



GOVERNMENT AFFAIRS COUNCIL

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

**MEETING AGENDA
Wednesday, August 14, 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 July 10, 2013 Minutes

New Business

1. **Board of Supervisor's Salary/Pension** **INFORMATION**
Presentation made by John Navarrette, Fresno County Chief Administrative Officer
2. **H.R. 1837 Update** **INFORMATION**
Presentation made by Damon Nelson, Office of Congressmen Nunes
3. **Tracking Sheet Update** **INFORMATION**
4. **Legislative Report** **ACTION**
 - a. **AB 12 (Cooley) Regulatory Impact Analysis Accountability.**
 - b. **AB 393 (Cooley) Centralized Information for Business.**
 - c. **AB 1383 (Committee on Labor and Employment) Local Enforcement of Labor Laws**
 - d. **SB 176 (Galgiani) Expands Public Notice Requirements for Rulemaking.**
 - e. **SB 401 (Hueso) Economic Impact of Building Standards**

Chair's Report

- **Upcoming Chamber Events** **INFORMATION**
 - *Business After Hours, August 22nd, 5:00pm-7:30pm*
 - *Eggs and Issues with Congressmen Nunes, September 6th, 7:00am-9:00am*
 - *State of the County, September 25th, 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: July 10, 2013
Meeting Place: Fresno Chamber of Commerce
Committee attendees: Ruth Evans, Al Smith, Lydia Zabrycki Ryan Jacobsen, Brian Domigos, Victoria Salisch, Scott Miller, Bill Avakian, Cam Maloy, Lorraine Salazar, Jack Hall, Larry Fortune, and John Taylor
Committee absences: Debbie Hunsaker, Austin Ewell, Walt Plachta, and Brian Forrest
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 June 12 & 19, 2013 minutes. The motion was seconded by Brian Domingos. Motion passed unanimously
 2. **Immigration Update**
Congressmen Jim Costa made a presentation on the phone about Federal Immigration Reform and the Bill S. 744 that recently passed through the Senate. Congressmen Costa stated that this bill would provide an earned pathway to citizenship. The bill would require illegal citizens to pay penalties for their illegal status, they would be required to learn English in an allotted amount of time, and would be processed as citizens only after all other applications already going through the citizenship process had been completed. Congressmen Costa stated that the Senate bill is now in the House of Representatives and will need 218 votes to pass through Congress. Congressmen Costa ended his presentation by asking the GAC to call our local Congressmen and express support for the Immigration Reform.
 3. **Board of Supervisors Salaries and Pension's**
Mr. Smith opened up the discussion by presenting a request from the SEIU to review the recent decision by the Fresno County Board of Supervisors to restore their full salaries. As of June 23rd all five supervisors are receiving full pay of at least \$107,000 --even though the board, voted last month to extend a two-year salary cut averaging 9% on the SEIU County Employees. The GAC discussed the issue and decided to wait for any type of action until Fresno County Administrative Officer John Navarrette can come present to the GAC next month.
 4. **Tracking Sheet Update**
Dawn Steele gave an update on the Tracking Sheet for the 2013 legislative season. To date the GAC has taken position on 1 Federal Bill, 54 State Bills, and 5 local issues. Of the 54 State Bills the GAC has

opposed 39 of the bills and supported 15. Of the 15 supported State bills, 1 has been chaptered, 7 are dead, and 7 are still moving through committees. Of the 39 opposed State bills, 1 has been chaptered, 25 are dead and 13 are still moving through committees.

5. Legislative Report

AB 900 (Alejo) Medi-Cal: distinct part nursing facilities.

AB 900 requires Medi-Cal reimbursement for nursing facilities that are a distinct part of a general acute care hospital to be determined without the Medi-Cal rate reduction and rate roll-back required under existing law .If passed AB 900 would takes effect immediately as an urgency statute. Mr. Taylor motioned to Support AB 900. Ms. Zabrycki seconded the motion. Motion passed unanimously.

5. Chairs Report

Ms. Evans gave an update on upcoming Chamber events.

Meeting was adjourned at 1:13p.m.

AB 12: Regulatory Impact Analysis Accountability.

Sources

Internet Research
CalChamber

Staff Recommendation

Support

Summary

Increases transparency and accountability for regulations by strengthening the requirement that agencies conduct regulatory impact analysis for new major regulations. Senate Appropriations Committee hearing August 12.

Background

Under current law, when state agencies create or modify regulations that have an economic impact of \$50 million dollars or more they must issue a standardized regulatory impact analysis which explains the potential adverse impact on California businesses, including whether the regulation encourages the creation or elimination of jobs and industry. The Department of Finance and the Office of Administrative Law are to review those regulatory impact analysis reports to ensure they are being properly created and compiled but there is no specific reporting timeframe and no public notification requirements. This bill requires the Department of Finance and the Office of Administrative Law to review those regulatory impact analysis reports and report annually to the Legislature to promote state agencies' compliance. It further instructs the Office of Administrative Law to make public notice on its website of any state agency failing to issue a standardized regulatory impact report and the reason for the agency's noncompliance creating a mechanism for accountability and transparency.

Support

CalChamber
California Retailers Association
California Service Station & Automotive Repair Association
California Trucking Association
Pacific Merchant Shipping Association
United Contractors
Western States Petroleum Association
Alliance of Automobile Manufacturers
California Business Properties Association
California Business Roundtable
California Hotel & Lodging Association

Opposition

No opposition on file

AB 393: Centralized Information for Business

Sources

Internet Research
CalChamber

Staff Recommendation

Support

Summary

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. Assembly Floor.

Background

AB 393 provides centralized information for business on permits and fees. AB 393 has already passed both the Assembly and the Senate, and is back in the Assembly.

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

Current law requires the GO-Biz to post on its website information or links to information about licensing, permitting and registration requirements for starting a business.

AB 393 adds to that website the associated fee information or links to the fee schedules. California has many requirements that fit into this category and it often is difficult for businesses to know and comply. Compiling the information all in one place will ease the burden and facilitate a path to compliance. AB 393 (Cooley) because it would provide clarity and certainty to businesses by making it easy for employers to find not only permit requirements, but also the associated fees for those permits all on one internet website.

Current law requires the Governor's Office of Business and Economic Development (GO-Biz) to post on its website information or links to information about licensing, permitting and registration requirements for starting a business. AB 393 would add to that website the associated fee information or links to the fee schedules. California has many requirements that fit into this category and it is often difficult for businesses to know and comply. Compiling the information all in one place will ease the burden and facilitate a path to compliance.

Support

Cal Chamber
Associated Builders and Contractors of California
California Business Properties Association
California Business Roundtable
California League of Food Processors
California Manufacturers and Technology Association
California Restaurant Association
Golden State Builders Exchanges
Los Angeles County Economic Development Corporation
National Federation of Independent Business
United Contractors

Opposition

No opposition on file

AB 1383: Local Enforcement of Labor Laws

Sources

Internet Research
CalChamber

Staff Recommendation

Oppose

Summary

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. Senate Floor.

Background

AB 1383 is a California Chamber of Commerce-opposed bill that provides local jurisdictions with the authority to adopt even more stringent labor and employment requirements than those already in existence statewide is awaiting action on the Senate Floor when senators return from summer recess.

AB 1383 (Committee on Labor and Employment) 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.

It is well-known that California has some of the most onerous wage-and-hour requirements in the nation, with even the state Labor Commissioner and courts disagreeing on the proper interpretation/application.

Litigation is constantly filed for wage-related disputes, such as whether an employee has been properly classified as exempt versus non-exempt, as an independent contractor versus an employee, or even paid at the appropriate rate for the proper amount of time.

Notably, California also is the only state that the CalChamber is aware of that allows private citizens to step into the shoes of the Attorney General and pursue representative actions, with statutory penalties and employee-only rights to attorney fees for Labor Code violations.

Despite the existing burden and threat of litigation that current Labor Code requirements and Industrial Welfare Commission Wage Orders already impose on employers in California, AB 1383 allows local jurisdictions to impose even more stringent wage-and-hour requirements. For example, under AB 1383, a local jurisdiction could mandate that employers provide additional reporting, posting, meal and rest breaks, or even higher overtime rates. This authority will create a patchwork of labor and employment laws throughout California that will make it even more difficult for businesses to operate, especially small businesses that do not have the capacity to manage new and additional labor laws.

Support

No Support on file

Opposition

Cal Chamber
Air Conditioning Trade Association
Associated Builders and Contractors of California
Associated General Contractors
California Association of Health Facilities
California Association of Winegrape Growers
California Farm Bureau Federation
California Fence Contractors' Association

SB 176: Expands Public Notice Requirements for Rulemaking

Sources

Internet Research
Cal Chamber

Staff Recommendation

Support

Summary

Expands the opportunity for the public to participate in rulemaking by requiring rulemaking activities to be noticed to the Office of Administrative Law. Assembly Accountability and Administrative Review Committee; no hearing date set.

Background

Since the adoption of the Administrative Procedures Act (APA) in 1945, the process for developing regulations has evolved substantially, and today a majority of regulations are developed during the pre-rulemaking process. Additionally, the Office of Administrative Law requires all documents to be submitted in hard copy and does not permit State Agencies to opt for a more cost effective and timely electronic delivery of rulemaking notices or files.

SB 176 will do two things:

- (1) Require State Agencies to consult with interested persons and those affected by a regulation at the very beginning of any rulemaking procedures; and
- (2) Permits State Agencies to electronically submit mandated notices and rulemaking documents to OAL.

By streamlining government processes, SB 176 will result in a cost savings to the state and increased public involvement and transparency in rulemaking procedures

Support

Cal Chamber
California Association of Realtors
California Retailers Association
Western States Petroleum Association
National Federation of Independent Business
California New Car Dealers Association
California Building Industry Association
California Apartment Association
California Restaurant Association
California Land and Title Association
California Business Properties Association
Northern California Power Agency
California Hotel & Lodging Association
Western Manufactured Housing Communities Association

Opposition

No opposition on file

SB 401: Economic Impact of Building Standards
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Sources

Internet Research
CalChamber

Staff Recommendation

Support

Summary

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. Assembly Appropriations Committee; no hearing date set.

Background

SB 401 will assist in presenting a clear understanding of economic impacts to the ailing commercial construction industry by providing transparency to those affected by new building standards. This bill builds upon current law which already provides this information for residential building standards.

Since 1982 state agencies have been required to prepare an economic impact analysis that clearly identifies any adverse economic impacts on business, small business and housing. However, the economic impact analysis has most often been accompanied by boilerplate language that states:

“The agency has determined that there will be no significant economic impact on business/housing.”

As is widely recognized, such regulations more often than not do have a cost impact, and this generic sentence gives no real indication to the public as to what the estimated cost (in dollars) and benefits are with the proposed building standard.

SB 401 is narrowly drafted, and merely requires a state agency proposing a building standard to cite the estimated cost and benefits of compliance; for decades state agencies have been developing this information to support a determination of economic impact. This bill simply requires disclosure of information already being prepared.

Support

CalChamber
California Association of Realtors
California Business Properties Association
American Council of Engineering Companies - California
Building Owners and Managers Association of California
California Apartment Association
California Building Industry Association
Commercial Real Estate Development Association
International Council of Shopping Centers

Opposition

No opposition on file