



October 16, 2017

The state legislature put 977 bills on Governor Brown’s desk this year. He signed 859 and vetoed 118, meeting the deadline for action which was October 15. Below are the outcomes of bills that Farm Bureau worked on that are of importance to the agricultural community. All signed bills listed below take effect January 1, 2018. This will be the last regular Friday Review of the year, unless there are regulatory issues that need to be reported before the legislature reconvenes on January 3, 2017.

Commodities:

[AB 822](#) (Anna Caballero, D-Salinas) requires state agencies and institutions to purchase California grown agricultural products if 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. California farmers have significantly higher costs of production due to California’s stringent regulations and our state should support our farmers and farm employees by purchasing products from farmers meeting those high regulatory standards. Farm Bureau sponsored AB 822 which was signed.

[SB 730](#) (Richard Pan, D-Sacramento) requires the Department of Education to monitor California schools’ compliance with the federal requirements that schools purchase American food products for school meals. This is in response to many school districts purchasing canned fruit from China against federal law requiring American grown food purchases. Farm Bureau supports SB 730 which was signed.

Labor:

[AB 450](#) (David S. Chiu, D-San Francisco) AB 450 requires employers to demand search warrants for federal Immigrations and Customs Enforcement actions, requires employers to demand a subpoena before supplying ICE with any employee-related documents and requires employers to notify the Labor Commissioner, employees and their representatives about ICE enforcement and its results. Recent amendments clarified that employers would not violate AB 450 if they provide documents to federal authorities as required by federal law and resolved other problems with the bill, thus Farm Bureau lifted earlier opposition. AB 450 was signed.

[AB 978](#) (Monique Limon, D-Santa Barbara) would have required employers to provide a copy of the Injury and Illness Prevention Plan (IIPP) to an employee or his/her authorized representative. In his veto message, Governor Brown cited a rulemaking process underway at the Cal/OSHA Standards Board that would make IIPPs more available to workers. Farm Bureau opposed AB 978 which was vetoed on October 14.

[AB 1008](#) (Kevin McCarty, D-Sacramento) prohibits an employer from making an inquiry into a potential applicant’s conviction history until the applicant has received a condition offer of employment. Because the author accepted several clarifying amendments, Farm Bureau and many other employer organizations removed opposition. AB 1008 was signed.

[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 amended to include an inadequate mediation requirement. Farm Bureau opposed. SB 63 was signed.

Water:

[AB 313](#) (Adam Gray, D-Merced) would have established a Division of Water Rights within the Office of Administrative Hearings, but the Governor vetoed it. Under provisions of the bill, complaints against persons violating provisions of their water diversions would have been heard by an administrative law judge (ALJ) in the Office of Administrative Hearings; however, decisions would not have been final until accepted by the State Water Resources Control Board. In his veto message, the Governor indicated that he thought it would be difficult to recruit and retain qualified water lawyers to serve as ALJs. He also indicated that ALJs could be effective in complex adjudicative matters and directed the Secretary of the California Environmental Protection Agency to evaluate the potential role for ALJs and provide a recommendation on improvement to the Board's hearing process by January 1, 2018. Farm Bureau supported AB 313.

[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 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 passed unanimously out of both houses and was signed by the Governor. Farm Bureau supports.

[SB 252](#) (Bill Dodd, D-Napa) requires new water well permit applicants in critically overdrafted groundwater basins to provide their application information to neighbors. It would require cities and counties overlying critically overdrafted basins to publicly notice new well permit applications and require these cities and counties to make specific new well permit information available to groundwater sustainability agencies. The measure was amended earlier to address Farm Bureau and other agricultural organizations' concerns with public notification requirements, and to ensure the measure did not interfere with SGMA local control. With these amendments Farm Bureau and others removed their opposition. SB 252 was signed.