



CALIFORNIA FARM BUREAU FEDERATION

# FRIDAY REVIEW

LEGISLATIVE AND GOVERNMENTAL UPDATE

June 22, 2018

## Air Quality

Farmers and ranchers would have been given another opportunity to sign-up their agricultural trucks under the Air Resources Board's Truck and Bus Rule if [AB 345](#) (Anna Caballero, D-Salinas) had passed the legislature. Farm Bureau is sponsoring this bill to reduce the impacts of the requirement beginning in 2020 that DMV deny vehicle registrations for trucks that are out of compliance with ARB's Truck Rule. Furthermore, this bill would have reinstated some portions of the Truck Rule that were eliminated due to a lawsuit by the California Trucking Association. In addition to allowing ag trucks to be signed up under the Truck Rule, the bill also continued the low-use compliance option for trucks driven less than 5,000 miles annually. AB 345 (Caballero) was heard by the Senate Environmental Quality Committee this week. The Committee Chair, Senator Bob Wieckowski recommended that the committee hold the bill and the bill failed with a 3-3 vote. Senators Stone (R-La Quinta), Gaines (R-El Dorado Hills), and Lara (D-Bell Gardens) voted for the bill. Despite the setback, the chair did commit to writing a letter to ARB on the issue and Farm Bureau will work with him on getting that done. *Staff contact: Noelle Cremers at (916) 446-4647 or [ncremers@cfbf.com](mailto:ncremers@cfbf.com).*

## CEQA

Friday Review readers will remember [AB 2447](#) (Eloise Gomez Reyes, D-Grand Terrace), a bill that would increase the notification requirements and scoping meeting obligations for projects subject to the California Environmental Quality Act (CEQA) if the siting for such a project occurs within one-half mile of a disadvantaged community or within a land use listed by the Office of Health Hazard Assessment as containing hazardous materials, toxic air contaminants, criteria air pollutants or water contamination. These new requirements may presumably apply to nearly all agricultural operations. Farm Bureau is leading a broad coalition of agricultural associations in opposition to the bill, unless it is amended to provide an agricultural exemption. The bill is set to be heard in Senate Appropriations in the coming weeks. *Staff contact: Taylor Roschen, [troschen@cfbf.com](mailto:troschen@cfbf.com) or 916-446-4647.*

## Commercial Feed

The California Department of Food and Agriculture (CDFA) has announced a vacancy, a commercial feed industry representative, on the Feed Inspection Advisory Board. The board's role is to make regulatory and enforcement recommendations to CDFA to help ensure that commercial feed inspections contribute to a clean and wholesome supply of milk, meat, and eggs. The term of office is three years and members are entitled to travel expenses. Individuals interested in applying should submit a resume and questionnaire (available [here](#)) by August 3<sup>rd</sup> via email to [Brittnie.Sabalbro@cdfa.ca.gov](mailto:Brittnie.Sabalbro@cdfa.ca.gov) or by mail to:

California Department of Food and Agriculture  
Feed, Fertilizer, and Livestock Drugs Regulatory Services Branch  
Attn: Brittnie Sabalbro

## **Energy**

[SB 1088](#) (Bill Dodd, D-Napa) passed out of the Assembly Utilities and Energy Committee on a bipartisan vote of 8 to 2 (2 abstentions and 2 not voting) but over the objection of the Chairman who supported an important element in the committee analysis. The analysis recommended striking language in the bill that would have relaxed the standard of review by the CPUC to consider whether a utility acted reasonably with respect to damages caused by its equipment. The bill moves to the Governmental Organization Committee next. CFBF is part of a diverse ratepayer coalition opposed to 1088.

Ratepayer groups are opposing the bill because it would mandate an unreasonably abbreviated review process at the CPUC regarding utility rates that would lead to higher rates. It directs the state's investor owned utilities (IOUs) to prepare and submit to the CPUC a "safety, reliability, and resiliency plan" for review and approval every two years beginning January 2019 to address major events, although risks associated with routine operations would also be included beginning 2021. Safety plans to address wildfire mitigation and emergency preparedness are already required of the utilities. Estimated costs for the expenses related to the plans have not been provided, but are anticipated to be significant. The plans encompassed by this bill are expected to be part of a larger discussion about how property losses caused by utility infrastructure should be dealt with, but no indications about the broader discussions have occurred yet. *Staff Contact: Karen Mills, 916-446-4647 or [kmills@cfbf.com](mailto:kmills@cfbf.com).*

## **Forestry/Timber**

[AB 2518](#) (Cecilia Aguiar-Curry, D-Winters), would direct the Department of Forestry and Fire Protection (CAL-FIRE), in collaboration with the State Board of Forestry and Fire Protection, to identify barriers to in-state production of mass timber and other innovative forest products and develop solutions to those identified barriers, has been referred to the Senate Natural Resources and Water Committee. Farm Bureau is supportive of the legislation as an effort to promote forest-products and biomass utilization which could help bring new economic prosperity to California's rural economies.

Additionally, AB 2889 (Caballero, D-Salinas), which would establish timber harvesting plan submitter assistance and streamline the approval process for a timber harvest plan was also referred to the Senate Natural Resources and Water Committee; both bills are set for the June 26th hearing in the Senate. *Staff contact: Robert Spiegel, [rspiegel@cfbf.com](mailto:rspiegel@cfbf.com) or 916-446-4647.*

## **Labor**

[AB 1870](#) (Eloise Gomez Reyes, D-San Bernardino) extends the required period for reporting a harassment allegation under the Fair Employment and Housing Act from 1 year to 3 years, exposing employers to significant possible new liability for long-ago allegations of harassment. Farm Bureau opposes unless amended. AB 1870 passed the Senate Judiciary Committee on June 19 on a 5-2 vote and was referred to the Senate Appropriations Committee. *Staff contact: Bryan Little, 916-446-4647 or [blittle@cfbf.com](mailto:blittle@cfbf.com).*

[AB 3080](#) (Lorena Gonzalez Fletcher, D-San Diego) prohibits settlement agreements between employees and employers for labor and employment claims and prohibits arbitration and class action waivers for such claims (probably in violation of federal law). Farm Bureau opposes. AB 3080 passed the Senate Judiciary Committee on June 19 on a 5-2 vote. *Staff contact: Bryan Little, 916-446-4647 or [blittle@cfbf.com](mailto:blittle@cfbf.com).*

[SB 937](#) (Scott Wiener, D-San Francisco) will impose complex new requirements for employers to provide accommodations to lactating mothers. SB 937 would set new minimum space requirements, require provision of a chair, electricity, and access to a sink and refrigerator in “close proximity” to the employee’s worksite. In addition, SB 937 requires an employer to provide a written explanation within 5 days if the employer cannot provide a compliant lactation location and to keep those records for three years. Farm Bureau opposes SB 937 unless it is amended to address the difficulty farm employers will have in meeting the bill’s lactation location requirements in agricultural fields. SB 937 the Assembly Labor and Employment Committee on June 20 on a 5-2 vote and was referred to the Assembly Business and Professions Committee. *Staff contact: Bryan Little, 916-446-4647 or [blittle@cfbf.com](mailto:blittle@cfbf.com).*

[SB 1284](#) (Hannah-Beth Jackson, D-Santa Barbara) requires employers of 100 or more employees to submit annual an expanded version of U.S. Equal Employment Opportunity Commission-required EEO-1 reports to the Department of Industrial Relations and the Department of Fair Employment and Housing. Farm Bureau opposes due to the expanded reporting mandate imposed on employers and due to concerns that wide dissemination of incomplete pay equity information (for example, no information would be included to reflect that some employees working in expensive metropolitan areas may be paid more than counterparts in lower cost of living areas) will encourage litigation and public criticism. SB 1284 passed the Assembly Labor and Employment Committee on June 20 on a 5-2 vote. *Staff contact: Bryan Little, 916-446-4647 or [blittle@cfbf.com](mailto:blittle@cfbf.com).*

[SB 1300](#) (Hannah-Beth Jackson, D-Santa Barbara) would vastly expand the parties who would have standing to sue an employer for allegations of harassment and discrimination. The plaintiff would be excused from having to prove he/she suffered any harassment of discrimination to sue an employer for failing to take any necessary actions to prevent harassment and discrimination. SB 1300 also significantly lowers the standard for proving harassment, allowing any harassment that may become severe or pervasive; current law requires harassment to actually be severe or pervasive to be actionable. The bill creates a new private right of action allowing an employee to sue an employer without having to suffer any actual injury. Farm Bureau opposes due to the increased litigation the bill will cause. SB 1300 passed the Assembly Labor and Employment Committee on a 5-2 vote on June 20. *Staff contact: Bryan Little, 916-446-4647 or [blittle@cfbf.com](mailto:blittle@cfbf.com).*

## **Land Use**

[SB 1029](#) (Mike McGuire, D-Healdsburg), a bill we’ve been tracking closely, would dissolve the existing North Coast Rail Authority and transfer the rights for 300+ miles of rail line to the Sonoma-Marin Rail Transit District (mile post 0-142.5 in Willits) and the newly create Great Redwoods Trail Agency (mile post 142.5-300.5) to create a hiking, biking, riding trail and potential transit lines. The bill was dramatically amended to reflect several requests from the Farm Bureau and staff are in the process of evaluating positions and strategies. The bill has been assigned to Assembly Transportation Committee to be heard on Monday. *Staff contact: Taylor Roschen, [troschen@cfbf.com](mailto:troschen@cfbf.com) or 916-446-4647.*

## **Rural Crime**

Senator Jeff Stone (R-Riverside) has introduced [SB 1161](#), which would establish the Inland Empire Rural Crime Prevention Program to address issues, including data collection and coordination on agricultural crimes for Riverside and San Bernardino County. This would be the third Rural Crime Program in CA, if enacted—Central Valley and Central Coast Rural Crime Prevention Programs. The bill is set to be heard in Senate Public Safety Committee on June 26<sup>th</sup>. Farm Bureau is in support. *Staff contact: Taylor Roschen, [troschen@cfbf.com](mailto:troschen@cfbf.com) or 916-446-4647.*

## **Shell Eggs**

The California Department of Food and Agriculture (CDFA) has announced a vacancy, a public member representative whom is not a registered egg handler, on the Shell Egg Advisory Committee. The committee makes recommendations to the CDFA secretary on all matters pertaining to quality standards for shell eggs, uniformity of inspection, adjustment of fees for administration and enforcement, and the annual budget. The term for this vacancy is set to expire April 30<sup>th</sup>, 2021. Interested individuals should submit a brief resume by July 6<sup>th</sup> to:

Anthony Herrera, ESQM Manager  
California Department of Food and Agriculture  
1220 N Street  
Sacramento, CA 95814

### **Taxation**

[SB 993](#) (Robert Hertzberg, D-Van Nuys) would impose a new tax on all services purchased by businesses in California, with certain exceptions. The Senate Governance and Finance Committee will hold an informational hearing on August 8<sup>th</sup> to provide a broad overview of our existing tax structure as well as discuss concerns with implementing/administering a tax on services. As an informational hearing, the committee does NOT plan to vote on SB 993, but additional informational hearings may be scheduled during the legislative recess in northern and southern California. *Staff contact: Robert Spiegel, [rspiegel@cbbf.com](mailto:rspiegel@cbbf.com) or 916-446-4647.*