



April 5, 2013

[AB 1213](#) (Richard Bloom, D-Santa Monica), which would prohibit the trapping and sale of bobcats in California, was heard by the Assembly Water, Parks, and Wildlife Committee this week. The bill allows for bobcats to be trapped if they are damaging crops or property so long as a depredation permit is obtained. Farm Bureau has expressed concerns to the author because currently no depredation permit is required to take bobcats and is asking for amendments to address our concerns. There was significant testimony presented in committee by trappers raising concerns with the complete ban. After hearing concerns from numerous committee members, the author chose to work with the opposition to see if they could agree on amendments that would allow trapping if a management plan was created. The bill was not voted on and will be brought back to the committee later this month.

[AB 199](#) (Chris Holden, D-Pasadena), which would require state institutions to purchase California grown agricultural products so long as the price is within five percent of out-of-state products, passed out of the Assembly Accountability and Administrative Review Committee. The bill also requires California schools to purchase California grown agricultural products so long as the price is no higher than out-of-state products. The Committee passed the bill on a 12-1 vote, with only Assembly Member Travis Allen (R-Huntington Beach) voting against it. The bill now goes to the Assembly Agriculture Committee. Farm Bureau supports.

[SB 25](#), legislation by Senate President Pro Tem Darrell Steinberg to revise the Agricultural Labor Relations Act (ALRA), is pending final passage in the Senate. SB 25 will allow a union, certified as a collective bargaining agent before January 1, 2003, to immediately force an employer into mandatory mediation. It would also severely limit any due process an employer may have to appeal a mediator's order to a court. SB 25 will impose the obligation to bargain on any subsequent purchaser of all or part of an employer who had an obligation to bargain under the ALRA. CFBF and other agricultural employer organizations are opposed.

On April 2, the Assembly Judiciary Committee passed [AJR 3](#), a resolution offered by Assembly Member Luis Alejo (D-Salinas) urging the U.S. Congress and the President to act quickly on immigration reform legislation. Farm Bureau and Western Growers expressed support for the Legislature's expression of urgency to the President and Congress on the need for action.

Also on April 2, the Senate Judiciary Committee passed [SB 404](#), legislation by Senator Hannah-Beth Jackson (D-Santa Barbara) that would include "familial status" as a protected classification under the California Fair Housing and Employment Act. "Familial status" is a very broad term that will sweep in a massive number of employees and their relationships, such that virtually any employee could be covered by it. As a result, nearly any adverse employment decision by an employer could be construed as discriminatory if SB 404 becomes law. Farm Bureau and other major organizations representing employers opposed SB 404. It passed on a 5-2 vote and has been referred to the Senate Appropriations Committee.

The Assembly Natural Resources Committee approved [AB 976](#) (Toni Atkins, D-San Diego) that would grant sweeping new power to the California Coastal Commission on a partisan vote of 6 to 3, Republicans voting “No.” Under existing law, alleged violations of the California Coastal Act are adjudicated in Superior Court by an independent third party. Under the proposed change in law, the Coastal Commission, by a majority vote, would become the enforcer, prosecutor, judge, and beneficiary of the administrative penalties up to \$22,500 or \$11,250 per day. The commission also would be granted lien authority to take property if the fines are not paid. The bill will next be heard in the Assembly Judiciary Committee. Farm Bureau is opposed to AB 976 and would encourage any coastal county Farm Bureaus to weigh-in opposition as well. If you would like assistance in drafting a letter to the Judiciary Committee members, please contact John Gamper at (916)446-4647.

The roll call on AB 976 was as follows: “AYES:” Chesbro, Garcia, Muratsuchi, Skinner, Stone, and Williams; “NOES:” Bigelow, Grove, and Patterson.

The Assembly Natural Resources Committee also approved on a 6-2 vote, allowing the staff of the Coastal Commission to halt processing of a permit application if the Commission staff asserts that a violation exists on the property. [AB 203](#) (Mark Stone, D-Santa Cruz) would presume an applicant is “guilty until proven innocent” by giving the Commission staff the ability to refuse to process a coastal development permit application until staff is satisfied that the alleged violation was cured. The bill is unnecessary, is bad public policy and would deny an applicant due process at the mere suggestion that there might be a violation on the property. Farm Bureau is also opposed to AB 203. The roll on AB 203 was identical to AB 976 except Patterson was absent.

[SB 591](#) (Anthony Cannella, R-Ceres) would acknowledge hydroelectric generated electricity as renewable energy, but limits the applicability to Merced Irrigation District’s New Exchequer Dam, a 94 MW project. Under state law any hydroelectric generation over 30 MW is not now counted as renewable. It will allow Merced to calculate the renewable energy it needs to purchase based on its energy need above what New Exchequer produces, rather than its total retail sales. Despite opposition from solar developers and others with a penchant for using prime agricultural land for solar development, the bill was approved on an 8-1 vote in the Senate Energy, Utilities and Communications Committee and goes to the Appropriations Committee next. CFBF is in support.

[AB 762](#) (Jim Patterson, R-Fresno) would reclassify all hydroelectric generation as renewable energy for purposes of the state’s mandate that 33% of utilities’ needed supplies come from renewable energy. Currently only hydroelectric generation below 30 MW can be counted as renewable. The bill will be heard in the Assembly Utilities and Commerce Committee on April 8. CFBF is in support.

[AB 8](#) (Henry Perea, D-Fresno and Nancy Skinner, D-Berkeley) and [SB 11](#) (Fran Pavley, D- Agoura Hills and Anthony Cannella, R-Ceres) continue the authority through 2023 to fund several air quality improvement programs. They include the Carl Moyer Program, widely used by the agricultural community, and the Alternative and Renewable Fuel and Vehicle Technology Programs. Overall these programs will provide \$255 annually from various motor vehicle and vessel fees. With the state’s upcoming agricultural equipment rule having the greatest impact in the San Joaquin Valley, these funds will be essential to provide assistance to purchase new agricultural equipment.

AB 8 and SB 11 are exactly the same bills. They were introduced in both the Senate and Assembly and are moving simultaneously to help insure passage. SB 11 was approved this week in the Senate Environmental Quality Committee on an 8-1 bipartisan vote with Senator Jean Fuller (R-Bakersfield) giving the only Republican vote. AB 8 will be heard in the Assembly Transportation Committee on April 8th. Twenty-two members of the Tulare Youth Leadership Group did a great job asking for support of AB 8 in 7 of the 16 member’s offices who will be voting on Monday. CFBF is part of a large business and environmental coalition in support of SB 11 and AB 8.