



# Legislative Policy Positions

*Connecting business with opportunity for over 100 years*

## **Legislative Action Committee**

The Brea Chamber of Commerce is committed to the successful growth of business in the community. The chamber promotes growth by aiding a government culture that opposes business regulations. The Chamber will actively oppose legislative measures that would negatively impact or impede the success and viability of member businesses, while supporting legislation that fosters business expansion and economic growth.

### **Committee Goal**

- To persistently promote the interest of the Brea business community while keeping elected representatives at the local, state, and federal level well informed of applicable business concerns

### **Committee Activities**

- Brea Chamber Legislative Action Committee will meet as needed
- Participate in the Brea Chamber of Commerce Board meetings, held on the fourth Wednesday of each month from 8AM - 9 AM in the Civic Center Community Room
- Communicate legislative issues to membership on a monthly basis
- Build a positive and respectful relationship with elected officials on an ongoing basis
- Represent the business community and advocate on their behalf on an ongoing basis
- Co-host a Legislative Reception with Chamber Business Alliance at a mutually agreed upon location
- Host Brea City Council and Treasurer Candidates Forum (election years)

## **Public Policy Positions**

The Board of Directors at the Brea Chamber of Commerce have adopted the following relevant public policy positions on business issues affecting Chamber members. These policies serve as a guideline for The Advocacy Committee when reviewing applicable local development projects, and helps determine Chamber support or opposition. The policies further help to determine the appropriate Chamber response to ongoing and future development projects pertinent to the City of Brea.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## **Business and Economic Development**

### **Objective:**

Business expansion and retention within the City of Brea is critical to a strong local economy. The Brea Chamber of Commerce supports all aspects of assisting businesses and strives to ensure successful growth through development and expansion. The Chamber promotes positive environment for business and economic development by encouraging the following agendas: expansion of comprehensive infrastructure systems, fostering a pro-business local government culture, expansion of a qualified work force, and the promotion for sufficient residential housing to meet employment needs of member businesses. In addition, the Chamber strongly opposes legislative measures that negatively impact the success of member businesses. Abiding by said principles while aiding proper legislations, the Brea Chamber of Commerce aims to cultivate a business-friendly environment while expanding the economic growth of Brea.

### **The Brea Chamber of Commerce Supports:**

- Economic development (i.e., internship) programs within educational institutions and other community based organizations to produce a more qualified workforce.
- Fiscal reform at the state and local level to provide a more reliable, long-term source of funding for local services.
- A regulatory climate that enables businesses to succeed and comply with regulatory requirements while balancing environmental and consumer needs.
- Partnerships between schools and businesses to ensure a skilled workforce is available to meet business employment needs.
- Development and maintenance of infrastructure systems that encourage economic development.
- Development projects which provide a stable workforce and a steady customer base for businesses.
- Small business access to technical assistance.
- Small business access to capital.
- Public policies that closely link taxes, fees, and assessments to the services provided and oppose policies that do not.

## **Education and Workforce Development**

### **Objective:**

An educated, skilled workforce with strong work ethics and values is the foundation of a competitive economy. Sound communication coupled with pertinent skills in science, math, and technology (STEM), is imperative for Brea's economic health.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## **Brea Chamber of Commerce Supports:**

- Cooperation among businesses, schools, parents and community organizations to develop programs closely linked to employer and labor market needs.
- Adequate funding for vocational (ROP), technical, and adult education in order to properly respond in the interest of local employment needs.
- Effective public and private school-based partnerships with area businesses that provide for internships and other workplace learning experiences that develop vocational skills for students.
- A public education system that strives to meet strong academic standards in STEM (science, technology, engineering, math), proficient communication skills, and English language aptitude. (include a note on being multilingual)
- Locally-determined priorities and implementation strategies for attaining and exceeding state academic standards.
- Collaboration between educational institutes (i.e. adult education, community colleges, occupational training programs and universities), and business to develop training programs closely linked to employer labor needs.
- Improved fiscal transparency and effectiveness.
- Full disclosure of the costs of education to effectively hold school districts accountable for their use of tax payer funds.

## **Energy**

### **Objective:**

Ensure the availability of reliable, stable, and competitively-priced energy supplies in order to retain and attract businesses to Brea.

### **The Brea Chamber of Commerce Supports:**

- Comprehensive, coordinated national, and state energy policies that will ensure adequate supplies and reasonable pricing of energy sources.
- Federal and state regulatory and legislative efforts to remedy the generation supply shortfalls through expedited site and permitting procedures.
- Research and development in fuel technology to better understand the role of alternative fuels and its impact on California's energy and environmental goals while enhancing the state's energy mix to accommodate California's environmental goals.
- Efficient and equitable means of upgrading and expanding energy infrastructure.
- The increase of transmission infrastructure required to transport affordable, renewable "clean" resources across the grid.
- Construction of new sources of electric generation with measures to create additional Emission Reduction Credits (ERC's), and for offsets to accommodate these sources to allow

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

for enhanced business growth within the South Coast Air Quality Management District region.

- Construction of liquefied natural gas (LNG) regasification facilities to address the need for new sources of natural gas.

## **The Brea Chamber of Commerce Opposes:**

- Government attempts to enter into public service enterprises in which the private sector is currently engaged, unless a compelling and necessary public interest can be demonstrated and is currently unmet.
- The uneconomic bypass of California PUC-regulated utility systems by federally regulated systems as it underutilizes existing capacity and increases costs for all remaining ratepayers while impacting local municipalities.
- Local government efforts to generate revenues through the use of utility-related costs (i.e. street cut fees, utility user taxes, unjustified operational/maintenance regulations), which result in increased costs to residents and businesses.

## **Environmental Regulation**

### **Objective:**

The Brea Chamber of Commerce recognizes that environmental protection and economic development are not mutually exclusive goals and supports a balance between environmental regulation and economic security. The Chamber will work diligently to protect our environment without sacrificing economic prosperity. Excessive, conflicting, and overlapping requirements among local, state, and federal jurisdictions and across media (i.e., air, water, solid waste) can create inefficiencies that stifle job creation and divert business dollars away from developing products, investing for growth, and adding value to customers and shareholders.

### **The Brea Chamber of Commerce Supports:**

- Regulations based upon sound science to evaluate health, environmental, and economic risks which are central to the credibility of governmental regulations and regulators, and to produce achievable, cost effective benefits to the public.
- Consistency and coordination in the California Environmental Quality Act (CEQA), and other environmental review processes among governmental agencies.
- Environmental justice policies that weigh environmental effects against economic opportunity so that the overall quality of life of the affected populations is not adversely impacted.
- Facilitate urban runoff and ocean water quality strategies that include thorough assessments of all sources. The chamber supports policies that address the prevention of pollution through education; cost-effective regional and watershed-based solutions and treatment options; and public infrastructure improvements.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

- The evaluation of regulatory impacts upon housing supply, infrastructure development, critical land uses, and the potential impact on businesses and the economy.
- The participatory and inclusive processes between the regulated community, regulators and other stakeholders leading to consensus-based rulemaking and the correction of deficiencies.
- Facilitate streamlining the regulatory process in the environmental arena to eliminate unnecessary duplications, which is essential to the future competitiveness of Brea, Orange County, and to the California business community.
- Strategies effective in reducing emissions on a cost-effective basis.
- Market incentives encouraging clean-air driving decisions, including tradable emissions credits, tax incentives to encourage fleet conversions, and consumer purchases of clean air vehicles.
- Statutory and regulatory flexibility for meeting air quality standards.

## **Government Reform**

### **Objective:**

Californians should be able to rely on long-term, stable, reliable, and equitable funding for essential public services. Orange County has a population of over 3 million people, making it the third most populous county in the state, and the sixth most populous in the United States. With more than 200 public agencies providing services to residents, it is essential to ensure the presence of greater efficiency and accountability, without increased fees/taxes, and the direct government competition with private sector for the provision of services.

### **The Brea Chamber of Commerce Supports:**

- Services provided at the level of government closest to the people with funds most closely related to the services, including greater reliance upon property taxes by local governments to provide property-related community services.
- Elimination of unfunded state mandates.
- Equitable distribution of sales and property taxes to protect long-term infrastructure of cities, public safety, and human resources investments.
- Enactment of effective research and market-based pension reforms.

### **The Brea Chamber of Commerce Opposes:**

- Wasteful government spending.
- Raids on local government funding.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## Healthcare

### Objective:

The Brea Chamber of Commerce promotes public-private partnerships to expand affordable health care coverage for all citizens in order to maximize free market options and choices, and to minimize government mandates upon employers, insurers and providers. Orange County companies have a significant interest in ensuring that quality healthcare is delivered efficiently in a safe environment at an affordable price. The Chamber recognizes that it is essential for policymakers to evaluate the current healthcare delivery system and to use existing resources more efficiently. The business community must partner with elected and agency officials and other stakeholders to forge creative, consensus-based solutions to healthcare access.

### The Brea Chamber of Commerce Supports:

- Preservation of the current voluntary, employer-provided health coverage system and opposes mandates upon employer-provided coverage.
- Competition in the healthcare market and among private-sector providers as the best means to achieve a more efficient, affordable, and quality-driven healthcare system.
- Federal and state income tax deductions for individuals who self-procure health care coverage.
- Tax incentives for employers who choose to provide health care coverage to employees.
- Fair competition between physicians, hospitals, and health plans in the health care market to ensure a more efficient and quality-driven health care system.
- Streamlining administrative health care operations to increase efficiency and to minimize costs.
- Individual responsibility and accountability for efforts to reduce burdens on the health care system (i.e., preventive health care, healthy lifestyle, education, etc.)
- Facilitate State/local fiscal reforms that address property tax distribution inequities and inequities in realignment formulas in order to bring Orange County closer to parity with others providing health care services to their residents.
- Creation of non-government medical savings account programs.
- Emphasis in workforce development initiatives and the direction of funds toward initiatives that will increase the number of nurses and other health professionals needed in the Orange County workforce.

### The Brea Chamber of Commerce Opposes:

- Mandates upon employers to procure health care coverage for employees.
- Mandatory government imposed staffing ratios.
- Mandates imposing hospitals and individual providers to administer services at government imposed rates.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## Housing and Land Use

### Objective:

The Brea Chamber of Commerce supports policies that facilitate and assist the creation of a full range of housing options necessary to accommodate Brea's population and economic growth, and supports applicable development that provides necessary supply of homes to meet the workforce needs of employers. The Chamber works with local government and landowners to assure that sufficient housing is available within the City of Brea and surrounding areas to accommodate the economic development in Brea. The Brea Chamber of Commerce recognizes that the best land use policy and regulatory frameworks should be advocated for when meeting California's housing, business, and community infrastructure needs.

### The Brea Chamber of Commerce Supports:

- Legislation and policies that promote an economically healthy and sensible jobs/housing balance.
- State and local fiscal reform to permit cities and counties to make land use decisions based on good planning principals rather than upon potential tax revenue generation.
- Facilitation of diverse housing ownership opportunities (i.e. condominiums, townhomes), an effective and affordable alternative to the traditional single family detached home purchase.
- Initiatives encouraging residential developments emphasizing alternative forms of transportation.
- Regional planning and shared local government responsibility for meeting regional housing needs.
- Financial assistance to local governments, redevelopment, and nonprofit housing organizations.
- Private/public partnerships to provide affordable, transitional, and emergency housing.
- Creative housing and business redevelopment approaches consistent with city/county plans, that are complementary to already existing neighborhoods and adjacent communities.
- Time limits on the use of redevelopment funds, restrictions on non-housing use, and the establishment of a statewide affordable housing fund as a repository for annual redevelopment and other affordable housing funds.
- Collaborative land use decision-making processes that permit growth and encourages the growth and involvement of the business community.
- Fair and economically sensible land use and zoning policies based on the most accurate state, regional, and local housing needs projections to achieve a reasonable balance between residential and commercial uses.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## **The Brea Chamber of Commerce Opposes:**

- Imposition of disproportionate taxes, fees and assessments on new home construction to pay for community-wide infrastructure needs (i.e. roads, water, sewer, schools), that are not directly part of the new development.
- Legislative and regulatory barriers to the construction of homes that are needed to meet member business employment needs.
- Forms of rent control due to proven record of reducing affordable housing.
- Urban limit lines, moratoriums or other such measures that stifle housing creation.
- Unfair application of zoning laws where businesses are unreasonably or unfairly treated.
- State and local adoption of inclusionary zoning.
- Comprehensive ballot-box land use planning that contradicts "good planning" or contributes to a constrained housing supply for a growing workforce.

## **Privatization and Governmental Outsourcing**

### **Objective:**

The Brea Chamber promotes policies that maintain a competitive business environment in the City of Brea, the County of Orange, and the State of California. For local business to be competitive in the global economy, it is fundamental that the high cost of doing business in California be reduced. The chamber acknowledges that it is essential for the state and cities to protect a diverse and skilled workforce able to compete in an increasingly global market.

### **The Brea Chamber of Commerce Supports:**

- Government outsourcing work that is readily performed by the private sector.
- Encourage the government to include performance incentives in the RFB/RFP process to reward service excellence and timelines in completion of services.
- Encourage the government to conduct either an annual or bi-annual performance audit to further identify areas in which outsourcing would result in a more efficient and well-managed government.
- Local control over state control on local issues.
- Preferences to local business when outsourcing for goods and services.
- Consideration of the long-term costs of government sector work including pensions.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## **Taxation, Fees, and Assessments**

### **Objective:**

The Brea Chamber supports a taxation policy that is simplified and fair to consumers and businesses. The chamber believes that businesses already pay adequate taxes, and additional tax increments will detrimentally affect commerce in the city and the state, and impede economic growth.

### **The Brea Chamber of Commerce Supports:**

- Balanced local, state, and federal budgets
- Fiscal reform that enables long-term stable funding sources for essential public services and infrastructure during positive/negative economic cycles.
- Elimination of unfunded state mandates and the equitable redistribution of sales and property taxes.
- Lower tax rates and new tax credits for new and small businesses.
- A permanent reduction on capital gains taxes.
- A 100 percent deduction of business expenses, including health insurance premiums paid by the self-employed.
- The progression of Orange County's status as a "donor" county and California's status as a "donor" state.
- The elimination of taxes which put Orange County or the State of California at a competitive disadvantage.
- Elimination of the "death tax."
- Maintaining the two-thirds legislative vote to enact the state budget.
- The alignment of public employee retirement and disability benefits with the private sector to reduce runaway costs to businesses and taxpayers.
- Definition of fees and surcharges as taxes when legislature considers 2/3 majority requirement.
- The maintenance and protection of Proposition 13.

### **The Brea Chamber of Commerce Opposes:**

- Wasteful government spending.
- Split roll taxes and taxes on services.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## Telecommunications

### Objective:

The delivery of advanced data services is important to the future of Brea's economy. The smooth flow of goods, services, and information within and without the City is critical to the economy, and requires an efficiently coordinated communications infrastructure. The Chamber firmly believes that private sector innovation and investment is key to meeting these needs.

### Brea Chamber of Commerce Supports:

- Complete implementation of the Federal Telecommunications Act of 1996 to fully open competitive markets.
- Legislation that protects consumer right to choose telecommunication products/services by enabling communication companies with access to businesses and buildings.
- Limiting municipal right-of-way fees to the reimbursement of the City's actual cost of administering the use of the public right-of-way.
- Legislation that will eliminate unnecessary and unfair taxes, fees, allowing all telecommunication providers to compete on a level playing field, which in turn promotes the benefits of open competition.
- Streamlining of local permitting requirements for the placement of infrastructure necessary to implement advanced broadband network.

### The Brea Chamber of Commerce Opposes:

- Municipal "third tier" regulation (i.e., imposition of local franchise requirements), which slows the implementation of network infrastructure while increasing consumers' costs for telecommunications services.
- City-owned utilities from offering telecommunications services.
- Undue regulation by industry boards such as the California Public Utilities Commission and the Federal Communications Commission.

## Litigation Reform

### Objective:

The Chamber believes Orange County businesses will be more viable and competitive by ensuring a secure, legal backdrop for conducting commerce. The perception that California is not a business-friendly state is due, in part, to a legal system that is inefficient, expensive and slow to respond to real needs. Litigation reform is needed to halt the crippling effects of unwarranted, excessive, and frivolous lawsuits on businesses, consumers, and taxpayers.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## **The Brea Chamber of Commerce Supports:**

- Reforms to discourage frivolous lawsuits through no-fault remedies and the ability of the prevailing party to recoup some or all of its litigation expenses if the action is found to have questionable merit or a reasonable settlement amount was refused.
- Prompt and cost-effective dispute resolution through the use of mediation and arbitration in applicable circumstances.
- Preservation of reforms enacted through California's Unfair Practice Act, to reduce excessive litigation and abusive lawsuits targeted at California businesses.
- Disallowance of any recovery of civil damages when the injury to the plaintiff occurs during the commission of a felony if the plaintiff is a perpetrator of the crime.
- Uniform standard for product liability cases and a cap on punitive damages.
- Cap on attorney fees in contingency cases, including class action lawsuits.
- Repeal of the Corporate Criminal Liability Act of 1990 regarding accidents to employees from concealed hazards.
- Curtailment of abuses and streamlining of the "discovery" process.
- Elimination of "front pay" in employment discrimination cases and a reasonable limit on non-economic damages in all employment-related cases.
- Permitting the jury to know that an injured plaintiff has been compensated from a "collateral source" (i.e., insurance) when deliberating a personal injury action, to effectively prohibit a double recovery.
- Facilitate tort reform to limit frivolous lawsuits and limit recoveries for non-economic losses and attorney fee awards.
- Laws that ensure consumers are fully informed of their rights and options when hiring a contingency fee attorney.

## **Transportation**

### **Objective:**

A well-maintained community infrastructure supporting economic expansion and the efficient movement of people, goods, and services is essential for economic wellbeing of the City of Brea. Brea must strive for a transportation system that meets the growing needs of the business community and the general populace while enhancing the community's overall quality of life. The Chamber recognizes that the business community and private sector participation and investment, as well as innovative project delivery, are key to meeting the transportation needs of the City, and the County. The Chamber promotes safe, efficient, and cost-effective sound transportation policies.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## **The Brea Chamber of Commerce Supports:**

- Restoration of general-fund taxes to local transportation agencies that have been diverted to the State Highway account, and property taxes that have been diverted to the state.
- Long-term, consistent funding sources by federal, state, and local governments equitably distributed transit improvement projects, as well as for maintenance, safety, and capacity enhancements.
- Private sector participation in the planning and implementation of transportation networks, and private sector investment opportunities in transportation infrastructure.
- An integrated transportation network in Orange County meeting business and residential needs of Brea.
- Better coordination between local, state, and federal permitting agencies conducting environmental reviews to enhance project delivery and promote cost-effectiveness and environmental compliance.
- Efforts to expand and extend existing design-build and public-private authority for infrastructure investments providing a sufficient period to determine effectiveness, expanded eligibility, and allow the appropriate balance of partnership between state and local agencies.

## **Water and Wastewater Management**

### **Objective:**

California's economy, jobs and water are inexorably linked. A clean, adequate, reliable, and affordable water supply is crucial to support the economic health of the state and that of the City of Brea. The Chamber supports cost effective activities that lead comprehensive long-term water challenges in the state of California, and understands that it is critical to the business community of Brea to support public policies that will ensure continuing and reliable water supply.

### **The Brea Chamber of Commerce Supports:**

- Legislation, policies and local projects leading to cost effective solutions for water reliability and independence, including water transfers, water conservation, and water reclamation.
- Facilitate the completion of the Santa Ana River Mainstream Project.
- Cooperation among water agencies leading to efficient water management techniques, generating savings for the rate payers.
- Waste management strategies that propel reduced quantities of waste entering landfills and the ocean.
- Environmental regulations allowing for the proper maintenance and management of water resources and water facilities.
- Facilitate legislation, projects and public policies that incentivizes a reliable water supply for Southern California and the City of Brea.
- Facilitate legislation, policies and local projects that propose greater water independence from

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

northern California and the Colorado River.

- Legislation and projects providing flood control protection to Brea residents and businesses.
- Cost effective and science based drinking water regulatory standards.

## Workers' Compensation Reform

### Objective:

The Chamber supports a fair, fact-based workers' compensation system that keeps employer costs to a minimum, while offering proportionate benefits to legitimately injured workers. In 2004 Governor Schwarzenegger signed SB 899 which completely overhauled California's workers' compensation system. Despite the positive effects noted after initial evaluation of the reform, significant work yet remains to be done. A 2010 survey study conducted on compensation costs by the Oregon Department of Consumers and Business Services have concluded that California, previously ranked the ninth highest in costs, has jumped to the fifth place, 31 percent above the national average.

### The Brea Chamber of Commerce Supports:

- Options for employers to combine employee health care coverage with medical coverage provided through workers' compensation.
- Elimination of financial incentives for claimants to seek legal representation.
- Elimination of fraud, reduced litigation, and the consistent application of principals for eligibility determination.
- The classification of injuries with limits to time off of work, rest, and treatment.
- Administration of the worker's compensation system to streamline the determination of disability, delivery of benefits, and decisions regarding the employee's ability to return to work.
- Tort reform to prevent abuse of the system.
- Timely processing and reporting of claims.

## Workplace Issues

### Objective:

The Chamber supports cost-effective reforms in building a strong, stable workforce while maintaining a safe workplace in compliance with government regulations. The California business community has been plagued with an abused worker's compensation system, a complex worker classification system, and skyrocketing health care costs. Coupled with expansions in employer liability and minimum wage increases, businesses have been struggling to compete in the local, national, and the global stage. These issues increase costs, limit flexibility and stifle business development within California and the City of Brea. The Chamber believes that public policies should enable businesses to respond competitively to new opportunities while promoting a safe environment for employees, to enable business owners to thrive.

# LEGISLATIVE POLICY POSITIONS

Approved January, 2017

## **Brea Chamber of Commerce Supports:**

- State conformity with federal law in the areas of overtime and alternative work schedule flexibility.
- Support efforts to keep California from exceeding federal laws for:
  - minimum wage
  - employee classification
  - Family and Medical Leave Act Equal Employment Opportunity
- Realistic and scientifically-based sound policies with respect to ergonomics, environmental exposures, and other work environment issues.
- Continuing reforms to eliminate fraudulent and frivolous lawsuits against employers.
- Simplified rules regarding independent contractor/client relationships, and the elimination of financial penalties arising from good faith misclassifications.
- Decrease in health care costs and liability to employers.
- Ability for employer/employee entrance into Alternate Dispute Resolution (ADR) agreements.