



June 24, 2011

Two Williamson Act bills continued to roll-on unopposed in the Legislature. [AB 1265](#) (Jim Nielsen, R-Gerber) that would reenact the ability for counties to adopt 10 percent shorter Williamson Act contracts was approved by the Senate Governance and Finance Committee on a vote of 6 to 0. [SB 618](#) (Lois Wolk, D-Davis) that would encourage the siting of utility-scale photovoltaic solar projects on marginally productive or physically impaired farmland was passed by the Assembly Local Government Committee 9 to 0. Farm Bureau supports both bills.

[AB 634](#) (Alyson Huber, D-El Dorado Hills) would legalize the use of carbon monoxide to control vertebrate pests, such as rodents. In the late 90's California passed a law prohibiting the use of carbon monoxide to kill any animal in response to concerns raised over its use to euthanize dogs and cats in animal shelters. There was no consideration of carbon monoxide as a safe, humane, and effective control method for pests, such as gophers and ground squirrels, when the original law was enacted. This bill passed out of the Senate Agriculture Committee on consent, meaning the bill was approved unanimously, and Farm Bureau is the sponsor. The bill now must be heard by the Senate Environmental Quality Committee.

[AB 511](#) (Mariko Yamada, D-Davis) would require the marking of meteorological towers between 50 and 200 feet to ensure visibility for low flying aircraft. Improved visibility would protect the lives of pilots that farmers hire to apply seed, fertilizer, and pest control products. Earlier this year, a pilot was killed when his plane hit one of these towers. The Senate Transportation and Housing Committee had a lengthy discussion on the bill based on concerns from wind energy companies over the cost of marking towers with highly visible paint, lighting, and guy wire markings. The Committee held the bill over and will take a vote at a later committee hearing. Farm Bureau supports.

California-based businesses that are insured with State Fund are currently required to obtain a separate workers' compensation policy to cover employees who work out-of-state. [AB 228](#) (Felipe Fuentes, D-Los Angeles) clarifies the ambiguity in the current insurance code by clearly stating the authority for employers to seek workers' comp coverage from State Fund for all of their employees working in-state or out-of-state. Employers will be able to get workers' comp coverage for their employees in a one-stop application instead of going through the process with two or more insurance companies and brokers. AB 228 was put over in the Senate Insurance Committee and will be heard again at a later date. Farm Bureau supports.

Metal theft is on the rise in rural California impacting many farmers and ranchers who have experienced thefts ranging from copper wire and stainless steel dairy tanks to steel irrigation pipes and brass sprinkler heads and more. Cities and towns are also victims of metal theft and have experienced the loss

of copper wiring from street lights, air conditioning systems, catalytic converters in vehicles and even public statues. [AB 316](#) (Wilmer Carter, D-Rialto) would create a separate section in the Penal code that would make theft of copper materials with a value of \$950 or more Grand Theft. AB 316 passed out of the Senate Public Safety Committee on a 6-0 vote. Farm Bureau supports.

No change in the status of Card-check legislation. [SB 104](#) (Darrell Steinberg, D-Sacramento) was enrolled and delivered to the Governor on June 16. He has 12 days to sign or veto it.

[AB 243](#) (Luis Alejo, D-Salinas) requires Farm Labor Contractors to disclose information about the farmers and ranchers they work for on their workers' pay stubs. The bill has been set for hearing at the Senate Labor and Industrial Relations Committee on June 29. Farm Bureau opposes.

Restricting the use of arbitration agreements in California, [AB 1062](#) (Roger Dickinson, D-Sacramento), would force many employment disputes that could be arbitrated into state courts. The bill is set for hearing at the Senate Judiciary Committee on June 28. Farm Bureau, along with many employers' organizations, opposes.

[AB 1155](#) (Luis Alejo, D-Salinas) will undermine the effectiveness of apportionment to determine degree of impairment caused by a workers compensation-compensable injury by prohibiting race or any other protected classification being considered in an apportionment decision. Since such discrimination has already been prohibited by the courts, AB 1155 will invite litigation on a settled matter of public policy and drive up employers' costs of both workers compensation and permanent disability. Farm Bureau and many employers' organizations oppose.

The Senate Environmental Quality Committee heard a measure this week that would authorize a district attorney or a city attorney in a jurisdiction with a population that exceeds 750,000 to bring civil actions under the Porter-Cologne Water Quality Act. Currently the Porter-Cologne Water Quality Act authorizes each California regional water quality control board to delegate certain powers to its executive officer. That authorization excludes the executive officer from a delegation of power to ask the Attorney General for judicial enforcement. [AB 246](#) (Bob Wieckowski, D-Fremont) would delete that exclusion, and instead authorize a district attorney or a city attorney to pursue judicial enforcement only after approval by the Attorney General. The measure passed out of the Senate Environmental Quality Committee 4 to 2 along party lines. Farm Bureau opposes.

[SB 900](#) (Darrell Steinberg, D-Sacramento) would expand the pool of candidates eligible to serve on regional water quality control boards and will be heard in the Assembly Environmental Safety and Toxic Materials Committee on June 28. This measure will allow a person to serve on a regional water quality control board even if they receive, or have received in the previous two years, a portion of their income from someone who is subject to waste discharge requirements governed in another regional board's jurisdiction. Farm Bureau supports.

A measure that would provide a conditional water right registration process for small irrigation projects will be heard in the Senate Natural Resources and Water Committee June 28. [AB 964](#) (Jared Huffman, D-San Rafael) would provide a means by which winegrape growers could obtain authorization to develop small offstream storage projects (no more than 20 acre feet annually) that could be used for frost protection while protecting fisheries. The bill is sponsored by the Wine Institute. Farm Bureau supports.