



## **Special Meeting of the Board of Directors**

April 16, 2012

Via Teleconference

### **OPEN SESSION MINUTES**

#### **In attendance**

*Directors:* William Armour, Bob Benson, Michael Callagy, Judi Calvert, Nayada Dhanaphatana, Mark Dixon, Ben Drillings, Guy Fuson, Keith Grant, Elna Leonardo, Michael Marylander, Christian Pezza, Jean Robinson, Roberta Rolnick, Michael Schroeder, Paul Schwinghamer, Michael Sheps, Joe Bob Smith, Deb Tuck, Dixie Wall

*Directors Absent:* None

*Staff:* Ahmos Netanel, CEO; Sheryl LaFlamme, Operations Manager; Beverly May, Director of Governmental Affairs

*General Counsel:* Jill England

*Guest:* Bernadette Murray

#### **1. Call to Order**

Chairperson Wall called the meeting to order at 9:00am.

#### **2. Special Meeting Finding**

Counsel England declared this meeting has been called and noticed pursuant to the special meeting provision of the Bagley-Keene Open Meeting Act (Act) which allows for a meeting on less than 10 days notice under certain circumstances, including consideration of proposed legislation. England asked the Board to vote on whether to hold this special meeting.

Motion (1): Fuson/Grant – Based on the immediate need for CAMTC to discuss proposed legislation, including a proposed third party bill that potentially affects all massage professionals, as well as CAMTC's own proposed legislation, we move to hold this special meeting pursuant to the Act on less than 10 days notice because further delay would create a substantial hardship.

### Roll Call Vote

Armour – Yes  
Benson – Yes  
Callagy – Yes  
Calvert – Yes  
Dhanaphatana – Yes  
Dixon – Yes  
Drillings – Yes  
Fuson – Yes  
Grant – Yes  
Leonardo – Yes  
Marylander – Yes  
Pezza – Yes  
Robinson – Yes  
Rolnick – Yes  
Schroeder – Yes  
Schwinghamer – Yes  
Sheps – Not Present for vote  
Smith – Yes  
Tuck – Yes  
Wall – Abstain

**Motion Passes 18-0, 1 abstain (Wall)**

### **3. Pending Legislation – AB1193**

Mr. Netanel stated that CAMTC has not taken a formal position on AB 1193. Mr. Netanel stated that CAMTC is in a situation where we will not have the luxury of having at least 10 days to call a Board meeting before a position can be taken and the purpose of this call is to have one or two individuals to take a position on behalf of CAMTC in regard to this Bill if and when it becomes necessary.

Motion (2): Benson/Schroeder – CAMTC supports the general intent of AB 1193 to authorize the CEO and his designees to seek exception as per provisions in the Business and Professions Code, Section 4612 for CAMTC certified sole proprietors and massage business establishments who employ CAMTC certified massage professionals.

Schroeder – Friendly Amendment – Add to the motion to oppose the bill if the amendments are not accepted.

Benson accepts Friendly Amendment.

Netanel – Friendly Amendment – To replace the word “employs” with the word “use”.

Benson accepts Friendly Amendment

Mr. Netanel recommends the Board add to the motion to authorize the Chair and CEO to decide the timing as to when to make the position official.

Benson/Schroeder accepts Friendly Amendment.

Motion (2) is as follows:

CAMTC supports the general intent of AB 1193 but oppose the bill unless amended to exempt CAMTC certified sole proprietors and massage business establishments that only use CAMTC certified massage professionals. CAMTC authorized Chair and CEO to decide the timing as to when to make the position official.

The Board debated pro’s and con’s of motion. Motion made to extend debate

Motion (3): Pezza/Calvert – Move to extend debate

#### Roll Call Vote

Armour – Yes

Benson – Yes

Callagy – Yes

Calvert – Yes

Dhanaphatana – Yes

Dixon – Yes

Drillings – Yes

Fuson – Not Present for Vote

Grant – Yes

Leonardo – Yes

Marylander – Yes

Pezza – Yes

Robinson – Yes

Rolnick – Yes

Schroeder – Yes

Schwingamer – Not Present for Vote

Sheps – Not Present for vote

Smith – Yes

Tuck – Yes

Wall – Abstain

**Motion Passes 16-0, 1 abstain (Wall) – Debate Extended**

### Roll Call Vote for Motion 2

Armour – Yes  
Benson – Yes  
Callagy – Abstain  
Calvert – Yes  
Dhanaphatana – Yes  
Dixon – Yes  
Drillings – Yes  
Fuson – No  
Grant – Yes  
Leonardo – Yes  
Marylander – Not Present for Vote  
Pezza – Abstain  
Robinson – Yes  
Rolnick – Yes  
Schroeder – Yes  
Schwinghamer – Not Present for Vote  
Sheps – Not Present for vote  
Smith – Yes  
Tuck – Not Present for Vote  
Wall – Abstain

**Motion Passes 12-1, 3 abstain (Callagy, Pezza, Wall)**

#### **4. Pending Legislation – AB 2540**

Mr. Netanel stated AB 2540 would impose sales tax on specific services including non-medical massage. Mr. Netanel recommends the Board to authorize two individuals to take a position on the Bill.

Motion (2): Benson/Grant – Move to take position as being opposed to the bill and provide the Chair and CEO discretion as to when to make position formal.

### Roll Call Vote for Motion 2

Armour – Yes  
Benson – Yes  
Callagy – Not Present for Vote  
Calvert – Yes  
Dhanaphatana – Yes

Dixon – Yes  
Drillings – Yes  
Fuson – Yes  
Grant – Yes  
Leonardo – Yes  
Marylander – Not Present for Vote  
Pezza – Yes  
Robinson – Yes  
Rolnick – Yes  
Schroeder – Yes  
Schwinghamer – Not Present for Vote  
Sheps – Not Present for vote  
Smith – Yes  
Tuck – Yes  
Wall – Abstain

**Motion Passes 15-0, 1 abstain (Wall)**

## **5. Adjournment**

Chairperson Wall adjourned the meeting at 9:50am

Minutes Approved: June 20, 2012

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Roberta Rolnick, Secretary