



June 23, 2017

### **Commodities:**

[AB 243](#) (Jim Cooper, D-Elk Grove) would create the rules for the establishment of a California Beef Commission. If the bill is approved, cattle producers would be given the opportunity to vote on whether to create a California Beef Commission. The assessment would be set at \$1 per head and that money would all stay in California for research, promotion, and education. Additionally, any producer who pays into the Commission would be eligible to ask for a refund of their payments if they do not want to support the Commission. The California Cattlemen's Association is sponsoring the legislation and recently the Humane Society of the United States, Natural Resources Defense Council, Pesticide Action Network, Center for Food Safety, and Center for Race Poverty and the Environment all decided to oppose AB 243 because those groups don't want to see a California Beef Commission established in California. Farm Bureau supports AB 243 to give beef producers a choice as to whether they want to form and fund a Commission. AB 243 passed out of the Senate Agriculture Committee this week with a 5-0 vote. It will be heard next by the Senate Judiciary Committee.

[AB 1126](#) (Committee on Agriculture) would allow the continued use of carbon monoxide to control burrowing rodent pests. In 2011, Farm Bureau sponsored legislation to legalize the use of carbon monoxide for rodent control. However, that bill included a sunset that eliminated the use in January 1, 2018. AB 1126 (Committee on Agriculture) originally would have extended the allowance indefinitely, however the Senate Environmental Quality Committee amended the bill to extend the sunset for five years. With that amendment, the bill was passed on consent this week with a 6-0 vote. Farm Bureau is the sponsor of AB 1126.

### **Energy:**

Trailer Bill language passed last week provided some necessary clean-up to [SB 661](#) (2016 Jerry Hill, D-San Mateo), the "Call Before You Dig" or "811" legislation, which revises the rules governing steps to be taken, when material in the ground is moved. The rules protect underground structures such as natural gas lines, oil pipelines and fiber optic cables. The clean-up language addressed concerns raised by agricultural stakeholders and others which could not be resolved prior to the Legislative deadlines last year. The language establishes later implementation dates for the new provisions to be consistent with the timeline for establishing the California Underground Facilities Safe Excavation Board created by SB 661. Newly established provisions would become operative in 2020 to allow for establishment of guidance and regulations for enforcement under the legislation as well as development of the "continual excavation ticket", an option requested by agricultural stakeholders to allow agricultural operations to establish plans for an entire year. Clarification was also made to the continual excavation section so that the new Board

can establish minimum elements of the plan between the agricultural operation and the infrastructure owner. It also clarified the physical area the plan would cover.

**Labor:**

[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 Labor and Employment Committee 5-1 with one abstention and was referred to the Assembly Judiciary Committee. Farm Bureau opposes.

[SB 240](#) (Bill Dodd, D-Davis) raises the per-acre assessment on vineyard land paid by Napa County wine grape producers to support farmworker housing provided by the county. SB 240 increases that assessment from \$10 per acre to \$15 per acre. SB 240 is supported by several wine grape and agricultural organizations in Napa County and the Napa County Farm Bureau. SB 240 was approved by the Assembly Local Government Committee 8-0 with one abstention and awaits a full vote of the Assembly. Farm Bureau supports.

[SB 772](#) (Connie Leyva, D-Chino) would exempt Cal/OSHA regulations from an important regulatory assessment required of all regulatory agencies by the Administrative Procedures Act (APA). The Standard Regulatory Impact Analysis (SRIA) was created by the Legislature in 2011 to determine whether a regulatory proposal is an efficient and effective means of accomplishing a desired public policy goal. Proponents contend the SRIA process unduly lengthens the regulatory process leaving workers unprotected by needed workplace safety and health regulations, yet the agency has completed the process on major regulations without undue delay. SB 272 was approved by the Assembly Labor and Employment Committee 5-2 and was referred to the Assembly Appropriations Committee. Farm Bureau opposes.

**Water:**

[AB 313](#) (Adam Gray, D-Merced) would establish a division of water rights within the Office of Administrative Hearings (OAH). Complaints against persons violating provisions of their water diversions would be heard by an administrative law judge in OAH, however decisions would not be final until accepted by the executive director of the State Water Resources Control Board. The measure will be heard in the Senate Natural Resources and Water Committee next week. Farm Bureau supports.

[AB 1420](#) (Cecilia Aguiar-Curry, D-Winters) would streamline the State Water Resources Control Board permitting process for farmers applying to divert water into a small irrigation pond. The measure would require 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 exempts registrations from the lake or streambed alteration program if the Department of Fish and Wildlife has provided conditions on the approved registration. The measure will be heard in the Senate Natural Resources and Water Committee next week. Farm Bureau supports.

[SB 252](#) (Bill Dodd, D-Napa) would require 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 over drafted 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 will be heard in the Assembly Water, Parks and Wildlife Committee next week. Farm Bureau and other agricultural organizations oppose the measure as written.