

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1196

Introduced by Assembly Member Eduardo Garcia

February 27, 2015

An act to amend Sections 14999, 14999.1, 14999.2, 14999.3, 14999.4, 14999.5, 14999.6, 14999.7, 14999.8, 14999.9, and 14999.10 of the Government Code, relating to economic development.

LEGISLATIVE COUNSEL'S DIGEST

AB 1196, as amended, Eduardo Garcia. Commission for Economic Development.

Existing law establishes the Commission—~~on~~ *for* Economic Development, as solely an advisory body, and provides that the purpose of the commission is to provide continuing bipartisan legislative branch, executive branch, and private sector support and guidance for the best overall economic development of the state by any specified means. Under existing law, the membership of the committee consists of the Lieutenant Governor and 16 other members, including 6 Members of the Legislature appointed by the Senate Committee on Rules and the Speaker of the Assembly and 10 members representing business, industry, and labor organizations appointed by the Governor. Existing law authorizes the commission to appoint task forces to study and report on specific issues relating to these purposes. Existing law authorizes the commission to act at any regular or special ~~meeting~~. *meeting and requires regular meetings to be held once during each 3-month period. Existing law requires the commission to appoint advisory committees from outside its membership to represent, among other industries,*

aerospace and to study laws and programs of other states relating to economic development and the encouragement of business and industry.

This bill would provide that the purpose of the commission is to provide that continuing support and guidance on public policies and economic development activities that support job creation and business growth in this state. The bill would additionally authorize the commission to collaborate with statewide and regional organizations on economic and community development initiatives and identify and support this state’s access to federal programs, as provided. The bill would authorize the addition of up to 3 Members of the California Congressional Delegation to the commission and would require these members to apply and be appointed by the Governor. The bill would declare all studies and reports of the commission to be public documents and would require them to be posted on the Internet Web site of the Lieutenant Governor for not less than 24 months. The bill would additionally authorize the commission to act by teleconference, via an Internet Web site, or other electronic means, or a combination of a meeting and electronic ~~means~~. *means and would instead require regular meetings to occur once during each 4-month period. The bill would authorize, rather than require, the commission to appoint advisory committees from outside its membership and to study laws and programs of other states relating to economic development, including, among others, economic mobility.* The bill would also make numerous technical and conforming changes.

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 14999 of the Government Code is
2 amended to read:
3 14999. The Commission for Economic Development,
4 hereinafter referred to as the commission, is continued in existence.
5 The purpose of the commission is to provide continuing bipartisan
6 legislative, executive branch, and private sector support and
7 guidance on public policies and economic development activities
8 that support job creation and business growth in this state. Among
9 other activities, the commission may undertake any and all of the
10 following:

1 (a) Assessing specific regional or local economic development
2 problems and making recommendations for solving problems.

3 (b) Providing a forum for ongoing dialogue on economic issues
4 between state government and the private sector.

5 (c) Recommending, where deemed appropriate, legislation to
6 require evaluation of demonstration and ongoing economic
7 development projects and programs to ensure continued cost
8 effectiveness.

9 (d) Identifying and reporting important secondary effects on
10 economic development of programs and regulations which may
11 have other primary purposes.

12 (e) Undertaking specialized studies and preparing specialized
13 reports at the request of the Governor or Legislature.

14 (f) Collaborating with statewide and regional organizations on
15 economic and community development initiatives.

16 (g) Identifying and supporting this state's access to federal
17 programs, services, and initiatives that would benefit this state's
18 economy, businesses, and workers.

19 SEC. 2. Section 14999.1 of the Government Code is amended
20 to read:

21 14999.1. (a) The commission shall consist of the Lieutenant
22 Governor and 16 members appointed as follows:

23 (1) Three Members of the Senate, appointed by the Senate Rules
24 Committee.

25 (2) Three Members of the Assembly, appointed by the Speaker
26 of the Assembly.

27 The Members of the Legislature appointed to the commission
28 shall serve at the pleasure of the appointing power and shall
29 participate in the activities of the commission to the extent that
30 such participation is not incompatible with their respective
31 positions as Members of the Legislature. For the purposes of this
32 chapter, such Members of the Legislature shall constitute a joint
33 investigating committee on the subject of this chapter and as such
34 shall have the powers and duties imposed upon such committees
35 by the Joint Rules of the Senate and Assembly.

36 (3) Ten members appointed by the Governor after consultation
37 with business, industry, and labor organizations, with no more
38 than six members registered from the same political party. These
39 10 members shall include persons from the economic development
40 fields of manufacturing, ~~tourism, world-trade~~ *small business*,

1 *finance*, and such other fields as may be appropriate. The terms of
2 these 10 members shall be for four years. The terms of the members
3 first appointed shall be as follows: four shall expire January 1,
4 1973; four January 1, 1974; and two January 1, 1975.

5 (b) The commission may additionally consist of up to three
6 Members of the California United States Congressional Delegation,
7 who have applied to, and have been appointed ~~by~~ *by*, the Governor.
8 The Members of the United States Congress appointed to the
9 commission shall serve at the pleasure of the appointing power
10 and shall participate in the activities of the commission to the
11 extent that such participation is not incompatible with their
12 respective positions as Members of the United States Congress.

13 (c) The Lieutenant Governor shall serve as ~~chairman~~ *chairperson*
14 of the commission. The commission shall provide for the selection
15 of a vice ~~chairman~~ *chairperson* who shall be a registered member
16 of a political party different from that of the ~~chairman~~ *chairperson*.
17 The commission may select from its membership such other
18 officers as it deems necessary. The ~~chairman~~ *chairperson* and the
19 vice ~~chairman~~ *chairperson* shall be ad hoc members of all
20 committees.

21 (d) The Governor shall appoint, upon the nomination of the
22 Lieutenant Governor, an executive secretary for the commission.
23 The executive secretary shall serve at the pleasure of the Lieutenant
24 Governor. The Lieutenant Governor shall appoint the staff of the
25 commission. The staff shall be employees of the Lieutenant
26 Governor's office.

27 SEC. 3. Section 14999.2 of the Government Code is amended
28 to read:

29 14999.2. The commission may appoint task forces to study
30 and report on specific issues relating to the purposes of this chapter.
31 The commission may contract for studies and other special services
32 for purposes of this chapter. All studies and reports of the
33 commission are public documents and shall be posted on the
34 Internet Web site of the Lieutenant Governor for not less than 24
35 months.

36 SEC. 4. Section 14999.3 of the Government Code is amended
37 to read:

38 14999.3. The commission ~~shall~~ *may* appoint advisory
39 committees from outside its membership to represent the aerospace,
40 manufacturing, logistics, tourism, and world trade segments of the

1 state's economy, and such other advisory committees as it deems
2 necessary for the purpose of carrying out its responsibilities as set
3 forth in this chapter. No reimbursement for travel within the state
4 or per diem is authorized for participation on an advisory
5 committee or for testifying before an advisory committee.

6 SEC. 5. Section 14999.4 of the Government Code is amended
7 to read:

8 14999.4. (a) Except as provided in subdivision (b), members
9 of the commission, including members appointed pursuant to
10 subdivision (b) of Section 14999.1, shall serve without
11 compensation, but shall be reimbursed for actual necessary
12 expenses for travel within the state incurred in the performance of
13 their duties, as authorized by the commission chairperson.

14 (b) Members representing the Senate and Assembly shall receive
15 reimbursement from their legislative funds.

16 SEC. 6. Section 14999.5 of the Government Code is amended
17 to read:

18 14999.5. All meetings of the commission shall be open and
19 public and all persons shall be permitted to attend any meetings
20 of the commission.

21 SEC. 7. Section 14999.6 of the Government Code is amended
22 to read:

23 14999.6. (a) The commission may act at any regular or special
24 meeting, by teleconference, via an Internet Web site, or other
25 electronic means, or a combination thereof. Regular meetings shall
26 be held once during each ~~three-month~~ *four-month* period and
27 special meetings may be called by the ~~chairman~~ *chairperson* at
28 any time he or she deems it is necessary to handle special or
29 emergency matters.

30 (b) A majority of the members described in subdivision (a) of
31 Section 14999.1 shall constitute a quorum for the transaction of
32 business for the commission. The transaction of business does not
33 include taking testimony or discussing issues that will be acted on
34 at a future ~~meeting or pursuant to subparagraph (2) of subdivision~~
35 ~~(e)~~ *meeting*.

36 (c) The commission may also act without a meeting if a majority
37 of the members approve of the action taken in writing.

38 (d) Any member described in subdivision (a) of Section 14999.1
39 who misses attending three consecutive meetings without good
40 ~~cause~~, *cause* may be replaced.

1 SEC. 8. Section 14999.7 of the Government Code is amended
2 to read:

3 14999.7. The commission shall have the powers and authority
4 necessary to carry out the duties imposed upon it by this chapter,
5 ~~including~~ *including*, but not limited to, all of the following:

6 (a) To adopt rules and regulations as it deems advisable with
7 respect to the conduct of its own affairs.

8 (b) To hold hearings, make and sign agreements, and to do or
9 perform any acts which may be necessary, desirable, or proper to
10 carry out the purposes of this chapter.

11 (c) To cooperate with, and secure the cooperation of, any
12 department, division, bureau, commission, or other agency of the
13 state, other federal, foreign, or local government, public entity,
14 private organization, or corporation to facilitate it to properly carry
15 out its powers and duties pursuant to this chapter.

16 (d) To accept any federal funds granted, by act of the United
17 States Congress or by executive order, for all or any of the purposes
18 of this chapter.

19 (e) To accept any gifts, donations, grants, or bequests for all or
20 any of the purposes of this chapter.

21 SEC. 9. Section 14999.8 of the Government Code is amended
22 to read:

23 14999.8. (a) The commission shall consider programs, services,
24 technologies, and actions to further the economic development of
25 the state.

26 (b) The commission ~~shall~~ *may* study the laws and programs of
27 other states relating to economic development, job creation,
28 entrepreneurship, *economic mobility*, competitiveness, and ~~the~~
29 ~~encouragement of civic leaders and business and industry.~~ *other*
30 *economic development-related topics*. The commission may confer
31 with governmental officials, civic leaders, business and industry,
32 and any other persons or organizations ~~interested in the promotion~~
33 ~~of economic development, job creation, entrepreneurship, and~~
34 ~~competitiveness.~~ *deemed necessary by the chairperson to carry*
35 *out the purposes of this chapter.*

36 (c) The commission ~~shall~~ *may* make recommendations
37 concerning legislation affecting the economic development of the
38 state.

39 SEC. 10. Section 14999.9 of the Government Code is amended
40 to read:

1 14999.9. (a) The commission shall make a report of its
2 activities, findings, and recommendations to the Governor and the
3 Legislature not later than February 1 of each year.

4 (b) A report to the Legislature pursuant to this section shall be
5 submitted in compliance with Section 9795.

6 SEC. 11. Section 14999.10 of the Government Code is amended
7 to read:

8 14999.10. (a) The Legislature finds and declares that the
9 Commission for Economic Development is solely an advisory
10 body to the Legislature, to the Governor, and to state departments,
11 offices, and agencies, and that the duties and functions given the
12 commission are part of, or incidental to, its work as an advisory
13 body.

14 (b) The Legislature further finds and declares that no person
15 shall, by virtue of his or her membership on the commission, be
16 deemed or held to be an officer of the State of California.