



**FRESNO CHAMBER OF COMMERCE
GOVERNMENT AFFAIRS COUNCIL**

**MEETING AGENDA
Wednesday, June 11, 2014
12:00 p.m.**

**PRESIDING
Ruth Evans, Chair
Brian Domingos, Vice Chair**

Call to Order and Roll Call

Approval of May 14, 2014 Minutes

New Business

- **Consent Calendar** **ACTION**

AB 2280

- **Legislative Items** **ACTION**

SB 1249 (Hill) – Hazardous Waste: Shredder Waste
Support: TBD
Opposition: Jeff Farano, Government Relations, SA Recycling

- Troy and Alana Pack Patient Safety Act of 2014**
Support: TBD
Opposition: Kathy Fairbanks, Partner, BCF Public Affairs

Tracking Report – Rachel Eslick

Chair’s Report – Ruth Evans



**FRESNO CHAMBER OF COMMERCE
GOVERNMENT AFFAIRS COUNCIL
MEETING MINUTES**

**Presiding:
Ruth Evans, Chair
Brian Domingos, Vice Chair**

Committee: Government Affairs Council
Chairperson: Ruth Evans
Vice-Chair: Brian Domingos
Meeting Date/Time: May 14, 2014
Meeting Place: Fresno Chamber of Commerce
Committee attendees: Nick Amendola, Bill Avakian, Brian Domingos, Ruth Evans, Austin Ewell, Ryan Jacobsen, Cam Maloy, Scott Miller, Walt Plachta, Lorraine Salazar, Victoria Salisch, John Taylor and Lydia Zabrycki
Committee absences: Al Smith, Jack Hall, Larry Fortune and Debbie Hunsaker
Staff: Rachel Eslick

CALL TO ORDER

- **Ms. Evans called the meeting to order at 12:05pm.**
- **Approval of Minutes**
Austin Ewell moved to approve the April 9th meeting minutes. The motion was seconded by John Taylor. The motion passed unanimously.

NEW BUSINESS

1. Consent Calendar

Lorraine Salazar moved to pull AB 1660 off the consent calendar for further discussion. Scott Miller seconded the motion and it passed unanimously. Victoria Salisch moved to approve the consent calendar. Mr. Ewell seconded the motion and it passed unanimously.

Below are the bills on the consent calendar and the position taken by the GAC:

AB 1897 (Hernandez) Labor Contracting Client Liability - Oppose
AB 1792 (Gomez) Public Benefits Reports on Employers – Oppose
AB 2372 (Ammiano) Change in Ownership – Oppose
AB 2420 (Nazarian) Well Stimulation Treatment Local Prohibition – Oppose
AB 2617 (Weber) Arbitration and Settlement Agreements – Oppose
SB 1021 (Wolk) Commercial Property Tax – Oppose

SB 1132 (Mitchell) Limits in State Energy Development
SB 1372 (DeSaulnier) Increased Tax Rate – Oppose
AB 2416 (Stone) Unproven Wage Lien – Oppose
SB 1351 (Hill) Payment Cards – Oppose
SB 1446 (DeSaulnier) Health Care Coverage Small Employer Market – Support
AB 1763 (Perea) California Energy Portfolio - Support

2. Congressman Jim Costa – General Information and Thank You

Congressman Jim Costa updated the council on progress with water legislation and reassured everyone that he's working diligently everyday to get a bill passed. He said there's ongoing dialogue between himself, Congressman Nunes and Valadao and Senator Feinstein. He hopes they have a bill out by June or July.

Additionally, he has bills out on water storage to add space in three existing reservoirs and to build Temperance Flat.

He believes an immigration bill won't happen with the current congress, but maybe during the lame duck session.

Costa thanked the Chamber for endorsing him in his campaign for reelection. He also took several questions from the GAC.

1.5 Consent Calendar Continued

The merits of AB 1660 were discussed, which would clarify California law to allow employers to fire an employee if they provide ID that shows they're undocumented. Current law (AB 60) does not line up with federal law because it says no employer can discriminate against an employee who shows a driver's license which indicated they're undocumented. Ms. Salisch said state and federal law should be the same, and AB 1660 would accomplish that. Ryan Jacobsen moved to approve supporting AB 1660. Lydia Zabrycki seconded the motion and it passed unanimously.

3. Common Core Coalition

The Fresno Chamber was asked to join a coalition of groups that support Common Core. The coalition formed to show legislators there is a backing for Common Core, which has come under fire recently by grassroots activists.

Debra Brown, Associate Director of Education Policy for Children Now presented support for the coalition over the phone. She said nearly 300 groups have signed on to support Common Core, a style of teaching that serves to encourage students to critically think instead of simply memorizing formulas and answers. It was signed by then Governor Schwarzenegger in 2010 and has been put into place in most California school districts. By implementing Common Core, the state has an opportunity to apply for federal grants like Race to the Top, but federal funding isn't expressly tied to Common Core. That said, there is an effort to increase funding to provide more training to school districts to implement Common Core.

Melissa Capece-Fairless, an advocate and mother who lives in Clovis, presented for the opposition. She claimed Common Core was signed and implemented without the public knowing, no educators were consulted in developing curriculum and teachers aren't receiving proper training to teach Common Core principals. She said the federal government is gaining access to information about students. She is disappointed Algebra wouldn't be taught until 9th grade, eliminating Calculus from being taught in high school and classic literature is being replaced by non-fiction. She would like to send a message to legislators to request Governor Brown turn away from Common Core and take the federal government out of our schools.

After a series of follow up questions, it was determined that the two sides were very far apart and contradictory. The GAC felt it needed more information on the topic to make an educated decision on whether to support the coalition for Common Core. Ms. Zabrycki wished to know the cost of Common Core to tax payers.

Cam Maloy made a motion to table the discussion. Ms. Salisch seconded the motion and it passed unanimously.

- **Adjourned to closed session at 1:05**

Action taken during closed session:

GAC supports the McCall Oli/Brenntag business proposal and will write a formal letter to the Fresno Planning Commission stating the merits of the project.

- **Closed session was adjourned at 1:55pm.**

AB 2280 (Alejo) Community Revitalization and Investment Authorities

Source - Cal Chamber, Leg Info

Summary – Would allow local governments to establish a Community Revitalization and Investment Authority (Authority) in a disadvantaged community to fund specified activities and allows the Authority to collect tax increments. An Authority can not be the successor agency to a former redevelopment agency. Authority can be established if at least 80% of the area has a median income less than 80% of statewide median income, and has one of the following: unemployment at least 3% higher than statewide median unemployment, crime rate 5% higher than statewide crime rate, deteriorated or inadequate infrastructure, commercial or residential structures. Authority is not required to make a finding or conduct a survey of blight.

Authority could provide funding for infrastructure, low and moderate-income housing, remedy or remove hazardous materials, retrofit buildings, acquire or transfer eminent domain property, adopt a plan for an area subject to Community Redevelopment Law, issue bonds, borrow money and receive grants, receive funding from California Environmental Protection Agency under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, coordinate with a qualified community development entity to maximize the benefit of new market tax credits, appropriate funding that the governing body deems appropriate for administrative expenses, make loans or grants for owners or tenants to improve buildings or homes, provide direct assistance to businesses in the area.

Background – AB 2280 is a reintroduction of AB 1080 (Alejo) of 2013, which was held on suspense in the Senate Appropriations Committee. The only difference between the bills is that 2280 establishes penalties against the Authority if it fails to provide the State Controller with a financial audit each year.

Redevelopment agencies formerly raised over \$6 billion each year to repair and redevelop urban cores and build affordable housing. Since the dissolution of redevelopment agencies, multiple bills have been proposed to create new tools to support community and economic development. Four of these type bills were vetoed by Governor Brown in 2012.

Perea is a co-author of this bill.

Support – Cal Chamber, California Building Industry Association, California Coalition for Rural Housing, California Rural Legal Assistance Foundation, League of California Cities, Western Center on Law and Poverty.

Opposition – None registered on file

Location – Senate Transportation and Housing

Staff Recommendation – Support
2014 Public Policy Platform: “Support downtown revitalization efforts.”

SB 1249 (Hill) Hazardous Waste: Shredder Waste**Source**

Senator Jerry Hill's office, Leg Info, SA Recycling

Summary

SB 1249 would require the Department of Toxic Substances Control (DTSC) to study and adopt regulations on management standards for metal shredding facilities, metal shredder residue, or treated metal shredder residue. The bill would authorize DTSC to establish a fee from metal shredding facilities sufficient to reimburse specified costs. It would make all hazardous waste determinations and policies, procedures, or guidance issued by the department before January 1, 2014, inoperative on January 1, 2017.

Background

Metal shredding of automobiles and major household appliances is a process where a hammer mill grinds the materials fed into it to fist-sized pieces. The result is a mixture of ferrous metal, non-ferrous metal (alloys of copper and aluminum) and automobile shredder waste or ASW, which contains heavy metals, chlorine and PCBs, as well as other hazardous chemicals.

Post shredding, some ASW is treated using metal fixation treatment technologies, coating the waste in cement to "fix" the hazardous materials in the waste. The treated ASW is referred to as "fluff" and about 700,000 tons of it are distributed in landfills to be used as alternative daily cover.

Between 1986 and 1992, the predecessor agency to DTSC issued conditional nonhazardous waste classifications ("F" letters) to seven metal shredder facilities in California that treated shredder waste. Today, six of the original seven facilities still remain active. This bill would revoke all "F" letters issued before January 1, 2014, and determine whether ASW would need to be treated as hazardous waste.

Support

Six fires have occurred at metal shredding and recycling facilities in the Bay Area since 2007, five of them at facilities owned by Sims Metal Management, LTD. After the fires, community leaders called on regulators to do more to protect residents from the fires' harmful effects.

Senator Jerry Hill believes metal recycling facilities in California pose a distinct risk to public health and the environment and have not been adequately regulated in decades. Facilities can be close to densely populated areas and have been found to have contaminated air and water surrounding their facilities. After the recent fires, health advisories were issued in San Mateo, Alameda and Santa Clara counties because of smoke in the air.

Opposition

The West Coast Chapter of the Institute of Scrap Recycling Industries (ISRI) believes the bill would threaten the economic viability of large, well-established metal shredding facilities in the state, which have provided safe and environmentally responsible recycling services for four decades and provide thousands of good jobs. It says, without the ability to safely and effectively recycle the huge quantities of scrap metal, our communities would be littered by discarded cars, appliances, etc. It urges the legislature to consider the impact on the industry.

SA Recycling SA Recycling – the largest metal recycler in Central and Southern California – employs more than 1,000 people statewide, including workers at facilities from Fresno to Bakersfield and in Southern California.

Staff Recommendation

Troy and Alana Pack Patient Safety Act of 2014

Source

Consumer Watchdog, Californians Against Higher Healthcare Costs

Summary

The Troy and Alana Pack Patient Safety Act of 2014 is a proposed initiative that will be on the November ballot. It is multipronged and would do three things:

1. Require doctors to be drug tested and the results be reported
2. Require doctors check the state database for patient background before prescribing certain medicine
3. Adjust the \$250,000 cap on compensation for pain, suffering, etc., in medical malpractice lawsuits

Background

Consumer Watchdog is behind this bill. The name, Troy and Alana Pack Patient Safety Act, is after Troy and Alana Pack, 10 and 7 years old, were killed by a driver who was under the influence of prescription pain killers. The father has gone after Kaiser because several different doctors issued the driver prescriptions and he's also going after the cap on compensation, which was set in 1973 under the Medical Injury Compensation Reform Act.

Support - Consumer Watchdog

Substance abuse is a growing problem in California, with more physicians suspended last year by the Medical Board of California than in the year prior. Physicians who are impaired by drugs and alcohol while on the job pose a serious threat to patients and the public. Patients are being harmed by doctors who do not check the state-run electronic database known as CURES before prescribing potentially addictive pain killers and narcotics. In 1975, the legislature set a cap of \$250,000 on compensation for non-economic losses in medical malpractice lawsuits. After 38 years, the cap has never been adjusted for inflation. Research shows that by providing fair and adequate compensation to patients injured by medical negligence, malpractice litigation prods health care providers to be more open and honest about their mistakes and then take corrective action to reduce the chances of repeated errors.

Opposition – Kathy Fairbanks, Californians Against Higher Health Care Costs Coalition

This measure was written by trial lawyers to make it easier and more profitable for lawyers to sue doctors and hospitals, even if it means higher health care costs for everyone. Under the terms of the measure, lawyers would triple their legal fees. According to a study by California's former Legislative Analyst, this proposition would increase health care costs across all sectors by \$9.9 billion annually, which translates to \$1,000 a year for a family of four. County and state hospitals pay for medical malpractice awards out of the budget from taxpayers. If awards increase, costs will too. The authors of the bill are using the drug testing provision to trick voters into thinking this initiative is good for them, and it's intentionally placed first in the initiative.

Staff Recommendation

Oppose