

CalChamber Vote Record: Major Bills 2014

This report for the second year of the 2013–2014 legislative session focuses on California legislators' floor votes on California Chamber of Commerce priority bills.

This is the 40th vote record the CalChamber has compiled. The CalChamber publishes this report in response to numerous requests by member firms and local chambers of commerce that would like a gauge by which to measure the performance of their legislators.

To help readers assess legislators' vote records, the charts group bills into six areas: environmental regulation, health care costs, labor costs, litigation costs, tax, and water supply and reliability.

Partial Picture

No vote record can tell the entire story of a legislator's attitude and actions on issues of importance to business. Each year, legislators cast thousands of votes on thousands of proposed laws. To fully evaluate your legislative representative, consult the legislative journals and examine your legislator's votes in committee and on floor issues.

You can view these via links at www.calchambervotes.com.

Many anti-business bills were rejected by legislators in policy or fiscal committees, thus stopping proposals before they reached the floor for a vote. The vote record does not capture these votes.

Most bills in this report cover major business issues that are of concern to both small and large companies.

The CalChamber recognizes that there are many bills supported or opposed by business that are not included in this vote record and analysis.

Factors Considered

The CalChamber considers the following factors in selecting vote record bills:

- The bills and votes reflect legislators' attitudes toward private enterprise, fiscal responsibility and the business climate.
- Each bill was a CalChamber priority in a particular field. Priority bills have appeared in the "Status Report" sections of *Alert*.
- The bills were voted upon by either the full Senate or Assembly. This year the vote record covers 17 votes in the Senate and 14 votes in the Assembly.
- Unless otherwise noted, final floor

votes are shown. Concurrence votes and conference report votes are considered final votes.

When 'Not Voting' Helps

Sometimes a legislator is unwilling to vote against a colleague, but is willing to support the CalChamber's opposition to a bill. In such cases, a legislator may abstain from voting, which will hinder passage of a bill, just as a "no" vote does.

To recognize that not voting can aid the CalChamber's opposition to a bill, the vote record includes the number of times legislators did not vote "aye" on a CalChamber-opposed bill in the total for the column listing actions "in accord with" the CalChamber's position, if the legislator was not absent for the day.

Priority Bills

Environmental Regulation

[SB 812 \(de León; D-Los Angeles\)](#)

Creates Unworkable Permitting System for Hazardous Waste Facilities. Fundamentally undermines the Department of Toxic Substances Control's recently proposed plan to issue protective and timely hazardous waste permits by creating extraordinarily aggressive and arbitrary permit processing timelines. Passed Assembly, August 27, 48-23. Senate concurred in Assembly amendments, August 29, 24-12. Vetoed. CalChamber Opposed.

[SB 1132 \(Mitchell; D-Los Angeles\)](#)

Significantly Limits In-State Energy Development. Places California at a competitive disadvantage, increases fuel costs, impedes job growth and suppresses property, income and excise tax revenues by imposing a statewide moratorium on well stimulation treatments until the completion of a scientific study. Failed passage in Senate, May 29, 16-16. CalChamber Opposed/**Job Killer**.

[SB 1381 \(Evans; D-Santa Rosa\)](#) California-Only New Labeling Requirements and Increased Litigation.

Increases cost of food production and increases frivolous litigation by forcing farmers and food companies to implement costly new labeling, packaging, distribution and recordkeeping for products sold in California. Latest amendments remove private right of action that would have led to increased litigation on all entities in the supply chain if a product was not properly

labeled. "Job killer" tag removed, but CalChamber still opposes. Failed passage in Senate, May 29, 19-16. CalChamber Opposed/**Former Job Killer**.

Health Care Costs

[AB 2533 \(Ammiano; D-San Francisco\)](#) Undermines Managed Care.

Significantly increases health care costs and makes premiums less affordable for employers by requiring health care service plans, in some cases, to arrange out-of-network care with noncontracting providers regardless of their rates. Passed Assembly, May 28, 44-28. Senate Third Reading File, August 19. CalChamber Opposed.

[SB 1034 \(Monning; D-Carmel\)](#)

Health Care Clarification for Employers. Eliminates confusion for employers by deleting certain provisions of California law related to waiting period limitations for health care coverage and clarifying that employer-imposed waiting periods are governed by federal law. Passed Assembly, June 30, 77-0. Senate concurred in Assembly amendments, August 4, 36-0. Signed by Governor—Chapter 195. CalChamber Supported.

[SB 1094 \(Lara; D-Huntington Park/Long Beach\)](#) Interference with Private Contracts.

Inappropriately interferes with the ability of successful health facilities operators to purchase or merge with struggling hospitals, increasing the risk and cost of financing these transactions, by allowing the California Attorney General to retroactively amend the terms of the transfer agreement rather than resorting to traditional remedies when she unilaterally determined that one of the parties has breached the contract or made material misrepresentations. Passed Assembly, August 28, 43-27. Senate concurred in Assembly amendments, August 29, 21-13. Vetoed. CalChamber Opposed.

Labor Costs

[AB 1522 \(Gonzalez; D-San Diego\)](#)

Paid Sick Leave. Increases employer mandates by requiring all employers, large and small, to provide all employees in California with paid sick leave. "Job killer" tag removed due to August 29, 2014 amendments, but CalChamber remains opposed. Passed Senate, August 29, 22-8. Assembly concurred in Senate amendments, August 30, 52-25. Signed by Governor—Chapter 317. CalChamber Opposed/**Former Job Killer**.

CalChamber Vote Record: Major Bills 2014

AB 2416 (Stone; D-Scotts Valley)

Unproven Wage Liens. Creates a dangerous and unfair precedent in the wage and hour arena by allowing employees to file liens on an employer's real or personal property, or property where work was performed, based upon alleged yet unproven wage claims. Passed Assembly, May 28, 43-27. Failed passage in Senate, August 28, 13-15. CalChamber Opposed/**Job Killer**.

AB 2616 (Skinner; D-Berkeley)

Expands Costly Presumptions. Increases workers' compensation costs for public and private hospitals by presuming certain diseases and injuries are caused by the workplace. Passed Senate, August 20, 24-9. Assembly concurred in Senate amendments, August 22, 47-24. Vetoed. CalChamber Opposed.

SB 25 (Steinberg; D-Sacramento)

Due Process for Agricultural Employers. Denies due process for agricultural employers by requiring an employer to implement a collective bargaining contract ordered by the Agricultural Labor Relations Board while appealing the order, unless the employer meets a high standard to win a stay. Passed Assembly, August 30, 42-25. Senate concurred in Assembly amendments, August 30, 22-12. Vetoed. CalChamber Opposed.

Litigation Costs

AB 1897 (R. Hernández; D-West Covina)

Contractor Liability. Unfairly imposes liability on a contracting entity for the contractor's wage and hour violations and lack of workers' compensation coverage despite the lack of any evidence that the contracting entity controlled the working conditions or wages of the contractor's employees. Passed Senate August 27, 22-12. Assembly concurred in Senate amendments, August 28, 47-24. Signed by Governor—Chapter 728. CalChamber Opposed/**Job Killer**.

AB 2617 (Weber; D-San Diego)

Interference with Arbitration Agreements and Settlement Agreements. Unfairly prohibits the enforcement of arbitration agreements or pre-litigation settlement agreements that require the individual to waive their right to pursue a civil action for the alleged violation of civil rights. Passed Senate, August 21, 21-11. Assembly concurred in Senate amendments, August 27, 50-24. Signed by Governor—Chapter 910. CalChamber

Opposed/**Job Killer**.

SB 1188 (Jackson; D-Santa Barbara)

Unwarranted Expansion of Product Defect Litigation. Significantly increases product defect litigation and associated claims by allowing consumers to pursue claims after the warranty has expired for "material" omissions regarding the product that are unrelated to any health and safety concerns. Passed Senate, May 28, 21-14. In Assembly Judiciary Committee. CalChamber Opposed/**Job Killer**.

Tax

AB 1839 (Gatto; D-Los Angeles)

Creates Competitive Tax Environment. Encourages film and television productions to locate or remain in California by extending and expanding the film and television tax credit. Passed Senate August 29, 34-2. Assembly concurred in Senate amendments, August 29, 72-0. Signed by Governor—Chapter 413. CalChamber Supported/**Job Creator**.

AB 2372 (Ammiano; D-San Francisco)

Split Roll Change of Ownership. Before amendments, unfairly targeted commercial property by redefining "change of ownership" so that such property is more frequently reassessed, which will ultimately lead to higher property taxes that will be passed on to tenants, consumers, and potentially employees. "Job killer" status and opposition changed to support with May 28, 2014 amendments providing clarity regarding change of ownership of commercial property for purposes of reassessment in accordance with Proposition 13. Passed Assembly, May 29, 57-13. Held in Senate Appropriations Committee. CalChamber Supported/**Former Job Killer**.

SB 1021 (Wolk; D-Davis)

Split Roll. Discriminates against commercial property through split roll by allowing a school district to impose a higher parcel tax against commercial property as opposed to residential property. Passed Senate, May 5, 21-15. Failed passage in Assembly Revenue and Taxation, June 25. CalChamber Opposed/**Job Killer**.

SB 1372 (DeSaulnier; D-Concord)

Increased Tax Rate. Threatens to significantly increase the corporate tax rate on publicly held corporations and financial institutions up to 15% according to the wages paid to employees in the United States, and threatens to increase that rate

Key to Using This Section

Y means voted for bill.

N means voted against bill.

- means not voting "aye" on a CalChamber-opposed bill.

NV means not voting

— means absent.

Boldface type indicates votes in accord with CalChamber position.

Red column headings are "Job Killer" bills.

Green column headings are "Job Creator" bills.

The last three columns are a tabulation of votes in accord with the CalChamber position, not in accord with the CalChamber and not voting or absent.

by 50% thereafter, if the corporation or institution reduces its workforce in the United States and simultaneously increases its contractors. Failed passage in Senate, August 28, 18-17. CalChamber Opposed/**Job Killer**.

Water Supply and Reliability

AB 1471 (Rendon; D-Lakewood)

Water Bond. \$7.5 billion water bond that contains funding for water quality, supply and infrastructure improvements. Contains \$2.7 billion for water storage projects necessary for a long-term adequate supply for water for all Californians. Passed Senate, August 13, 37-0. Assembly concurred in Senate amendments, August 13, 77-2. Signed by Governor—Chapter 188 (urgency). CalChamber Supported.

SB 1168 (Pavley; D-Agoura Hills)

Premature Regulations. Potentially devalues land prices of commercial and agricultural properties by limiting groundwater rights on which credit worthiness is based by requiring groundwater management plans without careful and thoughtful review of all monitoring data and without clear definitions or directions. Passed Assembly, August 29, 47-27. Senate concurred in Assembly amendments, August 29, 25-10. Signed by Governor—Chapter 346. CalChamber Opposed.

2014 Senate Vote Record

	Environmental Regulation	SB 812 Haz Waste Permits	SB 1132 Limits In-State Energy	SB 1381 State-Only Labeling	Health Care Costs	AB 2533 Managed Care	SB 1034 Waiting Periods	SB 1094 Private Contracts	Labor Costs	AB 1522 Paid Sick Leave	AB 2416 Unproven Wage Liens	AB 2616 Workers' Comp	SB 25 Agricultural Employers	Litigation Costs	AB 1897 Contractor Liability	AB 2617 Arbitration Agreements	SB 1188 Product Defects	Tax	AB 1839 Film/TV Tax Credit	AB 2372 Change of Ownership	SB 1021 Split Roll	SB 1372 Increased Tax Rate	Water Supply & Reliability	AB 1471 Water Bond	SB 1168 Groundwater	In Accord with CalChamber	Not in Accord with CalChamber	Not Voting or Absent
Anderson, J. (R)	N N N				Y N	● N												Y							16	1	0	
Beall, J. (D)	Y Y Y				Y Y	● ●												Y Y							5	12	0	
Berryhill, T. (R)	N N N				Y N	● N											Y Y							17	0	0		
Block, M. (D)	Y ● N				Y Y	● ●	Y Y									Y Y	Y Y							7	10	0		
Calderon, R. (D)*	* * *	*	*	*	Y Y	● * *	*	*	*						*	*	*	*							0	0	17	
Cannella, A. (R)	N N N				Y N	● N	Y N									N N N		Y						16	1	0		
Corbett, E. (D)	Y Y Y				Y Y	Y Y Y	Y Y Y									Y Y Y	Y Y Y							3	14	0		
Correa, L. (D)	Y N ●				Y ●	Y N	Y Y									● ● N		Y Y						12	5	0		
de León, K. (D)	Y Y Y				Y Y	Y Y Y	Y Y Y									Y Y Y	Y Y Y							3	14	0		
DeSaulnier, M. (D)	Y Y Y				Y Y	Y Y Y	Y Y Y									Y Y Y	Y Y Y							3	14	0		
Evans, N. (D)	Y Y Y				Y Y	Y Y Y	Y Y Y									Y Y Y	Y Y Y							4	13	0		
Fuller, J. (R)	N N N				Y N	● N N N	N N N									N N N		Y N						17	0	0		
Gaines, T. (R)	N N N				Y N	N N N N	N N N N									N N N		Y N						17	0	0		
Galgiani, C. (D)	Y N N				Y N	Y ● Y	● Y									Y ● N		Y ●						13	4	0		
Hancock, L. (D)	Y Y Y				— Y	Y Y	● Y									Y Y Y	Y Y Y							2	14	1		
Hernandez, E. (D)	Y N N				Y Y	Y Y	● Y	● Y								Y ● Y		Y Y Y						7	10	0		
Hill, J. (D)	Y ● N				Y Y	Y N	Y Y	Y Y								Y Y Y	Y Y Y							7	10	0		
Hueso, B. (D)	Y ● Y				Y Y	Y Y Y	Y Y Y	●								Y Y Y	Y Y Y							6	11	0		
Huff, B. (R)	N N N				Y N	N N N N	N N N N									N N N		Y N						17	0	0		
Jackson, H. (D)	Y Y Y				Y Y	Y Y Y	Y Y Y									Y Y Y	Y Y Y							3	14	0		
Knight, S. (R)	N N N				Y N	N N N N	N N N N									N N N		Y N						17	0	0		
Lara, R. (D)	Y ● Y				Y Y	Y Y	Y Y Y	Y Y Y								Y Y Y	NV	Y Y	Y ●	4	12	1						
Leno, M. (D)	Y Y Y				Y Y	Y Y	Y Y Y	Y Y Y								Y Y Y	Y Y Y	Y Y						3	14	0		
Lieu, T. (D)	Y Y Y				Y Y	● ●	Y Y	Y Y								Y Y Y	Y Y Y	Y Y						5	12	0		
Liu, C. (D)	Y Y Y				Y Y	Y	● Y	Y Y								Y Y Y	Y Y Y	Y Y						4	13	0		
Mitchell, H. (D)	Y Y Y				Y Y	Y Y	Y Y Y	Y Y Y								Y Y Y	Y Y Y	Y Y						3	14	0		
Monning, W. (D)	Y Y Y				Y Y	Y Y	Y Y Y	Y Y Y								Y Y Y	Y Y Y	Y Y						3	14	0		
Morrell, M. (R)	N N N				Y N	● N N N	N N N N									N N N		Y N						17	0	0		
Nielsen, J. (R)	N N N				Y N	N N N N	N N N N									N N N		Y N						17	0	0		
Padilla, A. (D)	Y Y Y				Y Y	Y ●	Y Y	Y Y Y								Y Y Y	Y Y Y	Y Y						4	13	0		
Pavley, Fran (D)	Y Y Y				Y Y	Y ●	Y Y	Y Y Y								Y Y Y	Y Y Y	Y Y						4	13	0		
Roth, R. (D)	Y ● ●				Y ●	● ●	● Y	● Y								● ● Y	Y Y	● ●	Y Y						13	4	0	
Steinberg, D. (D)	Y Y Y				Y Y	Y Y	Y Y Y	Y Y Y								Y Y Y	Y Y Y	Y Y						3	14	0		
Torres, N. (D)	● N Y				Y Y	Y ●	Y Y	Y Y Y								Y Y Y	● ●	Y Y	N N						9	8	0	
Vidak, A. (R)	N N N				Y N	N N N N	N N N N									N N N		Y N						17	0	0		
Walters, M. (R)	N N N				Y N	N N — N	N N — N									N — N		Y N						15	0	2		
Wolk, L. (D)	Y Y Y				Y ●	Y N Y	● Y	● Y								● Y Y	N	Y Y	Y Y						6	11	0	
Wright, R. (D)*	* * *	*	*	*	* *	* *	* *	* *								* *	*	* *	* *						0	0	17	
Wyland, M. (R)	N N N				Y N	N N Y N	N N Y N									N N N		Y Y						15	2	0		
Yee, L. (D)*	* * *	*	*	*	*	*	*	*								*	*	*	*						0	0	17	

2014 Assembly Vote Record

	Environmental Regulation SB 812 Haz Waste Permits SB 1132 Limits In-State Energy	Health Care Costs SB 1381 State-Only Labeling	Labor Costs AB 1522 Paid Sick Leave AB 2416 Unproven Wage Liens	Litigation Costs AB 2616 Workers' Comp SB 25 Agricultural Employers	Tax AB 1897 Contractor Liability AB 2617 Arbitration Agreements	Water Supply & Reliability AB 1471 Water Bond SB 1168 Groundwater	In Accord with CalChamber	
							Passed	Failed
Achadjian, K. (R)	N							
Alejo, L. (D)	Y	Y						
Allen, T. (R)	Y	Y						
Ammiano, T. (D)	Y	Y						
Atkins, T. (D)	Y	Y						
Bigelow, F. (R)	N							
Bloom, R. (D)	Y							
Bocanegra, R. (D)	Y	Y						
Bonilla, S. (D)	Y	Y						
Bonta, R. (D)	Y	Y						
Bradford, S. (D)	Y	Y	Y					
Brown, C. (D)	Y	Y	●					
Buchanan, J. (D)	●	Y	●					
Calderon, I. (D)	Y	●	Y					
Campos, N. (D)	Y	Y	Y					
Chau, E. (D)	Y	Y	Y					
Chávez, R. (R)	N							
Chesbro, W. (D)	Y	Y	Y					
Conway, C. (R)	N							
Cooley, K. (D)	Y	●	Y					
Dababneh, M. (D)	Y	N	Y	●				
Dahle, B. (R)	●	N	Y	N				
Daly, T. (D)	●	●	Y	●				
Dickinson, R. (D)	Y	Y	Y	Y				
Donnelly, T. (R)	N	N	Y	N				
Eggman, Susan T. (D)	Y	Y	Y	Y	●			
Fong, P. (D)	Y	Y	Y	Y	Y			
Fox, S. (D)	N							
Frazier, J. (D)	●	●	Y	●	Y			
Gaines, B. (R)	N	N	Y	N	N			
Garcia, C. (D)	Y	Y	Y	Y	Y			
Gatto, M. (D)	Y	Y	Y	Y	Y			
Gomez, J. (D)	Y	Y	Y	Y	Y			
Gonzalez, L. (D)	Y	Y	Y	Y	Y			
Gordon, R. (D)	Y	Y	Y	Y	●	Y		
Gorell, J. (R)	N							
Gray, A. (D)	●	Y	Y	●	Y			
Grove, S. (R)	N							
Hagman, C. (R)	N	N	Y	N	N			
Hall, I. (D)	Y	Y	NV	Y	Y			

2014 Assembly Vote Record

CalChamber Best Business Votes

Legislators are listed in descending order according to how often they voted in accord with the California Chamber of Commerce position (first number) versus how often their votes were not in accord with the CalChamber position (second number) in 2014. Total votes may not match the vote record because the tally for not voting or absent is not included in this list. Votes when a legislator was absent are not included in calculating percentages.

80% or more with CalChamber	60%-79% with CalChamber	40%-59% with CalChamber	Less than 40% with CalChamber
Senate	Assembly	Assembly	
Berryhill, Tom (R)	17-0	Achadjian, Katcho (R)	14-0
Fuller, Jean (R)	17-0	Chávez, Rocky (R)	14-0
Gaines, Ted (R)	17-0	Gorell, Jeff (R)	14-0
Huff, Bob (R)	17-0	Maienschein, Brian (R)	14-0
Knight, Steve (R)	17-0	Olsen, Kristin (R)	14-0
Morell, Mike (R)	17-0	Wilk, Scott (R)	14-0
Nielsen, Jim (R)	17-0	Conway, Connie (R)	13-0
Vidak, Andy (R)	17-0	Dahle, Brian (R)	13-0
Anderson, Joel (R)	16-1	Hagman, Curt (R)	13-0
Cannella, Anthony (R)	16-1	Linder, Eric (R)	13-0
Walters, Mimi (R)	15-0	Logue, Dan (R)	13-0
Wyland, Mark (R)	15-2	Melendez, Melissa (R)	13-0
Galgiani, Cathleen (D)	13-4	Waldron, Marie (R)	13-0
Roth, Richard (D)	13-4	Allen, Travis (R)	13-1
Correa, Lou (D)	12-5	Gaines, Beth (R)	13-1
Torres, Norma (D)	9-8	Grove, Shannon (R)	13-1
Block, Marty (D)	7-10	Jones, Brian (R)	13-1
Hernandez, Ed (D)	7-10	Mansoor, Allan (R)	13-1
Hill, Jerry (D)	7-10	Wagner, Donald P. (R)	13-1
Hueso, Ben (D)	6-11	Bigelow, Frank (R)	12-0
Wolk, Lois (D)	6-11	Daly, Tom (D)	12-2
Beall, Jim (D)	5-12	Donnelly, Tim (R)	12-2
Lieu, Ted (D)	5-12	Nestande, Brian (R)	12-2
Lara, Ricardo (D)	4-12	Harkey, Diane (R)	11-0
Evans, Noreen (D)	4-13	Patterson, Jim (R)	9-1
Liu, Carol (D)	4-13	Frazier, Jim (D)	11-3
Padilla, Alex (D)	4-13	Perea, Henry T. (D)	10-3
Pavley, Fran (D)	4-13	Cooley, Ken (D)	10-4
Corbett, Ellen (D)	3-14	Fox, Steve (D)	10-4
de León, Kevin (D)	3-14	Gray, Adam (D)	9-5
DeSaulnier, Mark (D)	3-14	Quirk-Silva, Sharon (D)	9-5
Jackson, Hannah-Beth (D)	3-14	Buchanan, Joan (D)	8-5
Leno, Mark (D)	3-14	Salas, Rudy (D)	8-6
Mitchell, Holly (D)	3-14	Alejo, Luis (D)	7-7
Monning, Bill (D)	3-14	Brown, Cheryl (D)	7-7
Steinberg, Darrell (D)	3-14	Dababneh, Matt (D)	7-7
Hancock, Loni (D)	2-14	Ridley-Thomas, Sebastian (D)	6-7
Calderon, Ron (D) *	0-0	Levine, Marc (D)	6-8
Wright, Roderick D. (D) *	0-0	Rodriguez, Freddie (D)	6-8
Yee, Leland (D) *	0-0		
* Suspended March 28, 2014			