

California Industrial Hygiene Council

Conference Call

October 24, 2008, 9:30 – 11:00

ATTENDEES

Jaime Steedman-Lyde / Southern California		Jackie Luca/Southern California
Mark Cameron/Sacramento Valley		Denise Daggett / San Diego
Chris Laszcz-Davis/Northern California		Joel Cohen/Northern California
Cathy Barankin/Sac Advocacy		
ITEM	ACTIVITY / DISCUSSION	ACTION ITEM MEMBER ASSIGNED
Call to Order Approve September Minutes	The conference call was called to order at 9:37 AM by Jaime. Due to lack of quorum, the approval of the minutes was tabled for a later time. Denise received Chris' comments and two Green Chemistry attachments. Denise prepared the final packet and circulated it via e-mail on October 24th. The Board voted via e-mail to approve the minutes. Denise sent the approved minutes to Touti for posting on the CIHC website on October 27th.	<u>Denise</u> will edit the September 9, 2008 draft minutes and add Chris' attachments. She will circulate the packet via e-mail.
AB 2796 Status of Good Samaritan Bill	Cathy told the Board that the bill was signed by the Governor. This is a victory for Assemblyman Nava, CIHC, Sac Advocacy, and all the other supporters.	<u>Board members</u> are encouraged to share the good news with their Local Sections.
Remaining Legislative Issues	Cathy summarized what occurred in the 2008 session: 4865 bills were introduced (3084 in the Assembly and 1781 in the Senate), 1178 went to the Governor for consideration, 772 were signed and 416 bills were vetoed (highest rate of vetoes in recent time).	<u>Cathy</u> will prepare and circulate a summary of the bills we watched, supported, and opposed. The summary is included at the end of the minutes. <u>Board members</u> can distribute the legislative summary to their Local Sections.
Next Bills for 2009	Good Science Initiative: no progress at this time.  PEL Bill: Howard asked Cathy when she would need language to take to a Senator or Assembly person. She said if she had something by mid-February, the timing would be good.	<u>Jaime</u> will contact Ed to check on possible progress.  <u>Howard</u> will work on bill text. <u>Cathy and Howard</u> will meet on this subject at the Conference on Tuesday evening before the social networking event.
Conference: Exhibitors, PowerPoint's, etc	<i>PowerPoint's and Bios:</i> Jamie reminded the moderators that the PowerPoint presentations and biographical information needs to be obtained from the speakers before Oct 30 (the absolute deadline is Nov 2) for inclusion in the conference notebook. Jaime also asked that each moderator obtain contact information (including cell phone numbers) for all speakers.  Monday luncheon: Jamie asked the Monday moderators to find out which Monday speakers will be attending the Keynote Luncheon. Howard needs the headcount information for	<i>PowerPoint's and Bios:</i> <u>Jaime</u> will send an e-mail message that the moderators can send to all speakers before the PowerPoint and bio deadline.  <i>Luncheon:</i> <u>Monday moderators</u> need to poll their speakers regarding attendance at the Monday

	<p>The Westgate.</p> <p><i>Exhibitors:</i> Jaime said there are 6 vendors at this point.</p> <p><i>Gifts:</i> Jaime said that the attendee gifts have been ordered.</p> <p><i>Networking Event (Tuesday evening):</i> Jamie conformed a wine/cheese hour at the San Diego Wine and Culinary Institute.</p> <p><i>Sunday Board Dinner:</i> Jaime said that Ann located two restaurants, but both required substantial deposits during the holiday season. Denise offered to look at Athens Market or Current Brasserie on Broadway.</p> <p><i>Printing:</i> Joel asked who was going to take care of the certificates of completion, luncheon and Social Networking tickets, and badges. Jaime recalled that Dagmar said we had several recycled plastic badge holders.</p> <p><i>Speaker/Attendee/Vendor lists:</i> The binder will include speakers' bios (with contact information) and vendor advertisements. In the past, the binder has included an attendee list identifying name and affiliation (no contact information). Chris asked if it was possible to include attendee contact information. The Board discussed this request and decided to add a question to the Conference Evaluation Form to poll the attendees regarding their opinion on this topic. In short, this year's binders will only include attendee names and affiliations.</p>	<p>luncheon. Counts needs to be forwarded to Howard.</p> <p><i>Exhibitors:</i> <u>Jamie</u> asked for any vendor names/contacts be forwarded to her. She will follow-up.</p> <p><i>Gifts:</i> Jaime will order the speaker gifts soon.</p> <p>Networking Event: <u>The Conference Planning Committee</u> is looking for a sponsor or partial sponsor for the event.</p> <p><i>Sunday Board Dinner:</i> <u>Denise</u> will pursue finding a restaurant for the Sunday Board dinner within walking distance of The Westgate.</p> <p><i>Printing Responsibilities:</i> <u>Howard</u> and HSA: certificates. <u>Jaime:</u> she will buy tickets for the luncheon/social event and will ask her local section for assistance with the badges. Jaime will contact Dagmar about the badge holders and ribbons source.</p> <p><i>Speaker/Attendee/Vendor lists responsibilities:</i> <u>Jackie:</u> Speakers bios <u>Joel:</u> Attendees from registration <u>Jaime:</u> Vendors <u>The Conference Planning Committee</u> will edit the Evaluation Form to include a question about sharing of contact information for future conferences.</p>
Conference Registration	Joel said that there are currently 18 attendees registered for the three days. 6 have registered for the networking event.	See entry below.
Conference – get the word out	Jaime and Jackie said that we need to market to the Local Sections and personal contacts. Jackie sent out the postcard and registration link to Northern California and Sacramento Local Sections.	<u>Jackie</u> will send out the postcard and link to the registration materials to San Diego and Southern California mailing lists.

		<u>Board Members</u> are encouraged to send the postcard and registration materials to professional contacts.
Strategic Planning/Mission Planning	Jaime and Chris have shared the PowerPoint presentation with their Boards.	Other <u>Board Members</u> are encouraged to share the presentation with their Local Section Boards or members. <u>Jaime</u> will include Strategic Planning as a topic for the Dec 8 <sup>th</sup> Board Meeting.
Treasurers' Report	Joel explained that all CIHC's funds are in low earning money market accounts (~0.1% interest rate). He suggested that we consider and vote on moving monies into higher earning accounts.	<u>Jamie</u> suggested that the Board revisit asset allocation after the conference.
Comments on State CIH's to Safety Engineers	Jaime sent a draft letter to Mark on October 23 <sup>rd</sup> . She received his comments today. She would like to send out the completed letter in November to the Governor, Len Welsh, and the Secretary of the Department of Industrial Relations.	<u>Jaime</u> will incorporate Marks's comments and send the updated draft of the letter to the Board members.
Adjournment and Next Meeting	Jaime adjourned the conference call meeting at 10:55 AM.	The next Board meeting is Monday, December 8 at The Westgate after Day 1 of the conference.

## CIHC 2008 LEGISLATIVE OVERVIEW

### Prepared by Sacramento Advocacy

Over this recent two-year Legislative Session, there were a total of 4,865 bills introduced. Assemblymembers introduced 3,084 bills, and Senators introduced 1,781 bills. Of the total bills introduced, 1,187 passed the Legislature and went to the Governor for his consideration. The Governor signed 772 bills and vetoed 415 bills. The following summary covers the bills that were of interest to the California Industrial Hygiene Council and sent to the Governor.

**AB 371 (Huffman) Health Facilities:** Requires every general care hospital that applies to the Health Financing Authority or other public entity for financing from the issuance of tax-exempt bonds to provide a copy of the hospital's injury and illness prevention program.

**Position:** Watch

**Status:** Vetoed

#### **Governor's Veto Message:**

*I am returning Assembly Bill 371 without my signature.*

*This bill would require all general acute care hospitals applying for financing from the issuance of tax-exempt bonds to have a "safe patient handling" policy in their Injury and Illness Prevention Plan.*

*This bill is yet another attempt to impose inflexible patient handling policies upon all acute care hospitals. I have vetoed several bills attempting to impose so-called "zero-lift" policies on hospitals, including a measure*

*this year. As I have said before, hospitals are the best judges of what type of safe patient handling policy is appropriate for their care setting given their resources.*

*For these reasons, I am returning this bill without my signature.*

Sincerely,  
Arnold Schwarzenegger

**AB 1879 (Feuer) Hazardous Materials: Toxic Substances:** Requires the Department of Toxic Substances to establish a process by which chemical or chemical ingredients in products may be identified and prioritized for consideration as being chemicals of concern.

**Position: Oppose to Watch**

**Status: Signed by the Governor**

**AB 2031 (Hancock) Oil Spill Prevention and Response:** Requires the Administrator for Oil Spill Response to implement the State Oil Spill Contingency Plan as detailed in the bill.

**Position: Watch**

**Status: Signed by the Governor**

**AB 2032 (Hancock) Oil Spill Prevention and Response Fees:** Relates to the Oil Spill Response Trust Fund collected by the State Board of Equalization, and allows and increase on the upper limits of the fee.

**Position: Watch**

**Status: Vetoed by the Governor**

#### **Governor's Veto Message**

*I am returning Assembly Bill 2032 without my signature.*

*This bill would authorize the Administrator of the Office of Spill Prevention and Response (OSPR) to increase the per barrel oil fee on oil delivered to a marine terminal or transported into the state by a pipeline through marine waters from the current 5 cents per barrel up to 8 cents per barrel.*

*The per-barrel fee was increased in 2002, and OSPR is currently using those increased funds to implement a number of strategies to improve preparedness and operations that will not result in costs above what is included in the 2008 Budget Bill.*

Sincerely,  
Arnold Schwarzenegger

**AB 2065 (Hancock) Invasive Aquatic Species:** Requires the assessment of the vulnerability of reservoirs for the presence of nonnative dreissenid mussel species and to develop and implement a program designed to prevent the introduction of that species.

**Position: Watch**

**Status: Signed by the Governor**

**AB 2374 (Spitzer) Radiologic and Nuclear Medicine Technology Scans:** Authorizes a person who has registered as participating in an on-the-job training to meet required clinical

competencies, and who is under the direct supervision of a specified license holder to perform scans.

**Position: Watch**

**Status: Signed by the Governor**

**AB 2547 (Leno) Oil Spill Prevention and Response:** Would have revised the definition of dedicated response resources under the Lampert-Keene Seastrand Oil Spill Prevention and Response Act.

**Position: Watch**

**Status: Vetoed**

**Governor's Veto Message:**

*I am returning Assembly Bill 2547 without my signature.*

*In addition to many other activities which are already being undertaken by the Office of Spill Prevention and Response (OSPR), this bill seeks to establish a new grant program to evaluate new oil spill response technologies. This is unnecessary as OSPR already maintains partnerships with the United States Coast Guard and the Minerals Management Service to monitor and evaluate new response technologies.*

*Additionally, the funding stream for this new program is problematic. The bill proposes to fund the new grant program using the Oil Spill Response Trust Fund. This is problematic because Trust Fund monies are set aside to fund oil spill response activities. Using this money for an ongoing program depletes the fund and sets a bad precedent that undermines its purpose: to ensure that there are always funds available for expedient response to an oil spill in the marine waters of the state.*

*For these reasons, I am unable to sign this bill.*

*Sincerely,*

*Arnold Schwarzenegger*

**AB 2729 (Ruskin) Hazardous Substances:** Underground Storage Tanks: Creates the School District Account in the Barry Keene Underground Storage Tank Cleanup Trust Fund to provide money to pay claims filed by school districts that take corrective action to clean up unauthorized releases from tanks owned by the districts.

**Position: Watch**

**Status: Signed by the Governor**

**AB 2733 (Brownley) Real Property Disclosures:** Provides that if residential property or subdivided lands to be transferred or purchased are located within a certain distance of an environmental hazard site, that site and its location shall be identified on the notice filed with the Department of Real Estate.

**Position: Watch**

**Status: Vetoed**

**Governor's Veto Message**

*I am returning Assembly Bill 2733 without my signature.*

*This bill is unnecessary as current law already requires sellers of real property to notify buyers of the presence of environmentally hazardous substances, materials or products that are on the property, if the seller has knowledge of such contamination. Current law provides adequate protection for buyers and sellers of real property. This bill would make it even more difficult for people to sell property in the State, and is inappropriate in light of the stagnant real estate market currently being experienced in California.*

*For these reasons, I am returning this bill without my signature.*

Sincerely,  
Arnold Schwarzenegger

**AB 2796 (Nava) Office of Emergency Services: Statewide Registry:** Authorizes the Office of Emergency Services to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources or dispensaries or other facilities to prepare the state for emergencies or disasters.

**Position: Strong Support**

**Status: Signed by the Governor**

**AB 2922 (DeSaulnier) Air Pollution: Penalties: Fuel Containers:** Sets the maximum civil penalty for a violation of air pollutants to be an amount not to exceed a specified amount per vehicle, portable fuel container, engine or other unit subject to the regulation of existing law.

**Position: Watch**

**Status: Signed by the Governor**

**AB3025 (Lieber) Polystyrene Loosefill Packaging:** Prohibits the selling of expanded polystyrene loose fill packaging unless it is comprised of a specified amount of recycled materials.

**Position: Watch**

**Status: Signed by the Governor**

**SB 356 (Negrete McLeod) List of Reportable Diseases and Conditions:** Would have deleted the requirement for the Department of Health to establish a specified list of reportable diseases and conditions by a local health officer.

**Governor's Veto Message:**

*I am returning Senate Bill 356 without my signature.*

*The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.*

Sincerely,  
Arnold Schwarzenegger

**SB 509 (Simitian) Hazardous Materials: Information:** This bill requires the Department of Toxic Substances to establish a Toxics Information Clearinghouse for the collections of specified chemical hazard traits and environmental and toxicological end-point data.

**Position: Watch**

**Status: Signed by the Governor**

**SB 973 (Simitian) State Health Benefits Service Program:** Would have created a Health Benefits Service Program with the State Department of Health Services, and require certain duties relative to the creation of joint ventures between certain county-organized health plans and various other entities.

**Position: Watch**

**Status: Vetoed**

**Governor's Veto Message:**

*I am returning Senate Bill 973 without my signature.*

*I agree with the author and sponsor that health care options need to be affordable and accessible to the people of California. My comprehensive health care reform proposal would have created many of those options for people of all income levels. Unfortunately, this bill represents an extremely small provision of a much larger proposal.*

*I cannot support a one-sided, piecemeal approach to health care reform. Californians deserve a financially sustainable and comprehensive solution that promotes prevention, shares responsibility, covers everyone, contains cost and keeps our hospitals open.*

*The people of California demand more than incremental solutions to this problem. I would invite the Legislature to once again engage in the debate over a comprehensive solution that fixes our broken health care system.*

*For this reason, I cannot support this bill.*

*Sincerely,*

*Arnold Schwarzenegger*

**SB 1058 (Alquist) Health Facilities: Bacterial Infections:** This bill establishes the Medical Facility Infection Control and Prevention Act or Nile's Law that requires general acute care hospitals to implement certain procedures for the screening, prevention and reporting of specified health-care associated infections.

**Position: Watch**

**Status: Signed by the Governor**

**SB 1313 (Corbett) Product Safety: Perfluorinated Compounds:** This bill would have prohibited the sale of any food contact substance that contains perfluorinated compounds in a certain concentration. Declares the intent of the Legislature to evaluate perfluorohexanoic acid when a system for reviewing chemicals of concern is developed.

**Position: Watch**

**Status: Vetoed**

## Governor's Veto Message:

*I am returning Senate Bill 1313 without my signature.*

*This bill would ban, effective January 1, 2010, the manufacture, sale or distribution in commerce of food packaging and other materials that come into contact with food and that contain certain perfluorinated compounds (PFCs) at specified levels.*

*Last year, when I signed AB 1108 (Ma) banning phthalates, I stated in my signing message that a chemical by chemical, product by product approach to these issues was not the most effective way to make chemical policy in California. I offered that I prefer a more systematic, science-based approach that would take into account the health effects, risks, and available alternatives for chemicals used in commerce today.*

*I have signed AB 1879 (Feuer) and SB 509 (Simitian) which mark the beginning of California's historic Green Chemistry Initiative. It is within this process that chemicals like PFCs should be addressed.*

*For these reasons, I am returning this bill without my signature.*

*Sincerely,*

*Arnold Schwarzenegger*

**SB 1386 (Lowenthal) Carbon Monoxide Detectors:** This bill would have required carbon monoxide devices to be installed in dwelling intended for human occupancy.

**Position: Support**

**Status: Vetoed**

## Governor's Veto Message:

*I am returning Senate Bill 1386 without my signature.*

*This bill would require that carbon monoxide devices be installed in residences beginning in 2010, thus placing a building standard in statute. This bill would also require that the Department of Housing and Community Development develop additional building standards concerning specific installation requirements for these devices.*

*While I am certainly concerned with the health and safety of Californians, this bill is an undesirable approach. Building standards should not be statutory. The Building Standards Commission (BSC) was created to ensure an open public adoption process allowing experts to develop standards and periodic updates to the building codes. Placing building standards in statute rather than regulation circumvents the existing state regulatory adoption process and excludes the input of safety and construction experts.*

*Smoke detectors in homes were approved by the BSC after a process of review of the safety, need, and reliability of the product. This process should be utilized for carbon monoxide devices.*

*Additionally, product reliability is an issue that has also affected attempts to require carbon monoxide devices through national building codes. The International Code Council, which writes a national model building code, recently rejected two proposals to require the installation of carbon monoxide devices in new residential dwellings, citing the lack of clear direction for placement of the devices and the propensity for false alarm*

*indications. A recent test study indicated that alarm technology is not adequately reliable, resulting in false alarms or no alarm at all.*

*For these reasons, I am returning this bill without my signature.*

*Sincerely,*

*Arnold Schwarzenegger*

The following bills were amended and no longer applicable.

**AB 1183 (Budget Committee) Health Facilities Licensing fees**

**SB 1537 (Kehoe) Disaster Assistance: 2007 Southern California Wildfires**