



May 20, 2011

Card-check legislation which would deny agricultural workers the right to a secret ballot to decide union representation passed the Assembly on May 16<sup>th</sup> on a party-line 52-26 vote. Assembly Members Cathleen Galgiani (D-Stockton) and Chris Norby (R-Fullerton) did not vote on [SB 104](#) (Darrell Steinberg, D-Sacramento).

A \$500 million general fund enhancement to the Local Safety and Protection Account was held on the Assembly Revenue and Taxation Committee's suspense file this week. This important account was created in 2009 as part of the budget negotiations to receive funds from the increased Vehicle License Fees and provides funds to local law enforcement agencies for numerous crime prevention efforts, including the Rural Crime Prevention Programs. CFBF supports [AB 192](#) (Dan Logue, R-Chico).

The Assembly Appropriations Committee did not approve [AB 88](#) (Jared Huffman, D-San Rafael) that would require the labeling of genetically modified fish sold in California. The FDA is currently reviewing an application to market genetically modified salmon in the U.S. The bill failed with a final vote of 6-9. CFBF opposes AB 88 and appreciated Democrats' "NO" votes from Nora Campos, Jerry Hill, Ricardo Lara, and Jose Solorio's and Charles Calderon and Isadore Hall's abstentions. CFBF also appreciated that all Republicans voted No. Unfortunately the bill was granted reconsideration, so it could be voted on again next week.

As expected, [AB 1265](#) (Jim Nielsen, R-Gerber), which would reenact the programmatic provisions of SB 863 related to the 10 percent shorter Williamson Act contracts, was unanimously approved on the Assembly's consent calendar. AB 1265 will next be heard in the Senate Governance and Finance Committee where technical amendments and co-authors will be added.

Numerous restrictions being imposed on employers' disciplinary actions against employees under the influence of medical marijuana in the workplace is scheduled for a vote on the Senate floor. [SB 129](#) (Mark Leno, D-San Francisco) is opposed by CFBF and most of the California business community.

The implementation costs put a measure that would substantially restrict an employer's ability to exercise the right to appeal Cal/OSHA citations on the Senate Appropriations suspense file. [SB 829](#) (Mark DeSalunier, D-Concord) would require abatement of the hazard alleged by Cal/OSHA even if the employer appeals the citation. It also gives party status in the appeal to family members of an injured worker and many other potentially interested parties like unions and other worker advocates. A large coalition of employer groups including Farm Bureau opposes SB 829.

Facilitating litigation against farmers and ranchers by requiring Farm Labor Contractors to disclose information about the farmers and ranchers they work for on their workers' pay stubs is pending a vote on the Assembly floor. CFBF and other agricultural organizations remain opposed to [AB 243](#) (Luis Alejo, D-Salinas).

[AB 51](#) (Mariko Yamada, D-Davis), which would impose significant Labor Code restrictions on the use of payroll cards and likely make their use unattractive for employers will be heard in the Banking and Finance Committee. CFBF and a broad coalition of business organizations have joined together to express concern that AB 51 will make the use of payroll cards very unattractive for employers, denying employees the convenience of payroll cards as an alternative to paying excessive check cashing fees or carrying large amounts of cash. A hearing date has not been set.

[AB 553](#) (Bill Monning, D-Santa Cruz) significantly tightens occupational exposure standards for hazardous chemicals. The bill would require Cal/OSHA to set tighter Permissible Exposure Standards (PELs) and Health-Based Occupational Exposure Limits for substances that may cause reproductive effects or increased risk of cancer. AB 553 has been referred to the Assembly Appropriations suspense file, making its passage less likely.

[AB 1399](#) would require employers to maintain any records associated with an employee's performance issues that may have contributed to an employer's dismissal of the employee for four years. This effort by the Democratic members of the Assembly Labor Committee would also require employers make these records available to the employee within 21 days of a request for those records. Failure to do so will subject the employer to a \$750 fine. Due to concerns related to implementation costs, AB 1399 was referred to the Assembly Appropriations suspense file on May 18<sup>th</sup>.

The Governor's May Revise Budget proposes to eliminate \$1.23 million in State General Fund dollars from the Department of Water Resources (DWR) budget for the Watermaster Program, replacing the funding with fees. DWR currently administers the Watermaster Program in specified areas of the state to ensure that water is allocated by an impartial third party according to legal water rights established by the courts. This proposal would eliminate General Fund support for the Watermaster Program and instead would fully support the program through fees paid by those who benefit from the service which is consistent with existing statute. None the less, Farm Bureau is opposed to the elimination of state general fund assistance for the program and will advocate that position in Legislative Budget Hearings Wednesday, May 25<sup>th</sup>.

The California Water Commission reviewed draft agricultural water measurement regulations this week. After more than four hours of testimony and questions the commission put this item over to their June meeting and directed staff to address issues of concern. Issues include: access to turnouts on private property; Central Valley Project contractors exemption from the water measurement requirements in the proposed regulations because they comply under the Central Valley Improvement Act; and huge cost differences between the proposed amendments the agricultural group presented and the staff's proposal and the associated impacts on small farmers. Farm Bureau has been actively engaged in the Agricultural Stakeholder Committee tasked with developing these emergency regulations in accordance with SBx7 7 (Darrel Steinberg, D-Sacramento). Farm Bureau is opposed to the current draft regulations presented by the Department of Water Resources.

A measure that would authorize a district attorney or a city attorney of a city with a population that exceeds 750,000 to bring civil actions under the Porter-Cologne Water Quality Act passed off the

Assembly Floor Thursday, May 19. [AB 246](#) (Bob Wieckowski, D-Fremont) passed out of the Assembly 47-29 this week and is headed to the Senate. Farm Bureau is opposed.