



# Farm Bureau at work

California Farm Bureau's government affairs team is at the Capitol, advocating for farmers, ranchers and agriculture's future. Here are some key issues Farm Bureau is focused on this week.

**April 12, 2024**

## Agricultural Employment Policy

Ag Overtime Capitol Staff Briefing: On February 19, California Farm Bureau is sponsoring a briefing for state Capitol staff to hear a presentation by Dr. Alexandra Hill of UC Berkeley discussing her research findings into the experiences of agricultural employees in the aftermath of implementation of AB 1066 (Gonzalez, 2016). Dr. Hill found that the U.S. Department of Labor's National Agricultural Worker Survey reported agricultural employees experienced fewer hours of work and less earnings during the initial phase-in of additional overtime – the opposite of effect promised by proponents of AB 1066. Dr. Hill has expanded her research to subsequent years of AB 1066 implementation and will discuss possible remedies to this problem. The briefing will be held in Room 126 in the California State Capitol on April 19 and 10 AM; please feel free to join us! *Staff: Bryan Little, [blittle@cfbf.com](mailto:blittle@cfbf.com)*

Policy committees in both houses continued to move legislation ahead of the April 26 deadline to report bills tagged as fiscal, requiring review by the Appropriations committees:

On April 9, the Assembly Judiciary Committee passed [AB 2738](#) by Assemblymember Luz Rivas (D Sylmar) after its earlier passage by the Assembly Labor & Employment Committee. AB 2738 will encourage local prosecutor litigation against employers for alleged Labor Code violations (permitted for the first time by Farm Bureau-opposed AB 594, Maienschein, 2023) by requiring a California court to award attorney's fees to a public prosecutor prevailing in a Labor Code-related civil action. Farm Bureau opposes. *Staff: Bryan Little, [blittle@cfbf.com](mailto:blittle@cfbf.com)*

Also on April 9, the Senate Governmental Organization committee unanimously passed [SB 1104](#) Senator Roger Niello (R Fair Oaks), which will create a new Office of Regulatory Counsel to serve as a central entity in drafting and vetting regulatory proposals, similar to the functions of Office of Legislative Counsel in the Legislature. Farm Bureau supports SB 1104 to address increasing complexity of regulatory proposals like the COVID-19 regulations and the Indoor Heat Illness regulation, which the Cal/OSHA Standards Board recently passed in spite of an incomplete cost estimate required by the Administrative Procedures Act. During discussions around that standard, Cal/OSHA staff said the proposal was so complex that they did not have time to evaluate it carefully or consider alternatives – pointing out the need for an agency in state government like the Office of Regulatory Counsel. *Staff: Bryan Little, [blittle@cfbf.com](mailto:blittle@cfbf.com)*

Last on April 9, the Senate Judiciary Committee passed [SB 1022](#), which would extend the statute of limitations for a complaint brought by the California Civil Rights Department (CRD) or its "authorized representative" to ten years. Statutes of limitations exist for good reason – to ensure disputes are promptly resolved, the memories of people relevant to an event and other evidence is "fresh" enough to inform decisions by a court, arbitrator, or other finder of fact. A ten-year statute of limitations is far too long to serve this function and will give CRD enormous leverage to pressure employers into dubious civil rights settlements when an employer's limited legal resources make recovering old evidence and witnesses prohibitively expensive. Farm Bureau opposes. *Staff: Bryan Little, [blittle@cfbf.com](mailto:blittle@cfbf.com)*

On April 10, the Senate Labor Committee passed [SB 1299](#) Senator Dave Cortese (D San Jose), creating a rebuttable presumption that heat illness suffered by an agricultural employee during a workweek or pay period during which the employee performed work under conditions that would trigger the Heat Illness Prevention standard is work-related and compensable through workers compensation. Sought by United Farm Workers, the sponsors and author have been unable to explain why if this nearly un rebuttably

presumption is somehow protective of agricultural employees (given that if a heat illness is work-related, it is already workers comp compensable under current law) why such a policy is not appropriate for all employees covered by the Heat Illness Prevention standard – like construction and landscaping employees. SB 1299 now moves to the Senate Judiciary Committee. Farm Bureau opposes. *Staff: Bryan Little, [blittle@cfbf.com](mailto:blittle@cfbf.com)*

## Agrotourism

Farm Bureau is supporting [SB 620](#) by Senator Mike McGuire (D Healdsburg). SB 620 because it will create more affordable access to the outdoors and expanded camping opportunities across California, while opening up new economic opportunities in rural areas. Low-impact camping harnesses the financial power of outdoor recreation to create sustainable revenue for farmers, rural landowners, and small businesses while supporting conservation of natural, undeveloped landscapes. *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

Farm Bureau is supporting [AB 2635](#) by Assemblymember Jacqui Irwin (D Thousand Oaks) which would give increase liability protections to an agritourism professional. The bill was heard in Agriculture Committee on April 10 and passed out. It will next be heard in Assembly Judiciary Committee. *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

## Cap and Trade Workshop

On April 23, CARB will hold a workshop on potential amendments to the Cap-and-Trade Regulation. CARB staff will review allowance budget scenarios and present on topics relevant to the Compliance Offset Program, market rules, industrial allocation, and specific emissions exemptions. [Register at this link](#). *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

## Invasive Species

Farm Bureau is supporting [AB 2827](#) by Assemblymember Eloise Gomez - Reyes (D Colton) which would develop and implement strategies to detect, control, monitor, and eradicate invasive species to protect the state's agriculture, environment, and natural resources. This bill passed the Assembly Agriculture Committee on April 10. *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

## Land Use

California Farm Bureau joined a coalition of agricultural organizations in opposition to [AB 2149](#), authored by Assemblymember Damon Connolly (D Marin). The bill is a well-intentioned effort to improve the safety of automated gates on lands with public access to decrease the likelihood of accidents that cause bodily harms or property damage by ensuring gates are routinely inspected for proper function and safety. The author's indicated that there is an intended exemption for agricultural operations; however, the coalition feels that the bill's language does not create that exemption because it would still include any gate for a parcel that is used for agricultural processing, storage, or production. The bill will be heard on April 16 in the Assembly Committee on Judiciary. *Staff: Peter Ansel; [pansel@cfbf.com](mailto:pansel@cfbf.com)*

## Livestock

California Farm Bureau is supporting [AB 2436](#) by Assemblymember Juan Alanis (R Modesto) which adjusts the statutory fees payable to the Bureau for inspections of live cattle, hides, and carcasses. AB 2436 does not increase fees paid by beef and dairy producers. Rather, the legislation merely codifies the current fee schedule approved by the Bureau's producer-driven Advisory Board which became effective on January 1, 2024. The bill passed the Agriculture Committee on April 10. *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

## Low Carbon Fuel Standards

On April 10, the Air Resources Board met to discuss the low carbon fuel standard (LCFS). Staff proposed adding crop-based biofuels sustainability criteria. Information presented at the meeting can be found at [CARB's website](#). Farm Bureau submitted comments expressing the need for continuing the use of avoided methane credits in the program, to ensure the continued viability of existing manure digesters and the development of additional ones that are needed to address California's methane emissions. Farm Bureau also noted that if CARB is going to develop a certification program for crop-based fuels, CAFB should participate in its development. *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

## Pesticides

The Assembly Environmental Safety Toxics Materials Committee met on April 9<sup>th</sup>. California Farm Bureau staff testified in opposition of [AB 1864](#) Assemblymember Damon Connolly (D San Rafael) having to with pesticide use around schools. While there is not a problem with agricultural applications around school sites, we are concerned about the new addition of all applications must submit a Notice of Intent (NOI), even not restricted use materials within a ¼ mile of a school site. This would overwhelm the current NOI restricted use requirements and impact the ability of the California Agricultural Commissioner to conduct their program in an efficient and effective manner. The committee also heard [AB 2552](#) Assemblymember Laura Friedman (D Glendale) concerning the elimination of First-Generation Rodenticides. This legislation would expand the definition of wildlife habitat area to include open space land. It would also prohibit use within 5,000 feet of wildlife habitat areas and provide private right of action which effectively would incentivize lawsuits anytime this material is used. Both bills were approved by the committee, Farm Bureau and other related agricultural interests will continue to oppose these as they work their way through the policy committee process. *Staff: Chris Reardon, [creardon@cfbf.com](mailto:creardon@cfbf.com)*

## Recycling

Farm Bureau is supporting [SB 1231](#) by Senator Ben Allen (D Santa Monica). SB 1231 resolves an unanticipated internal conflict with the implementation of two previous bills from 2021 and 2022, by authorizing a producer to continue to make recyclability claims including displaying the chasing arrows symbol on certain types of packaging. *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

## Transportation

Farm Bureau is supporting [AB 2900](#). AB-2900 would direct the California Air Resources Board (CARB) to establish a Small Agricultural Truck Fleet Assistance Program to provide technical and funding assistance to help owner-operators or owners of small fleets transition to emission-compliant trucks as part of the transition to Advanced Clean Fleet (ACF). *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

## Wolf Funding

Six state senators sent a letter to Senate Budget Subcommittee Chair Josh Becker (D Menlo Park) calling for \$3 million in one-time funding Wolf-Livestock Compensation Program at the California Department of Fish and Wildlife (CDFW) in the 2024-25 state budget. CDFW has indicated that they will imminently release a funding report from the first iteration of the Wolf Compensation Program. *Staff: Steven Fenaroli, [sfenaroli@cfbf.com](mailto:sfenaroli@cfbf.com)*

## **ANNOUNCEMENTS**

### **CDFA AWARDS FUNDING FOR 2024 PET LOVER'S LICENSE PLATE PROGRAM TO SUPPORT SPAY/NEUTER SERVICES**

The California Department of Food and Agriculture (CDFA) has awarded a total of \$327,406 from the Pet Lover's License Plate program for seven projects to help stop pet overpopulation.

Funded projects will support spay and neuter services provided by municipalities and non-profit organizations throughout California. The funds will support low-cost services for pets of residents in high-poverty areas and underserved communities, as well as projects that focus on frequently-sheltered dog breeds like pit bulls and chihuahuas. Additionally, funds will be utilized to reduce feral cat colonies through trap, neuter, and release programs. The Pet Lover's License Plate Grant Program is funded with proceeds generated through the sale of specialized license plates through the California Department of Motor Vehicles(DMV).

You can help support the Pet Lover's License Plate program by purchasing a special interest license plate at your local DMV office or [online](#) today. Project abstracts and a list of awards are available online at: <https://www.cdfa.ca.gov/SpayNeuter/>