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.

June 14, 2024

Agriculture Employment Policy

Governor Newsom fired back against two Cal/OSHA Standards Board members who publicly and pointedly criticized the administration for directing the Board to remove the pending Indoor Heat Illness proposed rule from consideration at the Board's March meeting. Board Chair Dave Thomas was stripped of his role, replaced by Joseph Alioto, appointed by the Governor to the Board only last year. Laura Stock, whose term expired in June 2023, was immediately dismissed. Board members whose terms have expired often continue to serve at the pleasure of the Governor. The Board is expected to take up a revised Indoor Heat Illness proposed rule on June 20 that excludes corrections activities. Implementation of the proposed standard by the Department of Corrections was estimated by the Department of Finance to add several billion dollars to the already large fiscal deficit the Legislature is already grappling with to pass a budget by June 15.

In the last two weeks, Farm Bureau-supported legislation offered by Assemblymember Rebecca Bauer-Kahan (D Orinda) advanced through two Senate policy committees to the Senate Appropriations Committee. AB 2011 makes permanent a small employer family leave mediation program and expands the availability of mediation to disputes arising from bereavement leave requirements. The program, administered by the California Civil Rights Department, is set to sunset in 2025. The regulations governing these leaves are lengthy and complex and small employers do not have the means to hire human resources professionals or counsel to advise them on the details. The private right of action in CFRA means any mistake exposes small businesses to lawsuits that could quickly put them out of business. Since its inception, the program has been successful. More than half of the mediated cases have resulted in settlement with hundreds of thousands of dollars going directly to workers rather than plaintiffs' attorneys. The Senate Judiciary Committee passed AB 2011 11-0 on June 4; the Senate Labor, Public Employment and Retirement Committee passed the bill 5-0 on June 12. and referred it to the Assembly Judiciary Committee. Farm Bureau supports AB 2011. *Staff: Bryan Little, blittle@cfbf.com*

SB 1022 Senator Nancy Skinner (D Berkeley), passed the Assembly Judiciary Committee on a 9-3. Farm Bureau opposes SB 1022 because it expands the existing statute of limitations for any complaint brought by the Civil Rights Department or any of its "authorized representatives" to seven years, undermining the purpose of statutes of limitations by allowing actions to proceed long after records have been lost, memories have faded, witnesses have died, and other problems have arisen that statutes of limitations are designed to address. *Staff: Bryan Little, blittle@cfbf.com*

AB 2738 Assemblymember Luz Rivas (D Sylmar), passed the Senate Labor, Public Employment and Retirement Committee on June 12 4-1 and was referred to the Senate Appropriations 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*

On June 12, the Agricultural Labor Relations Board approved regulations implementing 2022 card check legislation as proposed and then revised by its subcommittee and directed them to be noticed for an additional 30-day public comment period. *Staff: Carl Borden, cborden@cfbf.com.*

Ballot Measures

The Legislature has until June 27 to negotiate any qualified ballot measure off the November 2024 ballot. There are currently 12 eligible initiatives. A more comprehensive writeup will be distributed once the ballot has been finalized. The CAFB Board of Directors will also consider positions on ballot initiatives relevant to Farm Bureau.

Among them is the Taxpayer Protection and Government Accountability Act (TPA) which would give voters the opportunity to approve all future tax increases. California Farm Bureau has endorsed the measure and is leading the charge to let members know the significance of passing TPA in November. Recently, the Public Policy Institute of California (PPIC) conducted a survey that was in line with the TPA campaign's own internal polling. Further, the TPA campaign released further polling that shows that after hearing more about the measure, support for TPA jumps to 65%, an overwhelming majority. Polling also found that there was more appetite to reduce the state budget rather than increase spending. Additionally, a supermajority did not favor more bonds. *Staff: Steven Fenaroli, sfenaroli@cfbf.com*

Energy

Two bills Farm Bureau submitted letters of support on which are seeking to advance the use of advanced reconductoring and/or grid enhancing technology either have moved from committee or will be heard next week.

- SB 1006 authored by Senator Steve Padilla (D San Diego) would require transmission utilities, as defined, on or before January 1, 2026, to jointly prepare a grid-enhancing technologies strategic plan that is designed to, among other things, cost-effectively increase transmission capacity and increase capacity to connect new renewable energy and zero-carbon resources. The bill would require each transmission utility, on or before January 1, 2026, and at least every 4 years thereafter, to complete an evaluation of which of its transmission and distribution lines can be reconductored with advanced conductors in a cost-effective manner to, among other things, increase transmission or distribution capacity and increase capacity to connect new renewable energy and zero-carbon resources. The plans would also require a timeline for implementation and progress reports on that implementation. The bill will be heard in Assembly Utilities and Energy Committee. on June 19.

- AB 2779 authored by Assemblymember Cottie Petrie-Norris (D Irvine) passed out of the Senate Energy, Utilities Communications Committee with 17 ayes and 1 abstention. The bill would require the California Independent System Operator to report to both the legislature and Public Utilities Commission on any new use of grid enhancing technology (GET) and the savings in deploying that technology. Farm Bureau continues to support the bill as an opportunity to avoid both ratepayer cost and potential transmission sitting on agricultural lands. The bill is headed to Senate Appropriations.

Farm Bureau also submitted another letter of support for AB 2750 authored by Assemblymember James Gallagher (R Yuba City) which would extend the investor-owned utilities (IOUs) obligations to collectively procure their proportionate share of 125 megawatts (MW) of cumulative rated generating capacity from bioenergy projects to July 1, 2025. As well as expands eligibility of the 5-year extensions for procurement contracts from biomass facilities to include facilities located in areas that voluntarily opt for federal "severe" or "extreme" nonattainment status but that have measured levels of air pollutants below "severe." The bill provides s necessary fix to air districts that voluntarily reclassified themselves to "severe" and "extreme" nonattainment (where actual measured levels of particulate matter are below these classifications). The bill will be heard in Senate Utilities, Energy and Communications Committee on June 18.

Farm Bureau submitted another letter of support for SB 1003 authored by Senator Bill Dodd (D Napa). SB 1003 would direct the Office of Electrical Infrastructure Safety (OEIS) to consider the timeliness of infrastructure upgrades to ensure that the maximum amount of risk from utility sparked wildfires is reduced in the shortest amount of time. Farm Bureau has routinely advocated for greater transparency and consideration of the electric rate affordability crisis when determining which mitigation measures are appropriate. The bill was bumped to the July 1 Assembly Utilities and Energy Committee hearing.

Finally, Farm Bureau resubmitted the coalition letter it authored in support of SB 1374. The bill, authored by Senator Josh Becker (D Menlo Park), among other things, would allow Net Energy Metering Aggregation (NEMA) customers to net or "self-consume" energy in 15-minute intervals, which restores some of the benefits that were removed in the latest Public Utilities Commission (Commission) decision at the end of 2023. It does not fully restore the prior NEMA subtariff but is a step in the right direction. The bill is set to be heard in Assembly Utilities and Energy Committee on June 19 and Farm Bureau has spent considerable time with other supporters in the last few weeks meeting with members to ensure its passage in the committee. *Staff contact: Kevin Johnston, kjohnston@cfbf.com*

Forestry and Wildfire

SB 1101 authored by Senator Monique Limon (D Santa Barbara) will be heard next week in the Assembly Committee on Natural Resources. Farm Bureau previously had a support if amended position on the bill, encouraging the Author to enable expedited state contracting for all forms or fire mitigation, not just prescribed burns. The bill has now been amended and Farm Bureau now is in support of SB 1101. The bill has been amended to include contracts related to preparing lands for prescribed burns. *Staff: Peter Ansel; pansel@cfbf.com*

AB 2276 authored by Assembly member Jim Wood (D Santa Rosa) and supported by California Farm Bureau passed from the Senate Natural Resources Committee with unanimous support. As discussed previously, the bill revises, improves, and reauthorizes an exemption first created in 2004 which provides an alternative to the Timber Harvest Plan process. It allows relatively light-touch logging activities (compared to what could be done under a (THP) subject to numerous protective constraints but provides a more economical and easier way to do generally beneficial activities. *Staff: Peter Ansel; pansel@cfbf.com*

Insurance

Last week, the Little Hoover Commission conducted a Virtual Roundtable on the insurance market and wildfire nexus. Farm Bureau provided public comments regarding the struggles our members have faced accessing affordable and comprehensive insurance. You can watch the testimony from over a dozen witnesses and hear public comments here. *Staff: Peter Ansel; pansel@cfbf.com*

Next week, the Department of Insurance released draft regulations regarding how it will identify distressed markets and how it will track insurers' requirements to write policies again in those distressed areas based on the insurers' total statewide market share. The Department will host a webinar on June 26, 2025 explaining the draft regulations which you can view here. Farm Bureau will submit public comments for this webinar. *Staff: Peter Ansel; pansel@cfbc.com*

Transportation

Emissions Testing

CARB offers the ability to become a credentialed Clean Truck Check tester. All someone needs to do is take the online course and pass with 80% or higher. Credentials are good for two years. Links to the training, exam, and frequently asked questions are below.

Tester Training and Examination | Español
Tester Training FAQ

It is important that you click the checkbox labeled **Credentialed HD I/M Tester List** if you wish to be Available for Hire when you are registering to take the exam. If you did not click this checkbox in error

and wish to be placed on the For-Hire list, please email hdim@arb.ca.gov . CARB Clean Truck Check Credentialed Tester marketing materials are available at: Clean Truck Check Credentialed Testers Marketing Materials . *Staff: Steven Fenaroli, sfenaroli@cfbf.com*

CORE Voucher Application Opens Soon

The California Air Resources Board (CARB) has announced the Clean Off-Road Equipment Voucher Incentive Project (CORE) will begin accepting voucher applications on August 13 at 9 a.m. Pacific. CORE facilitates the transition to zero-emission heavy-duty off-road equipment in sectors including construction, agriculture, and commercial harbor craft. By providing financial incentives, CORE supports businesses in adopting the cleanest technologies, reducing emissions, and promoting environmental sustainability. The initiative underscores California's commitment to improving air quality, especially in communities most impacted by air pollution.

Updated Implementation Manual

CARB used public input to improve the CORE Implementation Manual, which includes updates on new requirements, guideline modifications, voucher amounts, and detailed information on eligible equipment categories. These updates ensure stakeholders understand the requirements and procedures for participating in CORE. How to Apply

Webinar Information

To provide guidance and answer questions, we will host a webinar on June 26 at 10 a.m. Pacific. Stakeholders will gain insights into program updates and application processes. Voucher applications open on August 13 at 9 a.m. Pacific. Register *Staff: Steven Fenaroli, sfenaroli@cfbf.com*

Truck Regulation Implementation Group (TRIG) Outreach Meeting

CARB's next TRIG Outreach meeting is scheduled for Wednesday, June 26, 2024, from 1:00 p.m. to 2:30 p.m. TRIG meetings are open to the public with time set aside for oral comment and questions at the end as time permits. The date, pacific daylight time (PDT), and Zoom link for this virtual TRIG Outreach workgroup meeting is shown below. Each member of the panel will be emailed a Zoom panelist link for their topic area meeting in advance. The public and members of other TRIG topic areas will need to register to participate. Register

Date:	June 26, 2024
Time:	1:00 p.m. – 2:30 p.m.
Location:	Webinar

Only active Outreach members who are on the initial selection list will be panelists. In addition to the panelists, the public and members of other TRIG topic areas may be invited to speak during the meetings by the co-chairs depending on the agenda topic. *Staff: Steven Fenaroli, sfenaroli@cfbf.com*

Water

Successful Outcomes for Three Water Bills

One of the bills Farm Bureau fought hardest against in 2023 died a quick death this week. AB 1337 , by Assemblymember Buffy Wicks (D Oakland), would have brought all water rights, including pre-1914 and riparian rights, under the full purview of the State Water Resources Control Board when it comes to curtailments – not merely in drought years but in any year and for any reason. After many conversations with Farm Bureau, the bill's sponsors, and the author's staff, it was clear that no compromises were possible, and the author's staff chose to not pursue the bill further. The bill is dead for the remainder of 2024.

Another bill that Farm Bureau fought heavily throughout 2023 reached a favorable outcome this week. On June 3, AB 460 (Assemblymember Rebecca Bauer-Kahan, D Orinda) was amended to remove a majority of the bill's language that would have stripped due process from water rights holders when the State

Water Resources Control Board pursues and enforcement action. The remaining bill language was amended to merely increase per-incident fines for unauthorized water diversions and add a volumetric fine component. Once these amendments were made, leadership members of the 200-organization opposition coalition, including Farm Bureau, dropped their opposition to the bill. It subsequently passed the Senate Natural Resources and Water Committee.

AB 2079 (Assemblymember Steve Bennett, D Ventura), died in the Senate Natural Resources and Water Committee on June 11 after receiving 6 "no" votes by the committee members. The bill would have imposed what is effectively a blanket moratorium on new groundwater wells in most basins. The California Department of Water Resources sponsored the bill. Farm Bureau and other members of the opposition have committed to working with DWR to develop guidance on well permitting to prevent subsidence and interference with drinking water wells.

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