



**CAMTC Board of Directors Meeting**

June 5, 2014

Radisson Hotel at Los Angeles Airport  
Laguna Room  
6225 W. Century Blvd., Los Angeles, CA 90045

**OPEN SESSION MINUTES**

*Directors Present:* William Armour, Mike Callagy, Mark Dixon, Ben Drillings, Keith Grant, Elna Leonardo, Arthur Miller, Christian Pezza, Jean Robinson, Roberta Rolnick, Marcy Schaubeck, Joe Bob Smith, Caroline Tseng, Deb Tuck

*Directors Absent:* Judi Calvert, Guy Fuson, Michael Marylander, Michael Sinel, Dixie Wall

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

*Special Counsel:* Alison Siegel

*Guests:* Jeff Kiernan, Mike Grant, Greg Tiddle

**1. Call to Order**

Chairman Dixon called the meeting to order at 1:20pm and established a quorum

**2. Special Meeting**

Chairman Dixon declared this meeting 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 pending legislation. CAMTC finds that it would create a substantial hardship to delay this meeting, and so has properly called and noticed this special meeting pursuant to the Act.

**Motion 60514:1** Pezza/Grant – CAMTC finds that it would create a substantial hardship to delay this meeting and so it has called this special meeting on less than 10 days' notice.

13-1

MOTION PASSES

**The Board went into Closed Session with CAMTC Legal Counsel Pursuant to California Government Code Section 11126(e) at 1:30 and returned to open session 2:12pm.**

Ms. Siegel summarized staff proposed changes to AB1147

1. Change to Definitions:

- A. Massage Establishment – massage establishment is defined as entity, change to define as location.
- B. 2. Operator – defined as job responsibility, change to someone who meets requirement in statute.
- C. Sole Provider – add definition of “Sole Provider” as a business owner who owns 100% of the business (only person providing massage), no employees.

2. Board Composition:

- A. Change date for seating of new Board on or after September 1, 2015. Current Board will remain in effect until new Board takes effect.
- B. Limit Board to 13 members
- C. Replace Government Appointee's in AB 1147 with appointees from certain organizations – (DCA (1), Chancellor of Community Colleges (1), Representatives of Professional Massage Associations (4), and Board itself (3).

3. Fee Limits – Remove provision limiting fees.

4. Legal right to work in US – Add provision.

5. Reciprocity with other states – Add provision.

6. Operators

- A. CAMTC to authorize education, programs and providers
- B. Education not to exceed 50 hours
- C. Sole providers – create exemption to certification as a massage establishment operator w/o additional education requirement

7. Background checks for all those at CAMTC Registered Massage Establishments (5% or more owners, operators, and those working on the premises of registered massage establishments).

8. Continuing education – CAMTC to approve programs and providers, up to 50 hours of education

9. Provisions related to denials and discipline

- A. Failure to fully provide information requested on application is a basis for denial
- B. Add provisions related to CAMTC Registered Massage Establishments

10. Provisions applicable to CAMTC cert holders

- A. Add *(i)* A Requirement that an individual certificate holder providing massage for compensation pursuant to a certificate issued by CAMTC not be required to obtain any other license, permit, certificate, or other authorization to provide massage for compensation. This provision does not apply to a massage business.
- B. Unlocked Doors

- C. Physical Requirement for Privacy
- D. Hours
- E. Charges
- F. Removal of Section 4612(d)

11. Provisions applicable to Registered Massage Establishments Only – Specify that local jurisdiction can't do any of the following to CAMTC Registered Massage Establishments.

- A. Zone as adult entertainment or impose regulations that are only imposed on adult entertainment businesses
- B. Require CUP's unless they are also required for businesses that provide personal services by those licensed by DCA
- C. Require the business to be an ancillary use to another Business
- D. Post notices saying law enforcement can enter at any time, or describe sex acts, mention genitalia, or specific contraception devices
- E. Impose dress code requirement that prohibit skirts, specify underwear, and specify distance of clothing from anatomical areas.
- F. Impose draping requirements that go beyond the covering of female breast and genitalia
- G. Prohibit massage of the gluteus maximus or prohibit specific massage techniques, aside from massage of the genitals, anal region or female breasts
- H. Impose ratios for parking spots that are different than those imposed on businesses that provide personal services pursuant to a DCA license
- I. Impose trip fees unless trip fees are also imposed on businesses that provide personal services pursuant to a DCA license

12. Transition Period – CAMTC proposed that a grandfathering provision be implemented that allows for the application of the currently existing provisions of 4612 from 1/1/2015-6/30/2016 to massage businesses that meet, and continue to meet, all of the following requirements:

- A. Uses and continues to use only CAMTC certified people to provide massage for compensation
- B. Is in existence and operational on or before 12/31/2014
- C. There is no change in ownership
- D. No convictions for 647(B), 315, 653.22, 653.23, 266h, or 266i for conduct that occurred on the premises
- E. Is not a CAMTC registered business

13. CAMTC Registered Massage Establishments

- A. Background checks from all non-certified 5% or more owners, operators and those working on the premises of the business.
- B. At least one operator for each Registered Massage Establishment
- C. Sole providers are automatically registered if they ask for it, pay the fee and fill out an application. The registration is immediately terminated if they don't have a valid and active CAMTC certificate.
- D. Registered Massage Establishments must notify CAMTC of new 5% or more owners, operators and those working on the premises before they start work, and update with new information for these people within 5 days.

14. Info Sharing – add language to allow for information sharing to and from law enforcement agencies for 5% owners, operators, or those working on the premises of Registered Massage Establishment or Registered Massage Establishment applicants.

15. Education – Add language from current law to continue CAMTC’s authority to investigate schools and conduct interviews.

**Motion 60514:2** Pezza/Grant – Move to accept staff recommendations in Summary of Proposed Amendments to AB 1147.

Marcy Schaubeck – Friendly Amendment – Separate by item number

Pezza/Grant accept friendly amendment

**Motion 60514:3** Smith/Schaubeck – Move to accept staff recommendation on issue # 1

14-0

MOTION PASSES

**Motion 60514:4** Smith/Pezza– Move to accept staff recommendation on issue # 2 with amendment under C to include appointee of massage school association.

Miller/Grant – Amend motion under B to limit board to 11 with the following allocation:

4 Government (CSAC, CA Chiefs, DCA, League CA Cities)

4 Massage Associations

1 City Attorney Association

2 School/Business

8-6

MOTION passes

Back to amended motion #2

**Motion 60514:4** Smith/Pezza – Move to accept staff recommendation on issue #2 with amendment under C to include appointee of massage school association and to limit the board to 11 with the following allocation:

4 Government (CSAC, CA Chiefs, DCA, League CA Cities)

4 Massage Associations

1 City Attorney Association

2 School/Business

12-0, 1 AB (Pezza)

**Motion 60514:5** Smith/Pezza – Move to accept staff recommendation on issue # 3

13-0

MOTION PASSES

**Motion 60514:6** Pezza/Robinson – Move to accept staff recommendation on issue # 4

12-0

MOTION PASSES

**Motion 60514:7** Robinson/Grant – Move to accept staff recommendation on issue # 5

12-0

MOTION PASSES

**Motion 60514:8** Smith/Rolnick – Move to accept staff recommendation on issue # 6

9-1, 2 Abstain (Robinson, Tseng)

**Motion 60514:9** Pezza/Rolnick – Move to accept staff recommendation on issue #7

8-0, 4 Abstain (Robinson, Schaubeck, Drillings, Miller)

**Motion 60514:10** Pezza/Rolnick – Move to accept staff recommendation on issue # 8

8-1, 2 Abstain (Tseng, Drillings)

**Motion 60514:11** Grant/Tuck– Move to accept staff recommendation on issue # 9A

11-0

MOTION PASSES

**Motion 60514:12** Pezza/Grant – Move to accept staff recommendation on issue # 9B

11-0

MOTION PASSES

**Motion 60514:13** Pezza/Tseng – Move to accept staff recommendation on issue # 10

8-1, 1 Abstain (Drillings)

MOTION PASSES

**Motion 60514:14** Smith/Pezza – Move to accept staff recommendation on issue # 11 with amendment to G to exclude female breast with written consent of the client and under supervision of a medical physician.

7-3

MOTION PASSES

**Motion 60514:15** Smith/Grant – Move to accept staff recommendation on issue # 15

7-3

MOTION PASSES

**Motion 60514:16** Smith/Grant – Move to accept staff recommendation on issue #12

9-0

MOTION PASSES

**Motion 60514:17** Smith/Pezza– Move to accept staff recommendation on issue #13

9-0

MOTION PASSES

**Motion 60514:18** Rolnick/Tuck – Add to include email

2-6, 1 Abstain (Pezza)

MOTION FAILS

**Motion 60514:19** Smith/Grant– Move to accept staff recommendation on issue #14

9-0

MOTION PASSES

**Motion 60514:18** Grant/Rolnick– Move to request board direction – sunset date. 1147 states 2 year, recommend author to change from 2-3 years.

8-1

MOTION PASSES

**Motion 60514:19** Rolnick/Tuck– 1904 wording inserted into 1147

1-2, 4 Abstain (Dixon, Miller, Pezza, Tuck)

MOTION FAILS

**Chairman Dixon adjourned the meeting at 6:35p.m.**

Minutes Approved: September 30, 2014

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Roberta Rolnick, Secretary