

# ALERT

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## ‘Job Killer’ Bills Still Alive in Closing Weeks of Session



Fiscal committees in the Senate and Assembly will be the next battleground for most of the “job killer” bills that remained alive when legislators adjourned for their

month-long summer recess.

The California Chamber of Commerce is urging lawmakers to reject these proposals, which threaten the state’s job climate and will slow economic recovery if passed.

The list below does not include the “job killer” tax bills, which require a two-thirds vote for approval and therefore are unlikely to move.

### *Costly Workplace Mandates*

**AB 22 (Mendoza; D-Artesia) Hampers Employment Decisions.** Unfairly limits private employers’ ability to use consumer credit reports for legitimate employment purposes, unless the information in the report is “substantially job-related” and for a “managerial position.” *Senate Appropriations Committee hearing August 15.*

**AB 375 (Skinner; D-Berkeley) Expands Costly Presumptions.** Increases workers’ compensation costs for public and private hospitals by presuming certain diseases and injuries are caused by the workplace. *Senate Appropriations hearing August 15.*

*See ‘Job Killer’: Page 4*

## Bills Inflating Legal Costs Await Action by Senate



Two California Chamber of Commerce-opposed “job killer” bills that will inflate legal costs if approved await action by the Senate when legislators return

from summer recess in August.

**AB 559 (Swanson; D-Oakland)** undermines judicial discretion while **AB 1062 (Dickinson; D-Sacramento)** undermines efficient dispute resolution.

AB 559 unreasonably increases business litigation costs by limiting judicial discretion to reduce or deny exorbitant attorneys fees in fair employment and housing claims that should have been raised in a limited civil proceeding.

AB 1062 dramatically increases litigation costs for employers by eliminating the right to appeal a court order denying or dismissing a petition to compel arbitration, driving more cases into the courts.

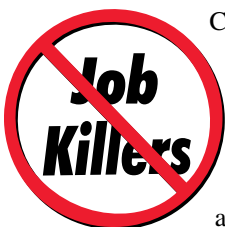
### **AB 559**

In opposing AB 559, the CalChamber is arguing that the bill:

- Is unnecessary. According to the *Chavez* decision, which AB 559 seeks to overturn, a trial court may limit or deny an attorneys fee request only if it “is firmly persuaded that the plaintiff’s attorney had *no reasonable basis* to

*See Bills: Page 4*

## Ban on Foam Food Containers to Face Assembly Fiscal Committee Scrutiny



California Chamber of Commerce-opposed legislation that threatens thousands of manufacturing jobs within the state through a polystyrene food container ban is scheduled for consideration by the Assembly Appropriations Committee on August 17.

**SB 568 (Lowenthal; D-Long Beach)** inappropriately bans all food vendors from using polystyrene foam food service containers, ignoring the numerous environmental benefits associated with polystyrene products.

### **Problems with Ban**

The CalChamber has been highlighting the following problems with SB 568:

- SB 568 creates an unfair and shortsighted recycling mandate for just polystyrene containers. Why is other take-out food packaging not subject to the recycling mandate? California’s bottle deposit program includes beverages packaged in glass, aluminum and plastic; a similar approach should be used when addressing take-out food packaging. The CalChamber would welcome a recycling discussion provided no one material is put at a competitive disadvantage.

*See Ban: Page 3*

### **Inside**

Status Report on Major Bills: Pages 7–22

## Cal/OSHA Corner

# Employers Must Ensure Medical Personnel, First Aid Materials Available



**Mel Davis**  
Cal/OSHA Adviser

*As an employer, what am I required to provide in the way of medical services and first aid?*

Section 3400 of the General Industry Safety Orders requires that the employer “ensure” the ready availability of medical personnel for advice and consultation “on matters of industrial health or injury.”

For most places of employment, the presence of an infirmary, clinic, hospital

or emergency service providers, such as the fire department and available emergency medical technicians, in near proximity to the workplace is sufficient to meet this requirement. When these facilities or persons are not in the near proximity, then a person or persons shall be “adequately” trained to render first aid.

If an ambulance service normally isn’t available within 30 minutes, Cal/OSHA may require stretchers and blankets, or other adequate warm covering. When the worksite is at an isolated location, the regulation also requires provisions be made in advance for prompt medical attention to serious injuries.

If the workplace is one where employees may be exposed to injurious corrosive materials, the regulation requires there be suitable facilities for quickly drenching/flushing the eyes or body in an emergency.

### First Aid Kit

Adequate first aid materials must be “readily” available for all employees at the worksite, according to the regulation. The first aid materials at the worksite are to be approved by a consulting physician. Over-the-counter medications, whether aspirin or allergy pills, cannot be included in a workplace first aid kit unless they are recommended by the company physician.

The first aid material will be:

- Kept in a sanitary and usable condition;

- Replenished as necessary.

More specific first aid requirements appear in the Construction Safety Orders, Section 1512. These regulations require minimum first aid supplies to be

determined by “an employer-authorized, licensed physician” or according to a table based on the number of employees.

For workplaces of 1–15 employees, the table lists: adhesive dressings, one-inch wide adhesive tape rolls, eye dressing packet, two-inch gauze bandage roll or compress, two-inch and four-inch sterile gauze pads, triangular bandages, safety pins, tweezers and scissors, “appropriate record forms” and an up-to-date first aid book.

### Larger Employers

The regulation lists additional supplies for workplaces with more employees.

The regulation requires that there be first aid-trained personnel at the worksite. It also prohibits the employer from putting the following materials in the first aid kit unless an employer-authorized, licensed physician specifically approves them in writing: drugs, antiseptics, eye irrigation solutions, inhalants, medicines or proprietary preparations.

Besides construction, other employers in high-hazard industries, such as the electrical industry (high voltage transmission and supply), mining and tunneling, logging, to name a few, are to have first aid-trained personnel on all worksites in addition to the employees being trained in CPR.

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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

More information at  
[www.calchamber.com/events](http://www.calchamber.com/events).

### Business Resources

San Diego Water Tour. Water Education Foundation. September 8–9, San Diego. (916) 444-6240.

Northern California Tour. Water Education Foundation. October 12–14, Sacramento. (916) 444-6240.

Licensing Executives Society Annual Meeting. Licensing Executives Society

(USA and Canada). October 16–19, San Diego. (703) 836-3106.  
San Joaquin River Restoration Tour. Water Education Foundation. November 2–3, Fresno. (916) 444-6240.  
*See CalChamber-Sponsored: Page 4*

**Next Alert: August 5**



## Ban on Foam Food Containers to Face Assembly Fiscal Committee Scrutiny

*From Page 1*

● The bill permits use of polystyrene foam food containers after January 1, 2016 if the city or county where the food vendor does business has a recycling program under which at least 60 percent of the polystyrene foam containers generated each year are recycled. Establishing an arbitrary 60% recycling rate in such a short time frame is not only unrealistic, but puts the fate of industry in the hands of local government. Industry has little if any control over what types of products are collected via local recycling programs *and* focusing on just one material type is shortsighted.

● Thousands of good-paying manufacturing jobs at California-based companies that make polystyrene containers will be in jeopardy if SB 568 is passed. Payroll and property taxes will diminish and goods and services provided by suppliers, vendors and others will decline as well. At a time when California's unemployment rate is at 11.9%, the state's top focus should be on job creation not job elimination.

● Restaurants, caterers, delis and other food providers will see their operating costs rise as polystyrene containers are

two to three times more affordable than replacement products, which in some cases do not perform as well, especially for very hot and cold food and beverages. This could result in reduced worker hours, potential employee cutbacks at restaurants that are operating on thin margins and higher costs for consumers.

● Focusing on a single material type does not reduce litter. The city of San Francisco banned polystyrene containers but according to a 2008 litter audit conducted for the city, paper cup litter increased after the ban was enacted. Bans result in litter substitution, not elimination.

● The bill exempts correctional facilities but ignores higher costs for state agencies, schools and universities. A Bay Area hospital reported that its costs would rise by \$140,000 to purchase alternative food packaging products if a similar, local ordinance was passed.

### Action Needed

Contact Assembly members and urge them to **oppose SB 568**.

A sample letter is available at [www.calchambervotes.com](http://www.calchambervotes.com).

**Staff Contact: Brenda M. Coleman**



**CalChamber Policy Advocate Brenda M. Coleman warns that the polystyrene food container ban in SB 568 threatens thousands of manufacturing jobs within the state.**

## CalChamber-Sponsored Seminars/Trade Shows

*From Page 2*

### International Trade

Export Tax Break/Interest Charge-

Domestic International Sales Corporation Webinar. El Camino Center for International Trade Development. July 26, Webinar. (310) 973-3173.

Understanding Antidumping and Countervailing Duties. Women in International Trade. August 17, Torrance. (800) 514-6407.

Trade Mission to South Africa. U.S. Chamber of Commerce. September 19-23, South Africa. (202) 482-5496.

Cargo Loss: Natural Disasters and Piracy Theft. Women in International Trade. September 21, Long Beach. (800) 514-6407.

Incoterms. Women in International Trade. October 19, Torrance. (800) 514-6407.

### Labor Law

How to Conduct Workplace Investigations. CalChamber. July 25, On Demand. (800) 331-8877.

Determining Independent Contractor Status. CalChamber. September 8, Webinar; September 19, On Demand. (800) 331-8877.

Exempt—When You've Properly Classified. CalChamber. On Demand. (800) 331-8877.

How to Conduct Effective Performance Evaluations. CalChamber.

On Demand. (800) 331-8877.  
How to Hire Employees and Reduce Liability. CalChamber. On Demand. (800) 331-8877.

### Workplace Safety

Heat Illness Prevention—How to Comply with New Rules. CalChamber. On Demand. (800) 331-8877.



"In addition to its advocacy work, CalChamber membership includes human resource tools and consulting that is invaluable to small and medium-size businesses."

DAN GORDON  
CO-FOUNDER  
GORDON BIRSCH BREWING COMPANY, SAN JOSE

**CalChamber Member Feedback**



## ‘Job Killer’ Bills Still Alive in Closing Weeks of Session

From Page 1

### **AB 1155 (Alejo; D-Watsonville) Erodes Workers’ Comp Reforms.**

Increases costs and lawsuits in the workers’ compensation system by eroding the apportionment provision that protects an employer from paying for disability that did not arise from work. *Senate floor.*

### **SB 829 (DeSaulnier; D-Concord) Undermines Employer Rights.**

Undermines employer rights in California Division of Occupational Safety and Health (Cal/OSHA) citations by allowing private parties to interfere with the appeals process which could impose significant costs on employers, the Cal/OSHA Appeals Board and on Cal/OSHA. *Assembly Appropriations Committee hearing August 17.*

### **Economic Development Barriers**

**AB 350 (Solorio; D-Anaheim) Costly Employee Retention Mandate.** Inappropriately alters the employment relationship by requiring any successor contractor for “property services,” defined as licensed security, landscape, window cleaning or food cafeteria services, to retain employees of the former contractor for 90 days and thereafter offer continued employment unless the employees’

performance during the 90-day period was unsatisfactory. *Senate Appropriations hearing August 15.*

**SB 535 (De León; D-Los Angeles) Climate Change Tax Increase.** Increases costs and discourages job growth by implementing unlimited fees and taxes under a cap-and-trade system. *Assembly Appropriations hearing August 17.*

### **Employee Benefit Mandates**

**AB 325 (B. Lowenthal; D-Long Beach) Unpaid Bereavement Leave.** Adds to California’s reputation of being an overly litigious state by creating a private right of action and mandating an employer to provide an employee with up to three days of unpaid bereavement leave. *In Senate Appropriations; no hearing date yet. Expensive, Unnecessary Regulatory Burdens*

**AB 52 (Feuer; D-Los Angeles) Rate Regulation.** Imposes implementation fees on health insurers to support additional bureaucracy and to regulate rates without addressing the costs that drive the rates. *Senate Appropriations hearing August 15.*

**SB 568 (Lowenthal; D-Long Beach) Polystyrene Food Container Ban.** Threatens thousands of manufacturing jobs

within the state by inappropriately banning all food vendors from using polystyrene foam food service containers, ignoring the numerous environmental benefits associated with polystyrene products. *Assembly Appropriations hearing August 17.*

### **Inflated Liability Costs**

**AB 559 (Swanson; D-Oakland) Undermines Judicial Discretion.**

Unreasonably increases business litigation costs by limiting judicial discretion to reduce or deny exorbitant attorneys fees in fair employment and housing claims that should have been raised in a limited civil proceeding. *Senate floor.*

**AB 1062 (Dickinson; D-Sacramento)**

**Undermines Efficient Dispute Resolution.** Dramatically increases litigation costs for employers by eliminating the right to appeal a court order denying or dismissing a petition to compel arbitration, driving more cases into the courts. *Senate floor.*

### **Action Needed**

Contact your legislators and urge them to **oppose** the “job killer” bills. Easy-to-edit sample letters are available at [www.calchambervotes.com](http://www.calchambervotes.com).  
**Staff Contact: Marc Burgat**

## Bills Inflating Legal Costs Await Senate Action

From Page 1

anticipate a FEHA [Fair Employment and Housing Act] damages award in excess of the amount recoverable in a limited liability case, and also that the action could have been fairly and effectively litigated as a limited civil case....” (emphasis added).

● Increases the burden on courts—eliminates all incentive for plaintiffs to file FEHA claims properly, wasting precious judicial resources, and encouraging the practice of including an FEHA claim to avoid having to file a case as a limited civil case.

● Undermines judicial discretion. A reading of the *Chavez* decision shows the trial court properly considered the policy behind both statutes granting it discretion over the attorneys fee award, and appropriately penalized the attorney for serious overreaching and a failure to offer

any evidence of harm to the plaintiff.

● Worsens California’s legal climate. AB 559 uses bad facts to justify a sweeping change to the legal system, which is a poor way to make policy, worsens California’s legal climate, and sends the wrong message to employers thinking of locating or expanding here.

### **AB 1062**

In opposing AB 1062, the CalChamber argues that the bill:

● Will cost the state jobs. It dramatically increases litigation costs for employers, leaving fewer resources to hire and retain employees, and discouraging them from expanding in the state.

● Hurts plaintiffs. The bill drives more non-meritorious claims into the courts, increasing the length of civil trials and delaying compensation to plaintiffs with

legitimate grievances.

● Will clog the courts. AB 1062 undermines enforcement of valid arbitration agreements, which means more cases will go to trial, taking four times longer than arbitration, on average.

● Is a job boon for the plaintiff’s bar. The only people who benefit from sending cases to trial rather than to arbitration are plaintiff’s attorneys, the sponsors of AB 1062. Employers, plaintiffs and taxpayers all benefit from use of arbitration, as it saves money and provides faster relief while still protecting consumer and employee rights.

### **Action Needed**

Contact your senators and urge them to **oppose AB 559 and AB 1062.**

Sample letters are available at [www.calchambervotes.com](http://www.calchambervotes.com).  
**Staff Contact: Mira Guertin**

*Small Business Advocate of the Year*

**Tech Firm Owner Keeps Business Message Before Lawmakers**

Luminex Software, Inc. is situated in Riverside, a city not typically known for its technology sector. Luminex Co-Founder and Chief Technology Officer Brian Hawley, however, sees prime advantages to Riverside's location.

"[Riverside] has four institutions of higher learning, which provides us with an educated applicant pool for entry-level talent," Hawley said.

Riverside also happens to be conveniently close to the Pacific Coast and two national forests, Hawley added, which "appeals to individual interests."

A long-time Riverside resident, Hawley began his extensive advocacy efforts with the Greater Riverside Chambers of Commerce when a friend from the University of California at Riverside invited him to the chamber.

As a person who "loves challenges," Hawley said he joined the organization as a civic service.

He began on the division board and then proceeded to positions of leadership. Hawley serves on a number of boards, including the executive committee and the political action committee. For 2010-2011, Hawley was named chair of the Governmental Affairs Council for the Greater Riverside Chambers.



**Brian Hawley**

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***"Anything that adds more burden that's unnecessary decreases the ability of the company to prosper and therefore hire employees that will then produce revenue to the state. It's all connected."***

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**Advocacy Trail**

For the last six years, Hawley has engaged in numerous advocacy campaigns. This year, he was named a recipient of the California Chamber of Commerce 2011 Small Business Advocate of the Year Award.

"Mr. Hawley exemplifies the true meaning of an effective chamber member," Cindy Roth, president and CEO of the Greater Riverside Chambers, said in nominating Hawley for the award.

In 2010, Hawley testified before local Assembly members at a Legislative Summit on Jobs, urging legislators to consider policies to allow businesses greater opportunities to create new jobs and attract new business to come to California.

At the summit, Hawley advocated for the simplification of rest and meal periods, and a flexible workweek program. He also stressed the need for

regulatory reform, adding that incentives and financing need to be formed to create jobs, putting more people to work.

"Anything that adds more burden that's unnecessary decreases the ability of the company to prosper and therefore hire employees that will then produce revenue to the state," Hawley said. "It's all connected."

Hawley also discussed the implementation of AB 32, the California Global Warming Solutions Act, and its impact on business.

"No matter how noble the cause may be, bills such as AB 32 are hurtful to small businesses, particularly in this economy," Hawley told legislators. "People can talk about how many green jobs [this bill] creates, but I have to ask myself, how many jobs have to be sacrificed for every green job that might be created?"

Hawley was also a member of a

delegation that testified to help secure \$10 million in funding from the state to establish the University of California, Riverside School of Medicine in 2010. Due to budget cuts, the opening of the school has been delayed a year.

The new school is expected to create jobs and stimulate new business to meet the workforce needs for nurses, pharmacy technicians, physician assistants and laboratory technicians. *Greater Riverside Business*, the newsletter of the chamber, estimated the school will generate construction worth more than \$500 million.

**Getting Heard**

"It's the story of the squeaky wheel gets the grease," Hawley said.

Hawley said advocacy is important because legislators "rely on us to tell them what we think about legislation that is in process and needs to be implemented. It's too much to ask legislators to come to each of us individually and ask us."

Moreover, legislation that has a negative impact on business does get passed.

Some legislators "don't understand the impact of some of the stuff they're doing or they don't understand some of the unintended consequences

of some of the stuff they're doing," Hawley said.

Therefore, the only way to get heard is to talk to legislators and spread the word, he said.

"Talk to other people in your community about why these things are important and how it's all interconnected and how you have to say something—you have to stand up and make a difference," he said. "It's not going to happen by itself. If you don't get involved, nothing's going to happen."

Hawley urged those wanting to get involved with advocacy to begin at their local chamber meetings and get involved with what they're passionate about, whether it's economic development, education or government affairs.

"If you get involved, you will find ways of bringing that voice out and turning your thoughts into action and into reality," he said.

## Infrastructure Financing Bill Set for Hearing



A California Chamber of Commerce-supported job creator bill that provides

assistance for local infrastructure financing is scheduled to be considered by the Senate Appropriations Committee on August 15.

**AB 893 (V. M. Pérez; D-Coachella)** creates more infrastructure projects and jobs in small and rural communities by authorizing the California Infrastructure Bank to help these areas locate and

negotiate financing options, including public-private partnership projects with private companies.

Specifically, the bill authorizes the California Infrastructure and Economic Development Bank to provide technical assistance to small and rural communities in the state in obtaining financing for local infrastructure projects.

As often is noted, California needs significant investments in its infrastructure network, both on the state and local levels. Giving the California Infrastructure and Economic Development Bank the authorization to

assist small and rural communities will help to begin addressing the infrastructure needs in these areas of the state.

Addressing infrastructure needs could lead to job creation in communities that have been hit hard by the economic crisis, and could stimulate the broader economy in the area.

Furthermore, with the guidance of the infrastructure bank, local bonds and money would be used strategically for priority projects to ensure taxpayer money is used wisely on the most important projects.

**Staff Contact: Thomas Vu**

## CalChamber-Supported Education Bills Moving in Legislature



### SUPPORT

Two California Chamber of Commerce-supported bills that ensure high school graduates are adequately prepared to compete in and

contribute to the global economy are moving through the Legislature.

**SB 611 (Steinberg; D-Sacramento)**, in combination with SB 612, increases high school graduation rates, improves the college and workforce readiness of those graduates and trains teachers to better prepare California's students to compete in a global economy by emphasizing education programs that provide students with real-world experience and rigorous coursework to help them engage and excel.

Specifically, SB 611 expands the

mission of the University of California Curriculum Integrated Institute (UCII) to include developing, disseminating and promoting career-oriented, integrated academic and technical education courses. This type of coursework increases student engagement and performance by combining rigorous coursework with subjects and experiences students can relate to, and can apply to their future careers.

In addition, the coursework developed as part of the program will ensure students are prepared to enter the University of California system upon graduation.

**SB 612 (Steinberg; D-Sacramento)** works through the California Subject Matter Projects, a proven teacher training program, expanding it to make sure tomorrow's teachers are trained to deliver hands-on, integrated curriculum like that designed through the UCII.

Together, these bills will help elevate the quality of education in California, one of the primary goals of the CalChamber.

### Key Votes

Both SB 611 and SB 612 passed the Assembly Education Committee, 7-2, on July 6.

**Ayes: Ammiano (D-San Francisco), Brownley (D-Santa Monica), Buchanan (D-Alamo), Butler (D-Marina del Rey), Carter (D-Rialto), Eng (D-Monterey Park), Williams (D-Santa Barbara).**

**Noes:** Norby (R-Fullerton), B. Gaines (R-Roseville).

**Absent/Abstaining/Not Voting:** Halderman (R-Fresno), Wagner (R-Irvine).

The bills will be considered by the Assembly Appropriations Committee on August 17.

**Staff Contact: Mira Guertin**

They won't know unless you tell them.  
Write your legislator.

[calchambervotes.com](http://calchambervotes.com)

# CalChamber Status Update Report on Major Legislation for Business

The following list summarizes top priority bills for the California Chamber of Commerce and their status as of July 15, when the Legislature began its summer recess.

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

The CalChamber will publish a second status report in September, showing the

status of priority legislation when the Legislature adjourns for its interim recess on September 9.

October 9 is the last day for the Governor to sign or veto bills passed by the Legislature on or before September 9. The CalChamber will publish its final status report, showing the ultimate fate of priority bills sent to the Governor this year, in October.

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 October 28.

Federal bills are marked with an \*.

Status of bills as of July 15, 2011, when the Legislature began its summer recess. Dates listed are the date the bill was assigned to a committee, the latest date of committee action, the next hearing date or when the bill reached the floor, unless action is stated.

Subject—CalChamber Position	Status
<b>Agriculture and Natural Resources</b>	
<b>Penalties.</b> SB 588 (Evans; D-Santa Rosa) Expands the Coastal Commission's authority by allowing the commission to impose a civil penalty for violations rather than having the Attorney General enforce the violations. Oppose.	Senate Judiciary 3/22/11; Failed Deadline
<b>Penalties.</b> AB 942 (Huber; D-El Dorado Hills) Redirects fines and penalty funds from agency programs that remediate pollution problems to the General Fund. Oppose.	Assembly Natural Resources 3/10/11; Failed Deadline
<b>Infrastructure Improvements.</b> SB 580 (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.	Failed passage in Assembly Water, Parks and Wildlife 6/28/11; Failed Deadline
<b>Reporting.</b> AB 1176 (Williams; D-Santa Barbara) Unsafely accelerates pesticide health reporting requirements and written control measures beyond what's in current law. Oppose.	Failed passage in Assembly Agriculture 5/4/11; Failed Deadline
<b>Sea Level Rise.</b> AB 752 (Brownley; D-Santa Monica) Increases cost to business by requiring premature and likely redundant planning for sea level rise as it relates to climate change on public trust lands. Oppose.	Senate Natural Resources and Water 6/28/11; Failed Deadline
<b>Vertebrate Pest Control.</b> AB 634 (Huber; D-El Dorado Hills) Provides farmers and ranchers an additional tool to help prevent vertebrate pests from destroying California's valuable agricultural products by allowing the use of carbon monoxide for vertebrate pest control purposes. Support.	Senate Third Reading 7/12/11
<b>Pesticides in Schools.</b> SB 394 (DeSaulnier; D-Concord) Unnecessarily bans certain pesticides from use on school grounds. Oppose.	Held in Senate Appropriations Suspense File 5/26/11; Failed Deadline
<b>Vehicles: Load Inspections.</b> AB 316 (Carter; D-Rialto) Before amendments, curtailed metal and agricultural thefts by expanding law enforcement's ability to inspect certain loads for contraband. Neutral. To Governor	To Governor



Subject—CalChamber Position	Status
<b>Banking/Finance</b>	
<b>New Tax.</b> AB 935 (Blumenfield; D-San Fernando Valley) Imposes \$20,000 tax on banks per foreclosure with money distributed to a variety of community agencies and local causes unrelated to foreclosure. Oppose.	Failed Assembly Banking and Finance 4/25/11; Failed Deadline
<b>Delays Residential Construction Industry Recovery.</b> SB 729 (Leno; D-San Francisco) Hinders recovery of the residential construction industry by reducing the availability of credit due to delays in resolving delinquent loans by requiring lenders to determine a borrower's eligibility for a loan modification prior to the filing of a notice of default. Oppose.	Failed passage in Senate Banking and Financial Institutions 5/4/11; Failed Deadline
<b>Stalls Economic Recovery.</b> AB 1321 (Wieckowski; D-Fremont) Interferes with current process of recording mortgage documents in order to prolong the foreclosure process, delaying economic recovery. Oppose.	Held in Assembly 5/3/11; Failed Deadline
<b>Impedes Economic Recovery.</b> AB 645 (Davis; D-Los Angeles) Creates additional fiduciary liability for mortgage brokers for failure to counsel borrowers regarding mortgage options and to report subsequent defaults to credit reporting agencies. Oppose.	Assembly Banking and Finance 3/7/11; Failed Deadline
<b>Impedes Economic Recovery.</b> AB 643 (Davis; D-Los Angeles) Creates disincentive to mortgage lending by creating new complex mortgage counseling requirements for borrowers to be provided by brokers. Oppose.	Failed Assembly Banking and Finance 4/25/11; Failed Deadline
<b>Impedes Economic Recovery.</b> AB 406 (Davis; D-Los Angeles) Restricts access to capital by prohibiting balloon payments on adjustable rate mortgages, thereby limiting mortgage financing options and loan modifications. Oppose.	Failed Assembly Banking and Finance 4/25/11; Failed Deadline
<b>Impedes Economic Recovery.</b> AB 407 (Davis; D-Los Angeles) Restricts access to capital by banning pre-payment penalties in all mortgages, thereby restricting low-cost mortgage options for borrowers. Oppose.	Assembly Banking and Finance 3/3/11; Failed Deadline
<b>California Financial Literacy Fund.</b> AB 597 (Eng; D-Monterey Park) Makes a step toward improving the financial literacy of adults in California by authorizing the State Controller to establish the fund and convene an Advisory Committee for fund oversight made up of state agencies, non-profits and financial institution representatives. Support.	Senate Appropriations Hearing 8/15/11
<b>Climate Change</b>	
<b>Climate Change Tax Increase.</b> SB 535 (De León; D-Los Angeles) Increases costs and discourages job growth by implementing unlimited fees and taxes under a cap-and-trade system. Oppose/ <b>Job Killer.</b>	Assembly Appropriations Hearing 8/17/11
<b>Discourages Emission Reductions.</b> SB 246 (De León; D-Los Angeles) Prohibits finding the most cost-effective ways to reduce emissions, creates uncertainty and significantly increases business costs by imposing new and excessively burdensome requirements on the development and use of compliance offsets in a cap-and-trade program under AB 32. Oppose/ <b>Job Killer.</b>	Held in Senate Appropriations Suspense File 5/26/11; Failed Deadline
<b>Climate Change Tax Increase.</b> SB 237 (Wolk; D-Davis) Increases costs and discourages job growth by implementing unlimited fees and taxes under a cap-and-trade system. Oppose/ <b>Job Killer.</b>	Held in Senate Appropriations Suspense File 5/26/11; Failed Deadline
<b>Expedited Environmental Review.</b> AB 880 (V. M. Pérez; D-Coachella) Streamlines the California Environmental Quality Act approval process for certain projects by allowing industries subject to compliance with greenhouse gas regulations under AB 32 to go through an expedited review through a focused environmental impact report. Support/ <b>Job Creator.</b>	Senate Environmental Quality 6/8/11; Failed Deadline
<b>State Air Resources Board: Regulation.</b> SB 533 (Wright; D-Inglewood) Creates a more clear and reasonable pathway for AB 32 compliance by requiring the California Air Resources Board (CARB) to provide appropriate implementation schedules and other notification requirements for regulations adopted by the CARB pursuant to AB 32. Support.	Assembly Appropriations Hearing 8/17/11



Subject—CalChamber Position	Status
<b>State Air Resources Board: Dispute Resolution.</b> AB 1095 (B. Berryhill; R-Ceres) Ensures a transparent process for reviewing disputes between regulated parties and the California Air Resources Board (ARB) by creating a hearing board within the ARB. Support.	Senate Environmental Quality 6/22/11; Failed Deadline
<b>Education</b>	
<b>More College Graduates.</b> SB 292 (Padilla; D-Pacoima) Increases the number of degrees earned at the community college level, and guarantees that more students eventually transfer to a baccalaureate program to help meet the future demands of the state's economy by improving the transfer-degree program established by SB 1440 (Padilla) last year. Support.	Assembly Appropriations Hearing 8/17/11
<b>High-Quality Curriculum.</b> SB 611 (Steinberg; D-Sacramento) In combination with SB 612, increases high school graduation rates, improves the college and workforce readiness of those graduates and trains teachers to better prepare California's students to compete in a global economy by emphasizing education programs that provide students with real-world experience and rigorous coursework to help them engage and excel. Support.	Assembly Appropriations Hearing 8/17/11
<b>High-Quality Instruction.</b> SB 612 (Steinberg; D-Sacramento) In combination with SB 611, increases high school graduation rates, improves the college and workforce readiness of those graduates and trains teachers to better prepare California's students to compete in a global economy by emphasizing education programs that provide students with real-world experience and rigorous coursework to help them engage and excel. Support.	Assembly Appropriations Hearing 8/17/11
<b>Teacher Quality.</b> SB 355 (Huff; R-Diamond Bar) Improves the quality of teachers in California, and makes sure that, when schools must lay off teachers due to budget cuts, they have the ability to make cuts based on teacher quality, rather than just on seniority. Support.	Failed passage in Senate Education 5/11/11; Failed Deadline
<b>Elections and Fair Political Practices</b>	
<b>Check and Balance Denial.</b> SB 168 (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
<b>Energy</b>	
<b>Electricity Ratepayer Tax.</b> AB 723 (Bradford; D-Gardena) Extends a tax, commonly referred to as the Public Goods Charge, on electricity ratepayers in the investor-owned utility territories an additional eight years. Oppose.	Senate Energy, Utilities and Communications 6/29/11
<b>Electricity Ratepayer Tax.</b> AB 1303 (Williams; D-Santa Barbara) Extends a tax, commonly referred to as the Public Goods Charge, on electricity ratepayers in the investor-owned utility territories, an additional eight years. Oppose.	Senate Energy, Utilities and Communications 7/7/11
<b>Electricity Tax.</b> SB 585 (Kehoe; D-San Diego) Increases costs to business by extending a tax on electricity ratepayers to fund a shortfall in the California Solar Initiative Program. Oppose.	Assembly Third Reading 7/14/11
<b>Electricity Ratepayer Tax.</b> SB 35 (Padilla; D-Pacoima) Increases costs to business by creating a new program expected to be funded with a tax on electricity ratepayers. Oppose.	Assembly Natural Resources 7/11/11
<b>Electricity Tax.</b> AB 1150 (V. M. Pérez; D-Coachella) Increases costs to business by extending a tax on electricity ratepayers to fund the Self-Generation Incentive Program for an additional year. Oppose.	Senate Appropriations Hearing 8/15/11
<b>Protects Ratepayer Funds.</b> SB 939 (Wright; D-Inglewood) Streamlines the collection and allocation of funds collected for the Gas Consumption Surcharge Fund. Support.	Assembly Appropriations Hearing 8/17/11

Subject—CalChamber Position	Status
<b>Discourages Energy Independence.</b> AB 37 (Huffman; D-San Rafael) Disrupts and discourages the advancement of energy independence and inhibits economic growth by requiring the California Public Utilities Commission (CPUC) to immediately suspend the deployment of advanced meters (smart meters) until the CPUC develops alternative smart meter options for customers. Oppose.	Assembly Utilities and Commerce 1/24/11
<b>Energy Efficiency Standards.</b> SB 454 (Pavley; D-Agoura Hills) Before amendments, expanded the police powers of the California Energy Commission related to energy efficiency standards. Removed opposition following amendments. Neutral	Assembly Appropriations Hearing 8/17/11
<b>Economic Impacts. Unfunded Mandate.</b> AB 1180 (Bradford; D-Gardena) Before amendments, required the State Water Board to develop a report on the economic cost of the new once-through cooling policy for power plants on ratepayers. Removed support following amendments. No Position.	Senate Third Reading 7/11/11

## Environmental Regulation

<b>Polystyrene Food Container Ban.</b> SB 568 (Lowenthal; D-Long Beach) Threatens thousands of manufacturing jobs within the state by inappropriately banning all food vendors from using polystyrene foam food service containers, ignoring the numerous environmental benefits associated with polystyrene products. Oppose/ <b>Job Killer</b> .	Assembly Appropriations Hearing 8/17/11
<b>Increased Transportation Costs.</b> AB 638 (Skinner; D-Berkeley) Increases costs on consumers and business by mandating an unrealistic reduction of petroleum fuel consumption with an unrealistic increase in alternative fuel consumption to 15% below 2003 levels by 2020. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Consumer Product Ban.</b> AB 1319 (Butler; D-Marina del Rey) Prejudges the work product of the forthcoming, science-driven Green Chemistry Program by banning the use of bisphenol A (BPA) in specified consumer products. Oppose.	Senate Third Reading 7/12/11
<b>Recycled Food/Beverage Containers.</b> AB 837 (Nestande; R-Palm Desert) Unfairly establishes a system of patchwork enforcement by allowing any city, county or the state to impose civil liability for a violation of a recycled content advertising claim, imposing a competitive disadvantage upon California businesses, and creating a disincentive for using recycled materials. Oppose.	Senate Environmental Quality 6/20/11; Failed Deadline
<b>Oil Spill Prevention and Administration Fees.</b> AB 1112 (Huffman; D-San Rafael) Enables ongoing raids on Oil Spill Prevention and Response Programs by proposing a 60% increase in the assessment that supports the Office of Spill Prevention and Response. Oppose.	Senate Appropriations Hearing 8/15/11
<b>Hazardous Waste.</b> SB 909 (LaMalfa; R-Richvale) Provides businesses and government that use treated wood products with the most cost-effective guidance and health-and-safety protection for disposing of treated wood waste, saving tens of millions of dollars each year in disposal costs. Support.	Assembly Third Reading 7/11/11
<b>Green Chemistry.</b> SB 178 (Simitian; D-Palo Alto) Amplifies the Green Ribbon Science Panel's role in the development of green chemistry regulations at the Department of Toxic Substances Control without a correlating increase in process transparency and public oversight. Oppose Unless Amended.	Assembly Environmental Safety and Toxic Materials 4/28/11; Failed Deadline
<b>Toxic Substances.</b> SJR 3 (Pavley; D-Agoura Hills) Attempts to paint an incomplete and scientifically flawed picture of federal chemical policy by urging federal government to enact legislation to modernize the federal Toxic Substances Control Act of 1976. Oppose.	Chapter 62

## Government Procurement

<b>Harms Private Employers.</b> SB 252 (Vargas; D-Golden Hill) Creates risk of financial and competitive damage to public and private firms by requiring the disclosure of sensitive information, and could lessen competition for state contracts and drive up state costs. Oppose.	Failed passage in Assembly Business, Professions and Consumer Protection 7/5/11; Reconsideration Granted
<b>Bid Preference.</b> SB 497 (Rubio; D-E. Bakersfield) Increases the cost of state contracts by establishing a 5% bid preference for businesses with at least 90% of their employees residing in California who provide goods to the state. Oppose.	Assembly Appropriations Suspense File 7/13/11

Subject—CalChamber Position	Status
<b>Bid Preference.</b> SB 175 (Corbett; D-San Leandro) Increases the cost of state contracts and limits choice by establishing a 5% bid preference to businesses that use California-manufactured solar panels. Oppose.	Failed passage in Assembly Business, Professions and Consumer Protection 7/5/11; Failed Deadline
<b>Targets Private Sector Contracts.</b> AB 172 (Eng; D-Monterey Park) Before amendments, sought to eliminate outsourcing of government service contracts by posting all state contracts on line with employment numbers and costs, and also imposed severe penalties on employers for failing to provide agencies with the requested information by the deadline. Opposition removed due to amendments. No Position.	Senate Third Reading 7/13/11
<b>Health</b>	
<b>Rate Regulation.</b> AB 52 (Feuer; D-Los Angeles) Imposes implementation fees on health insurers to support additional bureaucracy and to regulate rates without addressing the costs that drive the rates. Oppose/ <b>Job Killer.</b>	Senate Appropriations Hearing 8/15/11
<b>Government-Run Health Care.</b> SB 810 (Leno; D-San Francisco) Creates a new government-run, multibillion-dollar socialized health care system supported by an unspecified “premium structure” to be determined by 2014 by prohibiting the sale of any private health care insurance. Oppose.	Senate Appropriations 5/19/11; Failed Deadline
<b>Increased Costs: Mandated Autism Benefit Coverage.</b> AB 171 (Beall; D-San Jose) Increases health insurance premiums and increases the ranks of the uninsured by mandating that all health policies cover screening, diagnosis and treatment for autism. Oppose.	Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Increased Costs: Health Care Mandate.</b> SB 166 (Steinberg; D-Sacramento) Increases health insurance premiums and increases the ranks of the uninsured by requiring all health plans and health insurance plans to provide coverage for behavioral intervention therapy for autism. Oppose.	Senate Health 4/27/11; Failed Deadline
<b>Increased Costs.</b> AB 310 (Ma; D-San Francisco) Increases health insurance premiums and increases the ranks of the uninsured by limiting co-pays and out-of-pocket expenses for prescriptions. Oppose.	Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Increased Costs: Mandated Maternity Health Benefit Coverage.</b> AB 185 (R. Hernández; D-West Covina) Increases health insurance premiums and increases the ranks of the uninsured by mandating that all health insurance policies provide maternity coverage. Oppose.	Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Increased Costs: Mandated Maternity Health Benefit Coverage.</b> SB 155 (Evans; D-Santa Rosa) Increases health insurance premiums and increases the ranks of the uninsured by mandating that all health insurance policies provide maternity coverage. Oppose.	Assembly Appropriations Hearing 8/17/11
<b>Increased Costs: Mandated Mental Health Benefit Coverage.</b> AB 154 (Beall; D-San Jose) Increases health insurance premiums and increases the ranks of the uninsured by mandating that all health policies cover an expanded list of mental health services. Oppose.	Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Increased Costs: Mandated Acupuncture Benefit Coverage.</b> AB 72 (Eng; D-Monterey Park) Increases health insurance premiums and increases the ranks of the uninsured by mandating that all health policies cover acupuncture services. Oppose.	Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Increased Costs: Health Care Mandate.</b> AB 369 (Huffman; D-San Rafael) Increases health care premiums by eliminating current cost controls and unraveling consumer protections in the use of prescription pain medicines by eliminating the practice of step therapy. Oppose.	Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Increased Costs: Health Care Mandate.</b> AB 428 (Portantino; D-La Cañada Flintridge) Increases health care premiums by mandating fertility preservation services for specific circumstances. Oppose.	Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Increased Costs: Health Care Mandate.</b> AB 1000 (Perea; D-Fresno) Increases health care premiums by limiting co-payments for one type of pharmaceutical—orally administered anti-cancer medications. Oppose.	Assembly Appropriations Suspense File 5/27/11; Failed Deadline

Subject—CalChamber Position	Status
<b>Curbs Illegal Drug Manufacturing.</b> AB 1280 (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 Appropriations Hearing 8/15/11
<b>Unreasonable Prescription Requirement.</b> SB 315 (Wright; D-Inglewood) Increases the cost of health care coverage for everyone by forcing individuals to obtain a prescription for pseudoephedrine products that are now available without a prescription; by making them available exclusively by prescription, the state loses sales tax revenue. Oppose.	Senate Health 4/26/11; Failed Deadline
<b>Increased Costs.</b> SB 136 (Yee; D-San Francisco) Before gutted and amended, increased health care premiums by mandating that health policies cover smoking cessation services, unless the California Health Benefits Review Program finds there would be a net increase in state costs. Opposition removed due to amendments; now deals with an entirely different issue. No Position.	Assembly Appropriations Hearing 8/17/11
<b>Health Care Expenses Tax Deductions.</b> AB 854 (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 near-term medical expenses and save for future longer-term medical costs. Support.	Held in Assembly Revenue and Taxation Suspense File 5/16/11
<h2 style="color: red;">Housing and Land Use</h2>	
<b>Usurps Local Control.</b> SB 833 (Vargas; D-Golden Hills) Undermines employer confidence in local land use decisions and sets a precedent for the Legislature to invalidate them based on arbitrary criteria. Oppose.	Assembly Appropriations Hearing 8/17/11
<b>Stifles Economic Development.</b> SB 469 (Vargas; D-Golden Hills) Undermines local land use discretion by mandating an additional and costly economic and community impact report prior to approving a permit to construct a large retail establishment. Oppose.	Assembly Appropriations Hearing 8/17/11
<b>Regulatory Reform.</b> SB 643 (Correa; D-Santa Ana) Helps provide a clearer understanding of the economic impacts of new housing regulations by requiring agencies to specifically cite their “estimated cost of compliance” associated with a proposed regulation and to make available the assumptions/analysis used in arriving at those estimated costs. Support.	Assembly Appropriations Suspense File 7/7/11
<b>New Home Construction.</b> AB 208 (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.	Chapter 88
<b>Building Standards Commission.</b> AB 930 (Gordon; D-Menlo Park) Adds a requirement that at least one commissioner on the Building Standards Commission be experienced and knowledgeable in green building design. Support If Amended.	Senate Third Reading 7/12/11
<b>Environment: California Environmental Quality Act (CEQA).</b> SB 241 (Cannella; R-Ceres) Facilitates job creation by giving a limited number of environmentally sound development projects protection from CEQA lawsuits. This benefit will allow projects that have met their CEQA requirements to break ground sooner, which will create badly needed jobs and spur economic growth. Support.	Failed passage in Senate Environmental Quality 5/2/11; Failed Deadline
<h2 style="color: red;">Immigration</h2>	
<b>Electronic Employment Verification.</b> AB 1236 (Fong; D-Cupertino) Avoids creation of a patchwork of inconsistent and incompatible state and local laws by prohibiting the State of California, and cities, counties or special districts from requiring employers to use the federal E-Verify system for electronic verification of employees’ eligibility to work in the United States. Support.	Senate Third Reading 6/9/11



Subject—CalChamber Position	Status
<b>Industrial Safety and Health</b>	
<b>Undermines Employer Rights.</b> SB 829 (DeSaulnier; D-Concord) Undermines employer rights in California Division of Occupational Safety and Health (Cal/OSHA) citations by allowing private parties to interfere with the appeals process, which could impose significant costs on employers, the Cal/OSHA Appeals Board and on Cal/OSHA. Oppose/ <b>Job Killer</b> .	Assembly Appropriations Hearing 8/17/11
<b>Unwarranted Pre-emption.</b> AB 553 (Monning; D-Carmel) Eliminates transparency and accountability in setting workplace exposures to hazardous substances by pre-empting California's Occupational Safety and Health Standards Board and Division of Occupational Safety and Health statutory authority to craft and adopt rational and science-based consensus standards. Oppose.	Held in Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Unnecessary Regulation.</b> SB 432 (De León; D-Los Angeles) Increases costs to lodging establishments by directing Cal/OSHA to regulate the use of sheets and cleaning tools for hotel/motel housekeepers. Oppose.	Assembly Appropriations Hearing 8/17/11
<b>Insurance</b>	
<b>Increases Insurance Costs.</b> AB 1063 (Bradford; D-Gardena) Forces a higher level of underinsured motorist coverage at a higher cost for motorists without offering them the opportunity to choose or reject this increased coverage. This eliminates the choice and flexibility of consumers to control the limits and cost for coverage. Oppose Unless Amended.	Assembly Rules 5/5/11; Failed Deadline
<b>International Relations/Trade</b>	
<b>U.S.-South Korea Free Trade Agreement (FTA).</b> SJR 4 (Harman; R-Huntington Beach) Asks Congress to approve the U.S.-South Korea FTA, which would lower tariffs and increase trade between the two countries. Support/ <b>Job Creator</b> .	Failed passage in Senate Business, Professions and Economic Development 6/13/11; Reconsideration Granted
<b>Better Trade Promotion.</b> SB 460 (Price; D-Los Angeles) Supports California's international trade efforts by giving the Business Transportation and Housing Agency more authority over trade promotion, and requires the organizing of a statewide business partnership for international trade and promotion. Support/ <b>Job Creator</b> .	Assembly Appropriations Hearing 8/17/11
<b>Encourages Foreign Investment.</b> SCR 33 (Price; D-Los Angeles) Encourages foreign direct investment in California by promoting more access to EB-5 visas. Support.	Chapter 60
<b>State Contracting.</b> SB 861 (Corbett; D-San Leandro) Forbids the state from contracting for goods from companies that violate federal law dealing with conflict minerals from the Democratic Republic of Congo. Neutral.	Assembly Appropriations Hearing 8/17/11
<b>*U.S.-Colombia Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. The agreement also will increase momentum toward lowering trade barriers and set a positive example for other small economies in the Western Hemisphere. Support.	Pending Congressional Action
<b>*U.S.-Korea Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries and is a critical element of the U.S. strategy to liberalize trade through multilateral, regional and bilateral initiatives. Support.	Pending Congressional Action
<b>*U.S.-Panama Free Trade Agreement.</b> A bilateral free trade agreement that will lower tariffs and foster increased trade between both countries. The agreement also will increase momentum toward lowering trade barriers and set a positive example for other small economies in the Western Hemisphere. Support.	Pending Congressional Action

Subject—CalChamber Position	Status
<b>Labor and Employment</b>	
<b>Paid Sick Leave Mandate.</b> AB 400 (Ma; D-San Francisco) Unreasonably expands both public and private employers' costs and liability by mandating employers to provide paid sick leave for employees. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Employee Safety Risk.</b> SB 129 (Leno; D-San Francisco) Undermines employers' ability to provide a safe and drug-free workplace by establishing a protected classification for employees who utilize medical marijuana. Oppose/ <b>Job Killer</b> .	Senate Inactive File 6/2/11; Failed Deadline
<b>Hampers Employment Decisions.</b> AB 22 (Mendoza; D-Artesia) Unfairly limits private employers' ability to use consumer credit reports for legitimate employment purposes, unless the information in the report is "substantially job-related" and for a "managerial position." Oppose/ <b>Job Killer</b> .	Senate Appropriations Hearing 8/15/11
<b>Automatic Minimum Wage Increase.</b> AB 10 (Alejo; D-Watsonville) Creates uncertainty by imposing an automatic indexing of the minimum wage based on inflation that fails to take into account the current economic status of the state. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Costly Employee Retention Mandate.</b> AB 350 (Solorio; D-Anaheim) Inappropriately alters the employment relationship by requiring any successor contractor for "property services," defined as licensed security, building maintenance, window cleaning or food cafeteria services, to retain employees of the former contractor for 90 days and thereafter offer continued employment unless the employees' performance during the 90-day period was unsatisfactory. Oppose/ <b>Job Killer</b> .	Senate Appropriations Hearing 8/15/11
<b>Increased Agricultural Costs.</b> SB 104 (Steinberg; D-Sacramento) Attempts to limit employees' ability to independently and privately vote for unionization in the workplace, by essentially eliminating a secret ballot election and replacing it with the submission of representation cards signed by over 50% of the employees, which leaves employees susceptible to coercion and manipulation by labor organizations. Oppose/ <b>Job Killer</b> .	Vetoed
<b>Family and Medical Leave Expansion.</b> AB 59 (Swanson; D-Alameda) Creates an increased burden on employers and makes a California-only mandated benefit different than the federal family leave act by significantly expanding the category of individuals with serious health conditions for whom an employee can take a leave of absence. Oppose/ <b>Job Killer</b> .	Held in Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Unpaid Bereavement Leave.</b> AB 325 (B. Lowenthal; D-Long Beach) Adds to California's reputation of being an overly litigious state by creating a private right of action and mandating an employer to provide an employee with up to three days of unpaid bereavement leave. Oppose/ <b>Job Killer</b> .	Senate Appropriations 7/15/11
<b>Unreasonable Government Intrusion Into Employer/Employee Relationship.</b> AB 508 (Swanson; D-Alameda) Unreasonable government intrusion upon an employer's right to hire and/or terminate employees, by forcing an employer who wants to receive a bid preference for public contracts for solid waste handling or recycling, to agree to hire the prior contractors' employees. Oppose.	Senate Appropriations 6/23/11
<b>Payroll Cards.</b> AB 51 (Yamada; D-Davis) Imposes significant burdens and restrictions on employers with regard to the use of payroll cards that will discourage any employer from utilizing this method of payment as an option for their employees. Oppose.	Senate Banking and Financial Institutions 6/23/11
<b>Interference with Employment Contracts.</b> AB 267 (Swanson; D-Alameda) Limits parties' right to contract by characterizing any non-California choice of forum clauses and/or choice of law clauses in employment contracts as void and unenforceable, unless additional compensation is paid to include such provisions. Oppose.	Senate Third Reading 7/7/11
<b>Duplicative and Burdensome Notice Requirement on Employers.</b> AB 469 (Swanson; D-Alameda) Imposes a burdensome and duplicative notice requirement on employers that could subject them to potential litigation. Oppose.	Senate Appropriations Hearing 8/15/11
<b>New Liability for Using Independent Contractors.</b> SB 459 (Corbett; D-San Leandro) Creates additional uncertainty for employers who use independent contractors by imposing new penalties for the unknowing misclassification of someone as an independent contractor even though state agencies provide no clear or consistent definition of an independent contractor. Oppose.	Assembly Appropriations Hearing 8/17/11

Subject—CalChamber Position	Status
<b>Attack on the Independent Contractor Relationship.</b> AB 950 (J. A. Pérez; D-Los Angeles) Directly attacks the independent contractor relationship by deeming drayage truck operators as employees of the persons who contract for their services. Oppose.	Assembly Inactive File 6/2/11; Failed Deadline
<b>Onerous Wage-and-Hour Mandates for Individual Homeowners.</b> AB 889 (Ammiano; D-San Francisco) Requires individual homeowners who hire “domestic work employees” to comply with onerous wage-and-hour mandates that even sophisticated businesses in California struggle to satisfy, thereby discouraging such homeowners from retaining the services of these domestic work employees. Oppose.	Senate Appropriations Hearing 8/15/11
<b>Bone Marrow/Organ Donation Leave.</b> SB 272 (DeSaulnier; D-Concord) Provides employers certainty as to how paid leave should be implemented for paid bone marrow and/or organ donations by clarifying its requirements. Sponsor/Co-Sponsor.	To Governor
<b>Personnel Records Inspection.</b> AB 1399 (Committee on Labor and Employment) Imposes overly burdensome restrictions and demands on employers by requiring an employer to maintain personnel records for four years, allowing current or former employees to inspect the records within 21 days of a written or oral request, and imposing a \$750 penalty as well as attorney’s fees for failure to maintain the records or allow an inspection. Oppose.	Held in Assembly Appropriations Suspense File 5/27/11; Failed Deadline
<b>Alternative Workweek Schedules.</b> SB 378 (Dutton; R-Rancho Cucamonga) Provides significant benefits and flexibility for employers and employees who want to implement alternative workweek schedules. Sponsor/Co-Sponsor.	Senate Labor and Industrial Relations 2/24/11; Failed Deadline
<b>Meal Periods.</b> SB 389 (Dutton; R-Rancho Cucamonga) Provides employers certainty with regard to meal periods and rest periods by stating that the exclusive remedy for a missed meal period or rest period is one hour of pay at the employee’s regular rate of pay. Support.	Senate Labor and Industrial Relations 5/4/11
<b>Employers: Good Faith Defense.</b> SB 883 (Correa; D-Santa Ana) Provides employers who rely in good faith upon and in conformity with the opinions, interpretations, guidance, advice, or orders of the Division of Labor Standards Enforcement with an affirmative defense against claims challenging the validity of the employer’s wage-and-hour practices on such issues. Sponsor/Co-Sponsor.	Senate Labor and Industrial Relations 3/10/11; Failed Deadline
<b>Punitive Administrative Penalties.</b> AB 240 (Bonilla; D-Concord) Allows the Labor Commissioner of the Division of Labor Standards Enforcement (DLSE), a politically influenced position and agency, the authority to award liquidated damages pursuant to any complaint brought before the DLSE that alleges payment of less than the minimum wage. Oppose.	Senate Third Reading 7/12/11
<b>Liability Exposure to Farmers.</b> AB 243 (Alejo; D-Watsonville) Improperly attempts to create joint liability for farmers by requiring farm labor contractors to print on employee pay stubs the name and address of the entity that contracted with the farm labor contractor. Oppose.	Senate Appropriations Hearing 8/15/11
<b>Written Commission Agreements.</b> AB 1396 (Committee on Labor and Employment) Before amendments, subjected employers to triple damages for failure to set forth commission agreements in writing. Neutral.	Senate Third Reading 7/7/11
<b>Wage Disputes: Waiver of Claims.</b> AB 1286 (Fuentes; D-Sylmar) Significantly undermines and discourages the efficient resolution of wage-and-hour litigation through negotiated settlements. Oppose.	Assembly Labor and Employment 4/28/11; Failed Deadline
<b>Legal Reform and Protection</b>	
<b>Undermines Efficient Dispute Resolution.</b> AB 1062 (Dickinson; D-Sacramento) Dramatically increases litigation costs for employers by eliminating the right to appeal a court order denying or dismissing a petition to compel arbitration, driving more cases into the courts. Oppose/ <b>Job Killer</b> .	Senate Third Reading 6/29/11
<b>Undermines Judicial Discretion.</b> AB 559 (Swanson; D-Alameda) Unreasonably increases business litigation costs by limiting judicial discretion to reduce or deny exorbitant attorneys fees in fair employment and housing claims that should have been raised in a limited civil proceeding. Oppose Unless Amended/ <b>Job Killer</b> .	Senate Third Reading 6/15/11

Subject—CalChamber Position	Status
<b>Court Inefficiency.</b> AB 1208 (C. Calderon; D-Montebello) Creates uncertainty, inefficiency and unpredictability for litigants, further aggravating California’s reputation as a bad place to do business, by decentralizing control of trial court funds. Oppose/ <b>Job Killer</b> .	Assembly 5/27/11; Failed Deadline
<b>Technology Sector Liability.</b> SB 242 (Corbett; D-San Leandro) Worsens California’s reputation as a highly litigious state by exposing tech-sector employers to unlimited civil liability, and creates an unworkable regulatory scheme with which Internet companies must comply. Oppose/ <b>Job Killer</b> .	Failed passage in Senate 6/2/11; Failed Deadline
<b>Undermines MICRA Liability Protections.</b> SB 558 (Simitian; D-Palo Alto) Encourages plaintiffs’ attorneys to bring actions under the California Elder Abuse and Dependent Adult Civil Protection Act (EADACPA) and avoid limits placed on recovery of damages for pain and suffering, by lowering the evidentiary standard for proving elder abuse under the EADACPA. Oppose.	Assembly Appropriations Suspense File 7/13/11
<b>Unnecessarily Harms State Tourism.</b> AB 753 (Monning; D-Carmel) Potentially bankrupts rental car companies in the event a vehicle model in their fleet is subject to a federal recall, whether or not the recall poses an imminent harm to renters. Oppose.	Senate Appropriations Hearing 8/15/11
<b>Unjust Litigation.</b> AB 1207 (Furutani; D-South Los Angeles County) Increases unjustified litigation by removing the statute of limitations in lawsuits for any claims related to exposure to a pollutant or hazardous substance. Oppose.	Assembly Judiciary 4/28/11; Failed Deadline
<b>Clarifies Civil Procedure.</b> AB 1403 (Committee on Judiciary) In part, amends the Code of Civil Procedure to provide certainty for parties by establishing a deadline, in the absence of one set by the court, for accepting or rejecting a conditional order with an addition or reduction of damages. Support.	Senate Third Reading 7/12/11
<b>Harms Landlords.</b> AB 934 (Feuer; D-Los Angeles) Undoes the holding of <i>Action Apartment Association v. Santa Monica Rent Control Board</i> (2007), which indirectly protected landlords from suit under a local ordinance regulating harassing eviction notices for tenants. Oppose.	Failed passage in Assembly 6/3/11; Failed Deadline
<b>Stops Frivolous Litigation.</b> SB 603 (Berryhill; R-Ceres) Protects employers from frivolous lawsuits by expanding the definition of a “vexatious litigant” to include plaintiffs represented by an attorney. Support.	Failed passage in Senate Judiciary 5/10/11; Failed Deadline
<b>Stops Frivolous Litigation.</b> AB 20 (Halderman; R-Fresno) Discourages frivolous lawsuits over alleged residential construction defects by requiring an attorney to notify clients or potential clients that evidence of the construction defect must be disclosed to potential buyers in a subsequent sale of the property. Support.	Failed passage in Assembly Judiciary 3/15/11; Failed Deadline
<b>Punitive Damages.</b> AB 158 (Halderman; R-Fresno) Helps improve California’s rock-bottom legal climate by protecting manufacturers, distributors and sellers of products from punitive damages if those products meet government requirements, unless there is sufficient evidence that an individual or entity intentionally withheld or misrepresented information from a regulating agency. Support.	Failed passage in Assembly Judiciary 3/15/11; Failed Deadline
<b>Civil Damages.</b> AB 556 (Wagner; R-Irvine) Requires the judge, rather than the jury, to determine the amount of a punitive damages award once the jury has decided punitive damages are warranted in a civil case. Support.	Failed passage in Assembly Judiciary 3/22/11; Failed Deadline
<b>Class Action Litigation.</b> AB 271 (Nestande; R-Palm Desert) Brings fairness to class action lawsuits in California by allowing a party to appeal an order granting or denying class action certification at the discretion of the appellate court. Support.	Failed passage in Assembly Judiciary 3/22/11; Failed Deadline
<b>Limits Attorneys Fees.</b> SB 287 (Fuller; R-Bakersfield) Protects auto dealers by limiting the circumstances under which a plaintiff can obtain attorney’s fees and costs in actions dealing with the legality of an automobile sales contract. Support.	Senate Judiciary 2/24/11; Failed Deadline
<b>New Lawsuits Against Small Business.</b> SB 111 (Yee; D-San Francisco) Before amendments, could have resulted 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. Removed opposition due to amendments. No Position/ <b>Former Job Killer</b> .	Senate Concurrence 7/11/11



Subject—CalChamber Position	Status
<b>Legal Burden for Rental Car Companies.</b> AB 621 (C. Calderon; D-Montebello) Before amendments, required car rental companies to accept service of process for international renters who purchase supplemental liability coverage, and to notify them of service. Removed opposition due to amendments. No Position.	Senate Third Reading 7/12/11
<b>Business-to-Business Contract Rights.</b> SB 684 (Corbett; D-San Leandro) Before amendments, unnecessarily limited the freedom of businesses to negotiate choice-of-law provisions in contracts governing workers' compensation claims. Removed opposition due to amendments. No Position.	Assembly Third Reading 7/14/11
<b>Promotes Arbitration.</b> AB 456 (Wagner; R-Irvine) Before amendments, required courts to suspend proceedings, after motion of one of the parties, to allow for arbitration according to a self-executing arbitration agreement. Removed support due to amendments. No Position.	Assembly Concurrence 7/14/11
<b>Local Government</b>	
<b>Disincorporates the City of Vernon.</b> AB 46/AB 781 (J. A. Pérez; D-Los Angeles) Eliminates a charter city that is set up to serve industrial enterprises in an efficient and cost-effective way. Oppose.	AB 46 – Senate Third Reading 6/28/11; AB 781 – Senate Appropriations Hearing 8/15/11
<b>Local Government Bankruptcies.</b> AB 506 (Wieckowski; D-Fremont) Adds an unnecessary layer of bureaucracy for local government entities that need to file for bankruptcy and could, potentially, raise costs to the business community and the state. Oppose.	Senate Rules 7/12/11
<b>Anti-Privatization of Public Services.</b> AB 438 (Williams; D-Santa Barbara) Excludes private sector from contracting to provide library services by establishing burdensome requirements on local governments that operate library systems, and creates a bad precedent for future efforts to privatize services. Oppose.	Senate Third Reading 7/12/11
<b>Other</b>	
<b>Retail Restrictions.</b> SB 331 (Padilla) Severely restricts retailers from growing their businesses in California by limiting the sale of a legal product in a legal venue. Oppose.	Senate Governance and Finance 5/4/11; Failed Deadline
<b>Self-Serve Checkout.</b> AB 183 (Ma; D-San Francisco) Unnecessarily prohibits the cost-saving process of self-service checkout of alcoholic beverages and slows checkout at retailers. Oppose.	Senate Appropriations Hearing 8/15/11
<b>Reduces Costs.</b> AB 6 (Fuentes; D-Sylmar) Reduces costs associated with, and simplifies the reporting system for, both CalFresh and CalWORKs and maximizes critical federal nutrition benefits for needy families. Support.	Senate Appropriations Hearing 8/15/11
<b>Food Labeling.</b> AB 88 (Huffman; D-San Rafael) Intends to require state-only labeling on genetically engineered salmon. Oppose.	Failed passage in Assembly Appropriations 5/18/11; Failed Deadline
<b>Food Safety.</b> SB 303 (Padilla; D-Pacoima) Clarifies which food facilities are subject to food safety training rules and who can offer the certification courses. Safety training reduces the incidence of foodborne illness, which reduces liability for restaurants. Support.	Assembly Consent Calendar 7/14/11
<b>Clarification of Definition.</b> SB 32 (Leno; D-San Francisco) Adds clarity to the definition of “rectifier” within the Alcoholic Beverage Control Act by excluding any on-sale licensee that colors, flavors or blends distilled spirits or wine products on the licensed premises. Support.	Assembly Appropriations Hearing 8/17/11
<b>Privacy and Confidentiality</b>	
<b>Regulatory Burden.</b> SB 761 (Lowenthal; D-Long Beach) Creates an unnecessary, unenforceable and unconstitutional regulatory burden on Internet commerce by indirectly regulating virtually all businesses that collect, use or store information from a website. Oppose/ <b>Job Killer.</b>	Senate Appropriations 5/10/11; Failed Deadline

Subject—CalChamber Position	Status
<b>Online Transaction Authentication.</b> AB 1080 (C. Calderon; D-Montebello) Mandates a regressive and unworkable online transaction authentication system for companies that process online financial transactions. Also establishes a new private right of action to recover actual damages. Oppose.	Assembly Judiciary 5/9/11; Failed Deadline
<b>Identity Theft.</b> SB 208 (Alquist; D-Santa Clara) Authorizes restitution for expenses for a period of three years to monitor an identity theft victim’s credit report and for the costs to repair the victim’s credit. Support.	Chapter 45
<b>Credit Cards: Zip Codes.</b> AB 1219 (Perea; D-Fresno) Amended from a broad-based bill to a bill that provides clarification for those instances when an entity that accepts credit cards may not request certain types of personal identification information (PII) to complete the transaction. Specifically, this bill exempts from the prohibition against collecting and retaining PII when the PII is used solely for preventing fraud, theft or identify theft in a sales transaction at a retail motor fuel dispenser or retail motor fuel payment island automated cashier. Neutral.	Senate Judiciary 6/22/11; Failed Deadline
<b>Regulatory Reform</b>	
<b>Process Reform.</b> SB 14 (Wolk; D-Davis) Improves the operation of state agencies through performance-based budgeting. The periodic review provided by this bill will ensure that agencies and their programs remain up to date and relevant, serving the most important needs in California and preserving scarce public resources. Support.	Assembly Budget 6/13/11
<b>Reforms Burdensome Regulations.</b> SB 396 (Huff; R-Diamond Bar) Creates an ongoing process to review old regulations and establish a process to keep regulations up to date, including analysis of costs, relevance and need for updating to become more effective or less burdensome. Support.	Failed passage in Senate Environmental Quality 5/2/11; Failed Deadline
<b>Reforms Burdensome Regulations.</b> SB 400 (Dutton; R-Rancho Cucamonga) Adds specific cost and job impacts analysis and an assessment of alternatives during the process of adopting, amending or repealing a regulation. Support.	Failed passage in Senate Environmental Quality 5/2/11; Failed Deadline
<b>Imposes Regulatory Review Process.</b> SB 366 (Calderon; D-Montebello) Imposes a regulatory review process that would take agency time and resources yet is not designed to solve any of the significant problems with the California regulatory environment. No Position.	Senate Governmental Organization 2/24/11
<b>Taxation</b>	
<b>Multiple Tax Increases.</b> SBX1 23 (Committee on Budget and Fiscal Review) Mischaracterized “budget trailer bill” that is not necessary to implement the state budget. Rather, this bill creates uncertainty for taxpayers by providing 58 counties, over 70 community college districts, and over 1,000 school districts, subject to voter approval, the authority to impose and/or increase a local tax on all products and services. Oppose/ <b>Job Killer.</b>	Senate Third Reading 6/10/11
<b>Multiple Tax Increases.</b> SB 653 (Steinberg; D-Sacramento) Creates uncertainty by providing 58 counties and over 1,000 school districts, subject to voter approval, the authority to impose and/or increase a tax on all products and services. Oppose/ <b>Job Killer.</b>	Senate 6/7/11; Failed Deadline
<b>Split Roll Property Tax.</b> AB 448 (Ammiano; D-San Francisco) Undermines the protections of Proposition 13 by redefining the term “change of ownership” for legal entities so that reassessment of such property occurs when, cumulatively, there is a transfer of 100% of the ownership interests in a rolling three-year period. Oppose/ <b>Job Killer.</b>	Assembly Revenue and Taxation 4/4/11
<b>Hidden Tax Increase.</b> AB 832 (Ammiano; D-San Francisco) Imposes a hidden tax on software with a majority vote bill by making it virtually impossible for the owner to show that the software is eligible for a property tax exemption. Oppose/ <b>Job Killer.</b>	Assembly Inactive File 6/2/11; Failed Deadline
<b>Small Business Tax Increase.</b> AB 1239 (Furutani; D-South Los Angeles County) Targeted tax increase on higher income brackets, which will have a detrimental impact on small start-up businesses and discourage growth of such companies in California. Oppose/ <b>Job Killer.</b>	Assembly Appropriations 5/17/11
<b>Small Business Tax Increase.</b> AB 1130 (Skinner; D-Berkeley) Targeted tax increase on higher income brackets, which will have a detrimental impact on small start-up businesses and discourage growth of such companies in California. Oppose/ <b>Job Killer.</b>	Assembly Appropriations 5/17/11

Subject—CalChamber Position	Status
<b>Targeted Oil Tax.</b> AB 1326 (Furutani; D-South Los Angeles County) Creates a targeted tax on the oil and natural gas industry in order to fund the California Higher Education Endowment Corporation, thereby discouraging oil production in this state, which may lead to the loss of more jobs. Oppose.	Held in Assembly Revenue and Taxation Suspense File 5/16/11
<b>Creates Employer Tax Credit Uncertainty.</b> SB 364 (Yee; D-San Francisco) Eliminates the incentive effect of future-enacted tax credits by imposing a penalty on California employers who claim the credit and subsequently experience a loss in employment greater than 10 percent in a single year, whether or not the reduction of employees is connected to the effectiveness of the incentive. Oppose.	Assembly Appropriations Hearing 8/17/11
<b>Targeted Tax.</b> SB 330 (Padilla; D-Pacoima) Unfair targeted tax on tobacco industry, a declining revenue source, to fund new government spending programs. Oppose.	Senate Health 2/24/11
<b>Soda Tax.</b> AB 669 (Monning; D-Carmel) Imposes a targeted tax of \$0.01 per fluid ounce excise tax on distributors of bottled sweetened beverages, sweetened beverages and concentrate, the revenue of which shall be used for childhood obesity programs. Oppose.	Assembly Revenue and Taxation 5/3/11; Failed Deadline
<b>Tobacco Tax.</b> AB 1218 (Pan; D-Natomas) Imposes a targeted tax on tobacco products by eliminating a tax deduction for advertisement. Oppose.	Assembly Revenue and Taxation 4/11/11
<b>Dependent Health Care Conformity.</b> AB 36 (Perea; D-Fresno) Conforms with federal law regarding the treatment of employee premium payments for adult children health care coverage as non-taxable income. Support.	Chapter 17
<b>Mutual Investment Fund Conformity.</b> AB 1423 (Perea; D-Fresno) Provides conformity to federal law regarding the taxable treatment of mutual fund investment companies, so as to provide such California-based companies with certainty. Support.	Senate Appropriations Hearing 8/15/11
<b>Income Taxes: Single Sales Factor.</b> SB 116 (De León; D-Los Angeles) Discourages business growth in California by raising taxes on certain employers with substantial investments in the state in order to fund several other small incentives related to hiring, manufacturing and education (AB 1935 in 2009–10). Oppose.	Senate Appropriations Hearing 8/15/11
<b>Penalties.</b> SB 342 (Wolk; D-Davis) Precludes businesses from utilizing a contingent fee arrangement to pursue and/or challenge a tax issue before the Board of Equalization, Franchise Tax Board, or court of law, thereby denying businesses that do not have the financial ability to pay such fees upfront the ability to obtain tax relief from an invalid or improperly calculated tax. Oppose.	Senate Judiciary 5/4/11; Failed Deadline
<b>Stigmatizes Employers Using Tax Incentives.</b> AB 318 (Skinner; D-Berkeley) Stigmatizes California employers for taking advantage of investment incentives by requiring the Franchise Tax Board to provide private tax information in a searchable online database for publicly traded corporations that claim these incentives. Oppose.	Assembly Revenue and Taxation 5/3/11; Failed Deadline
<b>Local Fee Assessment.</b> SB 223 (Leno; D-San Francisco) Likely increases taxes on business and consumers by providing 58 counties with new taxing authority to impose, pursuant to voter approval, a local vehicle license fee, the revenue of which will be used for general county purposes. Oppose.	Assembly Appropriations Hearing 8/17/11
<b>Discourages Investment.</b> SB 508 (Wolk; D-Davis) Creates uncertainty for California employers making long-term investment decisions by requiring all future tax credits to sunset after no more than 10 years. “Job killer” provision amended, but CalChamber still opposes. Oppose/ <b>Former Job Killer.</b>	Assembly Third Reading 7/7/11
<b>Telecommunications</b>	
<b>Creates Unenforceable Requirements.</b> SB 905 (Wolk; D-Davis) Attempts to add unenforceable requirements in regards to “cramming” (unauthorized charges appearing on consumer telephone bills) and ignores the realities of billing inquiries. Oppose.	Failed passage in Senate Energy, Utilities and Communications 5/3/11; Failed Deadline

Subject—CalChamber Position	Status
<b>Tourism</b>	
<b>Unequal Opportunities.</b> AB 42 (Huffman; D-San Rafael) Creates an uneven playing field in the bidding process in favor of non-profit organizations over private for-profit companies and would result in a loss of revenue for the state. Oppose Unless Amended.	Senate Appropriations Suspend File 7/11/11
<b>Transportation And Infrastructure</b>	
<b>Assistance for Local Infrastructure Financing.</b> AB 893 (V. M. Pérez; D-Coachella) Creates more infrastructure projects and jobs in small and rural communities by authorizing the California Infrastructure Bank to help these areas locate and negotiate financing options, including public-private partnership projects with private companies. Support/ <b>Job Creator</b> .	Senate Appropriations Hearing 8/15/11
<b>Infrastructure Financing.</b> SB 475 (Wright; D-Inglewood) Creates private sector construction-related jobs and investment in infrastructure by providing local governments more flexibility and authority to use public-private partnerships. Support/ <b>Job Creator</b> .	Failed passage in Assembly Local Government 6/29/11; Failed Deadline
<b>Costly Employer Mandate.</b> SB 582 (Yee; D-San Francisco) Raises employer costs and opens them to potential liability by authorizing metropolitan planning organizations and air quality management districts to mandate employers to offer commuter benefit programs to employees. Oppose.	To Governor
<b>Increased Shipping Costs.</b> AB 907 (Ma; D-San Francisco) Increases the costs to ship goods and costs to ports and employers by allowing a substantial increase in the rates charged by the San Francisco Bay Pilots. Oppose.	Failed passage in Senate Governmental Organization 6/14/11; Failed Deadline
<b>Port Infrastructure Investments.</b> SB 830 (Wright; D-Inglewood) Authorizes tax credits for port infrastructure investments, pending Franchise Tax Board approval that enough revenue is generated from the investments. Support.	Failed passage in Senate Governance and Finance 5/4/11; Failed Deadline
<b>Public Contracts: Local Agencies.</b> SB 693 (Dutton; R-Rancho Cucamonga) Creates private sector construction-related jobs and investment in infrastructure by giving local governments more authority to use public-private partnerships. Support.	Senate Transportation and Housing 5/2/11; Failed Deadline
<b>Infrastructure Master Plan.</b> SB 907 (Evans; D-Santa Rosa) Provides a strategic plan on infrastructure investment, which would create and sustain jobs in the long run, by creating a commission that will determine how to best build new and rehabilitate existing infrastructure and how to best finance the efforts. Support.	Assembly Jobs, Economic Development and the Economy 6/13/11; Failed Deadline
<b>Public Works Plan.</b> SB 468 (Kehoe; D-San Diego) Amended to apply only to San Diego Association of Governments (SANDAG), this bill allows SANDAG to adopt a public works plan, which coordinates all public works projects along a stretch of I-5 in the coastal zone in SANDAG jurisdiction with only one environmental impact report (EIR) required, and allows SANDAG to operate a high-occupancy toll (HOT) lane. Neutral.	Assembly Appropriations Hearing 8/17/11
<b>Unemployment Insurance</b>	
<b>Increased Administration Costs of Unemployment Insurance Benefits.</b> AB 391 (Pan; D-Natomas) Significantly shifts costs and resources used to administer the Unemployment Insurance Fund, potentially creating a disruption in the delivery of benefits to the unemployed. This bill requires the Employment Development Department (EDD) to provide in-person unemployment benefit assistance at a comprehensive one-stop career center. Oppose.	Senate Appropriations Suspend File 7/11/11
<b>Employer Tax Report.</b> AB 226 (Solorio; D-Anaheim) Before amendments, assumed an unrealistic, limited scope of alternatives to bring California's Unemployment Trust Fund to solvency. No Position.	Senate Third Reading 7/12/11



Subject—CalChamber Position	Status
<b>Water Supply and Quality</b>	
<b>Peripheral Canal.</b> AB 550 (Huber; D-El Dorado Hills) Impedes progress on the comprehensive Delta fix agreed to in 2009 by requiring redundant economic reviews and legislative interference in the design of future water systems. Oppose.	Assembly Water, Parks and Wildlife 3/25/11; Failed Deadline
<b>Water: Conveyance.</b> SB 200 (Wolk; D-Davis) Hurts water supply reliability. Conditions construction of an isolated conveyance system unless unspecified conditions are met. Also imposes restrictions on water transfers through the state’s facilities. Oppose.	Senate Natural Resources and Water 3/24/11; Failed Deadline
<b>Water Quality: Enforcement.</b> AB 246 (Wieckowski; D-Fremont) 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.	Senate Third Reading 7/12/11
<b>New Water Policy.</b> AB 685 (Eng; D-Monterey Park) Potentially changes the priority of state water policy by saying it is the right of every individual to have access to an affordable water supply and that the departments involved should help make it happen. Oppose.	Senate Appropriations Hearing 8/15/11
<b>Regional Boards.</b> SB 900 (Steinberg; D-Sacramento) Allows more flexibility in an applicant’s background when being considered for an appointment to a regional water board. Support.	Assembly Inactive File 7/1/11
<b>Recycled Water.</b> AB 134 (Dickinson; D-Sacramento) Before amendments, allowed Sacramento Sanitation District to sell recycled water from an upgraded sanitation system without proper safeguards for downstream water rights holders. Neutral.	Senate Third Reading 7/12/11
<b>Recycled Water Pipelines.</b> AB 83 (Jeffries; R-Lake Elsinore) Exempts from California Environmental Quality Act review projects that extend recycled water pipelines underneath public roads. Support.	Failed passage in Assembly Natural Resources 4/11/11; Failed Deadline
<b>Property Rights.</b> AB 359 (Huffman; D-San Rafael) Before amendments, abrogated private property rights by requiring landowners to affirmatively request written notification of proposed groundwater recharge area designation changes from multiple local agencies. Amended to remove opposition. Neutral.	Senate Appropriations Hearing 8/15/11
<b>Workers’ Compensation</b>	
<b>Expands Costly Presumptions.</b> AB 375 (Skinner; D-Berkeley) Increases workers’ compensation costs for public and private hospitals by presuming certain diseases and injuries are caused by the workplace. Oppose/ <b>Job Killer</b> .	Senate Appropriations Hearing 8/15/11
<b>Erodes Workers’ Comp Reforms.</b> AB 1155 (Alejo; D-Watsonville) Increases costs and lawsuits in the workers’ compensation system by eroding the apportionment provision that protects an employer from paying for disability that did not arise from work. Oppose/ <b>Job Killer</b> .	Senate Third Reading 7/12/11
<b>Extension of Temporary Disability Benefit.</b> AB 947 (Solorio; D-Anaheim) Increases costs to employers by broadening the definition of the types of injuries that qualify for an extended timeframe to receive temporary disability benefits, from 104 weeks to 240 weeks. Oppose.	Senate Appropriations Hearing 8/15/11
<b>Lowers Pharmaceutical Costs.</b> AB 378 (Solorio; D-Anaheim) Lowers workers’ compensation costs by removing incentives for physicians to refer patients to pharmacies in which the physician or physician’s family have a financial interest, and establishes a temporary fee schedule to reimburse for compound drugs until the Administrative Director can establish a formal one. Support.	Senate Appropriations Hearing 8/15/11
<b>Delays Workers’ Compensation Cases.</b> AB 584 (Fong; D-Cupertino) Causes delays in utilization review (UR) and increases costs by unnecessarily requiring UR physicians to be licensed in California. Oppose.	Senate Appropriations Suspense File 7/11/11
<b>Increased Workers’ Comp Costs.</b> AB 211 (Cedillo; D-Los Angeles) Increases costs in the workers’ comp system by establishing a flat \$6,000 supplemental job displacement voucher to cover retraining and skills enhancement for injured workers without clarifying the timeframe when the injured worker can start receiving the voucher. Oppose Unless Amended.	Senate Appropriations Suspense File 7/11/11

Subject—CalChamber Position	Status
<b>Lowers Frictional Costs in Workers' Compensation.</b> AB 335 (Solorio; D-Anaheim) Brings an estimated savings of \$42 million to the workers' compensation system by requiring the workers' compensation administrative director (AD) to work with the Commission on Health and Safety and Workers' Compensation (CHSWC) to develop regulations regarding notices to injured workers; requires AD and CHSWC to develop and make accessible a booklet written in plain language about the workers' comp claims process; streamlines and simplifies other notices to employees. Support.	Senate Third Reading 7/13/11
<b>Contains Workers' Compensation Costs.</b> AB 1168 (Pan; D-Natomas) Lowers costs for employers and insurers by establishing a fee schedule for vocational experts' services. Support.	Senate Appropriations Hearing 8/15/11
<b>Reduced Workers' Comp Litigation.</b> SB 863 (Lieu; D-Torrance) Lowers employers workers' compensation costs by streamlining the liens process and limiting backlogs through implementing recommendations of the Commission on Health and Safety and Workers' Compensation. Support.	Assembly Appropriations Hearing 8/17/11
<b>Ensures Contractors Have Coverage.</b> AB 397 (Monning; D-Carmel) Seeks to address the underground economy problem by singling out contractors that do not have workers' compensation coverage but requiring contractors that are exempt from having coverage at the time they are licensed to certify they are still exempt or have gotten coverage at the time of their license renewal. Support.	Senate Third Reading 6/28/11
<b>Raises Workers' Compensation Costs.</b> SB 457 (Calderon; D-Montebello) Before amendments, raised workers' compensation costs to employers by circumventing the Official Medical Fee Schedule and increased delays in claims by allowing more liens. Removed opposition due to amendments. Neutral.	Assembly Appropriations Hearing 8/17/11
<b>Workers' Compensation Reporting Requirements.</b> SB 826 (Leno; D-San Francisco) Before amendments, increased monetary and frictional costs by penalizing self-insured companies for even small mistakes in filings with the administrative director of the Division of Workers' Compensation. As amended, enforces existing law that requires self-insured companies report to the division certain workers' compensation-related information and places fines on them for failure to report. Neutral.	Assembly Appropriations Hearing 8/17/11
<b>State Compensation Insurance Fund Coverage.</b> AB 228 (Fuentes; D-Sylmar) Before amendments, allowed the State Compensation Insurance Fund (SCIF) to purchase "reinsurance" to cover the facility of a California-based business located outside of the state. After amendments, forbids SCIF from advertising the ability to insure qualified employers under the law of any other state. No Position.	Senate Appropriations Hearing 8/15/11

## Key to Status Descriptions

- **Assembly Third Reading:** Bill awaits action by full Assembly.
- **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.
- **Concurrence:** Bill awaits approval/disapproval of amendments adopted in the other house.
- **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.

## Legislative Outlook

An update on the status of key legislation affecting businesses. Visit [www.calchambervotes.com](http://www.calchambervotes.com) for more information, sample letters and updates on other legislation. Staff contacts listed below can be reached at (916) 444-6670. Address correspondence to legislators at the State Capitol, Sacramento, CA 95814. Be sure to include your company name and location on all correspondence.

### Governor Signs CalChamber-Supported Land Use Bill



SUPPORT

Governor Jerry Brown recently signed a California Chamber of Commerce-supported bill that extends the life of active tentative subdivision maps and parcel maps for an additional two years.

**AB 208 (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. As an urgency measure, the bill took effect immediately upon being signed.

CalChamber believes that AB 208 will help California's economy as well as local economies by legislatively

extending the expiration date of existing and unexpired tentative tract and parcel maps, including approximately 2,500 tentative maps, containing nearly 330,000 housing units. These maps represent hundreds of construction projects, thousands of construction jobs and significant revenue to the state.

This measure is necessary so that when the economy recovers, the housing sector and construction industry will be poised to recover as well, providing new affordable housing for California's working families.

**Staff Contact: Amy Mmagu**

### Governor Signs CalChamber-Supported Identity Theft Bill



SUPPORT

A California Chamber of Commerce-supported bill that requires a person convicted of identity theft to pay the cost of repairing the victim's credit was signed by the Governor.

**SB 208 (Alquist; D-Santa Clara)** authorizes restitution for expenses for a period of three years to monitor an identity theft victim's credit report and for the costs to repair the victim's credit.

Identity theft continues to top the Federal Trade Commission's (FTC) list of consumer complaints. According to the FTC, 8.1 million U.S. residents were victims of identity theft in 2007 with the total cost of about \$45 billion.

Victims spend many hundreds of hours and thousands of dollars clearing up their records and their lives. Businesses also suffer from identity theft—once when their name is stolen and used illegally and again when their employees are victims, subsequently needing time off to clear up their personal records.

SB 208 reinforces the importance of punishing identity thieves and the seriousness of this crime. The CalChamber believes that vigorous investigation, arrest and prosecution of identity thieves slows the growing threat of this crime and removes these criminals from our streets.

**Staff Contact: Valerie Nera**

## CalChamber Kicking Off Online Contributions to Reform Legislature

The California Chamber of Commerce non-partisan pro-business leadership fund (ChamberPAC) has kicked off a program to accept online contributions to reform the state Legislature.

Contributions to the fund will help the CalChamber continue its reforms of the California Legislature to elect more pro-jobs legislators.

Major reforms supported by the CalChamber and approved by California voters are starting to change the Sacramento political landscape by making newly elected legislators more



accountable to voters:

● **Candidates will run in the new legislative and congressional districts drawn by citizens, not politicians.**

CalChamber supported Proposition 11 to take the redrawing of political district boundaries away from legislators and put it in the hands of a Citizens Redistricting

Commission. The 2012 elections will be the first to reflect the redrawing of districts that will be in place through 2020.

● **More voters are empowered to choose their representatives.** The top two candidates open primary system approved by voters with Proposition 14 starts in June 2012 and will create more competitive general elections to help elect more pro-jobs legislators.

The online contribution form for the non-partisan pro-business leadership fund is available at [www.calchamber.com/leadership](http://www.calchamber.com/leadership).

# ALERT

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JULY 22, 2011 • PAGE 24



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