



**GOVERNMENT AFFAIRS COUNCIL**

**Greater Fresno Area Chamber of Commerce  
2331 Fresno Street  
Fresno, CA 93716-1469**

**MEETING AGENDA  
Wednesday, September 11, 2013  
12:00 p.m.**

**Presiding:  
Ruth Evans, Chair  
Jack Hall, Vice Chair**

**Call to Order and Roll Call**

**Local, State, Federal Legislative Staff Updates**

**Approval of August 14, 2013 Minutes**

**New Business**

1. **Introduction of City of Fresno Planning Director Jennifer Clark** **INFORMATION**
  
2. **Presentation from Fresno County Supervisor Borgeas** **INFORMATION**
  
3. **Convention Center Update** **INFORMATION**  
*Presentation made by Fresno City Councilmember Lee Brand*
  
4. **Tracking Sheet Update** **INFORMATION**
  
5. **Legislative Report** **ACTION**
  - a. **SB 365 (Wolk; D-Davis) JOB KILLER: Limitations**
  - b. **SB 54 (Hancock; D) Hazardous materials management: stationary sources: skilled and trained workforce**

**Chair's Report**

- **Upcoming Chamber Events** **INFORMATION**
  - *State of the County, September 25<sup>th</sup>, 7:00am-9:00am*
  - *Eggs and Issues with Senator Berryhill and Senator Vidak, October 18th, 7:00am-9:00am*

**Adjourn**



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### MEETING MINUTES

**Presiding:**  
**Ruth Evans, Chair**  
**Jack Hall, Vice Chair**

Committee: Government Affairs Council  
Chairperson: Ruth Evans  
Vice-Chair: Jack Hall  
Meeting Date/Time: August 14, 2013  
Meeting Place: Fresno Chamber of Commerce  
Committee attendees: Ruth Evans, Al Smith, Lydia Zabrycki Ryan Jacobsen, Brian Domigos, Victoria Salisch, Bill Avakian, Cam Maloy, Lorraine Salazar, Jack Hall, Debbie Hunsaker, Austin Ewell, Walt Plachta, Larry Fortune, and John Taylor  
Committee absences: Scott Miller  
Staff: Dawn Steele

### CALL TO ORDER

- *Ms. Evans called the meeting to order at 12:07pm. All present introduced themselves and legislative reports were given.*
- 1. **Approval of Minutes**  
*Larry Fortune moved to approve the July 10, 2013 minutes. The motion was seconded by Lydia Zabrycki. Motion passed unanimously*
- 2. **Board of Supervisors Salaries and Pension's**  
*As a result of a request made from the SEIU to review the recent decision by the Fresno County Board of Supervisors to restore their full salaries, Fresno County Chief Administrative Officer Mr. Navarette, gave a presentation on the salaries and benefits given to Fresno County employees for 2013. Highlights included:*
  - a. *Supervisor Judy Case is the only elected Official that has voluntarily taken a 7% reduction for FY 2013-14.*
  - b. *The Board of Supervisor's salaries are set, per Board of Supervisor's Resolution, at 60% of a Superior Court Judges Salary; the last salary adjustment for Board Members was effective November 19, 2007.*
  - c. *Elected Department Heads' salaries were last adjusted pursuant to Board Resolution for the current term of office effective January 1, 2013. Salaries will be adjusted by CPI increase, if any, effective January 1, 2014 (3% max)*
- 3. **H.R. 1837 Update**  
*Damon Nelson, from Congressmen Devin Nunes Office gave an update on the GAC-supported bill H.R. 1837. It has been nearly a year and a half since the House of Representatives passed this bill that would help the Valley recover the water supplies that were drastically cut years ago. In that time, the Senate has not produced an alternative proposal. A motion was made by Mr. Fortune to write a letter to Senator Feinstein and Boxer in support of H.R 1837 and H.R 1927. Ms. Zabrycki seconded the motion. The motion passed unanimously*

4. **Tracking Sheet Update**

*Dawn Steele gave an update on the Tracking Sheet for the 2013 State legislative season. To date the GAC has taken position 56 State Bills. Of the 56 State Bills the GAC has opposed 40 of the bills and supported 16. Of the 16 supported State bills, 1 has been chaptered, 7 are dead, and 8 are still moving through committees. Of the 40 opposed State bills, 1 has been chaptered, 29 are dead and 10 are still moving through committees.*

5. **Legislative Report**

*Mr. Fortune motioned to support all staff recommendations for the following bills. Ms. Hunsaker seconded the motion. Motion passed unanimously.*

**AB 12 (Cooley) Regulatory Impact Analysis Accountability (Staff Recommendation: Support)**

*AB 12 increases transparency and accountability for regulations by strengthening the requirement that agencies conduct regulatory impact analysis for new major regulations.*

**AB 393 (Cooley) Centralized Information for Business (Staff Recommendation: Support)**

*AB 393 eases the burden on employers to locate the information from a variety of websites and offices by centralizing information regarding permit requirements and fees at the Governor's Office of Business and Economic Development (GO-Biz) website.*

**AB 1383 (Committee on Labor and Employment) Local Enforcement of Labor Laws (Staff Recommendation: Oppose)**

*AB 1383 allows local authorities to impose more stringent labor and employment requirements than those already required in the Labor Code, including stricter reporting requirements, notifications, overtime laws, meal and rest breaks, etc., leading to a patchwork of labor laws across the state that will burden small employers as well as large employers that have multiple locations.*

**SB 176 (Galgiani) Expands Public Notice Requirements for Rulemaking. (Staff Recommendation: Support)**

*SB 176 expands the opportunity for the public to participate in rulemaking by requiring rulemaking activities to be noticed to the Office of Administrative Law.*

**SB 401 (Hueso) Economic Impact of Building Standards (Staff Recommendation: Support)**

*SB 401 provides transparency for the commercial construction industry by requiring economic impact analysis of new commercial building standards, building upon current law which already provides this information for residential building standards.*

5. **Chairs Report**

*Ms. Evans gave an update on upcoming Chamber events.*

*Meeting was adjourned at 1:15p.m.*

**SB 365: JOB KILLER: Limitations**

**Sources**

Internet Research  
CalChamber

**Staff Recommendation**

Oppose

***Summary***

Limitations on Tax Credits. Creates uncertainty for California employers making long-term investment decisions by requiring that tax incentives end 10 years after their effective date. Assembly Floor.

**Background**

The CalChamber supports efforts of the state to consider the effectiveness of tax policies and programmatic expenditures.

SB 365, however, attempts to address this periodic review and good government structure related to tax policy by mandating a maximum 10-year sunset on all future tax credits. This would have the adverse effect of creating uncertainty about the future of the state's tax structure.

**Stability Is Key**

When businesses choose to locate in a state, factors such as the availability of a skilled workforce, infrastructure, regulatory environment, and tax structure all play a significant role. Businesses evaluate whether they can rely on these factors to remain relatively stable and consistent in the long term.

Furthermore, for capital-intensive industries like manufacturing and research and development, investment decisions are made many years into the future. The ability for corporate decision makers in these industries to plan anticipated costs over a span of many years is an important factor when determining locations for these investments.

Establishing an arbitrary maximum 10-year sunset puts the long-term viability of any credit in jeopardy and, in many cases, could ultimately render the credit's value useless in a company's final decision on a location.

**Amendments Needed**

The CalChamber believes that the arbitrary maximum 10-year sunset requirement should be amended to allow tax credits introduced in the future to be evaluated on their own merit. A reasonable sunset should be applied only if appropriate.

***Support***

No support on file

***Opposition***

CalChamber  
Silicon Valley Leadership Group  
CalTax  
Southbay Association of Chambers of Commerce

**SB 54: Hazardous materials management**

**Sources**

Internet Research  
CalChamber

**Staff Recommendation**

Oppose

**Summary**

Prevailing Wages on Private Projects. Significantly expands the mandate to pay prevailing wages to the construction of refineries that are privately funded and do not qualify as "public works."

**Background**

TO: Members, California State Assembly

FROM:

SUBJECT: SB 54 (HANCOCK) HAZARDOUS MATERIALS MANAGEMENT: STATIONARY  
SOURCES: SKILLED AND TRAINED WORKFORCE  
OPPOSE

We respectfully OPPOSE SB 54 (Hancock), as amended on August 21, 2013, as it imposes a significant burden on private projects to pay "prevailing wages," despite the lack of any nexus between the project and the state to justify such a mandate. It also proposes to impose a significant change in long-established workplace safety protocol in these circumstances, despite significant steps by the State to address directly the problems motivating this bill.

Typically, an employer is only required to pay prevailing wage on "public works" projects that is defined by Labor Code section 1720 et. seq. as construction, demolition, alteration, installation, or repair that is funded in whole or in part out of public funds. Public works only includes work performed under a private contract when the state either owns the property on which the work is performed or is a lessee of the property. It is unprecedented to impose a prevailing wage requirement on a private contract that has no connection to any public funds or property, as SB 54 seeks to do.

Specifically, SB 54 expands the mandate to pay prevailing wages for work performed under a private contract for stationary sources, as defined, which are in no way funded by public funds nor performed on property owned or leased by the state. Aside from merely being regulated by a state agency, there is simply no nexus between the state and private contract to justify a requirement for the payment of prevailing wages.

While we appreciate the author's intent to try and ensure the safe construction of such stationary sources, private employers already have extensive systems and practices under existing State and Federal mandates; and these have already been amplified in California in response to recent refinery accidents. Notably, shortly after a refinery accident in August 2012, Governor Brown developed an Interagency Working Group that worked with all stakeholders, including labor, industry, and the community to develop safety recommendations to improve employee and public safety. We believe that Governor Brown's approach of working with all interested parties who are familiar with the actual refineries and the training needed is a more effective way to achieve the overall goal of improved safety.

For these reasons we are OPPOSED to SB 54.

***Support***

No support on file

***Opposition***

California Chamber of Commerce

Air Conditioning Trade Association

American Chemistry Council

Associated Builders and Contractors of California

Association of California Surety Companies

Building Owners and Managers Association of California

California Business Properties Association

California League of Food Processors

International Council of Shopping Centers

NAIOP of California, the Commercial Real Estate Development Association

Plumbing-Heating-Cooling Contractors Association of California

West Coast Lumber and Building Material Association

Western Electrical Contractors Association

Western Plant Health Association