Referrals
1. Consent Bill Referrals

Resolutions
2. ACR 152 (Bloom) Relative to California Holocaust Memorial Day.
3. ACR 171 (Rodriguez) Relative to Emergency Medical Services Week.

Requests to Add Urgency Clause
4. SB 746 (Wolk) Relative to Olive Oil Commission of California: chair of advisory committee.

Administrative Item
5. Assembly Minimum Wage Policy
REFERRAL OF BILLS TO COMMITTEE

05/05/2016

Pursuant to the Assembly Rules, the following bills were referred to committee:

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Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 5/4/2016
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, ACR 179 was added.

The referrals for ACR 176 and SB 1087 have been changed.
Assembly Concurrent Resolution No. 152

Introduced by Assembly Members Bloom, Levine, Linder, Medina, Nazarian, and Thurmond
(Principal coauthors: Senators Allen, Block, Glazer, Hertzberg, Jackson, Leno, Stone, and Wolk)

March 8, 2016

Assembly Concurrent Resolution No. 152—Relative to California Holocaust Memorial Day.

LEGISLATIVE COUNSEL’S DIGEST

ACR 152, as introduced, Bloom. California Holocaust Memorial Day.
This measure would proclaim May 16, 2016, as California Holocaust Memorial Day and would urge all Californians to observe this day of remembrance for the victims of the Holocaust in an appropriate manner. Fiscal committee: no.

WHEREAS, The Holocaust was a tragedy of proportions the world had never before witnessed; and
WHEREAS, More than 70 years have passed since the tragic events we now refer to as the Holocaust transpired, in which the dictatorship of Nazi Germany murdered six million Jews as part of a systematic program of genocide known as “The Final Solution of the Jewish Question”; and
WHEREAS, Jews were the primary victims, but they were not alone. Five million other people were murdered in Nazi concentration camps as part of a carefully orchestrated,
WHEREAS, We must recognize the heroism of those who provided assistance to the victims of the Nazi regime, including the many soldiers who liberated concentration camps and provided comfort to those suffering; and

WHEREAS, We must teach our children, and future generations, that the individual and communal acts of heroism during the Holocaust serve as a powerful example of how our nation and its citizens can, and must, respond to acts of hatred and inhumanity; and

WHEREAS, We must always remind ourselves of the horrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny lest these atrocities be repeated; and

WHEREAS, We, the people of California, should actively rededicate ourselves to the principles of human rights, individual freedom, and equal protection under the laws of a just and democratic society; and

WHEREAS, Each person in California should set aside moments of his or her time every year to give remembrance to those who lost their lives in the Holocaust; and

WHEREAS, The United States Holocaust Memorial Council recognizes the Days of Remembrance of the Victims of the Holocaust, including the Day of Remembrance, known as Yom Hashoah; and

WHEREAS, According to Elie Wiesel, a Holocaust survivor and nationally recognized scholar, “a memorial unresponsive to the future would violate the memory of the past”; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature proclaims May 16, 2016, as “California Holocaust Memorial Day,” and that Californians are urged to observe this day of remembrance for victims of the Holocaust in an appropriate manner; and be it further

Resolved, That the Chief Clerk of the Assembly transmit sufficient copies of this resolution to the author for appropriate distribution.
SUBJECT: California Holocaust Memorial Day

SUMMARY: Proclaims May 16, 2016, as California Holocaust Memorial Day and would urge Californians to observe this day of remembrance for the victims of the Holocaust in an appropriate manner. Specifically, this resolution makes the following legislative findings:

1) More than 70 years have passed since the tragic events we now call the Holocaust transpired, in which six million Jews and five million others were murdered as part of a carefully orchestrated, state-sponsored program of cultural, social, and political annihilation under Nazi tyranny.

2) We must recognize the heroism of those who provided assistance to the victims of the Nazi regime and teach our children and future generations that acts of heroism during the Holocaust serve as a powerful example of how our nation and its citizens can, and must, respond to acts of hatred and inhumanity.

3) The United States Holocaust Memorial Council recognizes the Days of Remembrance of the Victims of the Holocaust, including the Day of Remembrance, known as Yom Hashoah.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800
Assembly Concurrent Resolution No. 171

Introduced by Assembly Member Rodriguez

April 18, 2016

Assembly Concurrent Resolution No. 171—Relative to emergency medical services.

LEGISLATIVE COUNSEL’S DIGEST

ACR 171, as introduced, Rodriguez. Emergency Medical Services Week.
This measure would proclaim the week of May 15, 2016, to May 21, 2016, as Emergency Medical Services Week.
Fiscal committee: no.

WHEREAS, It is estimated that there are over 840,000 emergency medical services personnel in the United States, including over 80,000 in the State of California; and
WHEREAS, Emergency medical services are a vital public service and the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and
WHEREAS, The emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and
WHEREAS, The members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and
WHEREAS, Emergency medical services providers are dedicated to saving lives and possess a sense of duty to aid others that is inherent in the profession and stays with an emergency medical services provider for life; and

WHEREAS, Approximately 25 to 30 million patients nationwide and over two million patients throughout California receive emergency medical services each year; and

WHEREAS, Access to quality emergency medical care dramatically improves the survival and recovery rates of those who experience sudden illness or injury; and

WHEREAS, The American College of Emergency Physicians was instrumental in establishing National Emergency Medical Services Week to honor the lifesaving efforts of emergency medical services personnel; and

WHEREAS, President Gerald Ford proclaimed the first Emergency Medical Services Week in November of 1974; and

WHEREAS, This is the 42nd anniversary of National Emergency Medical Services Week; and

WHEREAS, The theme of Emergency Medical Services (EMS) Week is “Called to Care”; and

WHEREAS, It is appropriate to recognize the value and accomplishments of emergency medical services personnel by designating Emergency Medical Services Week in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature proclaims the week of May 15, 2016, to May 21, 2016, as Emergency Medical Services Week in California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.
Date of Hearing: May 5, 2016

ASSEMBLY COMMITTEE ON RULES
Richard S. Gordon, Chair
ACR 171 (Rodriguez) – As Introduced April 18, 2016

SUBJECT: Emergency Medical Services Week

SUMMARY: Proclaims the week of May 15, 2016, to May 21, 2016, as Emergency Medical Services Week. Specifically, this resolution makes the following legislative findings:

1) It is estimated that there are over 840,000 emergency medical services personnel in the United States, including over 80,000 in the State of California.

2) The emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others who engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills.

3) Access to quality emergency medical care dramatically improves the survival and recovery rates of those who experience sudden illness or injury.

4) This is the 42nd anniversary of National Emergency Medical Services Week; and, the theme of EMS Week is "Called to Care."

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support
None on file

Opposition
None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800
An act to amend Sections 110480 and 113789 of the Health and Safety Code, relating to food safety. An act to amend Sections 79831 and 79835 of the Food and Agricultural Code, relating to olive oil.

LEGISLATIVE COUNSEL’S DIGEST


Existing law provides for the establishment of an advisory committee to advise the board of directors of the Olive Oil Commission of California, as specified, and provides that the chair of the advisory committee shall be an ex officio member of the commission board of directors.

This bill would instead require the chair of the advisory committee to be a member, rather than an ex officio member, of the commission board of directors. The bill would also require the chair of the advisory committee to designate an alternate advisory committee member to serve in the chair’s absence.

Existing law prohibits, with some exceptions, the manufacture, packing, or holding of processed food without a valid registration from the State Department of Public Health. A violation of these provisions is a crime.

This bill would, beginning January 1, 2018, exempt from the registration requirements the milling, packaging, and selling of grain produced and sold at a water-driven grist mill on the National Register
of Historic Places, provided best management practices suitable for a historic water-driven grist mill are followed for the processing and handling of the product, the flour is identified as being produced in a historic mill using traditional methods, and the product meets applicable federal food adulteration purity standards.

Existing law, the California Retail Food Code, provides for the regulation of health and sanitation standards for retail food facilities, as defined, by the department and is primarily enforced by local health agencies. A violation of any provision of the code is a misdemeanor.

This bill would, beginning January 1, 2018, exclude from the definition of a retail food facility a water-driven grist mill that is on the National Register of Historic Places and that has onsite sales of grain that is milled at the facility. The bill would make related findings, declarations, and statements of legislative intent.


The people of the State of California do enact as follows:

SECTION 1. Section 79831 of the Food and Agricultural Code is amended to read:

79831. (a) There is in the state government the Olive Oil Commission of California. Except as provided in subdivision (d), the commission board of directors shall be composed of the following:

(1) Six producers, two from each district.

(2) Three handlers, one from each district.

(3) One public member who shall be appointed to the commission board of directors by the secretary from nominees recommended by the commission board of directors.

(b) The chair of the advisory committee described in subdivision (e) shall be an ex officio member of the commission board of directors.

(c) The secretary and other appropriate persons as determined by the commission board of directors shall be ex officio members.

(d) The commission board of directors may modify the number of producers and handlers who serve on the commission board of directors by a two-thirds vote that is concurred in by the secretary, if proper notice is provided to all persons subject to this chapter prior to before the action.
(e) An advisory committee shall meet periodically to review issues affecting the purposes of this chapter and shall advise the commission board of directors. The advisory committee shall consist of seven members who shall each serve three-year terms. The chair of the advisory committee shall be selected by the members.

SEC. 2. Section 79835 of the Food and Agricultural Code is amended to read:

79835. (a) Except for the ex officio members of the commission board of directors, each member of the commission board of directors shall have an alternate member elected in the same manner as the member. An alternate member, in the absence of the member for whom he or she is an alternate, shall serve in place of the member. An alternate member may also serve in place of any other absent member of the same classification, producer or handler, if the member's alternate is also absent. However, an alternate member may not serve in place of more than one absent member at a meeting. An alternate member serving in place of a member shall have and be able to exercise all rights, privileges, and powers of the member when serving. In the event of death, removal, resignation, or the disqualification of a member, the alternate for the member, or another alternate of the same classification if the alternate member for the member is absent, shall act as the member until a qualified successor is elected.

(b) The chair of the advisory committee shall designate a member of the advisory committee to serve as an alternate in place of the chair in the chair's absence. An alternate advisory committee member serving in the place of the chair shall have and be able to exercise all rights, privileges, and powers of the chair when serving.

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Recent legislation that established a moratorium on closure of state parks and a matching funds program to help keep state parks open have increased outreach to the public through the use of creative partnerships and other innovative tools, and other provisions have helped stabilize the Department of Parks and Recreation and broaden its financial base.

(2) Ongoing efforts by the Parks Forward Commission, the State Park and Recreation Commission, and the Department of Parks
and Recreation to develop a more secure financial base for the
department through the increased use of pilot projects, the sale of
specialized or regional passes, and other internal reforms are
providing early signs of success that should be strengthened.

(3) A stable funding structure must be established for the state
parks, including a more entrepreneurial and robust
revenue-generation strategy with increased efficiency and
accountability, and a dedicated, reliable source of public funding
that will meet ongoing operating needs and continually reduce the
backlog of unmet maintenance needed to protect valuable park
assets.

(b) It is the intent of the Legislature in enacting this act to
encourage the Department of Parks and Recreation and the State
Department of Public Health to consult with each other to develop
and implement additional, reasonable improvements designed to
increase public health security at the Bale Grist Mill State Historic
Park, without impairing or adversely affecting historical, cultural,
or natural resources.

SEC. 2. Section 110480 of the Health and Safety Code is
amended to read:

110480. (a) The registration provisions of this article shall not
apply to any person whose manufacturing, packing, or holding of
processed food is limited solely to temporarily holding processed
foods for up to seven days for further transport if the foods are not
potentially hazardous foods, as defined in Section 110005, or to
any person whose manufacturing, packing, or holding of processed
food is limited solely to activities authorized pursuant to any of
the following:

(1) A valid bottled water or water vending machine license
issued pursuant to Article 12 (commencing with Section 111070);

(2) A valid pet food license issued pursuant to Chapter 10
(commencing with Section 113025) of Part 6.

(3) A valid permit issued pursuant to Chapter 4 (commencing
with Section 113700) of Part 7 to a food facility including a food
facility that manufactures, packs, or holds processed food for sale
at wholesale, provided the food facility that manufactures, packs,
or holds processed food for sale at wholesale does not meet any
of the following conditions:

(A) Has gross annual wholesale sales of processed foods of
more than 25 percent of total food sales:
(B) Sells processed foods outside the jurisdiction of the local health department.

(C) Sells processed foods that require labeling pursuant to this part.

(D) Processes or handles fresh seafood, frozen seafood held in bulk for further processing, or fresh or frozen raw shellfish.

(E) Salvages processed foods for sale other than at the retail food facility.

(4) A valid cold storage license issued pursuant to Chapter 6 (commencing with Section 112350) of Part 6.

(5) A valid cannery license issued pursuant to Chapter 8 (commencing with Section 112650) of Part 6.

(6) A valid shellfish certificate issued pursuant to Chapter 5 (commencing with Section 112150) of Part 6.

(7) A valid frozen food locker plant license issued pursuant to Chapter 7 (commencing with Section 112500) of Part 6.

(8) A valid winegrower’s license or wine blender’s license pursuant to Division 9 (commencing with Section 23000) of the Business and Professions Code.

(9) A valid milk products plant, margarine, imitation ice cream, imitation ice milk, or a products resembling milk products plant license, issued pursuant to Division 15 (commencing with Section 32501) of the Food and Agricultural Code.

(10) A valid permit issued by a local health department to operate a processing establishment, as defined in Section 111955, that only holds or warehouses processed food, pursuant to Article 1 (commencing with Section 111950) of Chapter 4 of Part 6, provided that all of the following conditions are met:

(A) The warehouse does not manufacture or pack processed food.

(B) The warehouse does not hold fresh seafood, frozen seafood held in bulk for further processing, or fresh or frozen raw shellfish.

(C) The warehouse is not operated as an integral part of a food processing facility required to be registered pursuant to Section 110460.

(D) The warehouse facilities are located entirely within the area under the jurisdiction of the local health department.

(E) The warehouse does not salvage food as the primary business.
(11) Beginning January 1, 2018, the milling, packaging, and
selling of grain produced and sold at a water-driven grist mill on
the National Register of Historic Places, provided best management
practices suitable for a historic water-driven grist mill are followed
for the processing and handling of the product, the flour is
identified as being produced in a historic mill using traditional
methods, and the product meets applicable federal food adulteration
purity standards.

(b) This section shall not be construed to limit the authority of
Los Angeles, San Bernardino, and Orange Counties, or of the City
of Vernon, to conduct any inspections otherwise authorized by
Chapter 4 (commencing with Section 111950) of Part 6.

SEC. 3. Section 113789 of the Health and Safety Code is
amended to read:

113789. (a) “Food facility” means an operation that stores,
prepares, packages, serves, vends, or otherwise provides food for
human consumption at the retail level, including, but not limited
to, the following:

(1) An operation where food is consumed on or off the premises;
regardless of whether there is a charge for the food:

(2) A place used in conjunction with the operations described
in this subdivision, including, but not limited to, storage facilities
for food-related utensils, equipment, and materials:

(b) “Food facility” includes permanent and nonpermanent food
facilities, including, but not limited to, the following:

(1) Public and private school cafeterias.

(2) Restricted food service facilities.

(3) Licensed health care facilities, except as provided in
paragraph (13) of subdivision (c).

(4) Commissaries.

(5) Mobile food facilities.

(6) Mobile support units.

(7) Temporary food facilities.

(8) Vending machines.

(9) Certified farmers’ markets, for purposes of permitting and
enforcement pursuant to Section 114370.

(10) Farm stands, for purposes of permitting and enforcement
pursuant to Section 114375.

(e) “Food facility” does not include any of the following:

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(1) A cooperative arrangement wherein no permanent facilities
are used for storing or handling food.
(2) A private home, including a cottage food operation that is
registered or has a permit pursuant to Section 114365.
(3) A church, private club, or other nonprofit association that
gives or sells food to its members and guests, and not to the general
public, at an event that occurs not more than three days in any
90-day period.
(4) A for-profit entity that gives or sells food at an event that
occurs not more than three days in a 90-day period for the benefit
of a nonprofit association, if the for-profit entity receives no
monetary benefit, other than that resulting from recognition from
participating in an event.
(5) Premises set aside for wine tasting, as that term is used in
Section 23356.1 of the Business and Professions Code and in the
regulations adopted pursuant to that section, that comply with
Section 118375, regardless of whether there is a charge for the
wine tasting, if no other beverage, except for bottles of wine and
prepackaged nonpotentially hazardous beverages, is offered for
sale for onsite consumption and no food, except for crackers, is
served.
(6) Premises operated by a producer, selling or offering for sale
only whole produce grown by the producer or shell eggs, or both,
provided the sales are conducted on premises controlled by the
producer.
(7) A commercial food processing establishment as defined in
Section 111955.
(8) A child day care facility, as defined in Section 1596.750.
(9) A community care facility, as defined in Section 1502.
(10) A residential care facility for the elderly, as defined in
Section 1569.2.
(11) A residential care facility for the chronically ill, which has
the same meaning as a residential care facility, as defined in Section
1568.01.
(12) Premises set aside by a beer manufacturer, as defined in
Section 25000.2 of the Business and Professions Code, that comply
with Section 118375, for the purposes of beer tasting, regardless
of whether there is a charge for the beer tasting, if no other
beverage, except for beer and prepackaged nonpotentially
hazardous beverages, is offered for sale for onsite consumption.
and no food, except for crackers, pretzels, or prepackaged food that is not potentially hazardous food is offered for onsite consumption.

(13) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.

(B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.

(14) A community food producer, as defined in Section 113752.

(15) Beginning January 1, 2018, a water driven grist mill that is on the National Register of Historic Places and that has onsite sales of grain that is milled at the facility.
May 3, 2016  

The Honorable Richard S. Gordon, Chair  
Assembly Rules Committee  
State Capitol, Room 3016  
Sacramento, CA 95814  

Dear Mr. Chair:  

I respectfully request to add an urgency clause to SB 746 (Wolk) – Olive Oil Commission of California.  

In order for small and artisan producers to fully participate in the policy, standards and regulation of California’s olive oil industry through representation on the California Olive Oil Commission Board of Directors, this legislation needs to be enacted immediately rather than waiting until the first of 2017.  

Thank you for your expeditious response to this request.  

Sincerely,  

[Signature]  

LOIS WOLK  
Senator, Third District
ADMINISTRATIVE ITEM:
MINIMUM WAGE POLICY FOR HOURLY EMPLOYEES

Issue:
Should the Assembly adopt a Minimum Wage Policy for hourly employees?

Background:
Early this year, the Legislature passed Senate Bill 3 (Chapter 4, Statutes of 2016), which increased California’s minimum wage to $15 per hour by 2022, according to a schedule outlined in the legislation.

The proposed Assembly Minimum Wage Policy would achieve $15 per hour for all hourly Assembly employees by December 1, 2020, which is a slightly more aggressive timeline than required by SB 3.

The timing of the proposed Assembly minimum wage adjustments for hourly employees is designed to align with the budget process for Assembly members. Rather than use the January 1st dates contained in SB 3, Assembly adjustments are proposed for December 1st of every even year to coincide with the start of the two-year legislative session. The initial adjustment to the minimum wage on July 1st of this year takes advantage of available funds.

Recommendation:
Approve an Assembly Minimum Wage Policy for hourly employees.
Assembly Rules Committee
May 5, 2016

Assembly Minimum Wage Policy for Hourly Employees

1. General Statement

In order to comply with California law regarding minimum wage, enacted by Senate Bill 3 (Chapter 4, Statutes of 2016), it is the intention of the California State Assembly to ensure that all hourly Assembly employees will receive a minimum wage of $15 per hour by the year 2020.

2. Implementation Plan

On July 1, 2016, the minimum wage for hourly Assembly employees will be raised to $12.50 per hour.

On December 1, 2016, the minimum wage for hourly Assembly employees will be raised to $13.50 per hour.

On December 1, 2018, the minimum wage for hourly Assembly employees will be raised to $14.25 per hour.

On December 1, 2020, the minimum wage for hourly Assembly employees will be raised to $15.00 per hour.