

SOUTHWEST CALIFORNIA LEGISLATIVE COUNCIL

The Regional Business Advocacy Coalition of the
Temecula Valley Chamber of Commerce, Murrieta Chamber of Commerce,
Lake Elsinore Valley Chamber of Commerce and Wildomar Chamber of Commerce

Meeting Agenda
Monday, January 9, 2012 |
12:00pm

SRCAR Building
26529 Jefferson Ave
Murrieta CA 92562

Presiding Chair: Dennis Frank

Call to Order and Introductions

Chair's Report

Recent Action
Year in Review

Agenda Items

1. Approval of November 2011 Meeting Minutes **ACTION**
2. SWCLC 2012 Strategic Initiatives **ACTION**
3. SWCLC 2012 Policy Platform **ACTION**
4. SWCLC 2012 Operating Procedures **ACTION**
5. Legislative Report #1 **ACTION**
 - *ACA 1 (Jeffries-R) Prior public notice.*
 - *AB 196 (Alejo-D) Minimum Wage*
6. Approval of logo for SWCLC Branding **ACTION**
7. SWCLC 2011 Legislators' Voting Record **INFORMATION**
8. SWCLC 2011 Bill Analysis **INFORMATION**
9. New Laws that may affect your business **INFORMATION**
10. 2012 Proposed Ballot Measures **INFORMATION**

Regional Legislators' Staff and Stakeholders' Updates

Federal: Senators Feinstein and Boxer, Representatives Issa and Bono Mack
State: Governor Brown, Senators Emmerson and Anderson, Assembly Members Jeffries, and Nestande
Local: Temecula, Murrieta, Lake Elsinore and Wildomar, League of California Cities

Chamber and Board Member Announcements

Adjourn: **Next meeting February 13, 2012, SRCAR.**

The Southwest California Legislative Council Thanks Our Partners:

- Southwest Riverside County Association of Realtors - Near-Cal Corporation - Elsinore Valley Municipal Water District
- Metropolitan Water District of Southern California - Economic Development Corp of Southwest California - The Gas Company

- Abbott Vascular
- The Murrieta Temecula Group
- Temecula Valley Chamber of Commerce

- Murrieta Chamber of Commerce
- Lake Elsinore Valley Chamber of Commerce
- Wildomar Chamber of Commerce

- Southern California Edison
- Loma Linda University Medical Center
- Ace Hardware of Wildomar

Please consider adding your business to the list. The SWCLC is fully funded by sponsorships from various private organizations and businesses. The SWCLC exists solely because of the contributions of these proactive organizations and businesses located throughout the region. Without their support the actions of the SWCLC would not be possible.

Chair's Report

Presentation: Chair Dennis Frank

- 2011 in Review
 - Tribute to SWCLC Government Affairs Director Shaun Lumachi
 - SWCLC/State Legislators boast 'perfect' vote record
 - 2012 Challenges & Opportunities
 - The year in pictures



SWCLC members Michelle Thomas and Gene Wunderlich joined more than 50 small business owners and advocates from around the country in Washington DC last February for a cold, rainy press conference on the Capitol lawn **supporting** the Durbin Amendment, the so-called 'Swipe Fee', to the Dodd-Frank Wall Street Reform & Consumer Protection Act. From there they joined Fallbrook Chamber EO Richard Kennedy and Canyon Lake Chamber President John Zaitz to discuss swipe fees with Congressman Issa's staff. The amendment was **successful**.



SWCLC Chair Gene Wunderlich joins Lake Elsinore City Treasurer Alec Baldwin, Menifee City Councilor Darcy Kuenzi and Wildomar City Councilor Ben Benoit at a press briefing **opposing** SB 469 (Vargas) land use bill. The bill, aimed at overriding local authority in land use issues over 'big box' stores, was **defeated**.

**Meeting Minutes / Retreat & Planning Session
Monday, November 28, 2011 | 12:00pm**

Chamber Advocacy: Shawn Lumachi
SWCLC 2011 Chair: Gene Wunderlich
Directors in attendance: Dennis Frank, Roger Ziemer, Jeff George, Karie Reuther, Gary Thornhill, Isaac Lizarraga, Glen Daigle, Nicole Albrecht, Tony Lopiccio, Tommy Thompson, Alex Braicovich, Gene Wunderlich

Federal & state representatives: None
City Representatives: None
Guests: None
Staff: Alice Sullivan, Laura Turnbow – Temecula Valley Chamber of Commerce
Rex Oliver – Murrieta Chamber of Commerce
Kim Cousins – Lake Elsinore Valley Chamber of Commerce

Meeting called to order at 12:05 by Chair Wunderlich

No Chair Report

Agenda Items

1. Review Legislative voting record

10 bills supported, 20 opposed, local legislators post 'perfect' SWCLC voting record.

2. Review of Operating procedures

Revised operating procedures to better reflect current operating status and membership of SWCLC. Shaun will take the notes and provide the revised document for review prior to January meeting.

3. Review of Strategic Initiatives for 2012

Top three priorities for 2012. Environmental Reform, Job Creation and Business Retention remain as priorities. Budget and Tax Reform replaced Infrastructure Improvements as the third guiding initiative. Revised document provided for review prior to Jan. 2012 meeting.

4. Review of Policy Platform

It was determined that current Policy Platform, as revised in 2010, continued to reflect the needs of the community and direction of the Council. Shaun will review policies and re-align to reflect revised Strategic Initiatives.

Chamber Announcements

Rex Oliver announced his retirement as CEO of the Murrieta Chamber.
No other announcements.

Board Member Announcements

None

Adjourn:

1:18. Next meeting January 9, 2012, SRCAR.

SWCLC 2012 Strategic Initiatives

Action Item #2

Presentation: Gene Wunderlich

Recommended action: Approve as modified.

The focus of the SWCLC 2012 Policy platform will be to support these primary initiatives. However, any policy or legislative initiative that may impact local members will be considered.

✓ ***Job Creation & Business Retention***

The SWCLC will promote efforts to increase job creation and business retention throughout the Southwest California region. The SWCLC, with the help of regional organizations, will proactively seek solutions to stimulate the local economy and protect Southwest California businesses from unreasonable costs to employers. The SWCLC will work with elected officials at all levels of government to support solutions to job creation and business retention challenges.

✓ ***Budget and Tax Reform***

The SWCLC will consider reform proposals for the current California state government to help facilitate a policy & budgetary climate that encourages job-creation and retention. This will include but not be limited to, a State Constitutional Convention, Legislature vote requirement for the passage of the State Budget, and the implementation of the Citizens Redistricting Commission. The SWCLC will support efforts to require cost benefit analysis reports on legislation and regulations before such policies are considered for approval.

✓ ***Environmental Reform***

The SWCLC will work closely with local, state and federal officials to further mutually supported priorities at all levels of government to assure that business economic vitality is given equal consideration to environmental stability and that measures are introduced that benefit both. The SWCLC will continue to monitor the implementation of AB32 and strive to minimize the deleterious impact on local businesses, as well as recent water and Delta legislation and EPA reform.

SWCLC 2012 Policy Platform

Action Item #3

Presentation: Gene Wunderlich

Recommended action: Approve as modified.

Job Creation and Business Retention

1. Review and evaluate measures that reform the extraordinary costs of the state's public pension system for the sake of the state's overall fiscal health.
2. Monitor and review alternatives to (1) any proposed state minimum wage increases and (2) any local or state living wage ordinances.
3. Monitor and provide recommendations to the current workers' compensation reform measures to reduce costs to businesses.
4. Consider and review responsible healthcare policy proposals that maximize free market forces, minimize mandates upon insurers and providers, and results in increased availability of healthcare coverage affordable for employers, employees and individuals.
5. Monitor measures that reform our state's educational system and encourage workforce preparation.
6. Advocate against the unwarranted and frivolous lawsuits on our businesses, consumers, taxpayers, and communities.
7. Monitor proposals that undermine the current process of guaranteeing secret-ballot elections for unionization such as card check.

Pro-business Leadership

1. Monitor and review the process of redistricting reform in California elections to ensure competitiveness of the highly politicized process of drawing legislative and congressional districts.
2. Review and evaluate local, statewide, and when appropriate, federal legislation as it pertains to the SWCLC's policy priorities and communicate the information to all chambers' membership.
3. Continue to enhance working relationships with local, state and federal representatives and their staffs.
4. Consider and review legislation that promotes standards of corporate governance that guide boards of directors and corporate officers in managing their corporations in a competent, ethical manner.

Tourism and Business Expansion

1. Support a stronger relationship between the Economic Development Corporation (EDC) serving Southwest Riverside County and the Cities of Temecula, Murrieta, Lake Elsinore and Wildomar in order to advertise and enhance the Southwest California region.
2. Support and promote policies to increase travel visits to the wine country and other areas of interest in order to help stimulate the local economy and provide jobs throughout the Southwest California region.
3. Review and evaluate policies that ensure that the Southwest California region maintains a reputation as an attractive and prosperous location for doing business.
4. Promote economic development opportunities in the Southwest California region for business retention, expansion and attraction.

Budget and Tax Reform

1. Review and evaluate reform measures that solve the state budget's continuing structural deficit that promotes real economic growth and job creation.
2. Encourage cooperation among government agencies, and work to streamline and reduce unnecessary or conflicting requirements of regulatory agencies.

3. Review and evaluate cost effective ways to privatize government services and public contracts while maintaining or improving standards.
4. Review and evaluate state and local fee & tax increases and new fee & tax categories affecting the regional business community.
5. Support and promote when appropriate the preparation of cost/benefit analysis ensuring economic impacts are weighed before the imposition of regulatory statutes.
6. Ensure that regulations on business are kept to a minimum and do not put regional businesses at a competitive disadvantage.
7. Encourage the protection of private property rights.
8. Support state programs that secure tax credits for targeted work training programs.
9. Consider and review policies that promote the outsourcing of essential public services by government agencies.
10. Support practical business accounting procedures at the state level when trying to balance the State Budget.
11. Review and evaluate social welfare policies that are expansive and unregulated throughout all levels of government.

Environmental Reform

1. Support policies that recognize the importance of balancing environmental issues including green programs and their impacts on the public and private sector.
2. Monitor policies that ensure long-term positive impacts on environmental stability and the economic vitality of the Southwest California region.
3. Encourage responsible environmental regulations and the potential impacts on local governments and agencies.

Infrastructure Improvements

1. Review and evaluate policies that ensure the Southwest California region maintains a reputation as an attractive prosperous location for business; to balance employment and housing needs with natural resource preservation; and to plan and construct the community infrastructure necessary to support current and future business needs.
2. Monitor land use, planning, housing and zoning issues that affect the Southwest California regional business community.
3. Review and evaluate development projects within the Southwest California region.
4. Encourage an adequate supply of appropriate housing to meet the needs of the Southwest California region.
5. Review and evaluate reliable, stable, and competitively priced energy supplies for California's businesses and consumers.
6. Review and evaluate policies that improve water quality as the result of comprehensive approaches that will reduce contaminants from water sources in a cost effective manner.
7. Review and evaluate policies that promote safe, clean, high quality, adequate and reliable water supplies supporting the needs of economic growth and quality of life in the Southwest California region.
8. Review and evaluate policies that promote the Southwest California region as the frontrunner of technological advances in any infrastructure improvements throughout the region.

Immigration Reform

1. Support efforts that create a guest worker program that is comprehensive, addressing both future economic needs for workers and the status of undocumented workers already in the United States.
2. Support the creation of an effective employment verification system that is fast and reliable and the impacts on Southwest California businesses while understanding enforcement ramifications at the local, state and federal level.
3. Support policies that ensure all workers enjoy the same labor law protections.
4. Support policies that require all workers striving for citizenship to demonstrate a working knowledge of the English language and American civic requirements.
5. Support policies that expand temporary visa programs for essential workers, creating paths to permanent residence for these workers and providing a way to earn legal status for the millions of undocumented workers already in the United States.

Healthcare

1. Consider actions that preserve the current voluntary employer-provided health coverage system.
2. Continue the efforts to contain the costs of premiums.
3. Conform to federal law on health savings accounts.
4. Support legislation to allow employers to offer more affordable benefit plans that allow choices in coverage.
5. Support policies that prevent cost shifting from government-provided programs to the private sector.
6. Work to curb the expansion of litigation in the healthcare system.
7. Support the wellness and disease management education programs.
8. Monitor policies that encourage continued medical discoveries and innovations that improve quality of care.
9. Work to improve the timeliness of hospital construction and to ensure costs associated with such construction are kept at reasonable rates.
10. Help to reform the state hospital construction review process and the archaic methods used to delay hospital readiness.

Transportation

1. Review and evaluate public and private sector transportation improvement plans that impact congestion on freeways, streets and roads, and ensure mobility within the Southwest California region.
2. Review and evaluate legislative and regulatory proposals that impact the automobile, trucking, rail, aviation, and maritime industries.
3. Review and evaluate legislation and regulatory proposals that might place the Southwest California logistics industry at a competitive disadvantage.

Presentation: Gene Wunderlich

Recommended action: Approve as modified.

I. Composition

The SWCLC board shall consist of ~~17~~ 16 voting members, five representatives appointed by the board of directors from each of the three original founding chambers of commerce of the SWCLC, ~~one seat appointed by the Menifee Valley Chamber of Commerce~~ and one seat appointed by the Wildomar Chamber of Commerce. The SWCLC voting membership shall be a general representative makeup of the ~~total five~~ four chambers and a balance of industry representation throughout the region.

The Chair position shall be assigned to one chamber for a ~~one~~ two year term rotating thereafter ~~each year~~ among the three original chambers.

SWCLC board members shall serve a one (1) year term beginning January 1 and ending December 31, with no term limits.

~~The Chairman of the Board of Directors of the chamber responsible for the Chair position shall appoint the SWCLC Chair for that year.~~

The SWCLC board membership is open to all Chamber members in good standing. SWCLC meetings are open to all members of the ~~five~~ four chambers. All elected officials, or their designees, representing the region or individual cities are ex officio, nonvoting members of the SWCLC.

II. Policy Platform

~~Beginning in September of each~~ Each year, SWCLC shall develop a policy platform consistent with SWCLC's mission statement of local, state, and federal legislative issues for the following year. The Policy Platform shall be used to track local, state and federal legislation that might have an impact on the Southwest California region. The Policy Platform shall be recommended to the Board of Directors of each chamber no later than their January meeting for discussion and approval.

III. Legislation Position Authority

Board of Directors

The Board of Directors of each chamber shall be updated each month of any legislative positions approved by SWCLC. The Board of Directors shall have the authority to excuse their chamber from any position of the SWCLC.

SWCLC board members shall have the authority on behalf of the Board of Directors of the ~~three~~ four chambers, to approve any legislative positions ~~of "support," "oppose" or "no position"~~ that align with the approved policy platform consistent with SWCLC's mission statement. Decisions shall be made by a simple majority vote of the SWCLC Board of Directors ~~present~~.

Executive Committee of SWCLC

The SWCLC Chairman, ~~the immediate Past Chair~~ and the President/CEO of each of the original three chambers, ~~in consultation with the Chairman of the Board of each of the original three chambers and the Director for Government Affairs~~ shall have the authority, by a majority vote, to act on behalf of the SWCLC to approve any legislative positions ~~of "support," "oppose" or "no position"~~ that align with the policy platform consistent with SWCLC's mission statement.

The SWCLC shall be notified of this action within 48 hours. ~~The SWCLC Board of Directors~~ shall have the authority to modify any decision of the SWCLC ~~Executive Committee Chairman or President/CEO~~ at its next scheduled meeting.

IV. Voting Membership Vacancies

Prospective SWCLC board members may apply for openings by notifying ~~the President/CEO~~ ~~Chair of the Board~~ of their respective chamber. The SWCLC Chair, in consultation with the representatives of each of the ~~five~~ four chambers, will appoint voting SWCLC board members to fill in vacancies during the year.

V. Attendance

SWCLC shall meet the third Monday of each month at noon. If a SWCLC member accumulates more than 3 unexcused absences ~~in a row or 4 unexcused absences~~ a year, the member loses their voting privileges.

An unexcused absence will be charged to members if notification to the SWCLC Chair ~~or Legislative Liaison~~ is not made prior to the start of the SWCLC meeting.

VI. Minutes

Minutes will be kept at all SWCLC meetings.

VII. Quorum

A quorum shall consist of 9 voting members in attendance at any regularly scheduled meeting.

VIII. Amendments

The authority to modify and approve the SWCLC Operating Procedures shall be vested in the Board of Directors of each of the ~~three original~~ four chambers.

Legislative Report Item 1	Action Item
----------------------------------	--------------------

ACA 8 (Jeffries-R) Prior Public Notice

Presentation: Gene Wunderlich

Recommended action: Support

Summary:

- Expanding on existing provisions, this measure would require a house or committee of the Legislature to post an agenda containing a brief general description of each item to be considered at least 72 hours before a regularly scheduled meeting. The measure would require each agenda for a regular committee meeting to provide an opportunity for members of the public to directly address the committee on an item of interest to the public that is within the subject matter jurisdiction of the committee before or during the committee's consideration of the item. The measure would prohibit the passage of a bill in either house of the Legislature until the bill with amendments has been printed and distributed to the members of the house at least 24 hours before the vote in that house on passage of the bill.

Background

- SWCLC supported a similar measure introduced 1/12/ 2009 as ACA 8 (Jeffries-R).

Arguments in Support

- The measure is intended to require the California Legislature to comply with the same tenets of the Brown Act that most local governments and municipalities already practice routinely governing prior notice.
- The measure will allow more transparency in state government and put an end to back-room, late night gut-and-amend bills.
- It would provide an opportunity for members of the public and potential affected class to address the committee directly and/or submit their concerns.
- It would allow members of the Legislature time to review pending legislation.

Arguments in Opposition

1. Although none has been voiced, the incipient argument must be very persuasive as the measure has yet to make it out of committee.

Support

None at this time.

Opposing

None at this time.

**[Assembly Constitutional Amendment No. 1](#)
[Introduced by Assembly Member Jeffries](#)**

ACA 1

Open Meetings: 72 hour posting & 24 hour print requirements

Author – Assemblymember Kevin Jeffries (District 66)

ISSUE

Existing law requires meetings of each house and committee of the Legislature to be open to the public, except that closed meetings may be held to consider specified matters, including employment and personnel, security, advice from counsel, and caucus meetings.

However, there is currently no requirement that public notice be provided prior to the legislature taking action on an item. There is not even a requirement that said item be in print and made available for public review prior to being voted on.

THIS BILL

ACA 1 would require a house or committee of the Legislature, at least 72 hours before a regularly scheduled meeting, to post an agenda containing a brief general description of each item to be considered, including items to be considered in closed session.

ACA 1 would also require that said items be in print and available to the public at least 24 hours before they can be voted on.

BACKGROUND

Currently, there is no law that would generally prohibit consideration of matters not included in the agenda. Furthermore, there is no requirement for public disclosure of a writing provided to members of a house or a committee in connection with the consideration of agenda items.

Last-minute items before the legislature leaves citizens (and often members) feeling blindsided, and impedes informed debate. The deliberations and decisions of legislature are not truly transparent if the public lacks sufficient access to the items being deliberated and acted upon. By guaranteeing a minimum period of time to read, consider, and react to items being voted on ACA 1

promotes greater public transparency, thereby furthering the fundamental purpose of the Brown Act.

ACA 1 would remedy these issues. Plus, it would require each agenda for a regular committee meeting to provide an opportunity for members of the public to directly address the committee on an item of interest to the public, before or during the committee's consideration of the item, that is within the subject matter jurisdiction of the committee.

In 2007, the legislature approved SB 343 (Negrete McCloud) which placed a similar requirement on local government. Although, it stipulated that all related writings be in print and made available to the public at the same time the item was placed on the agenda, which could be not less than 72 hours before action could be taken.

ACA 1 requires only that the item itself be in print 24 hours prior to action being taken. This allows adequate time for review and preparation by the public as well as members who will be voting on the item.

SUPPORT

(None on File)

OPPOSITION

(None on File)

FOR MORE INFORMATION

Craig DeLuz
Capitol Director
State Capitol, Rm. 5128
Sacramento, CA 95814
(916) 319-2066
(916) 319-2166 Fax
craig.deluz@asm.ca.gov

AB 196 (Alejo-D) Minimum Wage**Presentation:** Gene Wunderlich**Recommended action:** Oppose**Summary:**

- As proposed to be amended, increases the state minimum wage to \$8.50 per hour in January 2013, and then automatically indexes the wage rate upward ever year thereafter according to the annual percentage of inflation. This same proposal was introduced by Assemblyman Luis Alejo in 2011 as AB 10, which is currently on the suspense file in the Assembly Appropriations Committee.

Background

- SWCLC opposed AB 10 in 2011.

Arguments in Support

1. According to the author, it has been three years since minimum wage workers have been given a raise.
2. The purchasing power of minimum wage workers declines on an annual basis while the cost of goods and services increase every year.
3. The current minimum wage is inadequate to support a single adult, and grossly inadequate to support a family.
4. Economists agree that raising the minimum wage will help our economy by generating more consumer spending.
5. When minimum wage workers have more money to spend, they spend it since they cannot afford to save it.

Arguments in Opposition

1. According to the Assembly Appropriations Committee analysis on AB 10, the automatic \$0.50 increase in minimum wage will cost the state between \$288,000 and \$336,000.
2. In addition to the extra pressure on the state's General Fund, this increase in the minimum wage also will place a huge burden on private employers, which are still struggling in this economy.
3. This increase in minimum wage could set California back from any additional recovery. Although a \$0.50 increase may sound minimal in theory, the realistic impact is significant.
4. Aside from employee wages, the proposed minimum wage hike would have an adverse impact on other employer costs, including workers' compensation benefits.
5. With an annual increase in minimum wage, there would be a corresponding annual increase in the amount of temporary and permanent disability benefits paid to employees. This increased cost to insurance carriers would likely be passed on to employers through increased premiums.
6. Equally problematic as the increased costs to employers is the proposed manner in which AB 196 seeks to increase the minimum wage. Under AB 196, the minimum wage would increase each year, starting in January 2013, according to the annual percentage of inflation as determined by the California Consumer Price Index for All Urban Consumers.
7. An automatic annual rise in the minimum wage according to the percentage of inflation does not take into account competing economic factors or conditions. Businesses could be suffering financially, such as now, and the minimum wage would continue to increase regardless. Notably, the proposed annual indexing under AB 196 does not allow a reduction in the minimum wage in any year during which there is deflation.

Support

Not available

Opposing

CalChamber,
Western Growers,
The California Restaurant Association
The California Grocers Association

Presentation: Gene Wunderlich

Approval of SWCLC Logo for branding purposes. Use of the Southwest California area graphic has been approved *by EDC of Southwest California* Executive Director Morris Myers. The Temecula Valley Chamber will design a suitable logo around the graphic.



Current SWCLC header:



Presentation: Gene Wunderlich

Local Legislators Receive Perfect Marks From Business Advocates

The **Southwest California Legislative Council** has just released its seventh annual legislator's voting report card. This report tracks local legislators voting records on issues critical to our local business community at the state and federal level. Founded in 2004, the **Southwest California Legislative Council** is the regional business advocacy coalition for the *Temecula Valley Chamber of Commerce, Murrieta Chamber of Commerce, Lake Elsinore Valley* and *Wildomar Chamber of Commerce*. **SWCLC's** mission is to provide a basis for those chambers, and the more than 2,000 businesses they represent, to act on local, state and federal issues to secure a favorable and profitable business climate for the region.

"Our advocacy group worked closely with our area legislators in 2011 to make sure our voice was represented at the state and federal level of government," stated Gene Wunderlich, chair of the **SWCLC** board of Directors. "It is important that each of our chambers work together to hold our legislators accountable on the most important issues impacting our regional business community. We want to thank our legislators for voting with the Southwest California business community 100% of the time during this past session. Supporting what is best for our local economy is obviously priority number one for each of them."

The **SWCLC** lobbied our legislators to support 10 bills during the 2011 session and oppose 20 bills. To reach the 'Percentage FOR Pro-jobs legislation," the **SWCLC** tallied the number of times our legislator's final vote were in synch with the **SWCLC's** position on the bill and divided that total by the number of bills on which each legislator voted. A legislative proposal is not factored into the vote record if a legislator, for whatever reason, did not vote or if the proposal failed before the legislator had an opportunity to vote.

2011 Vote Summary:	FOR jobs bills	AGAINST jobs bills	Percentage FOR
State Senator Joel Anderson	14	0	100%
State Senator Bill Emerson	14	0	100%
Assemblyman Kevin Jeffries	12	0	100%
Assemblyman Brian Nestande	14	0	100%
Governor Jerry Brown	5	2	71%

While discussing the voting record and what it means to the local community, 66th District Assemblyman had this to say. "I take great pride fighting on behalf of the small and medium businesses that are trying to survive in California and put people back to work. I have been a small business in our region for nearly 25 years. Our economic recovery is going to come from the private sector - not new government regulations or programs. But those of us in the legislature that are fighting to protect the private sector are very much in the minority. We could sure use some more like-minded citizens being elected in the future to help level the playing field."

The **SWCLC** has just set its legislative agenda for the 2012 session. Each year the group establishes a set of strategic initiatives from which our policy platform is derived. Our strategic initiatives for 2012 include '*Job Creation and Business Retention; Environmental Reform; and Budget, Taxation and Regulatory Reform.*'

Tom Rodgers, District Representative for Sen. Joel Anderson (and Sen. Dennis Hollingsworth previously) had this to say at a recent meeting of the Southwest California Legislative Council. "It's been a pleasure for me to attend your meetings almost from the time you started. The Legislative Council has grown to be one of the best organized and most effective advocacy organizations in the state. The Senators have always appreciated your support on important bills and it's great for us to have this portal back into the local business community."

For a comprehensive listing of the groups 2012 Policy Platform, please visit <http://www.southwestca.biz/priorities.htm>. **SWCLC** meets at noon on the 3rd Monday of each month at 26529 Jefferson Ave, Murrieta. All members of the public and business community are welcome to attend. We are the voice for business in Southwest California – make your voice heard today.

Presentation: Gene Wunderlich

SWCLC record: 20 opposed – 18 failed or vetoed, 2 passed
10 supported –9 failed, 1 passed

Land Use, Housing & Water

AB 208 *Fuentes* - (Chaptered 7/15/2011: [HTML](#) | [PDF](#))

Topic: Land use: subdivision maps: expiration dates.

Status: 7/15/2011 **Chaptered** by the Secretary of State, Chapter Number 88, Statutes of 2011

SWCLC Position: **Support**

New Home Construction - 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.

SB 469 *Vargas* - (Enrolled 9/2/2011: [HTML](#) | [PDF](#))

Topic: Land use: development project review: superstores.

Status: 10/9/2011 **Vetoed** by the Governor

SWCLC Position: **Oppose**

Stifles Economic Development - 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.

SB 833 *Vargas* - (Enrolled 9/1/2011: [HTML](#) | [PDF](#))

Topic: Solid waste: disposal facilities: San Diego County.

Status: 10/9/2011 **Vetoed** by the Governor

SWCLC Position: **Oppose**

Usurps Local Control - Undermines employer confidence in local land use decisions and sets a precedent for the Legislature to invalidate them based on arbitrary criteria.

AB 685 *Eng* - (Amended 8/15/2011: [HTML](#) | [PDF](#))

Topic: State water policy: regional water management planning.

Status: 8/26/2011 **Failed**

SWCLC Position: **Oppose**

New Water Policy - 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.

SB 475 *Wright* - (Amended 6/20/2011: [HTML](#) | [PDF](#))

Topic: Infrastructure financing.

Status: 7/8/2011 **Failed** Deadline pursuant to Rule 61(a)(10).

SWCLC Position: **Support**

Priority: **Job Creator** 2011

Infrastructure Financing - Creates private sector construction-related jobs and investment in infrastructure by providing local governments more flexibility and authority to use public-private partnerships.

SB 200 *Wolk* - (Amended 3/24/2011: [HTML](#) | [PDF](#))

Topic: Sacramento-San Joaquin Delta: Bay Delta Conservation Plan.

Status: 5/10/2011 **Failed** Deadline pursuant to Rule 61(a)(2).

SWCLC Position: **Oppose**

Water: Conveyance - 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.

Labor, Employment & Regulatory

[AB 10](#) *Alejo* - (Amended 3/14/2011: [HTML](#) | [PDF](#))

Topic: Minimum wage: annual adjustment.

Status: 5/28/2011 **Failed** Deadline pursuant to Rule 61(a)(5).

SWCLC Position: **Oppose**

Priority: Two Year **Job Killer**

Automatic Minimum Wage Increase - 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.

[AB 22](#) *Mendoza* - (Chaptered 10/9/2011: [HTML](#) | [PDF](#))

Topic: Employment: credit reports.

Status: 10/9/2011 **Chaptered** by the Secretary of State,

SWCLC Position: **Oppose**

Priority: **Job Killer** 2011

Hampers Employment Decisions - Unfairly limits private employers' ability to use consumer credit reports for legitimate employment purposes, such as those positions that have direct and unsupervised access to any amount of cash and/or valuable non-financial assets.

[AB 52](#) *Feuer* - (Amended 6/1/2011: [HTML](#) | [PDF](#))

Topic: Health care coverage: rate approval.

Status: 9/1/2011 Ordered to **inactive** file at the request of Senator Leno.

SWCLC Position: **Oppose**

Priority: **Job Killer** 2011

Rate Regulation - Creates uncertainty and delays for employers by creating an unworkable complex rate approval and regulation process for employer sponsored health coverage and adds implementation fees on health insurers to support a complex and regulated plan approval process.

[AB 83](#) *Jeffries* - (Introduced 1/5/2011: [HTML](#) | [PDF](#))

Topic: Environment: CEQA exemption: recycled water pipeline.

Status: 5/10/2011 **Failed** Deadline pursuant to Rule 61(a)(2).

SWCLC Position: **Support**

Recycled Water Pipelines - Exempts from CEQA review projects that extend recycled water pipelines underneath public roads.

[AB 271](#) *Nestande* - (Amended 3/15/2011: [HTML](#) | [PDF](#))

Topic: Appeals: class actions.

Status: 6/3/2011 **Failed** Deadline pursuant to Rule 61(a)(8).

SWCLC Position: **Support**

Class Action Litigation - 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.

[AB 316](#) *Carter* - (Chaptered 9/26/2011: [HTML](#) | [PDF](#))

Topic: Grand theft: copper materials.

Status: 9/26/2011 **Chaptered** by the Secretary of State, Chapter Number 317, Statutes of 2011

SWCLC Position: **Oppose**

Vehicles: Load Inspections - Before amendments, curtailed metal and agricultural thefts by expanding law enforcement's ability to inspect certain loads for contraband.

[AB 325](#) *Lowenthal, Bonnie* - (Enrolled 9/20/2011: [HTML](#) | [PDF](#))

Topic: Employee's right to bereavement leave.

Status: 10/9/2011 **Vetoed** by the Governor

SWCLC Position: **Oppose**

Priority: **Job Killer** 2011

Unpaid Bereavement Leave - Adds to California businesses' legal costs and responsibilities by requiring an employer to provide

employees with up to three days of unpaid bereavement leave and elevating the significance of the right to bereavement leave to the same level as the right to be free from racial or gender discrimination and harassment.

[AB 350](#) *Solorio* - (Amended 9/2/2011: [HTML](#) | [PDF](#))

Topic: Displaced Janitor Opportunity Act.

Status: 9/10/2011 Read third time. **Refused** passage.

SWCLC Position: **Oppose**

Priority: **Job Killer** 2011

Costly Employee Retention Mandate - 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 a minimum of 60 days and thereafter offer continued employment unless the employees' performance during that period was unsatisfactory.

[AB 375](#) *Skinner* - (Amended 8/31/2011: [HTML](#) | [PDF](#))

Topic: Workers' compensation: hospital employees: presumption.

Status: 9/9/2011 Read third time. **Refused** passage.

SWCLC Position: **Oppose**

Priority: **Job Killer** 2011

Expands Costly Presumptions - Increases workers' compensation costs for public and private hospitals by presuming certain diseases and injuries are caused by the workplace, and establishes precedent for expanding presumptions into the private sector.

[AB 400](#) *Ma* - (Introduced 2/14/2011: [HTML](#) | [PDF](#))

Topic: Employment: paid sick days.

Status: 5/28/2011 **Failed** Deadline pursuant to Rule 61(a)(5).

SWCLC Position: **Oppose**

Priority: **Job Killer**

Paid Sick Leave Mandate - Unreasonably expands both public and private employers' costs and liability by mandating employers to provide paid sick leave for employees.

[AB 834](#) *Hernández, Roger* - (Amended 4/14/2011: [HTML](#) | [PDF](#))

Topic: Local government: contracts.

Status: 6/4/2011 **Failed** Deadline pursuant to Rule 61(a)(8).

SWCLC Position: **Oppose**

This bill would require the legislative body of a city, county, or district to review any contract with a private party that contains an automatic renewal clause on or before the annual date by which the contract may be rescinded.

[AB 1155](#) *Alejo* - (Enrolled 9/20/2011: [HTML](#) | [PDF](#))

Topic: Workers' compensation.

Status: 10/7/2011 **Vetoed** by the Governor

SWCLC Position: **Oppose**

Priority: **Job Killer** 2011

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.

[SB 116](#) *De León* - (Amended 9/9/2011: [HTML](#) | [PDF](#))

Topic: Income taxes: exclusions: deductions: sales: single sales factor: sales and use taxes: manufacturing exemption.

Status: 9/10/2011 Read third time. **Refused** passage.

SWCLC Position: **Oppose**

Income Taxes: Single Sales Factor - 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).

[SB 252](#) *Vargas* - (Amended 5/31/2011: [HTML](#) | [PDF](#))

Topic: Public contracts: personal services.

Status: 8/26/2011 **Failed** Deadline pursuant to Rule 61(a)(11).

SWCLC Position: **Oppose**

Harms Private Employers - 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.

[SB 378](#) *Dutton* - (Introduced 2/15/2011: [HTML](#) | [PDF](#))

Topic: Employment: alternative workweek schedules.

Status: 5/13/2011 **Failed** Deadline pursuant to Rule 61(a)(3).

SWCLC Position: **Support**

Alternative Workweek Schedules - Provides significant benefits and flexibility for employers and employees who want to implement alternative workweek schedules

[SB 829](#) *DeSaulnier* - (Amended 7/1/2011: [HTML](#) | [PDF](#))

Topic: Division of Occupational Safety and Health: Occupational Safety and Health Appeals Board.

Status: 8/26/2011 **Failed** Deadline pursuant to Rule 61(a)(11).

SWCLC Position: **Oppose**

Priority: **Job Killer** 2011

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.

[SB 931](#) *Evans* - (Enrolled 9/14/2011: [HTML](#) | [PDF](#))

Topic: Payroll cards.

Status: 10/9/2011 **Vetoed** by the Governor

SWCLC Position: **Oppose**

Ban on Payroll Cards - Essentially prohibits financial institutions from charging fees related to the use of payroll cards, thereby imposing a de facto ban on the product and eliminating employers' ability to offer this cost-beneficial option for paying wages to employees.

[SB 460](#) *Price* - (Amended 7/13/2011: [HTML](#) | [PDF](#))

Topic: International trade marketing and promotion.

Status: 8/26/2011 **Failed** Deadline pursuant to Rule 61(a)(11).

SWCLC Position: **Support**

Priority: **Job Creator** 2011

Better Trade Promotion - 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.

Taxation & Budget

[AB 21](#) *Nestande* - (Introduced 12/6/2010: [HTML](#) | [PDF](#))

Topic: State Budget: key liabilities.

Status: 1/24/2011 Referred to Com. on BUDGET.

SWCLC Position: **Support**

Prohibits the Governor from including in the budget proposal estimates of revenues that would be generated from laws not then in effect. The bill would require that the Governor present a report to the Legislature listing the state's key liabilities, and as part of the budget, provide data regarding revenues that would be required to retire key liabilities.

[AB 77](#) *Gorell* - (Introduced 1/3/2011: [HTML](#) | [PDF](#))

Topic: Governmental reorganization: tax functions.

Status: 5/10/2011 **Failed** Deadline pursuant to Rule 61(a)(2).

SWCLC Position: Support

[AB 135](#) *Hagman* - (Enrolled 9/8/2011: [HTML](#) | [PDF](#))

Topic: State Air Resources Board: membership: small business owner.

Status: 9/26/2011 **Vetoed** by the Governor

SWCLC Position: Support

This bill, until January 1, 2017, would require one appointed member of the state board to be an owner within the past 5 years of a small business, as defined.

[AB 153](#) *Skinner* - (Amended 6/27/2011: [HTML](#) | [PDF](#))

Topic: State Board of Equalization: administration: retailer engaged in business in this state.

Status: 7/8/2011 **Failed** Deadline pursuant to Rule 61(a)(10).

SWCLC Position: Oppose

This bill would include in the definition of a retailer engaged in business in this state any retailer entering into agreements under which a person *or persons* in this state, for a commission or other consideration, directly or indirectly *refer* potential purchasers.

[SB 653](#) *Steinberg* - (Amended 6/6/2011: [HTML](#) | [PDF](#))

Topic: Local taxation: counties: school districts: community college districts: county offices of education: general authorization.

Status: 8/22/2011 Ordered to **inactive** file on request of Senator Steinberg.

SWCLC Position: Oppose

Priority: Two Year **Job Killer**

Multiple Tax Increases - 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.

Presentation: Gene Wunderlich

In addition to the new employment laws, an order by the **National Labor Relations Board** (NLRB) is also impacting businesses in California. By January 31, 2012, most private-sector employers must begin displaying an 11"x17" poster that provides information to their employees about unionizing and their right to strike.

New Laws

Unless specified, the following is a list of all new legislation goes into effect on January 1, 2012.

Credit Check

AB 22 prohibits employers and prospective employers, not including certain financial institutions, from obtaining and using consumer credit reports (credit information) about applicants or employees. The prohibition does not apply to "managerial positions," defined as those who qualify for the executive exemption from overtime.

Pregnancy Disability Leave

SB 299 requires all employers with five or more employees to continue to maintain and pay for health coverage under a group health plan for an eligible female employee who takes Pregnancy Disability Leave (PDL) up to a maximum of four months in a 12-month period.

Willful Misclassification of Independent Contractors

SB 459 provides new penalties of between \$5,000 to \$25,000 for the "willful misclassification" of independent contractors.

Written Commission Agreement

AB 1396 requires employers who have commission pay arrangements to put those agreements into a signed written contract. The written contract must set forth the method by which the commissions will be computed and paid. The bill is effective January 1, 2013. Employers have the entirety of 2012 to bring their commission agreements into compliance.

Notice of Pay Details

AB 469 requires employers to provide nonexempt employees, at the time of hire, a notice that specifies:

- The rate of pay and the basis, whether hourly, salary, piece commission or otherwise, including any overtime rate.
- Allowances, if any, claimed as part of the minimum wage, including meal and lodging allowances.
- The regular pay day designated by the employer as required under the Labor Code.
- The name of the employer, including any "doing business as" names.
- The physical address of the employer's main office or principal place of business and any mailing address, if different.
- The telephone of the employer.
- The name, address and telephone number of the employer's workers' compensation carrier.

Organ and Bone Marrow Donor Leave

SB 272 clarifies the implementation of California's organ and bone marrow donor leave law. The new legislation clarifies that the days of leave are business days, not calendar days, and that the one-year period is measured from the date the employee's leave begins.

Genetic Information

SB 559 amends the Fair Employment and Housing Act (FEHA) to state that employers are prohibited from discriminating against employees on the basis of genetic information.

Gender Expression

AB 887 amends the Fair Employment and Housing Act to further define “gender” to include both gender identity and “gender expression” and to make clear that discrimination on either basis is prohibited. AB 887 also amends Government Code relating to dress codes to include that an employee must be allowed to dress consistently with both the employee’s gender identity and gender expression.

E-Verify

AB 1236 allows employers to continue to choose to use E-Verify, but prohibits California state agencies and local governments from passing mandates that require employers to use E-Verify.

Several cities in California passed local ordinances requiring the use of E-Verify in certain circumstances. This new law prohibits such state or local mandates, unless required by federal law or as a condition of receiving federal funds.

Interference With Rights Under Leave Laws

AB 592 adds language to the California Family Rights Act (CFRA) and the Pregnancy Disability Leave law (PDL) that makes it unlawful to interfere with or in any way restrain the exercise of rights under these laws.

Administrative Penalties

AB 240 allows an employee that alleges a minimum wage violation to recover liquidated damages pursuant to any complaint brought before the Division of Labor Standards Enforcement (DLSE). This new law would allow the Labor Commissioner to also award such damages. Under the new liquidated damages provision, the employee would be entitled to recover an amount equal to the wages unlawfully unpaid, plus interest.

Wage Penalties

AB 551 increases the maximum penalty from \$50 to \$200 per calendar day for each worker paid less than the determined prevailing wage and increases the minimum penalty from \$10 to \$40 per day for violations of prevailing wage obligations. It also increases the penalty from \$25 to \$100 per calendar day, per worker, against contractors and subcontractors that fail to respond to a written request for payroll records within 10 days.

Farm Labor Contractors – Wage Notices

AB 243 amends the Labor Code to expand the information that must be included on pay statements, but only for farm labor contractors. Employers that are farm labor contractors must now disclose on the itemized payroll statement furnished to their employees, the name and address of all legal entities (for example other growers or other farm labor contractors) that secured the employer’s services.

Agricultural Labor Relations

SB 126 affects certification of bargaining representatives for agricultural employees. The new law, SB 126, provides that if the Agriculture Labor Relations Board (ALRB) finds employer misconduct that “in addition to affecting the outcome of the election, would render slight the chances of a new election reflecting the free and fair choice of employees,” then the ALRB can certify the labor union as the exclusive bargaining agent for employees.

Insurance Non-Discrimination Act

SB 757 closes an existing loophole and prevents employers that operate in multiple states from discriminating against same-sex couples by not providing the same insurance coverage for domestic partners as they do for spouses.

State Contracts – Gender or Sexual Orientation Discrimination

SB 117 outlaws the state of California from entering into contracts of more than \$100,000 with companies that discriminate against the employees on the basis of gender or sexual orientation with regard to benefits. The new law makes it clear that companies doing business with the state of California cannot deny equal benefits to same-sex spouses.

Apprentice Programs

SB 56 changes the audit requirements for apprenticeship programs. This new law eliminates the mandate of random audits during five-year increments, and instead directs the Division to conduct audits of apprenticeship programs generally. It also creates requirements for applications for building and construction trades programs for approval of a new or expanded apprenticeship program.

Safe Lifting – Hospitals

AB 1136 provides that general acute care hospitals must maintain a safe patient handling policy for patient care units, including trained lift teams or training in safe lifting techniques for staff. The safe patient handling policy must be kept in accordance with the California Occupational Safety and Health Act and should be part of the Injury Illness and Prevention Program (IIPP) of these specific employers.

Workers' Compensation Legislation

- **AB 335** – Requires 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.
- **AB 378** – Lowers workers' compensation costs by establishing guidelines for dispensing compound drugs, the circumstances under which those drugs would be covered and the reimbursement amount, and removes the incentives for physicians to refer patients to pharmacies in which the physician or physician's family has a financial interest.
- **AB 397** – 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.
- **AB 1168** – Lowers costs for employers and insurers by establishing a fee schedule for vocational experts' services.
- **AB 1426** – Streamlines the workers' comp process and eliminates duplicative bureaucracy and inconsistency by eliminating the court administrator position.
- **AB 228** – Amends California Insurance Code to authorize the State Compensation Insurance Fund (SCIF) to provide workers' compensation coverage to a California employer whose California employees temporarily work outside the state and whose injuries while performing out-of-state work might lead to workers' compensation liability in some other state.

DFEH Procedural Regulations

Effective October 7, 2011, **the Department of Fair Employment and Housing (DFEH)** has instituted new regulations relating to procedures for filing, investigating and processing discrimination and harassment claims. Overall, the regulations make it easier for claimants to file their complaints and initiate a DFEH investigation.

Presentation: Gene Wunderlich

Propositions that are on the June 2012 Statewide Ballot

1394. (09-0048, Amdt. #1S)

Limits on Legislators' Terms in Office. Initiative Constitutional Amendment.

Summary Date: 11/23/09 | Circulation Deadline: 04/22/10 | Signatures Required: 694,354

Proponent: Lance H. Olson (916) 442-2952

- Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years. Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both. Applies only to legislators first elected after the measure is passed. Provides that legislators elected before the measure is passed continue to be subject to existing term limits.

1444. (09-0097)

Imposes Additional Tax on Cigarettes for Cancer Research. Initiative Statute.

Summary Date: 02/01/10 | Circulation Deadline: 07/01/10 | Signatures Required: 433,971

Proponent: N. Eugene Hill (916) 442-2952

- Imposes additional five cent tax on each cigarette distributed (\$1.00 per pack), and an equivalent tax increase on other tobacco products, to fund cancer research and other specified purposes. Requires tax revenues be deposited into a special fund to finance research and research facilities focused on detecting, preventing, treating, and curing cancer, heart disease, emphysema, and other tobacco-related diseases, and to finance prevention programs. Creates nine-member committee charged with administering the fund.

Propositions that are on the November 2012 Statewide Ballot

Bond Measure

SBx7 2. (Chapter 3, 2009), Cogdill.

Safe, Clean, and Reliable Drinking Water Supply Act of 2010

CalChamber Position: Support

1487. (11-0010)

Prohibits Political Contributions by Payroll Deduction. Prohibitions on Contributions to Candidates. Initiative Statute.

Summary Date: 05/25/11 | Circulation Deadline: 10/24/11 | Signatures Required: 504,760

Proponent: Ashlee N. Titus (916) 442-7757

- Restricts union political fundraising by prohibiting use of payroll-deducted funds for political purposes. Same use restriction would apply to payroll deductions, if any, by corporations or government contractors. Permits voluntary employee contributions to employer or union committees if authorized yearly, in writing. Prohibits unions and corporations from contributing directly or indirectly to candidates and candidate-controlled committees. Other political expenditures remain unrestricted, including corporate expenditures from available resources not limited by payroll deduction prohibition. Limits government contractor contributions to elected officers or officer-controlled committees.

Propositions that are on the November 2014 Statewide Ballot

ACA 4 was moved from the June 2012 Presidential Primary Election to the November 2014 General Election by SB 202 (Chapter 558, 2011) Hancock. Elections: ballot measures.

ACA 4. (Chapter 174, 2010), Gatto. State finance.

*State Budget. Changes California Budget Process. Limits State Spending. Increases "Rainy Day" Budget Stabilization Fund.

*Note: The ballot label and ballot title and summary language for ACA 4 are set forth in AB 1619. (Chapter 732, 2010), Committee on Budget. Elections.

Pending Raw Signature Verification

1499. (11-0028) - Random Sample Update - 11/23/11

Redistricting. State Senate Districts. Referendum.

Summary Date: 08/26/11 | Random Sample Deadline: 01/10/12 | Signatures Required: 504,760

Proponent: Julie Vandermost c/o Charles H. Bell, Jr. (916) 442-7757

- State Senate districts are revised every ten years following the federal census. This year, the voter-approved California Citizens Redistricting Commission revised the boundaries of the 40 Senate districts. This referendum petition, if signed by the required number of registered voters and filed with the Secretary of State, will: (1) Place the revised State Senate boundaries on the ballot and prevent them from taking effect unless approved by the voters at the next statewide election; and (2) Require court- appointed officials to set interim boundaries for use in the next statewide election.

1495. (11-0013, Amdt. #1S)

Changes Law to Allow Auto Insurance Companies to Set Prices Based on a Driver's History of Insurance Coverage. Initiative Statute.

Summary Date: 08/11/11 | Circulation Deadline: 01/09/12 | Signatures Required: 504,760

Proponent: Mike D'Arelli (916) 283-9473

- Changes current law to permit insurance companies to set prices based on whether the driver previously carried auto insurance with any insurance company. Allows insurance companies to give proportional discounts to drivers with some prior insurance coverage. Will allow insurance companies to increase cost of insurance to drivers who have not maintained continuous coverage. Treats drivers with lapse as continuously covered if lapse is due to military service or loss of employment, or if lapse is less than 90 days.

Initiatives Pending at the Attorney General's Office as of December 08, 2011

Attorney General # Approximate Due Date to Secretary of State	Subject	Proponent(s)
11-0052 - Amdt. #1S - 12/15/11	"Repeal Dills Act"	Victor U. Sanchez
11-0054 - 12/08/11	"Corporations Amendment"	Thomas Montague Hall
11-0056 - 12/14/11	"The California 'Shall Issue' Concealed Firearms License Act"	David John Clark
11-0057 - 12/15/11	"The Three Strikes Reform Act of 2012"	Dan Newman
11-0058 - 12/15/11	"Civil Marriage"	Thomas B. Watson
11-0059 - 12/21/11	"The Californians Against Sexual Exploitation Act (CASE Act)"	Daphne Phung
11-0060 - 12/27/11	"The Health Insurer Accountability Act of 2012"	John Metz

11-0061 - 12/27/11	"The Local Taxpayers, Public Safety, and Local Services Protection Act of 2012"	Paul McIntosh
11-0062 - 12/27/11	"California Student Bill of Rights"	Philip D. Kohn
11-0063 - 12/27/11	"Government Employee Pension Reform Act of 2012 (V1)"	Daniel Pellissier
11-0064 - 12/27/11	"Government Employee Pension Reform Act of 2012 (V2)"	Daniel Pellissier
11-0065 - 12/27/11	"California Taxpayer Protection Act of 2012"	Ted Hilton
11-0066 - 12/27/11	"No Perks for Part-Time Politicians"	Peter Foy
11-0067 - 12/28/11	"The Neighborhood Legislature Reform Act"	John Cox
11-0068 - 12/28/11	"The Government Performance and Accountability Act"	Bruce McPherson Sunne Wright McPeak
11-0069 - 12/28/11	"Equality in Legislature"	B.C. Keith
11-0070 - 01/03/12	"Insurance Rate Public Justification and Accountability Act (V1)"	Jamie Court
11-0071 - 01/03/12	"The California Right to Know Genetically Engineered Food Act"	James Wheaton
11-0072 - 01/04/12	"Insurance Rate Public Justification and Accountability Act (V2)"	Jamie Court
11-0073 - 01/06/12	"The California Cannabis Hemp and Health Initiative 2012"	Michael Jolson Berton Duzy
11-0074 - 01/09/12	"Repeal SB 48 Act"	Richard Rios
11-0075 - 01/09/12	"Equality in Education Act"	Richard Rios

11-0076 - 01/11/12	"Parental Notification, Child and Teen Safety, and Stop Predators Act"	John Smith
11-0077 - 01/11/12	"Parental Notification, Child and Teen Safety, and Stop Predators Act"	John Smith
11-0078 - 01/12/12	"Polluter Accountability Act (V1)"	Joseph Caves
11-0079 - 01/12/12	"Polluter Accountability Act (V2)"	Joseph Caves
11-0080 - 01/12/12	"The California Clean Energy Jobs Act"	Joseph Caves
11-0081 - 01/18/12	"Charity Care Act of 2012"	Nisa L. Walker Jimi Hardy
11-0082 - 01/18/12	"Fair Healthcare Pricing Act of 2012"	Fabunimi Sands Tina McClain
11-0083 - 01/18/12	"The Bipartisan Initiative to Restore Local School Board Control Act"	Louis P. Sheldon
11-0084 - 01/18/12	"No Train Please Act"	Peter Seidel

11-0085 - 01/18/12	"Repeal SB 48 Act (V2)"	Richard Rios
11-0086 - 01/19/12	"Tax to Fund Free State Resident Tuition at UC and CSU"	Suneal Kolluri Richard Boettner Kara Duros
11-0087 - 01/19/12	"Protect Homeowners and Close Corporate Tax Loopholes Act"	Margaret R. Prinzing
11-0088 - 01/24/12	"Our Children, Our Future: Local Schools and Early Education Investment Act"	Roberta B. Johansen James C. Harrison
11-0089 - 01/26/12	"California Opportunity and Prosperity Act"	Felipe Fuentes John Cruz

11-0090 - 01/27/12	"The Schools and Local Public Safety Protection Act of 2012"	Edmund G. Brown, Jr.
11-0091, Amdt. #1S - 01/31/12	"Millionaires Tax to Restore Funding for Education and Essential Services Act of 2012"	Joshua Pechthalt
11-0092 - 01/27/12	"Government Spending Limit Act of 2012"	Steven S. Lucas Thomas W. Hiltachk
11-0093 - 01/27/12	"Children Learning Accurate Social Science Act"	Karen England
11-0094 - 01/31/12	"Protection from Transnational Gangs Act of 2012"	Tirso Del Junco Ted Hilton

Circulating:

1527. (11-0051)

State Bank. Tax on California Oil and Gas. Initiative Constitutional Amendment. Summary Date: 12/07/11 | Circulation Deadline: 05/07/12 | Signatures Required: 807,615
Proponent: Jeffrey L. Heaton

- Establishes state bank, initially funded by \$200,000,000 General Fund loan. Imposes 15 percent minimum tax on value of oil and gas extracted in California, for state bank capital. Mandates deposit of certain state funds in state bank, and authorizes public and private entities and individuals to establish accounts. State guarantees deposits. Authorizes state bank to borrow money, invest funds, make loans to businesses, organizations, and local governments, and keep earnings. Authorizes state bank to refinance state debt and make zero-interest loans to General Fund to finance operating deficits.

1526. (11-0049)

Prohibits Abortions for Females Under 18 Without Parental Notification and Waiting Period. Initiative Constitutional Amendment.

Summary Date: 11/30/11 | Circulation Deadline: 04/30/12 | Signatures Required: 807,615
Proponent: John Smith john.smith.jsjs@gmail.com

- Changes California Constitution to prohibit abortion for unemancipated minor until 48 hours after physician notifies her parent/legal guardian in writing. Provides exceptions for medical emergency, parental waiver, or parental abuse documented by notarized statement from law enforcement, protective services, or certain adult relatives. Permits judge to waive notice if minor appears personally in court and proves maturity or waiver is in her best interest. Requires physicians to report specific abortion information to Department of Public Health. Violating physicians subject to suit for 12 years.

1525. (11-0048)

Prohibits Abortions for Females Under 18 Without Parental Notification. Initiative Constitutional Amendment.

Summary Date: 11/30/11 | Circulation Deadline: 04/30/12 | Signatures Required: 807,615
Proponent: John Smith john.smith.jsjs@gmail.com

- Changes California Constitution to prohibit abortion for unemancipated minor until physician notifies her parent/legal guardian in writing. Provides exceptions for medical emergency, parental waiver, or parental abuse documented by notarized statement from law enforcement, protective services, or certain adult relatives. Permits judge to waive notice if minor appears personally in court and proves maturity or waiver is in her best interest. Requires physicians to report specific abortion information to Department of Public Health. Physicians can be sued for violating these provisions up to 12 years after abortion.

1524. (11-0046)

Marijuana Legalization. Initiative Statute.

Summary Date: 11/21/11 | Circulation Deadline: 04/19/12 | Signatures Required: 504,760
Proponents: Joe Rogoway, Frank H. Lucido, Pebbles Trippet, William Panzer, and Omar Figueroa (707) 520-4205

- Decriminalizes marijuana use, possession, cultivation, transportation, distribution, or sale for adults aged 19 and older. Creates California Cannabis Commission to regulate commercial cultivation, processing, testing, transport, distribution, sale, facilities for on-premises

consumption, and smoking in public, but authorizes local governments to permit conduct otherwise prohibited by state law and regulations. Exempts from regulation or taxation up to three pounds of marijuana for personal use. Retains laws prohibiting marijuana-related conduct that contributes to the delinquency of a minor and driving while impaired by marijuana.

1523. (11-0045)

Tax on Controlled Substances. Initiative Statute.

Summary Date: 11/21/11 | Circulation Deadline: 04/19/12 | Signatures Required: 504,760

Proponent: Robert Pack (925) 918-0843

- For three years beginning January 1, 2013, imposes a tax of \$.0025 per pill upon drug manufacturers and importers that make initial sale of a Schedule II, III, or IV controlled substance in California. Provides revenue to fund California Department of Justice's program to monitor prescription and dispensation of controlled substances, administration costs, outreach, education, and investigation of abuses. Requires any person that manufactures Schedule II, III, or IV controlled substances in California, or imports them into California, to register with the California Department of Justice for purposes of tax compliance.

1522. (11-0044)

Tax on California Oil and Natural Gas. Revenues to Education. Initiative Statute.

Summary Date: 11/21/11 | Circulation Deadline: 04/19/12 | Signatures Required: 504,760

Proponents: Peter Mathews and Paul R. Garver (562) 234-3319

- Imposes 15 percent tax on value of oil and natural gas extracted in California to supplement education funding, for purposes of reducing class size, reducing tuition, restoring classes cut, providing instructional materials and hiring teachers and professors. Allocates tax revenues as follows: 11 percent to University of California; 14 percent to California State University; 38 percent to community colleges; 37 percent to K-12. Prohibits reduction of existing education-funding levels based on these additional tax revenues. Prohibits passing tax through to consumers by way of higher fuel prices.

1521. (11-0043)

Elimination of Environmental Protection Laws and Agencies. Initiative Constitutional Amendment and Statute.

Summary Date: 11/21/11 | Circulation Deadline: 04/19/12 | Signatures Required: 807,615

Proponent: Oscar Alejandro Braun

- Repeals the California Environmental Quality Act, California Coastal Act, California Endangered Species Act, California Global Warming Solutions Act, and California Sustainable Communities and Climate Protection Act. Abolishes the California Environmental Protection Agency and Air Resources Board. Establishes new inalienable rights to produce, distribute, use, and consume air, carbon dioxide, water, food, habitat for humanity, universal health care, and energy generating natural resources. Grants Californians the individual right to nullify all federal powers not specifically delegated to the United States by the federal constitution. Fiscal Impact: It is the opinion of the Legislative Analyst and Director of Finance that the measure likely would result in a substantial net change in state or local finances if adopted.

1520. (11-0042)

Nuclear Power. Initiative Statute.

Summary Date: 11/18/11 | Circulation Deadline: 04/16/12 | Signatures Required: 504,760

Proponent: Ben Davis Jr. (916) 833-7894

- Extends statutory preconditions, currently applicable to new operation of any nuclear powerplant, to existing Diablo Canyon and San Onofre operations. Before further electricity production at these plants, requires California Energy Commission to find federal government has approved technology for permanent disposal of high-level nuclear waste. For nuclear powerplants requiring reprocessing of fuel rods, requires Commission to find federal government has approved technology for nuclear fuel rod reprocessing plants. Both findings are subject to Legislature's rejection. Further requires Commission to find on case-by-case basis facilities will be available with adequate capacity to reprocess or store powerplant's fuel rods.

1519. (11-0041)

Constitutional Definition of a Person. Initiative Constitutional Amendment. Summary

Date: 11/17/11 | Circulation Deadline: 04/16/12 | Signatures Required: 807,615

Proponent: Walter B. Hoyer II (510) 225-4056

- Defines "person" as including all living human beings from the beginning of their biological development as human organisms, for purposes of state constitutional protections of due process and equal protection. Eliminates state constitutional protections of due process and equal protection for non-biological entities, such as corporations.

1518. (11-0040)

Reduced Marijuana Penalties. Initiative Statute.

Summary Date: 11/07/11 | Circulation Deadline: 04/05/12 | Signatures Required: 504,760

Proponent: Bill Zimmerman (310) 451-2522

- Limits punishment to \$250 fine or community service for possession, cultivation, sale, or transportation of up to two ounces of marijuana; limits punishment to six months in county jail and/or \$500 fine if violator is less than 21. Retains existing penalties for marijuana offenses

on school grounds and for offenses involving sale to a minor, employment of minor in criminal marijuana enterprise, or driving under influence of marijuana. Makes property forfeiture laws inapplicable to marijuana offenses involving two ounces or less. Retains laws regarding marijuana in the workplace, driving under influence, and medical marijuana.

1517. (11-0055)

Referendum to Overturn Law That Prohibits the Required Use of Federal Electronic Employment- Verification Systems.

Summary Date: 10/28/11 | Circulation Deadline: 01/07/12 | Signatures Required: 504,760

Proponent: Rick Oltman (415) 884-9960

- If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to a state law previously approved by the Legislature and Governor. The law must then be approved by a majority of voters at the next statewide election to go into effect. The law prohibits state and local governments from requiring private employers to use federal electronic employment verification systems to verify their employees are authorized to work in United States. (11-0055)

1516. (11-0039)

Marijuana Legalization. Initiative Statute.

Summary Date: 10/27/11 | Circulation Deadline: 03/26/12 | Signatures Required: 504,760

Proponents: James P. Gray, William McPike, Stephen Collett, and Steve Kubby (415) 830-6070

- Decriminalizes marijuana sales, distribution, possession, use, cultivation, and transportation. Dismisses pending court actions inconsistent with its provisions. Retains laws forbidding use while driving or in workplace. Establishes regulation of commercial marijuana trade to match regulation of wine and beer. Allows noncommercial production up to 24 flowering plants per household, or more with local approval. Authorizes retail sales of marijuana with THC level of .3% or more to persons 21 or older; if less, no age limit. Directs state and local officials to not cooperate with federal enforcement of marijuana laws. Bans development of genetically modified marijuana.

1515. (11-0038)

Prohibits Abortions for Females Under 18 Without Parental Notification and Waiting Period. Initiative Constitutional Amendment.

Summary Date: 10/25/11 | Circulation Deadline: 03/23/12 | Signatures Required: 807,615

Proponent: John Smith john.smith.jsjs@gmail.com

- Changes California Constitution to prohibit abortion for unemancipated minor until 48 hours after physician notifies her parent/legal guardian in writing. Provides exceptions for medical emergency, parental waiver, or parental abuse documented by notarized statement from law enforcement, protective services, or certain adult relatives. Permits judge to waive notice if minor appears personally in court and proves maturity or waiver is in her best interest. Requires physicians to report specific abortion information to Department of Public Health. Violating physicians subject to suit for 12 years.

1514. (11-0037)

Prohibits Abortions for Females Under 18 Without Parental Notification. Initiative Constitutional Amendment.

Summary Date: 10/25/11 | Circulation Deadline: 03/23/12 | Signatures Required: 807,615

Proponent: John Smith john.smith.jsjs@gmail.com

- Changes California Constitution to prohibit abortion for unemancipated minor until physician notifies her parent/legal guardian in writing. Provides exceptions for medical emergency, parental waiver, or parental abuse documented by notarized statement from law enforcement, protective services, or certain adult relatives. Permits judge to waive notice if minor appears personally in court and proves maturity or waiver is in her best interest. Requires physicians to report specific abortion information to Department of Public Health. Physicians can be sued for violating these provisions up to 12 years after abortion.

1513. (11-0033, Amdt. #1S)

Tax on California Oil and Natural Gas. Revenues to Education. Initiative Statute.

Summary Date: 10/21/11 | Circulation Deadline: 03/19/12 | Signatures Required: 504,760

Proponent: Philip D. Sales II savecaliforniaseducation@gmail.com

- Imposes 10 percent tax on value of oil and natural gas extracted in California to supplement funding for education. Allocates 10 percent of tax revenues to grants for college and vocational students, and remainder to classroom education funding as follows: 10 percent to University of California; 20 percent to California State University; 20 percent to community colleges; and 40 percent to K-12. Prohibits reduction of existing education-funding levels based on these additional tax revenues. Prohibits passing tax through to consumers by way of higher fuel prices.

1512. (11-0035)

Death Penalty Repeal. Initiative Statute.

Summary Date: 10/20/11 | Circulation Deadline: 03/19/12 | Signatures Required: 504,760

Proponent: Jeanne Woodford c/o James C. Harrison (510) 346-6200

- Repeals death penalty as maximum punishment for persons found guilty of murder and replaces it with life imprisonment without possibility of parole. Applies retroactively to persons already sentenced to death. Requires persons found guilty of murder to work while in prison, with their wages to be applied to any victim restitution fines or orders against them. Create s \$100 million fund to be distributed to law enforcement agencies to help solve more homicide and rape cases.

1511. (11-0050)

Referendum to Overturn State Financial Aid for Undocumented Students.

Summary Date: 10/20/11 | Circulation Deadline: 01/06/12 | Signatures Required: 504,760

Proponent: Tim Donnelly

- If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to a state law previously approved by the Legislature and Governor. The law must then be approved by a majority of voters at the next statewide election to go into effect. The law would allow students who are undocumented immigrants and attended a California high school for three or more years, and graduated, to receive state financial aid to attend California universities and community colleges.

1510. (11-0047)

Referendum to Overturn Changes to Ballot Measure Elections.

Summary Date: 10/17/11 | Circulation Deadline: 01/05/12 | Signatures Required: 504,760

Proponent: Charles H. Bell, Jr. (916) 442-7757

- If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to a state law previously approved by the Legislature and Governor. The law must then be approved by a majority of voters at the next statewide election to go into effect. The law would limit statewide initiatives and referendums to November general elections or special elections, no longer including primary elections, and move the vote on proposed changes to California's budget reserves to November 2014.

1509. (11-0032)

State and Local Government Officials. Retirement Benefits. Initiative Statute.

Summary Date: 10/10/11 | Circulation Deadline: 03/08/12 | Signatures Required: 504,760

Proponent: Larry Click

- Limits retirement benefits for candidates for office, government officials, and government advisors, to the benefits provided to workers at lowest benefit level in same agency. Limits basis for calculation of such retirement benefits to years of service with government agency in which last served. Applies retroactively to any retirement benefits government officials set for themselves, unless enacted by majority popular vote. Imposes penalties for actions contrary to its terms, including forfeitures and ineligibility for public office.

1508. (11-0031)

State and Local Government Officials. Personal Liability. Initiative Statute.

Summary Date: 10/10/11 | Circulation Deadline: 03/08/12 | Signatures Required: 504,760

Proponent: Larry Click

- Requires candidates for office, government officials, and government advisors to use personal funds to pay any damages and their own legal expenses arising from claims of unscrupulous behavior. Defines unscrupulous behavior to include negligence, ethics violations, direction to subordinates that is contrary to or expands beyond existing law, breach of contract, and unfulfilled campaign promises. Imposes penalties for unscrupulous behavior, or for improper use of public funds to defend against claims of unscrupulous behavior, including imprisonment, fines, forfeiture, punitive damages, nullification of unscrupulous acts, and ineligibility for public office.

1507. (11-0030)

Gifts to State and Local Government Officials. Disqualification. Initiative Statute. Summary

Date: 10/10/11 | Circulation Deadline: 03/08/12 | Signatures Required: 504,760

Proponent: Larry Click

- Prohibits candidates for office, government officials, judges, arbitrators, and government advisors from voting on, deciding, or influencing any matter of government business that would disproportionately benefit themselves or any individual or entity that has given them an excessive contribution. Defines excessive contribution as any amount exceeding a 40-hour week's pay at federal minimum wage. Creates new state agencies to monitor compliance and impose penalties, including vote nullification, forfeiture of contributions, salary, and retirement and other benefits, and ineligibility for public office, and to distribute seized assets among registered voters.

1506. (11-0029)

State and Local Legislation and Policies. Initiative Statute.

Summary Date: 10/10/11 | Circulation Deadline: 03/08/12 | Signatures Required: 504,760

Proponent: Larry Click

- Prohibits candidates for office, government officials, and government advisors from giving themselves exemptions from legislation they pass or policy decisions they make, and from giving themselves special benefits by legislation or policy decision. Applies retroactively to all legislation not enacted by majority popular vote. Creates new state agency to monitor proposed laws and policies for compliance and to enforce penalties, including imprisonment, fines, forfeiture, and ineligibility for public office.

1505. (11-0027)

State and Local Government Purchasing. Made in United States. Initiative Statute.

Summary Date: 09/29/11 | Circulation Deadline: 02/27/12 | Signatures Required: 504,760

Proponents: Jim Gonzalez, Bill Zimmerman, and John Thiella c/o Jim Gonzalez (916) 449-6190

- Amends existing state law, previously held unconstitutional, that required state and local governments to use only products made in the United States. Eliminates exceptions for materials that are not generally produced in the United States, for medical and scientific equipment, for sewing machines, for printing presses, and for office machines and supplies. Creates new limited exceptions for some foreign materials, including where restriction prohibited by federal law, for spare parts for existing equipment, and for literature, artwork, and historical artifacts.

1504. (11-0026)

Reduces Pension Benefits for Public Employees. Creates a New State Retirement System for Private Sector Employees. Initiative Statute.

Summary Date: 09/13/11 | Circulation Deadline: 02/10/12 | Signatures Required: 504,760

Proponents: Edward J. (Ted) Costa, Robert J. Matteoli (916) 482-6175

- Reduces pension benefits for current and future public employees, including teachers, nurses, and peace officers. For two years, and beyond if system pension obligations are underfunded, changes the minimum retirement age and further reduces annual pension amount received. Restricts the availability of defined contribution plans including 401(k) plans for public employees. Creates a new state retirement system for private sector employees. Requires audits of pension systems. Caps base pay for new employees and employees in underfunded systems. Fiscal Impact: It is the opinion of the Legislative Analyst and Director of Finance that the measure could result in a substantial net change in state or local finances if adopted, given the magnitude of the changes proposed in this measure.

1502. (11-0022)

Increases Retirement Age for Teachers, Peace Officers, and Other Public Employees. Initiative Constitutional Amendment.

Summary Date: 09/06/11 | Circulation Deadline: 02/03/12 | Signatures Required: 807,615

Proponent: Alan Oliver Ebenstein c/o Lanny Ebenstein (805) 682-9815

- Increases the minimum retirement age to 65 (or 58 for sworn public safety officers) for members of the California Public Employees' Retirement System and the California State Teachers' Retirement System, including for teachers, nurses, police officers, firefighters, and other public employees.

1501. (11-0021)

Increases Income Taxes on Teachers, Nurses, Police Officers, Firefighters, and Other Public Employees for Pension Income. Initiative Constitutional Amendment.

Summary Date: 09/06/11 | Circulation Deadline: 02/03/12 | Signatures Required: 807,615

Proponent: Alan Oliver Ebenstein c/o Lanny Ebenstein (805) 682-9815

- Increases income tax rate by 15% for annual pension income between \$100,000 and \$149,999, and 25% for annual pension income over \$150,000, on income received by teachers, nurses, police officers, firefighters, and other public employees from the California Public Employees' Retirement System and the California State Teachers' Retirement System.

1500. (11-0020)

Eliminates Collective Bargaining Rights for Teachers, Nurses, Police Officers, Firefighters, and Other Public Employees.

Summary Date: 09/06/11 | Circulation Deadline: 02/03/12 | Signatures Required: 807,615

Proponent: Alan Oliver Ebenstein c/o Lanny Ebenstein (805) 682-9815

- Eliminates collective bargaining rights for teachers, nurses, police officers, firefighters, and other public employees. Prohibits state and local public agencies from recognizing any labor union or other employee association as a bargaining agent of any public employee. Prohibits state and local public agencies from collectively bargaining with public employee unions or employee associations.

1498. (11-0018)

Requires Minimum Investment by Public Pension or Retirement Systems in California Businesses. Initiative Constitutional Amendment.

Summary Date: 08/15/11 | Circulation Deadline: 01/12/12 | Signatures Required: 807,615

Proponent: Michael Lee Madsen, Sr. foramericanow@aol.com or cre8jobs4usplus1@aol.com

- Requires all State and local public pension or retirement systems to invest and maintain at least 85 percent of their assets in California businesses in which at least 70 percent of the employees are employed within California by January 1, 2016.

1497. (11-0016)

Prohibits Abortions for Females Under 18 Without Parental Notification and Waiting Period. Initiative Constitutional Amendment.

Summary Date: 08/11/11 | Circulation Deadline: 01/09/12 | Signatures Required: 807,615

Proponent: John Smith john.smith.jsjs@gmail.com

- Changes California Constitution to prohibit abortion for unemancipated minor until 48 hours after physician notifies her parent/legal guardian in writing. Provides exceptions for medical emergency, parental waiver, or parental abuse documented by notarized statement from law enforcement, protective services, or certain adult relatives. Permits judge to waive notice if minor appears personally in court and proves maturity or waiver is in her best interest. Requires physicians to report specific abortion information to Department of Public Health. Violating physicians subject to suit for 12 years.

1496. (11-0015)

Prohibits Abortions for Females Under 18 Without Parental Notification. Initiative Constitutional Amendment.

Summary Date: 08/11/11 | Circulation Deadline: 01/09/12 | Signatures Required: 807,615

Proponent: John Smith john.smith.jsjs@gmail.com

- Changes California Constitution to prohibit abortion for unemancipated minor until physician notifies her parent/legal guardian in writing. Provides exceptions for medical emergency, parental waiver, or parental abuse documented by notarized statement from law enforcement, protective services, or certain adult relatives. Permits judge to waive notice if minor appears personally in court and proves maturity or waiver is in her best interest. Requires physicians to report specific abortion information to Department of Public Health. Physicians can be sued for violating these provisions up to 12 years after abortion.

1492. (11-0014)

Home Mortgage Modification. Initiative Constitutional Amendment.

Summary Date: 07/27/11 | Circulation Deadline: 12/27/11 | Signatures Required: 807,615

Proponent: David A. Benson (916) 247-4743

- Makes home ownership fundamental right. Prohibits lenders from foreclosing on California citizen's personal home. Requires lenders to assist California borrowers not paying on home loans due to financial hardship or illness. Requires lenders to reduce home loan principal to reflect drop in local property value if more than 10 percent, and to reschedule payments, reduce interest rates, and/or refinance without new credit review. Requires lenders to refinance home loans at minimum cost within 45 days of request if loan has been maintained for three years. Provides back property tax assistance to homeowners.

Failed to Qualify:

1480. (11-0003)

Federal Constitutional Convention. Initiative Statute.

Summary Date: 04/29/11 | Circulation Deadline: 09/26/11 | Signatures Required: 504,760

Proponent: Christopher A. Brown

- Finds California environmental and other public benefit laws have been effectively nullified by the federal government. Directs the California Legislature to request that Congress call a federal constitutional convention to propose amendments to the United States Constitution. Requires California's delegate to the convention to be determined by general election after televised public debate.

1481. (11-0004)

Tax on California Oil. Initiative Statute.

Summary Date: 05/03/11 | Circulation Deadline: 09/30/11 | Signatures Required: 504,760

Proponents: Peter Mathews, Frank Dawoodjee, and Paul Garver (562) 234-3319 go2mathews@msn.com

- Imposes 15 percent tax on value of each barrel of oil extracted in California. Allocates oil tax revenue to non-capital educational funding: 30 percent to K-12; 48 percent to community colleges; 11 percent each to California State University and University of California. Prohibits producers from passing tax on to refiners, gasoline stations, or consumers. Prohibits loan of oil tax revenues to General Fund. Prohibits reduction of regular education funding based on additional revenues from tax.

1482. (11-0006)

State and Local Spending. Initiative Constitutional Amendment.

Summary Date: 05/20/11 | Circulation Deadline: 10/17/11 | Signatures Required: 807,615

Proponent: Jon Coupal c/o Thomas W. Hiltachk (916) 442-7757

- Changes how the state spending limit is calculated and places a total limit on spending. Reduces annual cost of living adjustment to spending limit. Allocates excess state revenue to repayment of bonds and closing of education funding gap, a new reserve account, and a new school and roadway construction fund, rather than to schools and reducing tax rates. Caps sale of certain state bonds. Allows state to spread out mandated payments to local agencies. Suspends protections for local government employees and retirees if unfunded by state. Prohibits local government expenditures from exceeding revenues.

1483. (11-0008)

Nuclear Power. Initiative Statute.

Summary Date: 05/23/11 | Circulation Deadline: 10/20/11 | Signatures Required: 504,760

Proponent: Ben Davis, Jr. (916) 833-7894

- Extends statutory preconditions, currently applicable to new operation of any nuclear powerplant, to existing Diablo Canyon and San Onofre operations. Before further electricity production at these plants, requires California Energy Commission to find federal government has approved technology for permanent disposal of high-level nuclear waste. For nuclear powerplants requiring reprocessing of fuel rods, requires Commission to find federal government has approved technology for nuclear fuel rod reprocessing plants. Both findings are subject to Legislature's rejection. Further requires Commission to find on case-by-case basis facilities will be available with adequate capacity to reprocess or store powerplant's fuel rods.

1484. (11-0007, Amdt. #1NS)

Modifies Public Employee Pension Benefits. Eliminate Authority to Set Public Employee Retirement Benefits by Contract or Collective Bargaining. Initiative Constitutional Amendment.

Summary Date: 05/23/11 | Circulation Deadline: 10/20/11 | Signatures Required: 807,615

Proponent: Roger Niello c/o Thomas W. Hiltachk (916) 442-7757

- Sets retirement age at 62 for persons who are or will be public employees. Limits pensions to 60 percent of employee's highest average base wage for three consecutive years. Requires employees match public agency pension contribution. Mandates public employees work fulltime for five consecutive years to receive pension. Provides public agency full discretion to modify pensions, and prevents pension changes through contract or collective bargaining. Retains current pension benefits for legislators and public employees retiring before initiative is effective

1485. (11-0009)

State Budget. Initiative Constitutional Amendment.

Summary Date: 05/24/11 | Circulation Deadline: 10/21/11 | Signatures Required: 807,615

Proponent: James C. Harrison (510) 346-6200

- Any statute, state budget, or legislative constitutional change that decreases state revenues or increases state program or agency costs by \$25 million or more in a fiscal year must include offsetting revenues or spending cuts. Establishes a two-year budget cycle, with five-year fiscal projections. Permits the Governor to cut the budget midyear when a fiscal crisis has been declared and Legislature fails to act. Requires the budget bill to be in print three days before its adoption. Requires state program performance reviews.

1486. (11-0005)

Secret Ballot. Restrictions on Employees Seeking Labor Representation. Initiative Constitutional Amendment.

Summary Date: 05/25/11 | Circulation Deadline: 10/24/11 | Signatures Required: 807,615
Proponent: Alek Bohigian (559) 760-5233

- Amends state Constitution to eliminate employees' option to designate union representation by proving majority support to their employer. Would require formal secret ballot election for any designation of labor representation. Restates existing Constitutional guarantee of vote by secret ballot in elections for public office and upon an initiative or referendum. Adds that secret ballot is a fundamental right.

1489. (11-0019)

Referendum to Overturn Law Requiring Internet Retailers to Collect Same Sales or Use Taxes as Other Retailers.

Summary Date: 07/18/11 | Circulation Deadline: 09/27/11 | Signatures Required: 504,760
Proponent: Charles T. Halnan c/o Chip Nielsen (415) 389-6800

- If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to an existing state law. The law must be approved by voters at the next statewide election to remain in effect. The law expands the definition of retailers considered "engaged in business" in California to include certain Internet retailers selling to California consumers, so that out-of-state Internet retailers also collect existing sales or use taxes.

1491. (11-0023)

Referendum to Overturn Non-Discrimination Requirements for School Instruction.

Summary Date: 07/25/11 | Circulation Deadline: 10/12/11 | Signatures Required: 504,760
Proponent: Paulo E. Sibaja (909) 996-9391

- If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to a state law previously approved by the Legislature and Governor. The law must then be approved by a majority of voters at the next statewide election to go into effect. The law would require school instructional materials to recognize societal contributions of various groups; and would prohibit school instructional materials that reflect adversely on persons based on their ethnicity, gender, sexual orientation and other characteristics.

1493. (11-0024)

Referendum to Overturn Law Requiring State to Establish Fire Prevention Fee.

Summary Date: 08/01/11 | Circulation Deadline: 10/06/11 | Signatures Required: 504,760
Proponent: Ted Gaines

- If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to an existing state law. The law must be approved by voters at the next statewide election to remain in effect. The law calls for an annual fee up to \$150 for each building located in areas where the state pays for fire services. The fee would fund fire services for such areas.

1494. (11-0025)

Referendum to Overturn Authorization of Alternative Redevelopment Agencies.

Summary Date: 08/01/11 | Circulation Deadline: 09/27/11 | Signatures Required: 504,760
Proponent: Marko Mlikotin (916) 552-0335

- If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to an existing state law. The law must be approved by voters at the next statewide election to remain in effect. The law permits communities to establish alternative redevelopment agencies, provided they make specified contributions to school districts and county offices of education, and to special fire and transit districts. If this law is not approved, redevelopment agencies will no longer be authorized.

1503. (11-0036)

Redistricting. Congressional Districts. Referendum.

Summary Date: 09/09/11 | Circulation Deadline: 11/13/11 | Signatures Required: 504,760
Proponent: Julie Vandermost c/o Charles H. Bell, Jr. (916) 442-7757

- Congressional districts are revised every ten years following the federal census. This year, the voter-approved California Citizens Redistricting Commission revised the boundaries of California's 53 congressional districts. This referendum petition, if signed by the required number of registered voters and filed with the Secretary of State, will: (1) Place the revised congressional boundaries on the ballot and prevent them from taking effect unless approved by the voters at the next statewide election; and (2) Require court-appointed officials to set interim boundaries for use in the next statewide election.