |
| Increases Liability. SB 722 (Steinberg; D-Sacramento) Chills the voluntary carbon offset market by creating a private right of action and requiring offset providers to adhere to ambiguous standards. Oppose. | Assembly Inactive File 9/11/09 |
| Ensures Cost-Effectiveness. SB 295 (Dutton; R-Rancho Cucamonga) Ensures that the state is using the best tool possible to implement AB 32 regulations by requiring the Air Resources Board to do additional economic analysis before pursuing further AB 32 regulations. Support If Amended. | Failed Passage in Senate Environmental Quality 5/20/09; Failed Deadline |
| Carbon Footprint Labeling. AB 19 (Ruskin; D-Redwood City) Disadvantages California business by requiring the Air Resources Board to develop and implement a program for the voluntary assessment, verification and standardized labeling of the carbon footprint of consumer products sold in this state. Oppose. | Held in Senate Appropriations Suspense File 8/27/09 |
| Greenhouse Gas Regulation. SB 104 (Oropeza; D-Long Beach) Dilutes the California Air Resources Board's ability to adopt reasonable and cost-effective climate change regulations by adding a new gas to be regulated under the AB 32 greenhouse gas reduction program. Oppose. | To Enrollment |
| Climate Change Tax Increase. AB 231 (Huffman; D-San Rafael) Before 6/18/09 amendments, would have increased costs and discouraged job growth by granting the Air Resources Board broad authority to implement unlimited fees and taxes with little or no oversight. Due to amendments, opposition removed. No Position/ Former Job Killer . | Senate Environmental Quality 6/26/09 |
| Education | |
| High School Instruction: Course of Study. SB 381 (Wright; D-Inglewood) Sets back efforts to increase the number of students attending college by prohibiting districts from adopting graduation requirements that require additional coursework to meet admission standards for post-secondary education unless a district also adopts alternative graduation requirements designed to attain entry-level employment. Oppose. | Assembly Appropriations Suspense File 8/27/09 |
| California Community Colleges: Student Transfer. AB 440 (Beall; D-San Jose) Reinforces the state's commitment to increase the number of students attending college by authorizing community colleges to grant an associate degree in transfer studies for students who complete the equivalent of lower division general education requirements for California State University or University of California. Support. | Failed Passage in Senate Education 7/15/09; Reconsideration Granted |
| Energy | |
| Supports Construction of Vital Projects. SB 827 (Wright; D-Inglewood), formerly SB 696 (Wright; D-Inglewood) Prevents the loss of thousands of jobs and keeps businesses in California by re-establishing the South Coast Air Quality Management District's credit bank. Support/ Job Creator . | To Enrollment |
| Green Energy. AB 222 (Adams; R-Hesperia) Encourages new investment and job creation by allowing conversion of solid waste to energy at a biorefinery to count toward meeting the state mandate that 20 percent of energy come from renewable sources by 2010. Support/ Job Creator . | Senate Environmental Quality 7/16/09 |
| Expands Renewable Portfolio Standard. SB 14 (Simitian; D-Palo Alto) Before amendments, would have increased the Renewable Portfolio Standard to 33 percent by 2020 without appropriate consideration of grid reliability and cost containment for the state's ratepayers. No Position. | To Enrollment |

| Subject and Bill — CalChamber Position | Status |
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| Expands Renewable Portfolio Standard. AB 64 (Krekorian; D-Burbank) Before amendments, would have threatened grid reliability and increased energy prices for all ratepayers by mandating 33 percent of the state's power come from renewables. No Position. | To Enrollment |
| Jeopardizes State Energy Supply. SB 42 (Corbett; D-San Leandro) Depresses business growth and vitality by barring desalination plants that provide new water supply sources and threatening the state's core energy supply. Oppose. | Senate Energy, Utilities and Communications 4/14/09; Failed Deadline |
| Streamlining Energy Oversight. ABX3 33 (Villines; R-Clovis) Streamlines government by consolidating the state's various commissions, divisions, authorities, offices and departments with responsibility for energy policy into a new California Department of Energy. Support. | Passed Assembly 9/11/09 |
| Disrupts Authority at the Public Utilities Commission. AB 1315 (Ruskin; D-Redwood City) Takes power and authority away from the president of the Public Utilities Commission. Oppose. | Senate Energy, Utilities and Communications 7/7/09 |
| Environmental Regulation | |
| Expanded Waste Bureaucracy. AB 283 (Chesbro; D-Arcata) Leads to increased cost for consumers and businesses by requiring producers of select products sold in California to collect their products after use by the consumer and manage the recycling and/or disposal of those products. Oppose/ Job Killer . | Held in Assembly Appropriations Suspense File 5/28/09 |
| Expanded Waste Bureaucracy. AB 737 (Chesbro; D-Arcata) Gives the California Integrated Waste Management Board new and potentially broad authority to impose new mandates on California businesses to achieve a statewide solid waste diversion rate of 75 percent by 2020. Oppose/ Job Killer . | Senate Appropriations 9/8/09 |
| Expanded Waste Bureaucracy. AB 479 (Chesbro; D-Arcata) Gives the California Integrated Waste Management Board new and potentially broad authority to impose programs to achieve a statewide solid waste diversion rate of 75 percent by 2020. Oppose/ Job Killer . | Held in Senate Appropriations Suspense File 8/27/09 |
| Economic Review of Regulations. AB 1107 (Blakeslee; R-San Luis Obispo) Reduces the likelihood that overly burdensome regulations will be adopted by ensuring that accurate, science-based assessments are conducted, revealing the true cost to California businesses and the economy. Sponsor/ Job Creator . | Assembly Environmental Safety and Toxic Materials 4/21/09; Failed Deadline |
| Product Management: Disposable Food Containers. AB 1358 (Hill; D-San Mateo) Increases costs without taking into consideration the practicality or availability of alternative products to food vendors, restaurants, state departments or retail food vendors by prohibiting them to sell consumers prepared foods in polystyrene packaging. Oppose. | Assembly Inactive File 6/2/09; Failed Deadline |
| Air Quality: Port of Oakland. AB 1431 (Hill; D-San Mateo) Increases costs of importing and exporting goods through Port of Oakland by mandating the port impose the same types of expensive emission reduction strategies that have been imposed at the ports of Los Angeles and Long Beach. Oppose. | Assembly Transportation 4/27/09; Failed Deadline |
| PVC Packaging. AB 1329 (Brownley; D-Santa Monica) Increases costs to business by banning the sale, import or distribution of polyvinyl chloride packaging containers in California even if the product being sold is most suitably packaged in such a container. Oppose. | Senate Inactive File 9/11/09 |
| Product Safety: Bisphenol A. SB 797 (Pavley; D-Agoura Hills) Circumvents the Green Chemistry Program where scientific experts assess the product by prohibiting the manufacture, sale or distribution of certain children's products if they contain Bisphenol A in concentrations over 0.1 parts per billion and requires manufacturers to use the least toxic alternative when replacing Bisphenol A in accordance with this law. Oppose. | Assembly Inactive File 9/11/09 |

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| Fire Retardant Ban. SB 772 (Leno; D-San Francisco) Seeks to circumvent the science-based green chemistry process being developed at the Department of Toxic Substances Control and changes fire safety standards for some children's products in order to prohibit the use of certain fire retardants. Oppose. | Assembly Appropriations 8/27/09 |
| Solid Waste. SB 25 (Padilla; D-Pacoima) Imposes a costly mandate on local government and business by increasing the statewide target for solid waste diversion to 75 percent by an unspecified date and provides additional authority to the California Integrated Waste Management Board to achieve that goal. Oppose. | Assembly Natural Resources 7/6/09 |
| Solid Waste: Fees. SB 730 (Wiggins; D-Santa Rosa) Expands the existing in-state disposal fee that is applied to waste disposed of within California to waste that is disposed of outside of California. Oppose. | Assembly Natural Resources 9/9/09 |
| State Air Resources Board: Regulations. AB 1085 (Mendoza; D-Artesia) Improves government transparency by requiring the California Air Resources Board to make available to the public all methodologies, inputs, assumptions and other information used in developing a proposed regulation. Support. | To Enrollment |
| Fuels (Not Air Related) | |
| Flexible Compliance. AB 453 (Garrick; R-Carlsbad) Protects jobs and the environment by providing station owners with additional time to comply with the Enhanced Vapor Recovery regulations adopted by the California Air Resources Board. Support. | Assembly Appropriations Suspense File 5/20/09; Failed Deadline |
| Government Procurement | |
| Public Contracts: State Contract Eligibility: Genocidal Regimes. AB 961 (Krekorian; D-Burbank) Creates an unreasonable liability burden on a company when contracting with the state. Oppose. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Health | |
| New Health Care Tax. SB 227 (Alquist; D-Santa Clara) Increases health care premiums by establishing a new targeted tax and government bureaucracy to change California's major risk medical insurance program (MRMIP). Oppose/ Job Killer . | Assembly Appropriations 7/13/09 |
| Health Insurance Litigation. AB 2 (De La Torre; D-South Gate) Drives up the cost of health care premiums and increases the number of uninsured by establishing litigation as the only meaningful approach to resolving disputes over rescinding coverage. Oppose/ Job Killer . | To Enrollment |
| Government-Run Health Care. SB 810 (Leno; D-San Francisco) Creates a new government-run, multibillion-dollar socialized health care system based on a yet-to-be specified "premium structure"—in essence, a tax on all employers. Oppose/ Job Killer . | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |
| Limited Choice and Increased Costs. AB 786 (Jones; D-Sacramento) Leads to higher premiums by creating a new government bureaucracy, new administrative burdens on health plans, and eliminating some lower-priced plans. Oppose. | Senate Inactive File 9/8/09 |
| Rate Regulation. AB 1218 (Jones; D-Sacramento) Reduces health care choices, access and quality by creating additional bureaucracy to impose price controls on health insurance policies while failing to address the major cost drivers of rising medical costs. Oppose. | Failed Passage in Assembly Health 4/28/09; Failed Deadline |
| Reduced Medical Services. SB 316 (Alquist; D-Santa Clara) Imposes an arbitrary 85 percent medical loss ratio on health plans, leading to potentially less service to plan subscribers rather than more, and eliminating low-cost products. Oppose. | Failed Passage in Senate 6/3/09; Failed Deadline |

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| Ephedrine: Retail Sale. AB 1455 (Hill; D-San Mateo) Seeks to curb the illegal manufacture of methamphetamine by making it more difficult to purchase pseudoephedrine (PSE). This bill implements a statewide electronic tracking program in retail outlets that monitors all California over-the-counter PSE purchases in real-time to prevent purchases beyond limits established by federal law. Support. | Senate Public Safety 8/19/09 |
| Unreasonable Prescription Requirement. SB 484 (Wright; D-Inglewood) Increases the cost of health care coverage for everyone by forcing individuals to obtain a prescription for some products that are now available without a prescription. Oppose. | Failed Passage in Assembly Public Safety 6/30/09; Reconsideration Granted |
| Increased Costs: Mandated Expanded Reconstructive Surgery Coverage. SB 630 (Steinberg; D-Sacramento) Increases health care premiums by mandating that health plans provide coverage for dental and orthodontic services as part of cleft palate reconstructive procedures. Oppose. | To Enrollment |
| Increased Costs: Mandated Oral Cancer Drug Coverage. SB 161 (Wright; D-Inglewood) Increases health care premiums by mandating that health insurers and health plans provide coverage for orally administered anti-cancer medications on a basis no less favorable than coverage provided for injected or intravenously administered anti-cancer medications. Oppose. | To Enrollment |
| Increased Health Coverage Costs. AB 29 (Price; D-Inglewood) Raises the eligible age to 27 for dependent children to be covered under their parents' employer-sponsored health insurance plan which is likely to result in increasing the cost of health coverage for everyone. Oppose. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Private Board Member Selection Interference. SB 364 (Florez; D-Shafter) Prohibits certain qualified and dedicated individuals from serving their community cancer centers as board members due to their corporation's legal and legitimate affiliation with tobacco. Oppose. | Assembly Inactive File 9/8/09 |
| Increased Costs: Mandated Expanded Mental Health Coverage. AB 244 (Beall; D-San Jose) Increases health care premiums by mandating that health plans and insurers provide parity coverage for more than 400 mental disorders. Oppose. | To Enrollment |
| Increased Health Coverage Costs: Inappropriate Cost Pooling Mandate. AB 119 (Jones; D-Sacramento) Moves California closer to community rating for health coverage policies, ultimately increasing the ranks of the uninsured and increasing the cost of coverage to everyone by prohibiting gender to be used as actuarial rating criteria. Oppose. | To Enrollment |
| Increased Costs: Mandated Durable Medical Equipment Coverage. AB 214 (Chesbro; D-Arcata) Increases health care premiums by mandating that health plans provide coverage for durable medical equipment. Oppose. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Increased Costs: Mandated Lactation Consultant and Breast Pump Coverage. AB 513 (De León; D-Los Angeles) Increases health care premiums by mandating coverage of lactation consultation provided by an International Board Certified Lactation Consultant and coverage for the rental of a breast pump. Oppose. | To Enrollment |
| Increased Costs: Mandated HPV Vaccination Coverage. SB 158 (Wiggins; D-Santa Rosa) Increases health care premiums by mandating that health insurers that provide coverage for cervical cancer also cover a human papillomavirus (HPV) vaccination. Oppose. | To Enrollment |
| Increased Costs: Mandated Maternity Services Benefits Coverage. AB 98 (De La Torre; D-South Gate) Increases health insurance premiums and increases the ranks of the uninsured by mandating that all health insurance policies provide maternity coverage. Oppose. | To Enrollment |
| Increased Costs: Mandated Amino Acid-Based Elemental Formulas Benefit Coverage. AB 163 (Emmerson; R-Redlands) Increases health insurance premiums by mandating that health plans cover amino acid-based formulas, regardless of delivery method for the treatment of certain conditions. Oppose. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |

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| Administrative Burden. AB 26 (Hernandez; D-West Covina) Creates an administrative burden intended to provide an advantage to employers that fund health coverage for employees at a specified, arbitrary level by creating a public works contractor bid preference for those employers. Oppose. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Health Insurance Tax Deductions. AB 326 (Garrick; R-Carlsbad) Entitles individuals to a state tax deduction for contributions to a Health Savings Account (HSA) in conformity with federal tax law, allowing individuals to save tax-free dollars to pay for near-term medical expenses and save for future longer-term medical costs. Support. | Held in Assembly Revenue and Taxation Suspense File 5/19/09; Failed Deadline |
| Health Insurance Tax Deductions. SB 353 (Dutton; R-Rancho Cucamonga) Entitles individuals to a state tax deduction for contributions to a Health Savings Account (HSA) in conformity with federal tax law, allowing individuals to save tax-free dollars to pay for near-term medical expenses and save for future longer-term medical costs. Support. | Assembly Revenue and Taxation Suspense File 5/13/09; Failed Deadline |
| Housing and Land Use | |
| Construction Costs Increase. AB 212 (Saldaña; D-San Diego) Substantially increases the cost of new housing by mandating on-site or near-site energy generation for all new residential buildings. Oppose/ Job Killer . | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| New Home Construction. AB 333 (Fuentes; D-Sylmar) Facilitates the smooth recovery of the housing market by extending the life of active tentative subdivision maps and parcel maps for a period of two years. Support/ Job Creator . | Chapter 18 (Urgency Statute) |
| Homebuyer Tax Credit. SB 49 (Dutton; R-Rancho Cucamonga) Encourages recovery in the residential housing market by extending the duration and raising the funding cap of an already-successful economic stimulus program that offers homebuyers a \$10,000 personal income tax credit for new home purchases. Support/ Job Creator . | Senate Revenue and Taxation 6/9/09 |
| California Environmental Quality Act (CEQA). SB 476 (Correa; D-Santa Ana) Helps speed economic recovery by clarifying the duration of the public comment period in regards to non-compliance challenges as part of the CEQA environmental review process. Support. | Assembly Natural Resources and Assembly Judiciary 5/28/09 |
| Green Building Standards. AB 210 (Hayashi; D-Castro Valley) Clarifies that a local jurisdiction has the authority to adopt green building standards more stringent than those adopted by the state and published in the State Building Standards Code. Such clarification in statute will significantly reduce the need for legal review (and the related costs) on this issue by local jurisdictions concerned that such authority may not exist. Support. | Chapter 89 |
| Development Impact Fees. AB 1084 (Adams; R-Hesperia) Supports new residential and commercial development by ensuring that development impact fees are transparent and reflect the current cost to cities and counties to construct such facilities more closely. Support. | To Enrollment |
| Energy Consumption Data. AB 531 (Saldaña; D-San Diego) Fixes existing implementation issues with California's historic energy benchmarking law, which will help the state continue to lead the nation in building energy efficiency. Support. | To Governor |
| Mobile Home Rent Control. AB 761 (C. Calderon; D-Montebello) Provides vacancy decontrol relief to mobile home parks by allowing rents, upon vacancy, to gradually reach market levels. Support. | Senate Rules 6/25/09 |

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| Homebuyer Tax Credit. AB 765 (Caballero; D-Salinas) Allows new home purchasers to reserve an already-available tax credit earlier in the home buying process. Originally encouraged recovery in the residential housing market by extending the duration and raising the funding cap of an already-successful economic stimulus program that offers homebuyers a \$10,000 personal income tax credit for new home purchases. Support/ Former Job Creator . | Senate Inactive File 9/11/09 |
| Building Ventilation Systems. AB 433 (Ammiano; D-San Francisco) Originally put new requirements on the construction industry by requiring the Building Standards Commission (BSC) to adopt new regulations that would require new construction near freeways to have state-of-the-art ventilation systems. Now requires the Department of Housing and Community Development to simply propose such standards to the BSC. Previously opposed. Neutral. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Industrial Safety and Health | |
| Unnecessary Regulation. AB 838 (Swanson; D-Oakland) Directs Cal/OSHA to draft an unnecessary regulation to address exposure to excessive heat in indoor workplaces, while the existing Injury and Illness Prevention Program requirement currently requires all employers to address unique hazards. Oppose. | To Enrollment |
| Pre-empts Regulatory Process. SB 477 (Florez; D-Shafter) Needlessly pre-empts the flexible and responsive Cal/OSHA process for developing amendments to existing regulations to prevent heat illness in outdoor work environments. Oppose. | Assembly Rules 8/20/09 |
| International Relations/Trade | |
| *U.S.-Panama Free Trade Agreement. A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. The agreement also will increase momentum toward lowering trade barriers and set a positive example for other small economies in the Western Hemisphere. Support. | Pending Congressional Action |
| *U.S.-Colombia Free Trade Agreement. A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. The agreement also will increase momentum toward lowering trade barriers and set a positive example for other small economies in the Western Hemisphere. Support. | Pending Congressional Action |
| *U.S.-Korean Free Trade Agreement. 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 |
| *Increasing International Business Tax. Administration proposal to increase taxes on U.S. companies that are competing in international markets by repealing “deferral,” thereby imposing a unilateral tax on the foreign earnings of U.S. companies and upsetting the competitive balance between U.S. and foreign companies. This will result in a loss of U.S. jobs and serious negative impacts on the U.S. economy. Oppose. | Pending Congressional Action |
| *Trade Reform, Accountability, Development and Employment (TRADE) Act. H.R. 3012 (Michaud; D-Maine) Generates additional bureaucratic reporting requirements relating to international trade agreements on top of those that already exist, thereby creating new roadblocks to future trade agreements intended to lower foreign taxes on U.S. exports. Requires renegotiation of existing trade agreements. Oppose. | Pending Congressional Action |
| International Trade. AB 1276 (Skinner; D-Berkeley) Prohibits the Governor from binding the state to an international trade agreement without specific legislation authorizing the action. Oppose. | To Enrollment |
| Human Trafficking. SB 657 (Steinberg; D-Sacramento) Requires business to actively engage to eliminate human trafficking from supply chain down to raw materials. Oppose. | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |

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| Labor and Employment | |
| Comprehensive Meal Period Solution. SB 287 (R. Calderon; D-Montebello) Reduces unnecessary litigation costs for all employers by providing clarity and guidance for complying with and enforcing meal period laws so employees have the opportunity to take meal breaks, enter into on-duty meal period agreements in appropriate situations, and collectively bargain for meal periods. Sponsor/ Job Creator . | Senate Labor and Industrial Relations 4/29/09; Failed Deadline |
| Paid Sick Days Mandate. AB 1000 (Ma; D-San Francisco) Unreasonably expands employer's costs and liability for a new protected and paid sick leave for employees. Oppose/ Job Killer . | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Hurts Struggling Businesses. AB 842 (Swanson; D-Oakland) Expands mandates and increases liability for employers related to the state version of the federal Workers Adjustment and Retraining Notification (WARN) Act of 1988. Oppose/ Job Killer . | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Hampers Employment Decisions. AB 943 (Mendoza; D-Artesia) Unduly restricts the ability of businesses to use all legally available information in employment decisions, including consumer credit reports. Oppose/ Job Killer . | To Enrollment |
| Pay for Commuting. AB 1421 (Swanson; D-Oakland) Imposes new costs on employers that provide transportation to the worksite by requiring them to pay employees for time spent commuting from the parking lot to the workstation. Oppose/ Job Killer . | Placed on Assembly Inactive File 6/3/09; Failed Deadline |
| Increased Agricultural Costs. SB 789 (Steinberg; D-Sacramento) Undermines the process that now guarantees, through secret-ballot elections, a fair vote and the expression of agricultural employees' true sentiments on the selection of a collective bargaining representative. This act will hurt California's businesses by driving up costs, making employers less competitive in a global market. Oppose/ Job Killer . | Vetoed |
| Flexible Work Schedules. SB 187 (Benoit; R-Bermuda Dunes) Helps employees and employers achieve greater flexibility in work schedules by allowing workers to request and employers to mutually agree to a four-day 40-hour workweek without the payment of overtime. Sponsor/ Job Creator . | Failed Passage in Senate Labor and Industrial Relations 4/29/09; Failed Deadline |
| Flexible Work Schedules. AB 141 (Tran; R-Costa Mesa) Helps employees and employers achieve greater flexibility in work schedules by allowing workers to request and employers to mutually agree to a four-day 40-hour workweek without the payment of overtime. Support/ Job Creator . | Assembly Labor and Employment 2/26/09; Failed Deadline |
| Meal Period Clarification. SB 807 (Benoit; R-Bermuda Dunes) Reduces unnecessary litigation costs for employers by providing clarity and guidance for complying with meal period laws by clarifying how employees take meal breaks, enter into on-duty meal period agreements, and revising the timeframe for recovering penalties. Support/ Job Creator . | Senate Labor and Industrial Relations 4/15/09; Failed Deadline |
| Meal Period Clarification. SB 380 (Dutton; R-Rancho Cucamonga) Reduces unnecessary litigation costs for employers by providing clarity and guidance for complying with meal period laws by clarifying how employees take meal breaks, enter into on-duty meal period agreements, and revising the timeframe for recovering penalties. Support/ Job Creator . | Senate Labor and Industrial Relations 4/15/09; Failed Deadline |
| Payroll Records. AB 527 (Fuentes; D-Sylmar) Creates an unreasonable burden-shifting scheme giving an unfair advantage to employees in unpaid wage disputes before the Labor Commissioner by creating a presumption that all records are false where the Labor Commissioner finds that one was falsified, effectively precluding an employer's ability to present its case. Oppose. | To Enrollment |
| Familial Status Protection. AB 1001 (Skinner; D-Berkeley) Unnecessarily creates a vague and expansive new basis for employer liability under the Fair Employment and Housing Act by adding "familial status" to the list of classes protected from employment discrimination. Oppose. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |

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| Lactation Accommodation. AB 514 (De León; D-Los Angeles) Unnecessarily seeks to quantify a reasonable amount of break time for lactation accommodation, which the law currently requires. Oppose. | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Legal Reform and Protection | |
| Unreasonable New Liability for Employers. AB 793 (Jones; D-Sacramento) Imposes unfair and costly litigation burden on California employers by unreasonably expanding employer liability in workplace lawsuits far beyond the federal Lilly Ledbetter Fair Pay Act of 2009. Oppose Unless Amended/ Job Killer . | To Enrollment |
| New Lawsuits Against Small Business. SB 242 (Yee; D-San Francisco/San Mateo) Could result in new shakedown lawsuits against business establishments by making it a strict liability violation of the Unruh Civil Rights Act, subject to minimum damages of \$4,000, if a business limits the use of a customer's language, even if unintentionally. Oppose/ Job Killer . | To Governor |
| Anti-Business Cost Increases. AB 846 (Torrico; D-Newark) Significantly increases the cost of doing business in California by increasing fines and penalties, while disregarding good faith efforts of California's businesses to comply with complex regulations, and removing the incentive for agencies to work out settlements. Oppose/ Job Killer . | Senate Governmental Organization 7/8/09 |
| Improved Fairness in Class Action System. AB 298 (Tran; R-Costa Mesa) Improves fairness in class action system by providing appeal right for orders both granting and denying class certification. Support. | Failed Passage in Assembly Judiciary 3/31/09 |
| Equitable Court Judgments. SB 393 (Harman; R-Huntington Beach) Improves fairness and equity of court awards by tying the interest rate on judgments to more closely follow the prime rate. Support/ Job Creator . | Failed Passage in Senate Judiciary 5/12/09; Failed Deadline |
| Unnecessary Clogging of Courts. SB 705 (Lowenthal; D-Long Beach) Results in unnecessary and wasteful litigation for employers and the courts by allowing employees to file lawsuits without first exhausting the employer's internal administrative remedies. Oppose. | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |
| New Liability for Tire Dealers. AB 496 (Davis; D-Los Angeles) Creates unreasonable new liability exposure for tire dealers by establishing disclosure regulations related to tire age that are not objective and shift the burden of proof on retailers. Oppose. | Senate Business, Professions and Economic Development 7/13/09 |
| Government Interference with Private Contracts. AB 335 (Fuentes; D-Sylmar) Discourages out-of-state companies from hiring California residents, such as entertainers, sports figures, executives, telecommuters and traveling employees, by doing away with the ability of such companies to require employment disputes be handled in the company's home state rather than in California. Oppose. | To Enrollment |
| Updated Discovery Rules for Electronic Records. AB 5 (Evans; D-Santa Rosa) Provides clarification and certainty for all parties to litigation by providing procedures for electronic discovery. Support. | Chapter 5 (Urgency Statute) |
| Prevents Meritless Litigation. SB 367 (Negrete McLeod; D-Chino) Helps prevent meritless litigation against California businesses that give discounts to consumers who have lost jobs or pay in the economic downturn by clarifying that such discounts are not a form of discrimination under the Unruh Civil Rights Act. Support. | Senate Unfinished Business 9/9/09 |
| Vehicle Price Increase. SB 95 (Corbett; D-San Leandro) Before amendments, would have imposed new surety costs on car dealers in an already-difficult economy by placing excessive restrictions on the sale of trade-in vehicles and unreasonably expanding dealer liability and damages. Amended to strengthen regulations to ensure consumers are paid what they are owed on their trade-ins. Opposition removed. No Position/ Former Job Killer . | To Governor |

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| Other | |
| Retail Restrictions. SB 601 (Padilla; D-Pacoima) Severely restricts retailers from growing their businesses in California by limiting the sale of a legal product in a legal venue. Oppose/ Job Killer . | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |
| Retail Restrictions. SB 603 (Padilla; D-Pacoima) Severely restricts retailers from growing their businesses in California by limiting the sale of a legal product in a legal venue. Oppose/ Job Killer . | Assembly Governmental Organization 7/8/09 |
| Digital Displays. AB 109 (Feuer; D-Los Angeles) Eliminates jobs and restricts businesses' ability to advertise by imposing a moratorium on outdoor digital billboards. Oppose. | Failed Assembly Governmental Organization 4/30/09; Failed Deadline |
| Food Recalls. SB 550 (Florez; D-Shafter) Increases costs to grocery stores by requiring programmable checkout scanners to notify checkers if the product has a recall notice. Oppose. | Assembly Inactive File 9/10/09 |
| Retail Restrictions. SB 602 (Padilla; D-Pacoima) Before amendments, would have severely restricted retailers from growing their businesses in California by limiting the sale of a legal product in a legal venue. Amended to a different subject. No Position/ Former Job Killer . | Assembly Health 9/10/09 |
| Political Affairs | |
| Elections: Primaries. SB 6 (Maldonado; R-Santa Maria) Places an open primary proposal on the June 2010 ballot that if passed by the voters expands voter choice and forces candidates to address a broader voter base. Support. | Chapter 1 |
| Check and Balance Denial. SB 34 (Corbett; D-San Leandro) Denies the check and balance on the legislative branch by the public by limiting the use of paid signature gatherers critical for successfully sponsoring a referendum. Oppose. | To Governor |
| Privacy and Confidentiality | |
| Data Breaches. SB 20 (Simitian; D-Palo Alto) Before amendments, potentially exposed business to further data breaches by expanding the content of required breach notifications to include information that could help hackers further infiltrate and bypass security measures. Amended to remove sensitive information from inclusion in breach notice. Neutral. | To Governor |
| Identity Theft Jurisdictions. SB 226 (Alquist; D-Santa Clara) Makes it easier to prosecute identity theft offenses by expanding the jurisdiction to include any place where an offense occurred. Support. | Chapter 40 |
| Internet-Based Social Networking: Privacy. AB 632 (Davis; D-Los Angeles) Before amendments, required social networking sites to prohibit and prevent pictures posted to a site from being copied. Required a mechanism for the site to remove pictures posted by a third party. Neutral. | To Governor |
| Small Business | |
| Small Business Impact Analysis. SB 356 (Wright; D-Inglewood) Improves the small business climate in California by reforming the regulatory development process to include a specific small business economic impact analysis and other provisions that mitigate the cost of regulation to small business. Support/ Job Creator . | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |
| Small Business Opportunities. AB 31 (Price; D-Inglewood) Allows for more small business opportunities in state contracts by increasing the maximum allowable contract amount given to certified small businesses when specified competitive bidding requirements are exempted. Support. | To Governor |

| Subject and Bill — CalChamber Position | Status |
|---|--|
| Small Business Opportunities. SB 642 (Denham; R-Merced) Allows for more small business opportunities in state contracts by increasing the maximum allowable contract amount given to certified small businesses when specified competitive bidding requirements are exempted. Support. | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |
| Taxation | |
| Increased Tax Burden. SB 96 (Ducheny; D-San Diego) Imposes a new tax increase on personal income. Oppose/ Job Killer . | Senate Revenue and Taxation Suspense File 6/10/09 |
| Gas Price Increase. AB 656 (Torrico; D-Newark) Increases gas prices and dependence on foreign oil by targeting the oil industry for a tax on oil extracted only in California. Oppose/ Job Killer . | Assembly Revenue and Taxation 7/13/09 |
| Targeted Tax Increase/Flawed Budget Philosophy. SB 600 (Padilla; D-Pacoima) Exacerbates state budget problems and harms tobacco industry by unfairly targeting it for a new cigarette tax, a declining revenue source, to fund new government spending programs. Oppose/ Job Killer . | Senate Rules 8/31/09 |
| Targeted Tax Increase/Flawed Budget Philosophy. AB 89 (Torlakson; D-Antioch) Exacerbates state budget problems and harms tobacco industry by unfairly targeting it for a new cigarette tax, a declining revenue source, to fund new government spending programs. Oppose/ Job Killer . | Assembly Revenue and Taxation and Assembly Governmental Organization 4/30/09 |
| Targeted Tax Increase/Flawed Budget Philosophy. ACA 22 (Torlakson; D-Antioch) Exacerbates state budget problems and harms tobacco industry by unfairly targeting it for a new cigarette tax, a declining revenue source, to fund new government spending programs. Oppose/ Job Killer . | Assembly Governmental Organization and Assembly Revenue and Taxation 4/23/09 |
| Removes Onerous Tax Burden. AB 697 (C. Calderon; D-Montebello) Relieves employers of an onerous, costly tax burden by prospectively repealing an unfair, strict liability tax penalty that applies even to reasonable tax disputes, that was enacted as part of the September 2008 budget. Support/ Job Creator . | Senate Revenue and Taxation Suspense File 7/8/09 |
| Research and Development Investment Incentive. AB 1565 (Ruskin; D-Redwood City) Encourages investment and jobs in research and development by increasing the research and development tax credit rate from 15 percent to 20 percent, in conformity with federal law, beginning in 2012. Support/ Job Creator . | Senate Revenue and Taxation 7/8/09 |
| Manufacturing Investment Incentive. SB 699 (Alquist; D-Santa Clara) Encourages investment and jobs in manufacturing by establishing a sales and use tax exemption for manufacturing equipment, beginning in 2013. Support/ Job Creator . | Senate Revenue and Taxation 5/28/09 |
| Discourages Investments. ACA 6 (C. Calderon; D-Montebello) Discourages investments in jobs and operations by imposing an automatic sunset of seven years on any new or extended tax credit, exemption or deduction. Oppose/ Job Killer . | Assembly Third Reading 8/31/09 |
| New Internet Taxation. AB 178 (Skinner; D-Berkeley) Harms California online marketplaces, web-service providers, and websites of small businesses and non-profits by changing California's sales tax law in a way that will encourage out-of-state retailers to instead do business with out-of-state counterparts. Oppose. | Assembly Revenue and Taxation 4/27/09 |
| New Internet Taxation. ABX3 27 (C. Calderon; D-Montebello) Harms California online marketplaces, web-service providers, and websites of small businesses and non-profits by changing California's sales tax law in a way that will encourage out-of-state retailers to instead do business with out-of-state counterparts. Oppose. | Assembly Print 1/30/09 |

| Subject and Bill — CalChamber Position | Status |
|---|---|
| Undermines Economic Development. AB 1139 (J. Perez; D-Los Angeles) Threatens California's economy and economic recovery by effectively gutting the California Enterprise Zone (EZ) program by creating new eligibility requirements that will drastically reduce the number of companies which will be able to participate in the program, including a requirement that they provide health care and full-time employment. Oppose. | Assembly Jobs, Economic Development and the Economy 6/8/09 |
| Targeted Tax Increase/Flawed Budget Philosophy. AB 1019 (Beall; D-San Jose) Harms alcohol industry by proposing to impose a 10-cent per drink surcharge in order to fund alcohol-related services. Oppose. | Failed Passage in Assembly Health 4/21/09; Reconsideration Granted |
| Targeted Tax Increase/Flawed Budget Philosophy. AB 462 (Price; D-Inglewood) Harms small businesses, many of whom file personal income tax returns, by unfairly targeting incomes in excess of \$1 million for a 1 percent tax increase in order to fund higher education. Oppose. | Failed Passage in Assembly Higher Education 4/21/09 |
| Health Care Federal Funding. AB 1422 (Bass; D-Los Angeles) Reduces health care costs and ensures continued health care coverage for children by creating a self-imposed industry tax that will trigger significant federal funding. Support. | To Governor |
| Sales and Use Taxes: Failure to Furnish Information. AB 347 (Block; D-San Diego) Unfairly penalizes tax-compliant taxpayers by creating a new penalty that, while aimed at unreasonable behavior, is so broad and vague it could apply to reasonable behavior. Oppose. | Placed on Assembly Inactive File 5/28/09 |
| New Tax Penalty. AB 1580 (C. Calderon; D-Montebello) Reduces complexity and waste in tax reporting and administration by conforming many California tax provisions to recent changes in federal tax law, but without amendments, would also impose a harsh, unfair new penalty on taxpayers. Oppose Unless Amended. | To Enrollment |
| Unreasonable Taxpayer Penalty. SB 401 (Wolk; D-Davis) Unfairly penalizes tax-compliant taxpayers by creating a new penalty that, while aimed at abusive tax avoidance behavior, is so broad and vague it would penalize legitimate tax liability management. Oppose. | Assembly Inactive File 9/9/09 |
| Unfair Taxation of Foreign Income. AB 1178 (Block; D-San Diego) Undermines water's-edge election by deeming foreign income from "tax havens" to be taxable. Oppose. | Assembly Revenue and Taxation 5/11/09 |
| Hospital Tax. AB 1383 (Jones; D-Sacramento) Increases health care costs by imposing new, unspecified tax on hospitals. Oppose. | To Enrollment |
| Punishment for Using Tax Credits. AB 179 (Portantino; D-La Cañada Flintridge) Violates taxpayer confidentiality and punishes taxpayers who use tax credits by creating a "list of shame" of any individual or corporation that uses any tax exemption, credit or deduction which results in reduction of tax liability of \$1 million or more. Oppose. | Senate Rules 9/12/09 |
| Federal Tax Deconformity. AB 692 (C. Calderon; D-Montebello) Creates unpredictability in the tax law and could result in increased taxpayer burden by granting excessive authority to Franchise Tax Board to deconform from federal law. Oppose. | To Enrollment |
| Improves Taxpayer Confidentiality. AB 129 (Ma; D-San Francisco) Extends taxpayer confidentiality that currently exists with attorneys to federally authorized tax practitioners. Support. | To Enrollment |
| Reassessment Process Efficiency. SB 816 (Ducheny; D-San Diego) Reduces administrative delays in change of ownership reassessment process for taxpayers and assessors by making the process more efficient. Support. | To Enrollment |

| Subject and Bill — CalChamber Position | Status |
|---|---|
| Simplifies Sales Tax Compliance. AB 1486 (Furutani; D-Long Beach) Streamlines sales tax compliance for non-profits by simplifying the rules for payment of sales taxes on purchases of member-logo products they sell to their own members. Support. | To Governor |
| Manufacturing Investment Incentive. AB 829 (Caballero; D-Salinas) Before 5/26/09 amendments, encouraged investment and jobs in manufacturing by establishing a sales and use tax exemption for manufacturing equipment, beginning in 2013. Now states legislative intent to establish sales and use tax. No Position/ Former Job Creator. | Assembly Appropriations 6/2/09 |
| Telecommunications | |
| Unlisted Telephone Numbers. SB 437 (Pavley; D-Agoura Hills) Regulates price for a legitimate service offered by telephone company with no evidence of a problem. Oppose. | Senate Energy, Utilities and Communications 5/5/09; Failed Deadline |
| Tourism | |
| Economy Hotels: Police Calls. SB 355 (Romero; D-East Los Angeles) Could negatively impact the ability of the hotel to do business and damages the good working relationship that currently exists with law enforcement by creating a mandate that California “economy” hotels make public data about police calls to the property. Oppose. | Senate Business, Professions and Economic Development 5/4/09; Failed Deadline |
| Passports. AB 1191 (Conway; R-Visalia) Helps to protect California’s tourism industry by allowing passports to be used as a valid form of identification for wine and other age-specific purchases. Support. | Chapter 142 |
| Transportation and Infrastructure | |
| Sustainable Communities Strategies (SCS). AB 782 (Jeffries; R-Lake Elsinore) Enhances the ability of a Sustainable Communities Strategy to be successful by facilitating the delivery of all necessary development associated with an SCS. Also gives businesses more certainty when complying with climate change laws. Support. | Assembly Natural Resources and Assembly Local Government 4/27/09; Failed Deadline |
| Encroachment Permits. AB 439 (Miller; R-Corona) Helps facilitate the timely delivery of transportation projects by streamlining the encroachment permit process for the California highway system. Support. | Assembly Transportation 4/27/09; Failed Deadline |
| Railroad Safety Month. SCR 10 (Liu; D-La Cañada Flintridge) Designates September as “Railroad Safety Month,” increasing awareness of railroad safety through education. Support. | Resolution Chapter 42 |
| Parking Services and Fees. SB 518 (Lowenthal; D-Long Beach) Required local governments to adopt new measures that seek to increase the cost of parking for users, including measures that would dictate an employer’s transportation policies for its employees. Now only authorizes local governments to do so. Neutral. | Failed Senate 6/3/09; Failed Deadline |
| Unemployment Insurance | |
| Unemployment Insurance Tax Increase. SB 222 (Ducheny; D-San Diego) Creates a disincentive to hire new employees by tripling the already-high unemployment insurance taxes on California employers without a proper analysis of what is needed to reform California’s broken unemployment insurance system. Oppose/ Job Killer. | Senate Labor and Industrial Relations and Senate Revenue and Taxation 4/15/09 |
| Employment Training. AB 816 (Hagman; R-Chino Hills) Helps California workers and companies stay competitive by ensuring that employer-generated funds are available to train employees for businesses that are locating or expanding in California, as well as those that are retraining employees to make California operations more viable. Support/ Job Creator. | Failed passage in Assembly Insurance 4/22/09; Failed Deadline |

| Subject and Bill — CalChamber Position | Status |
|---|---|
| Unemployment Insurance. ABX3 23 (Coto; D-San Jose) Makes conforming changes to California law that allow California to take full advantage of federal stimulus funds that provide extended duration benefits to unemployed Californians. Support. | Chapter 22 (Urgency Statute) |
| Unemployment Insurance. ABX3 29 (Coto; D-San Jose) Makes changes to the unemployment insurance system to improve efficiency in administration for employers, such as providing for telephonic hearings at the Unemployment Insurance Appeals Board. Support. | Chapter 23 |
| Unemployment Insurance: Alternate Base Period. SBX3 3 (DeSaulnier; D-Concord) Makes changes to conform to federal law with regards to the alternative base period in order to qualify for \$840 million in federal stimulus funds. Oppose Unless Amended. | Senate Unfinished Business 3/17/09 |
| Water Supply and Quality | |
| Water Conservation. AB 1408 (Krekorian; D-Burbank) Discourages homebuilders from employing voluntary water conservation measures in new homes by imposing unfair and costly requirements for their use. Oppose Unless Amended. | Failed Passage in Assembly 6/2/09; Failed Deadline |
| Water Recycling. SB 565 (Pavley; D-Agoura Hills) Imposes a new fee for discharging wastewater to the ocean. Requires development of a new plan by the water board to recycle 50 percent of the wastewater going to the ocean. Oppose. | Assembly Water, Parks and Wildlife 6/30/09 |
| Water Conservation. SB 261 (Dutton; R-Rancho Cucamonga) Requires agricultural and urban water suppliers to have and implement a water use efficiency and conservation plan to meet the goal of reducing water consumption by 20 percent by 2020. Support. | Assembly Appropriations Suspense File 8/19/09 |
| Water Use Mandate. AB 49 (Feuer; D-Los Angeles) Implements mandatory water conservation and water use efficiency programs detrimental to business and agriculture. Oppose. | Assembly Conference Committee 9/9/09 |
| Water Conservation. AB 300 (Caballero; D-Salinas) Promotes greater water use reductions in new subdivisions by encouraging voluntary water conservation measures in new homes. Measures must be permanently attached to building. Support. | Senate Natural Resources and Water 7/7/09 |
| Water Use Efficiency Financing. AB 474 (Blumenfield; D-Woodland Hills) Creates voluntary financing opportunities for residential and commercial property owners. Allows public agencies to provide upfront financing for water use efficiency improvements that will be repaid by assessing participating property owners. Support. | To Enrollment |
| Groundwater Monitoring. SB 122 (Pavley; D-Agoura Hills) Imposes a redundant groundwater monitoring program that would be funded locally. Before the state imposes another costly program, it should compile existing groundwater data already being collected in many areas of the state and specify why the data is needed. Oppose. | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |
| Workers' Compensation | |
| Increased Workers' Compensation Costs. AB 664 (Skinner; D-Berkeley) Increases workers' compensation costs by creating a legal presumption that neck and back injuries, and bloodborne and specific infections suffered by hospital employees are related to employment. Oppose/ Job Killer . | Held in Assembly Appropriations Suspense File 5/28/09; Failed Deadline |
| Workers' Compensation Cost Increase. SB 773 (Florez; D-Shafter) Increases workers' compensation costs significantly and makes it more expensive to employ Californians by arbitrarily increasing permanent disability benefits. Oppose/ Job Killer . | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |

| Subject and Bill — CalChamber Position | Status |
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| Workers' Compensation Apportionment. SB 145 (DeSaulnier; D-Concord) Erodes recent workers' compensation reforms and leads to higher premiums for California employers by undercutting fair and reasonable provisions in current law that protect an employer from paying for disability that was not caused by a workplace accident. Oppose/ Job Killer . | Assembly Inactive File 7/13/09 |
| Utilization Review. AB 933 (Fong; D-Cupertino) Increases the cost of performing utilization review (UR) on medical treatment requests by requiring all doctors who make UR decisions to be licensed in California. Oppose. | Senate Labor and Industrial Relations 6/15/09 |
| Minimum Temporary Disability Rate. AB 516 (Niello; R-Fair Oaks) Promotes fairness in workers' compensation temporary disability benefits by repealing the law that allows some injured workers to be paid more in insurance wage replacement benefits than they earned while working. Support. | Assembly Insurance 3/12/09; Failed Deadline |
| Supplemental Job Displacement Voucher. SB 3 (Cedillo; D-Los Angeles) Makes changes to how the supplemental job displacement voucher is provided to injured workers who cannot return to their pre-injury employer. Provides the benefit earlier and replaces the variable amount based on permanent disability with a single benefit amount. Oppose Unless Amended. | Held in Senate Appropriations Suspense File 5/28/09; Failed Deadline |
| Pre-Designation of Primary Treating Physician. SB 186 (DeSaulnier; D-Concord) Increases costs to employers in the workers' compensation system by deleting the sunset provision in current law on pre-designation. Oppose. | To Governor |
| Public Employees: Medical Conditions. AB 586 (Huber; D-El Dorado Hills) Removes local government employer discretion to accept or challenge the merits of workers' compensation claims by expanding presumptions for public sector employees and alters the legal standards for accepting claims based solely on job classification. Oppose. | Held in Senate Appropriations Suspense File 8/27/09 |
| Penalties for Being Uninsured. SB 313 (DeSaulnier; D-Concord) Levels the playing field and benefits businesses that comply with mandatory workers' compensation laws by increasing penalties on employers that intentionally leave their employees uninsured for workers' compensation insurance. Support. | Senate Unfinished Business 9/9/09 |
| Group Self Insurance Audits. SB 683 (R. Calderon; D-Montebello) Increases transparency by requiring a group self-insurer to annually file with the Department of Workers' Compensation an annual audit of financial and claim information by an independent third-party CPA and prohibits the information from specific individual members from being made public. Oppose Unless Amended. | Assembly Insurance 7/8/09 |

Key to Status Descriptions

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

ALERT

CALIFORNIA CHAMBER OF COMMERCE

P.O. BOX 1736 SACRAMENTO, CA 95812-1736
(916) 444-6670 FACSIMILE (916) 444-6685
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Social Media and Your Workplace Free Live Webinar

If your company's employees access the Internet at work, you won't want to miss this!



Twitter, Facebook, LinkedIn. Social media permeate today's business communications and the line between appropriate and inappropriate workplace usage continues to be blurred. More and more people are using these social networking programs for both personal and professional communication, but what can California companies do to monitor how employees use them in the workplace?

Join CalChamber experts as they answer the following:

- What are social media?
- Do you want your employees to have access at work—for work or for personal use?
- What proper controls should be in place if you use social media tools for your business?
- Do you need a policy to address use of social media or do you already have one?
- What other policies are implicated—harassment, trade secrets, confidentiality?

**Wednesday,
September 23
10 a.m.
30 minutes**

Register online at www.calbizcentral.com or call 1-800-331-8877