

GEORGE L. OSBORN

LOBBYIST

September 7, 2011

The Honorable Edmund G. Brown Jr.
Governor of California
State Capitol Building
Sacramento, CA 95814

Dear Governor Brown:

On behalf of my clients, the California Fish and Game Wardens' Association, we are disappointed that we did not gain support for the attached legislative language at the close of the current legislative session. We do, however, understand your staff's reluctance to support a last-minute gut-and-amend bill in this fast and furious legislative process.

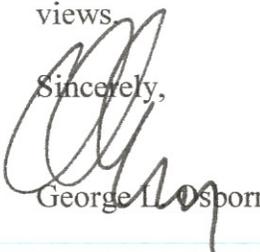
On the positive side, we are very pleased that your staff would consider the goal of the legislation to be good public policy. We agree. To that end, we respectfully request that you consider the attached language for inclusion in your pension reform package as you develop it in the coming days. Certainly, the cost savings to California taxpayers will amount to many millions of dollars over time should the civilian, non-sworn members of Bargaining Unit 7 be absorbed by other "non-safety" bargaining units.

We believe that the public will view such a decision as a real step forward by you to address concerns regarding public employee benefits and retirement pensions.

Further, we believe that the legislation, if enacted, will assist California in increasing the recruitment and retention of Fish and Game Wardens thereby increasing protection of California's priceless natural resources. After all, "No wardens, no wildlife."

As always, we stand ready to assist you in any way we can and thank you for considering our views

Sincerely,



George L. Osborn

cc: David Lanier, Chief Deputy Legislative Secretary
Marty Morgenstern, Secretary, Labor and Workforce Agency
The Honorable John Laird, Secretary, Natural Resources Agency
Anne Gust Brown, Special Counsel to the Governor
Jim Kellogg, President, California Fish and Game Commission
Carol Baker, Project Manager, FWSVP

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An act to amend Section 3521.7 of, and to add Section 3521.8 to, the
Government Code, relating to collective bargaining.



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LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Collective bargaining: peace officers.

Existing law authorizes the Public Employment Relations Board, in accordance with reasonable standards, to designate positions or classes of positions that have duties consisting primarily of the enforcement of state laws. Existing law prohibits employees so designated from being denied the right to be in a unit composed solely of those employees.

This bill would declare that state employee peace officers, as defined, who are employed in that capacity by designated state entities, have the right to be in a unit composed solely of those employees. The bill would require the transfer of an employee of one of those entities who is not a peace officer from Bargaining Unit 7 to a specified bargaining unit, as appropriate for the employee's job classification.

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



THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 3521.7 of the Government Code is amended to read:

3521.7. (a) The board may, in accordance with reasonable standards, designate positions or classes of positions ~~which~~ that have duties consisting primarily of the enforcement of state laws. Employees so designated shall not be denied the right to be in a unit composed solely of ~~such~~ those employees.

(b) State employee peace officers designated in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code who are employed in that capacity by one of the following state entities have the right to be in a unit composed solely of those employees:

- (1) Department of Alcoholic Beverage Control.
- (2) California Emergency Management Agency.
- (3) California Exposition and State Fair Police Department.
- (4) California Horse Racing Board.
- (5) Dental Board of California.
- (6) Bureau of Security and Investigative Services.
- (7) Medical Board of California.
- (8) Department of Corporations.
- (9) State Department of Developmental Services.
- (10) Employment Development Department.
- (11) Department of Fish and Game, as a fish and game warden.
- (12) State Department of Public Health, in the Food and Drug Branch.
- (13) State Department of Health Care Services.



- (14) Department of Industrial Relations.
- (15) Department of Insurance, in the fraud division.
- (16) Department of Justice.
- (17) State Department of Mental Health.
- (18) Department of Motor Vehicles.
- (19) Department of Parks and Recreation.
- (20) State Department of Social Services.
- (21) Department of Toxic Substances Control.
- (22) Franchise Tax Board.
- (23) Secretary of State, in its Fraud Investigation Unit.
- (24) Controller.
- (25) California State Lottery.

SEC. 2. Section 3521.8 is added to the Government Code, to read:

3521.8. An employee of a state entity listed in subdivision (b) of Section 3521.7 who is not employed by the entity in the capacity of a peace officer designated in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code shall be transferred from Bargaining Unit 7 to Bargaining Unit 1, 4, 12, 13, 14, 15, or 19, as appropriate for the employee's job classification.

