



April 23, 2010

[SB 1474](#), (Darrell Steinberg, D-Sacramento), would amend the Agricultural Labor Relations Act to allow unionization of agricultural workers without an Agricultural Labor Relations Board-supervised vote. SB 1474 would strip agricultural workers of their present right to a secret-ballot vote to decide whether or not they will have union representation, and will subject those workers to threats and intimidation in union election campaigns in the absence of ALRB supervision. California Farm Bureau and a large coalition of California agricultural groups and other business organizations strongly oppose SB 1474. SB 1474 was heard by the Senate Labor and Industrial Relations Committee on April 14 and passed by the Committee (due to earlier lack of a quorum) on April 20. The bill has been re-referred to Senate Appropriations, which will hear the bill on May 3.

[SB 1121](#) (Dean Florez, D-Shafter) would require agricultural employers to pay overtime for all hours worked by agricultural workers in any day in excess of 8 hours. Under present law (Industrial Welfare Commission Order 14) agricultural employers are required to pay overtime for any hours worked in any day in excess of 10 hours. California Farm Bureau and a large coalition of California agricultural groups oppose SB 1121 because it will impose additional costs on farm employers at a time when they are just beginning to recover from the recession.. SB 1121 will be heard by the Senate Labor and Industrial Relations Committee on April 28.

[AB 2187](#) (Juan Arambula, I-Fresno) would make failure by an employer to pay wages due within 90 days a separate violation of the Labor Code and would require restitution to employees not paid. CFBF and other business groups have objected to AB 2187 because an employer contesting a Labor Commissioner order to pay wages may not see the case settled within 90 days. Thus, SB 2187 will undermine an employer's right to due process in wage cases. AB 2187 was passed by Assembly Labor and Industry on April 8 and Assembly Appropriations on April 21. It is pending a vote on the Assembly Floor.

[SB 810](#) (Mark Leno, D-San Francisco) would create a state-run single-payer health care system. This bill would establish the California Healthcare System to be administered by the newly created California Healthcare Agency under the control of a Healthcare Commissioner appointed by the Governor and subject to confirmation by the Senate. CFBF opposes SB 810, which has passed the Senate and is now in the Assembly.

[AB 1680](#) (Lori Saldana, D-San Diego) would severely hamper the use of alternative dispute resolution options like arbitration in preference to litigation. Employers sometimes ask employees to agree to take any employment disputes to arbitration rather than suing. Saldana's bill requires use of arbitration to be

voluntary, removing the certainty that arbitration can be an effective alternative to litigation. CFBF opposes AB 1680. It is pending on the Assembly Floor.

SB 1351 (Roderick Wright, D-Los Angeles) would require regulatory agencies, in certain circumstances, to include in regulations implementation schedules, procedures and forms initially necessary for regulatory compliance. Recently regulations have been adopted with insufficient time to implement and therefore regulated entities are required to guess and make decisions without proper guidance from the regulating agency. These best guesses for compliance expose these entities to potentially costly enforcement actions and penalties for noncompliance. CFBF and a broad coalition of business groups supports SB 1351, which is scheduled for hearing at the Senate Environmental Quality Committee on April 22.

The Assembly Committee on Agriculture heard AB 2137 (Wesley Chesbro, D-Eureka) this week. This bill would allow composters to provide the nutrient contents of compost, cocompost, or mulch without it being considered a labeling claim under California's fertilizer law. CFBF is opposed to this bill because it allows composters to sell materials to California's farmers without any guarantee of the claims they are making. Additionally, CDFA is currently undertaking a process to review the current labeling requirements for composters and CFBF believes that an exemption from current law is premature given the discussions of the issue at CDFA. The Committee did not take a vote on AB 2137 and asked that the composting industry work with CFBF and other opponents to address our concerns prior to voting on the bill.

SB 1229 (Jeff Denham, R-Merced) passed out of the Senate Transportation and Housing Committee on an 8-0 vote. Committee chair, Senator Lowenthal (D-Long Beach) agreed that the bill would have been on consent had it not received an opposition letter from the Teamsters Union. However, no one from the union attended the hearing to testify against the bill. SB 1229 would provide a reasonable solution for an All Terrain Vehicle (ATV) used exclusively in agricultural operations by adding the vehicles to the Vehicle Code as an implement of husbandry. The bill would enable a farmer, a rancher or an employee of a farmer or rancher to operate an ATV for no more than one mile incidentally on a two-lane road. All restrictions and exemptions currently in law for an implement of husbandry would apply. Farm Bureau is in support.

AB 2446 (Warren Furutani, D-Long Beach) would add Career Technical Education (CTE) courses as an option for students to fulfill high school graduation requirements. The bill would provide students with additional educational and curricular options by recognizing that CTE is a valuable part of preparing students for their future careers. AB 2446 was placed on the Assembly Appropriations Committee Suspense File for determination of its fiscal impact to the state. Farm Bureau is in support.

AB 2595 (Jared Huffman, D-San Rafael) was heard and amended in the Assembly Agriculture Committee April 21. As amended the bill would require a county agricultural commissioner to withhold the issuance of an operator identification number after notification from a regional water board that the operator of the property failed to obtain individual or general waste discharge requirements, or enroll in the Irrigated Lands Regulatory Program, or comply with a Section 13267 order. The operator identification number can only be withheld after all administrative proceedings and appeals have been afforded the grower/operator. Farm Bureau and other agricultural interests worked to amend the bill substantially and the author agreed to accept the amendments in committee. The bill passed out of committee and will next be heard in the Assembly Appropriations Committee. Farm Bureau is no longer opposed with adoption of the amendments.

The Senate Public Safety Committee heard [SB 1277](#) (Dean Florez, D-Shafter) this week. Originally, SB 1277 created a registry for people convicted of animal cruelty similar to California's sex offender registry and funded it through a tax on pet food. However, Senator Florez amended the bill to remove the pet food tax and instead fund the registry through increased fines against those who would be required to register. CFBF originally opposed the bill due to the taxes it would impose on our members who use dogs on their farms and ranches. However CFBF is reevaluating its position now that the tax provisions are removed. The bill passed out of committee 4-3 and now goes to the Senate Appropriations Committee.

The Assembly Committee on Jobs, Economic Development, and the Economy heard [AJR 27](#) (Alberto Torrico, D-Fremont) this week. This resolution urges the U.S. Congress to oppose the Colombia Trade Promotion Agreement. The resolution points out cases of violence and human rights abuses in Colombia as the reason that the U.S. should not enter into a free trade agreement with the country. CFBF supports the Colombia TPA due to its many benefits to California farmers who would be able to export to Colombia once the agreement was ratified. Additionally, there is no certainty that *not* ratifying the agreement will eliminate or reduce the human rights abuses that may be occurring. The resolution passed out of the committee on a party line vote of 4-2.