



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

Roberta Rolnick, Secretary