

AMENDED IN SENATE JUNE 25, 2013
AMENDED IN ASSEMBLY MAY 24, 2013
AMENDED IN ASSEMBLY MAY 1, 2013
AMENDED IN ASSEMBLY FEBRUARY 20, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 53

**Introduced by Assembly Member John A. Pérez
(Coauthors: Assembly Members Fong, Fox, Medina, and Weber)**

January 7, 2013

An act to amend Section 12096.3 of, and to add Section 12096.35 to, the Government Code, and to amend Section 1401 of the Labor Code, relating to economic development.

LEGISLATIVE COUNSEL'S DIGEST

AB 53, as amended, John A. Pérez. Governor's Office of Business and Economic Development: biennial California Economic Development Strategic Plan.

The Governor's Office of Business and Economic Development serves as the Governor's lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. The office, among others, makes recommendations to the Governor and the Legislature regarding policies, programs, and actions to advance statewide economic goals.

This bill would require the office to lead the preparation of a California Economic Development Strategic Plan, as specified.

Existing law provides that an employer, with certain exceptions, may not order a mass layoff, relocation, or termination, as defined, at a covered establishment without giving 60 days’ prior written notice to employees and the Employment Development Department and other local agencies, as well as complying with specified federal guidelines.

This bill would require the employer to also provide written notice to the Governor’s Office of Business and Economic Development and require the Employment Development Department to post the notice on its Internet Web site.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12096.3 of the Government Code is
- 2 amended to read:
- 3 12096.3. The office shall serve the Governor as the lead entity
- 4 for economic strategy and the marketing of California on issues
- 5 relating to business development, private sector investment, and
- 6 economic growth. In this capacity, the office may:
- 7 (a) Recommend to the Governor and the Legislature new state
- 8 policies, programs, and actions, or amendments to existing
- 9 programs, advance statewide economic goals and respond to
- 10 emerging economic problems and opportunities, and ensure that
- 11 all state policies and programs conform to the adopted state
- 12 economic and business development goals.
- 13 (b) Coordinate the development of policies and criteria to ensure
- 14 that federal grants administered or directly expended by state
- 15 government advance statewide economic goals and objectives.
- 16 (c) Market the business and investment opportunities available
- 17 in California by working in partnership with local, regional, federal,
- 18 and other state public and private institutions to encourage business
- 19 development and investment in the state.
- 20 (d) Provide, including, but not limited to, all of the following:
- 21 (1) Economic and demographic data.
- 22 (2) Financial information to help link businesses with state and
- 23 local public and private programs.
- 24 (3) Workforce information, including, but not limited to, labor
- 25 availability, training, and education programs.
- 26 (4) Transportation and infrastructure information.

1 (5) Assistance in obtaining state and local permits.

2 (6) Information on tax credits and other incentives.

3 (7) Permitting, siting, and other regulatory information pertinent
4 to business operations in the state.

5 (e) Establish a well-advertised telephone number, an interactive
6 Internet Web site, and an administrative structure that effectively
7 supports the facilitation of business development and investment
8 in the state.

9 (f) Encourage collaboration among research institutions, startup
10 companies, local governments, venture capitalists, and economic
11 development agencies to promote innovation.

12 (g) In cooperation with the federal government, foster
13 relationships with overseas entities to improve the state's image
14 as a destination for business investment and expansion.

15 (h) Conduct research on the state's business climate, including,
16 but not limited to, research on how the state can remain on the
17 leading edge of innovation and emerging sectors.

18 (i) Support small businesses by providing information about
19 accessing capital, complying with regulations, and supporting state
20 initiatives that support small business.

21 (j) Lead the preparation of a California Economic Development
22 Strategic Plan.

23 SEC. 2. Section 12096.35 is added to the Government Code,
24 to read:

25 12096.35. (a) The office shall lead the preparation of a
26 California Economic Development Strategic Plan. In fulfilling this
27 duty, the office shall ~~do~~ *commission a study that includes, but is*
28 *not limited to*, all of the following:

29 (1) ~~Make recommendations~~ *Recommendations* regarding an
30 economic development strategic plan for the state, covering a
31 *two-year period for the first report and a three-year time period*
32 *for subsequent reports* and containing a statement of economic
33 goals for the state, a ~~prioritized list of significant issues identified~~
34 ~~from proposals for legislation, regulations, and administrative~~
35 ~~reforms necessary to improve state.~~

36 (2) *Governmental and nongovernmental impediments to*
37 *economic development and a list of legislative, regulatory, and*
38 *administrative reforms necessary to ease those impediments and*
39 *improvements to the business climate and economy of the*
40 *state.*

- 1 (3) *An evaluation of the effectiveness of the state’s economic*
- 2 *development programs, a programs.*
- 3 (4) *A list of key industries in which the state shall focus its*
- 4 *economic development efforts, and strategies to foster job growth*
- 5 *and economic development covering all state agencies, offices,*
- 6 *boards, and commissions that have economic development*
- 7 *responsibilities.*
- 8 ~~(2) Convene one or more meetings to provide recommendations~~
- 9 ~~regarding a California economic development strategic plan. The~~
- 10 ~~office shall invite businesses, labor unions, organizations~~
- 11 ~~representing the interests of diverse ethnic and gender groups,~~
- 12 ~~local government leaders, academic economists and business~~
- 13 ~~professors, chambers of commerce and other business~~
- 14 ~~organizations, economic development organizations, government~~
- 15 ~~agencies, and key industries to contribute to the preparation of the~~
- 16 ~~recommended economic strategy. These meetings shall address,~~
- 17 ~~but are not limited to, all of the following:~~
- 18 (5) *An evaluation of policies and goals developed at the regional*
- 19 *level.*
- 20 ~~(A)~~
- 21 (6) *Strengths and weaknesses of the California economy and*
- 22 *the state’s prospects for future economic prosperity.*
- 23 ~~(B)~~
- 24 (7) *Existing, emerging, and declining industries in California*
- 25 *and elsewhere.*
- 26 ~~(C)~~
- 27 (8) *Effectiveness of California’s economic development*
- 28 *programs in creating and retaining jobs and attracting industries.*
- 29 ~~(D)~~
- 30 (9) *Adequacy of state and local physical and economic*
- 31 *infrastructure.*
- 32 ~~(E) Governmental and nongovernmental impediments to~~
- 33 ~~economic development.~~
- 34 ~~(F)~~
- 35 (10) *Opportunities to leverage federal resources for state*
- 36 *priorities.*
- 37 ~~(G)~~
- 38 (11) *Tactics for attracting private capital to the state and*
- 39 *investment in state priority areas.*

1 (b) Upon completion of the study, the office shall convene a
2 stakeholder advisory group consisting of representatives from
3 businesses, labor unions, organizations representing the interests
4 of diverse ethnic and gender groups, local government leaders,
5 academic economists and business professors, chambers of
6 commerce and other business organizations, economic development
7 organizations, government agencies, and key industries to assist
8 with evaluating and preparing the California Economic
9 Development Strategy.

10 ~~(b)~~

11 (c) The office shall submit a report of its findings and
12 recommendations regarding subdivision (a) to the Governor and
13 the Legislature no later than October 1, 2014, *with the next report*
14 *due October 1, 2016*, and every three years following that date.
15 The report shall be submitted to the Legislature in the manner
16 required pursuant to Section 9795.

17 ~~(e)~~

18 (d) The office shall *electronically* deliver copies of the
19 recommended California economic development strategic plan to
20 every constitutional officer, legislator, member of the Governor's
21 cabinet, and every state agency, office, board, and commission
22 having economic development responsibilities.

23 SEC. 3. Section 1401 of the Labor Code is amended to read:

24 1401. (a) An employer may not order a mass layoff, relocation,
25 or termination at a covered establishment unless, 60 days before
26 the order takes effect, the employer gives written notice of the
27 order to the following:

28 (1) The employees of the covered establishment affected by the
29 order.

30 (2) (A) The Employment Development Department, the
31 Governor's Office of Business and Economic Development, the
32 local workforce investment board, and the chief elected official
33 of each city and county government within which the termination,
34 relocation, or mass layoff occurs.

35 (B) The Employment Development Department shall, upon
36 receipt of the notice, post the notice on its Internet Web site.

37 (b) An employer required to give notice of any mass layoff,
38 relocation, or termination under this chapter shall include in its
39 notice the elements required by the federal Worker Adjustment
40 and Retraining Notification Act (29 U.S.C. Sec. 2101 et seq.).

- 1 (c) Notwithstanding the requirements of subdivision (a), an
- 2 employer is not required to provide notice if a mass layoff,
- 3 relocation, or termination is necessitated by a physical calamity
- 4 or act of war.