



September 1, 2017

Climate Change:

Governor Brown released his proposed 2017-18 Cap and Trade Expenditure Plan which includes over \$250 million in funding to help the agricultural community meet many of the state's air quality and climate change mandates. It is important to keep the state's food producers and value-added food processors thriving as they face regulations and costs unique to California. These incentives will allow growers and food processors to get grants, loans, rebates and other trade-up opportunities for agricultural harvesting equipment, heavy-duty trucks, ag pump engines, tractors and other ag equipment. This funding will also provide huge steps forward in assisting dairy farmers throughout the state in their efforts to comply with SB 1383 (Chapter 395, 2016) with research and projects to reduce methane emissions and implement air pollution reduction plans. Farm Bureau and many other agricultural organizations will work with the state legislature over the next two weeks to insure this funding becomes a part of the final Cap and Trade Expenditure plan before the session ends on September 15.

Commodities:

The Humane Society of the United States and a coalition of like-minded organizations, filed an initiative for the November 2018 ballot expanding Proposition 2 which passed in 2008. The [proposed initiative](#) would prohibit raising egg-laying hens in anything other than cage-free housing and clarify the space necessary to meet Proposition 2 standards be also imposed on breeding pigs and veal calves. This initiative also prohibits the sale of any shell or liquid eggs, pork, or veal produced out of compliance with the space requirements set forth in the initiative. Currently all shell eggs sold in California must comply with Proposition 2 standards. Farm Bureau is opposed to the initiative based on existing CFBF policy.

[AB 425](#) (Anna Caballero, D-Salinas) continues the efforts started by former Assembly Member Doug LaMalfa and expanded last year by Assembly Member Dahle exempting forest fuel reduction projects meeting specified requirements from the requirement to obtain a Timber Harvest Permit. This bill would allow road building under specified conditions when using the exemption for fuel reduction projects. The Senate Appropriations Committee approved AB 425 on a 7-0 vote. Farm Bureau supports.

[AB 822](#) (Anna Caballero, D-Salinas) would require state agencies and institutions to purchase California grown agricultural products so long as the price is no more than five percent higher than outside products. School districts would be required to purchase California grown products so long as they didn't cost any more than outside products. Farm Bureau is the sponsor of AB 822 which was approved by the Senate Appropriations Committee on a 7-0 vote

Energy:

[AB 920](#) (Cecilia Aguiar-Curry, D-Napa) would have addressed baseload electric generation facilities (biomass and geothermal) and would have required the California Public Utilities Commission to determine what types of

generation resources investor owned utilities are required to procure. Publicly owned utilities would have been required to make the same assessment. The Senate Appropriations Committee held AB 920, thus it will see no further action this legislative session. CFBF supported.

[SB 100](#) (Kevin de León, D-Los Angeles) requires sellers of electricity to procure a minimum of 60% of their electricity products from eligible renewable generation resources by 2030; currently they must procure 50% by 2030. In addition, the bill sets aspirational goals of meeting 100% of retail sales of electricity with eligible renewable generation and zero-carbon resources by 2045. The 100% goal would also apply to energy used by the State Water Project. The Assembly Appropriations Committee approved on a straight party line vote of 12-5. CFBF opposes.

Labor:

[AB 450](#) (David Chiu, D-San Francisco) requires employers to demand search warrants for ICE enforcement actions to demand a subpoena before supplying ICE with any employee-related documents. Employers must also notify the Labor Commissioner and employees and their representatives about ICE enforcement and its results. AB 450 was approved by the Senate Appropriations Committee on a 5-2 vote. Farm Bureau opposes.

[AB 1008](#) (Kevin McCarty, D-Sacramento) has been amended to allow an employer flexibility to avoid hiring a potentially dangerous former felon for sensitive jobs. Employer groups, including Farm Bureau, are considering withdrawing opposition. AB 1008 was approved by the Senate Appropriations Committee on a 5-2 vote.

[SB 63](#) (Hannah-Beth Jackson, D-Santa Barbara) requires an employer with 20 or more employees within a 75-mile radius to provide 12 weeks of protected parental leave to bond with a new child after that child's birth, adoption or foster care placement. This additional state-level requirement for family and medical leave will complicate already complex leave administration requirements for small employers who are not now covered by most workplace leave requirements. SB 63 was approved by the Assembly Appropriations Committee on a 5-2 vote. Farm Bureau opposes.

Natural Resources:

[SB 49](#) (Kevin de León, D-Los Angeles and Henry Stern, D-Canoga Park) makes the current federal clean air, clean water, endangered species, and worker safety standards enforceable under state law. The proposal also gives broad authority to the Air Resources Board and State Water Resources Control Board to determine if the federal government has weakened any pertinent environmental standards and then requires those agencies to adopt standards at least as stringent as the federal standards that were in place January 19, 2017. This determination and adoption of new standards would be made without any public input. The bill also requires California to list under the California Endangered Species Act, 137 species currently protected under the federal Endangered Species Act. Finally, citizens are given a private right of action to sue agencies not following SB 49's requirements and to sue individuals and businesses suspected of being out of compliance with any standards included in SB 49. SB 49 was approved by the Senate Appropriations Committee on straight party line vote of 12-5. Farm Bureau opposes.

Transportation:

[SB 158](#) (Bill Monning, D-Carmel) would create new requirements for obtaining Class A and Class B Commercial Drivers Licenses (CDLs), including a behind the wheel training (BTW) requirement of 30 and 15 hours, respectively. We asked the author to keep language in the bill providing an exemption for agriculture from the BTW requirement even though the exemption language in the bill was being opposed by the Teamsters. The bill was held in the Assembly Appropriations Committee today and will not be moving forward this year. A stakeholder group composed of interested agricultural organizations, the California Highway Patrol, the

Department of Motor Vehicles, the Teamsters and some legislative staffers has begun meeting to review all aspects of agricultural carriage including driver training requirements, how implements of husbandry are defined, motor carrier act requirements and more. It is hoped that the group can develop a set of recommendations regarding farm transportation issues for the legislature to consider with a goal having that work done by year's end.

[AB 290](#) (Rudy Salas, D-Bakersfield) extends the exemption from licensing as a repossession agency indefinitely for a dealer when acting on behalf of a manufacturer that holds title to equipment or vehicles purchased through the dealer designed primarily for agricultural use. Farm Bureau supports the measure which allows farm equipment dealers to deal directly with their farmer customers during a repossession rather than involving a third-party repossession agency. The Senate approved AB 290 on a 38-0 vote. The bill now goes to the Governor for his consideration, and it is expected he will sign the measure into law

Water:

[AB 589](#) (Frank Bigelow, R-O'Neals) authorizes those who divert more than 100 acre feet of water per year to certify their water measuring devices are installed and operating properly if they take a course taught by the University of California Cooperative Extension. Current law requires those individuals to have devices installed and certified by an engineer, contractor, or licensed professional at considerable cost. AB 589 was approved 7-0 by the Senate Appropriations Committee. Farm Bureau supports.

[AB 1420](#) (Cecilia Aguiar-Curry, D-Winters) would have streamlined the State Water Resources Control Board permitting process for farmers applying to divert water into a small irrigation pond. The measure would have required the State Water Board to give priority to adopting general conditions for water diversions to small irrigation ponds during periods of high streamflow in exchange for reduced diversions during periods of low streamflow. Additionally, AB 1420 would have exempted registrations from the lake or streambed alteration program if the Department of Fish and Wildlife has provided conditions on the approved registration. The measure was held in the Senate Appropriations Committee this week. Farm Bureau supported.

[SB 623](#) (Bill Monning, D-Carmel) as previously reported, would establish the Safe and Affordable Drinking Water Fund and insure that monies in the fund are continuously appropriated to the State Water Resources Control Board to provide emergency, interim, and long-term assistance to community water systems whose wells exceed the maximum contaminant levels (MCL) for arsenic, hexavalent chromium, lead, manganese, MTBE, nitrate and perchlorate. The measure has been a work in progress for many months with negotiations underway between several farm organizations and the environmental justice community. The goal has been to develop a program that provides new funding for drinking water programs while providing some protections for farmers and ranchers from enforcement actions by the State Water Resources Control Board or a regional board and protection from liability under the Porter Cologne water quality statute. The measure was moved from the Assembly Appropriations Committee Suspense File to the Assembly Rules Committee this week, with the Committee Chair, Lorena Gonzalez Fletcher, stating that the measure is now a two-year bill. The bill will likely remain a two-year bill as stated by the chair, but moving the bill to Rules Committee instead of holding the bill in committee does provide some options for keeping the bill moving forward. California Farm Bureau is neutral on the measure.