



Legislative Policy Positions

Legislative Action Committee

The North Orange County Legislative Alliance is committed to assisting businesses in their successful growth by supporting a government culture that is focused on aiding, as opposed to regulating, businesses. NOCLA will actively oppose legislative measures that would negatively impact or impede the success and viability of member businesses and support legislation that fosters business expansion and economic growth.

NOCLA Goal

- Promote the interest of the North Orange County business community and keep elected representatives at all levels of government apprised of business concerns

NOCLA Activities

- Participate in and promote the North Orange County Legislative Alliance (NOCLA) meetings, held on the second Friday of each month from 9 – 10:30 AM in the Brea Civic Center Community Room
- Communicate legislative issues to membership on a monthly basis and as needed
- Track legislation on behalf of NOCLA members
- Communicate with legislative representatives on legislative issues important to NOCLA membership
- 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
- Participate in regular advocacy visits
- Host a Legislative Reception each year
- Host a State and County Candidates Forum (election years)
- Produce the NOCLA Policy Action Guide
- Produce an annual legislative report card

Public Policy Positions

The Board has adopted the following public policy positions on business issues affecting members. Local Chambers use these policies as a guideline when reviewing local development projects and legislative issues to determine support or opposition, as well the type and intensity of response. This platform is also a useful guideline for supporting pro business candidates that embody sound, business friendly practices.

LEGISLATIVE POLICY POSITIONS

Approved:

Business and Economic Development

Objective:

Business expansion and retention within the North Orange County is critical to a strong local economy. NOCLA support includes all aspects of assisting businesses in their successful growth, development and expansion by encouraging the development of comprehensive infrastructure systems that are conducive to business growth, supporting a local government culture that is focused on aiding, as opposed to regulating, local businesses and the development of a qualified work force and sufficient residential housing to meet the employment needs of member businesses. NOCLA also actively opposes legislative measures at all levels that would negatively impact or impede the success and viability of member businesses and supports legislation that fosters business expansion and the economic growth of North Orange County.

NOCLA Positions:

- Support economic development programs within educational institutions and other community based organizations to produce a more qualified workforce
- Support collaboration and participation in the North Orange County Economic Development Coalition to further economic growth in the region
- Support fiscal reform at the state and local level to provide a more reliable, long-term source of funding for local services
- Support a regulatory climate that enables businesses to succeed and comply with regulatory requirements while balancing environmental and consumer needs
- Support partnerships between schools and businesses to ensure a skilled workforce is available to meet business employment needs
- Support development and maintenance of infrastructure systems that encourage economic development
- Support development projects which provide for a stable and reliable workforce and customer base for North Orange County businesses
- Support technical assistance and access to capital for small businesses
- Support public policies that closely link taxes, fees and assessments to the services provided

Education and Workforce Development

Objective:

An educated and skilled workforce with a strong work ethic and sense of values is the foundation of a competitive economy. Communication skills, math, science, and other academic fundamentals, as well as the practical skills of today's workplace, are imperative for North Orange County's economic health.

LEGISLATIVE POLICY POSITIONS

Approved:

NOCLA Positions:

- Support cooperation among businesses, schools, parents and community organizations to develop programs closely linked to employer and labor market needs
- Support adequate funding for vocational and technical education, and adult retraining to respond to local employment needs
- Support 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
- Support an accessible and accountable public education system that strives to meet strong academic standards in math, science, technology, communication skills and English language proficiency
- Support locally-determined priorities and implementation strategies for attaining and exceeding state academic standards
- Support collaboration between education entities involved in job training, such as community colleges, occupational training programs and universities and business and other organizations to develop training programs closely linked to employer labor needs
- Support improved fiscal transparency and effectiveness
- Support full disclosure of the costs of education and hold school districts accountable for their use of tax payer funds

Energy

Objective:

Ensure reliable, stable and competitively-priced energy supplies in order to retain and attract businesses to North Orange County.

NOCLA Positions:

- Support comprehensive, coordinated national and state energy policies that will ensure adequate supplies and reasonable pricing of energy sources
- Support federal and state regulatory and legislative efforts to remedy the generations supply shortfalls, such as expedited site and permitting procedures
- Support research and development in fuel technology to understand the role of alternative fuels in enhancing the state's energy mix and in reaching California's environmental goals
- Support efficient and equitable means of upgrading and expanding energy infrastructure
- Support the increase of transmission infrastructure required to transport renewable "clean" resources across the grid
- Support construction of new sources of electric generation with measures to create additional Emission Reduction Credits (EMC's), for offsets to accommodate these sources and allow for enhanced business growth within the South Coast Air Quality Management

LEGISLATIVE POLICY POSITIONS

Approved:

District region

- Support construction of liquefied natural gas (LNG) regasification facilities to address the need for new sources of natural gas
- Support local endeavors to increase energy efficiency and local reliability
- Oppose 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
- Oppose 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
- Oppose local government efforts to generate revenues through the use of utility-related costs, such as “street cut fees”, utility user taxes, or unjustified or un-proven operational and maintenance regulations which result in increased costs to residents and businesses

Environmental Regulation

Objective:

Recognizing that environmental protection and economic development are not mutually-exclusive goals, The NOCLA supports a balance between environmental regulation and economic security. The NOCLA will work to protect our environment without sacrificing economic prosperity.

NOCLA Positions:

- Support environmental justice policies that weigh environmental effects against economic opportunity so that overall quality of life of the affected population is not adversely impacted
- Support urban runoff and ocean water quality strategies that include thorough assessments of all sources; prevention of pollution through education; cost-effective regional and watershed-based solutions and treatment options; and public infrastructure improvements
- Support the evaluation of regulatory impacts upon housing supply, infrastructure development and other critical land uses, and upon businesses and the economy
- Support participatory and inclusive processes between the regulated community, regulators and other stakeholders leading to consensus-based rulemaking and the correction of deficiencies (particularly in the implementation of SB 375 and AB 32)
- Support market driven environmental advances as opposed to government mandates
- Support sound science to evaluate health, environmental, and economic risks which are central to the credibility of governmental regulations and regulators
- Support streamlining the regulatory process in the environmental arena to eliminate overlap, duplication and unnecessary regulation, which is essential to the future competitiveness of Orange County and California business communities

LEGISLATIVE POLICY POSITIONS

Approved:

- Support strategies which can be demonstrated to be effective in reducing emissions on a cost-effective basis
- Support market incentives for encouraging clean-air driving decisions, including tradable emissions credits and tax incentives to encourage fleet conversions and consumer purchases of clean air vehicles
- Support statutory and regulatory flexibility for meeting air quality standards

Tort Reform

Objective:

The NOCLA 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.

NOCLA Positions:

- Support 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
- Support the 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
- Support a uniform standard for product liability cases and a cap on punitive damages.
- Support a cap on attorney fees in contingency cases, including class action lawsuits
- Support the repeal of the Corporate Criminal Liability Act of 1990 regarding accidents to employees from concealed hazards
- Support the curtailment of abuses and streamlining of the “discovery” process
- Support binding arbitration and mediation to quickly resolve disputes, especially in wrongful termination and discrimination cases
- Support the elimination of “front pay” in employment discrimination cases and a reasonable limit on non-economic damages in all employment-related cases
- Support permitting the jury to know that an injured plaintiff has been compensated from a “collateral source” (such as insurance) when deliberating a personal injury action, so as to prohibit a double recovery
- Support tort reform to limit frivolous lawsuits and limit recoveries for non-economic losses and attorney fee awards
- Support new laws that ensure consumers are fully informed of their rights and options when hiring a contingency fee attorney

LEGISLATIVE POLICY POSITIONS

Approved:

Workers' Compensation Reform

Objective:

The NOCLA 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. While the reforms appear to be having the desired effect, there may be more work to be done.

NOCLA Positions:

- Support the option for employers to combine health care coverage for employees with the medical coverage provided through workers' compensation
- Support elimination of financial incentives for claimants to seek legal representation
- Support the elimination of fraud, reduced litigation, and the consistent application of principals for determining eligibility
- Support classifying injuries with limits to time off for work, rest and treatment
- Support streamlining the determination of disability, delivery of benefits, and decisions regarding the employee's ability to return to work
- Support tort reform to prevent abuse of the system
- Support timely processing and reporting of claims

Workplace Issues

Objective:

The NOCLA supports reforms that will be cost-effective in building a strong and stable workforce, maintaining a safe workplace and complying with governmental regulation. The California business community has been plagued with an abused workers' compensation system, a complex worker classification system, skyrocketing health care costs, expansion of employer liability, and minimum wage increases. These issues increase costs, limit flexibility and stifle business development within the state and North Orange County.

NOCLA Positions:

- Support 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, the Family and Medical Leave Act and Equal Employment Opportunity
- Support realistic and scientifically-based policies with respect to ergonomics, environmental exposures, and other work environment issues
- Support continuing reforms to eliminate fraudulent and frivolous lawsuits against employers

LEGISLATIVE POLICY POSITIONS

Approved:

- Support clarification of rules regarding independent contractors
- Support a decrease in health care costs and liability to employers
- Support the right of employees and employers to enter into agreements for alternative dispute resolution
- Support limitations on activities of unions where the employees of a company have indicated a lack of desire to unionize
- Oppose prevailing wage ordinances and mandates
- Oppose legislation deregulating/streamlining the unionization process
- Oppose prevailing wage requirements

Government Reform

Objective:

Californians should be able to rely on long-term, stable, reliable, and equitable funding for essential public services.

NOCLA Positions:

- Support services provided at the level of government closest to the people and with funds most closely related to the services, including greater reliance upon property taxes by local governments to provide property-related community services
- Support elimination of unfunded state mandates
- Support equitable distribution of sales and property taxes to protect cities' long-term infrastructure, public safety, and human resources investments
- Support a balanced budget at all levels of government
- Support pension reform, including a movement away from defined benefits plans to defined contribution plans, similar to those found in the private sector
- Support enactment of effective research/market-based pension reforms
- Oppose wasteful government spending
- Oppose raids on local government funding

Privatization and Governmental Outsourcing

Objective:

Privatization and contracting of services provides a government that remains affordable through streamlining, transferring functions to the private or non-profit sectors, consolidating overlapping functions and returning authority and resources to local government.

NOCLA Positions:

LEGISLATIVE POLICY POSITIONS

Approved:

- Support government outsourcing work that is readily performed by the private sector
- Support and encourage the government to include performance incentives in the RFB and RFP process to reward service excellence and timelines in completion of services
- Support and 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
- Support local control over state control on local issues
- Support preferences to local business when outsourcing for goods and services
- Support consideration of the long-term costs of government sector work including pensions

Taxation, Fees and Assessments

Objective:

The North Orange County Legislative supports a taxation policy that is simple, fair to both individuals and businesses at all ends of the financial spectrum, and encourages investment in our economy.

NOCLA Positions:

- Support balanced local, state, and federal budgets
- Support fiscal reform that will result in a long-term, stable source of funding for essential public services and infrastructure during good and poor economic cycles
- Support elimination of unfunded state mandates and the equitable redistribution of sales and property taxes
- Support lower tax rates and new tax credits for new and small businesses
- Support a permanent reduction on capital gains taxes
- Support 100% deduction of business expenses, including health insurance premiums paid by the self-employed
- Support tax credits and incentives for savings and investment including increased 401(k) percentages and increased ceiling limits on contributions
- Support amelioration of Orange County's status as a "donor" county and California's status as a "donor" state
- Support the repeal of taxes which put Orange County or the State of California at competitive disadvantage
- Support elimination of the "death tax"
- Support reinstating the two-thirds legislative vote to enact the state budget
- Support bringing public employee retirement and disability benefits in line with the private sector to reduce runaway costs to businesses and taxpayers

LEGISLATIVE POLICY POSITIONS

Approved:

- Support definition of fees and surcharges as taxes when legislature considers 2/3 majority requirement
- Support the maintenance of the protections of Proposition 13
- Oppose wasteful government spending
- Oppose split roll taxes and taxes on services

Healthcare

Objective:

California employers directly spend more than \$32 billion each year on health care for their employees and contribute, through taxation, a significant proportion of the more than \$60 billion spent each year on Medicare, Medi-Cal, and local county health and mental health services. The NOCLA supports the delivery of quality health care at an affordable price without government mandates.

NOCLA Positions:

- Support a voluntary, employer-provided health coverage system and oppose mandates upon employer-provided coverage
- Support federal and state income tax deductions for individuals who self-procure health care coverage
- Support tax incentives for employers who choose to provide health care coverage to employees
- Support fair competition between physicians, hospitals and health plans in the health care market as the best means to achieve a more efficient and quality-driven health care system
- Support streamlining administrative health care operation and efficiencies to minimize costs
- Support reform of state and federal medical programs including fraud elimination and reasonable cost reimbursement programs for health care providers in voluntary contractual relationships with government health care providers
- Support malpractice and tort reform
- Support individual responsibility and accountability for efforts to reduce burdens on the health care system (e.g. preventive health care, healthy lifestyle, education, etc.)
- Support 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
- Support creation of non-government medical savings account programs
- Oppose mandates upon employers to procure health care coverage for employees

LEGISLATIVE POLICY POSITIONS

Approved:

Housing and Land Use

Objective:

The NOCLA supports policies that facilitate and assist the creation of a full range of housing options necessary to accommodate North Orange County's population and economic growth. The NOCLA supports development that provides the necessary supply of homes to meet employers' workforce needs. The NOCLA works with local government and landowners to assure that sufficient housing is available within the region and surrounding areas to accommodate economic development.

NOCLA Positions:

- Supports the highest and best use practices for meeting North Orange County's housing, recreation and business needs
- Support legislation and policies that promote an economically healthy and sensible jobs/housing balance
- Support State and local fiscal reform to permit cities and counties to make land use decisions based upon good planning principals including highest and best use practices rather than upon potential tax revenue generation
- Support diverse housing ownership opportunities including condominiums and townhomes, an effective and affordable alternative to the traditional single family detached home purchase
- Support locally driven workforce housing initiatives, without government mandate
- Support initiatives that encourage residential developments emphasizing alternative forms of transportation
- Support regional planning and shared local government responsibility for meeting regional housing needs
- Support financial assistance to local governments, redevelopment and nonprofit housing organizations
- Support private/public partnerships to provide affordable, transitional, and emergency housing
- Support creative approaches to redevelopment that are consistent with city or county general plans for housing, business and mixed use purposes, as well as complementary to the existing neighborhoods and surrounding communities
- Support time limits on the use of redevelopment funds, restrictions on non-housing use, and establishment of a statewide affordable housing fund as a repository for annual redevelopment and other affordable housing funds
- Support collaborative land use decision-making processes that permit growth and encourages business community input and growth
- Oppose the imposition of disproportionate taxes, fees and assessments on new home construction to pay for community-wide infrastructure (roads, water, sewer, schools) needs

LEGISLATIVE POLICY POSITIONS

Approved:

that are not directly part of the new development

- Oppose legislative and regulatory barriers to the construction of homes that are needed to meet member business employment needs
- Oppose any form of rent control since it has a proven record of reducing affordable housing
- Oppose urban limit lines, moratoriums or other measures that stifle housing creation
- Oppose unfair application of zoning laws, including instances where businesses are unreasonably or unfairly treated
- Oppose state and local adoption of inclusionary zoning
- Oppose comprehensive ballot-box land use planning that contradicts "good planning" or contributes to a constrained housing supply for a growing workforce

Telecommunications

Objective:

The delivery of advanced data services is important to the future of North Orange County's economy. The smooth flow of goods, services and information into, out of and within the county is critical in the new economy and requires a well-maintained and coordinated communications infrastructure. Private sector innovation and investment is key to meeting these needs.

NOCLA Positions:

- Support the complete implementation of the Federal Telecommunications Act of 1996 to fully open competitive markets
- Support the opportunity for consumers to choose from a variety of competitive providers of telecommunication products and services
- Support limiting municipal right-of-way fees to the reimbursement of a City's actual cost of administering the use of the public right-of-way
- Support legislation that will eliminate unnecessary and unfair taxes and fees, allowing all telecommunication providers to compete on a level playing field, and in turn promoting the benefits of open competition
- Support the streamlining of local permitting requirements for the placement of infrastructure necessary to implement advanced broadband networks
- Oppose municipal "third tier" regulation (e.g., imposition of local franchise requirements), which slows the implementation of network infrastructure and increases consumers' cost for telecommunications services
- Oppose city-owned utilities from offering telecommunications services
- Oppose undue regulation by industry boards such as the California Public Utilities Commission and the Federal Communications Commission

LEGISLATIVE POLICY POSITIONS

Approved:

Transportation & Infrastructure

Objective:

A well maintained community infrastructure supporting economic expansion and the efficient movement of people, goods and services. To continue to be economically sound, North Orange County 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.

NOCLA Positions:

- Support strategic investment in Orange County's aging infrastructure
- Support the 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
- Support OCTA Breaking Down Barriers initiative to streamline local infrastructure projects
- Support stable state, federal and local long-term funding sources for road and highway improvements to include improvements in maintenance, safety and capacity
- Support private sector participation in the planning and implementation of transportation networks and private sector investment opportunities in transportation infrastructure
- Support for an integrated transportation network in Orange County meeting business and residential needs in North Orange County
- Support better coordination between local, state and federal permitting agencies conducting environmental reviews to expedite project delivery and promote cost-effectiveness along with environmental compliance
- Support effective and efficient execution local projects with proper local coordination to ensure project success
- Support government agencies contracting services with the private sector for the construction of public infrastructure, using progressive contracting methods (i.e. design/build, build/operate and design/build/own) and private-public partnerships where appropriate, sustainable, and cost-effective
- Support passage of the federal transportation reauthorization with full program implementation funding for projects in Orange County

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 North Orange County.

NOCLA Positions:

LEGISLATIVE POLICY POSITIONS

Approved:

- Support legislation, policies and local projects leading to cost effective solutions for water reliability and independence, including water transfers, water conservation, water recycling and water reclamation
- Support completion of the Santa Ana River Mainstream Project
- Support cooperation among water agencies leading to water management efficiencies and ultimately savings to the rate payers
- Support waste management strategies and incentives that reduce waste entering the landfills and ocean
- Support environmental regulations that allow for the proper maintenance and management of water resources and water facilities
- Support for legislation, projects and public policy leading to a reliable water supply for Southern California and North Orange County particularly
- Support for legislation, policies and local projects leading to greater water independence (from northern California and Colorado/Arizona)
- Support legislation and projects providing flood control protection to Brea residents and businesses