

File No. 111331

Committee Item No. 2
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 1/26/12

Board of Supervisors Meeting

Date _____

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- Motion
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OTHER (Use back side if additional space is needed)

- Charter Amendment
- _____
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- _____

Completed by: Linda Wong

Date 1/23/12

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[Charter - Analyzing proposed legislation that may result in a net job loss]

CHARTER AMENDMENT

PROPOSITION _____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 2.118, to; 1) require the President of the Board to determine whether proposed legislation imposes obligations or limitations on private businesses; 2) require the Controller to determine whether such legislation will result in a net job loss; 3) authorize the Small Business Commission to draft and propose alternative legislation for the Board of Supervisors consideration; and 4) prohibit the Board of Supervisors from taking final action on such ordinances until the Small Business Commission submits alternative legislation or 60 days after the Controller's Office issues its report.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 5, 2012, a proposal to amend the Charter of the City and County by adding Section 2.118 to read as follows:

NOTE: Additions are single-underline italics Times New Roman;
deletions are ~~strike-through italics Times New Roman~~.

SEC. 2.118. POSSIBLE NET JOB LOSS.

(a) The President of the Board shall determine whether proposed legislation introduced at the Board of Supervisors imposes obligations or limitations on private businesses or their operations. The President shall send any such legislation to the Controller for review under subsection (b) , except for proposed emergency ordinances, initiative measures, budget legislation including the annual appropriations and salary ordinances or amendments to them, and legislation approving settlements or collective bargaining agreements.

(b) The Controller shall determine whether such legislation will likely result in a net job loss. The Controller shall submit his or her analysis to the Board of Supervisors and the Small Business Commission within 30 days of receiving the subject legislation from the Clerk of the Board or 30 days before the committee hearing, whichever comes first, unless the President of the Board grants an extension for legislation of unusual scope or complexity. Such an extension shall not be denied except for cause.

(c) Upon receipt of the Controller's analysis of proposed legislation, the Small Business Commission shall conduct a hearing on the subject legislation within 30 days. Where the Commission deems appropriate, it may submit alternative legislation to the Board of Supervisors within 60 days of receiving the Controller's analysis.

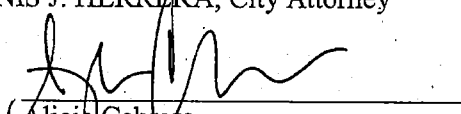
(d) If the Small Business Commission submits alternative legislation, the Board of Supervisors must calendar the alternative legislation at the same meeting as the proposed legislation.

(e) The Board of Supervisors shall not take final action on any proposed legislation that is under consideration by the Small Business Commission per subsection (c) until the Board of Supervisors receives a response from the Small Business Commission or within 60 days after the Controller issues his or her analysis, whichever comes first.

(f) The requirements of this Section are directory, and the failure of the City to comply with them shall not provide a basis to invalidate any City action.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:


Alicia Cabrera
Deputy City Attorney

Mayor Lee
BOARD OF SUPERVISORS

FILE NO. 111331

LEGISLATIVE DIGEST

[Charter - Analyzing proposed legislation that may result in a net job loss]

A proposal to amend the Charter of the City and County of San Francisco on June 5, 2012 by adding Section 2.118, to require further review of proposed legislation that may result in a net job loss.

Existing Law

Currently, there is no law that requires further review of legislation that may result in a net job loss.

Amendments to Current Law

Under the proposal, the President of the Board shall determine whether proposed legislation introduced at the Board of Supervisors imposes obligations or limitation on private businesses or their operations. If so, the President shall refer the proposed legislation to the Controller for further economic analysis. If the Controller concludes that the proposed legislation may result in a net job loss, the Small Business Commission may submit alternative legislation to the Board of Supervisors. If the Small Business Commission submits alternative legislation, the Board of Supervisors must calendar the alternative legislation at the same meeting as the proposed legislation. Finally, the Board of Supervisors is prohibited from taking final action on any proposed legislation that falls under the parameters of this Charter amendment until the Small Business Commission submits a response or within 60 days after the Controller issues his or her analysis.