

SB 46 Dies in Committee on the Last Day of 2005-06 Legislative Session

After what can be best described as a hard-fought battle on the fast track, the masonry industry claimed a victory when SB 46 author, Senator Richard Alarcon (D-San Fernando Valley), **withdrew the bill** in the Senate Labor and Industrial Relations Committee on the last day of session, August 31. In his statement withdrawing the measure, Senator Alarcon said that the withdrawal was based on good faith discussions with Cal/OSHA and the opposition (namely the SB 46 coalition members listed on the attached floor alert) to pursue the matter through regulatory channels. This is a huge win for CCMCA and all coalition members because we got exactly what we asked for: let the regulatory process do its job based on sound evidence and practical solutions without the legislature rushing a decision on how it should be done.

In an August 30 letter to Governor Schwarzenegger, Senator Alarcon asked that the administration direct Cal/OSHA to immediately convene an advisory committee to develop a standard addressing the dry cutting and grinding of masonry materials and its correlation to silica exposure. Furthermore, Senator Alarcon indicated that if progress on a silica standard is not made before the end of the 2007 legislative session, he will introduce another bill to deal with the issue.

So, now we enter the next phase of this campaign. This time, however, the issue of dry cutting and silica exposure will be handled in the appropriate arena--Cal/OSHA--with a more feasible timeline so that it can be dealt with under careful consideration with the input of all stakeholders. CCMCA and the California Professional Association of Specialty Contractors (CalPASC) have already scheduled the first meeting to discuss *Phase Two* and will continue to be active participants throughout the process.

We have come such a long way from where we were just over a month ago. If you recall, SB 46 was introduced in January 2005 as an innocuous enough bill on workers' compensation. Then, on June 13, 2006 the bill was rewritten to ban dry cutting in California in favor of wet cutting as the nearly exclusive method of controlling silica dust exposure. Suddenly, a bill that the masonry industry was not following became of paramount importance given the change in subject matter.

On July 12, CCMCA and CalPASC convened the first coalition meeting which left little more than a month to kill SB 46 before session adjourned August 31. A seemingly impossible task? Yes. But, thanks to everyone who responded so quickly--your letters, phone calls, sharing of information, financial support, overall willingness to be involved--and the ongoing commitment of the CCMCA officers, WE WON!!!

Our modest coalition that was formed on July 12 grew to become a who's who of construction and business trade organizations, and we could not have come this far without the support of all the coalition members shown at the bottom of the attached floor alert.

We also owe a huge debt of gratitude to our lobbyist, Jack Molodanof, who was with us every step of the way making it happen. We were very lucky indeed to have such excellent guidance and a true believer in our cause.

Also, thanks go to attorney, Larry Halprin, who kept us on the 'straight and narrow' with only the facts and nothing but the facts. This was truly a team effort, and we look forward to your continued support as we take the next steps with Cal/OSHA. For now though, we celebrate! Thank you.

Submitted by,

Julie Trost

Julie Trost
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