



CALIFORNIA FARM BUREAU FEDERATION

FRIDAY REVIEW

LEGISLATIVE AND GOVERNMENTAL UPDATE

August 28, 2009

On Thursday, August 27th, the Senate and Assembly Appropriations Committee considered their respective Suspense Files for the second time this year. This time each house considered the other's bills. In the Senate, any bill that would potentially cost the state's General Fund more than \$50,000 to implement, or \$150,000 for Special Funds, was temporarily held in "suspense." The Assembly had a \$150,000 threshold this year for both the General and Special Funds.

The Senate Appropriations Committee had 164 bills on its Suspense File that would have cost approximately \$29.7 million. The committee approved 98 bills (59 percent), 34 of which could potentially cost the General Fund \$5 million. On the Assembly side, its Appropriation Committee considered 90 bills on its Suspense File that would have cost \$600 million, if enacted. The committee passed 62 measures (68 percent) costing the state \$4 million.

One of the bills approved by Senate's fiscal committee approved [AB 226](#) (Ruskin, D-Redwood City) that would greatly expand the Coastal Commission's enforcement authority by allowing the Commission to act as both prosecutor and judge and impose civil penalties and allow the Commission to retain the penalties it assesses to augment its own budget. Currently, civil penalties are imposed by the Attorney General's office on behalf of the Coastal Commission. AB 226 is the result of a recommendation from the Legislative Analyst Office (LAO) analysis of the Coastal Commission's budget from the 2008-09 budget bill. Among other recommendations, the LAO suggested allowing the Commission to impose civil penalties as a way to augment the Commission's budget. Farm Bureau is opposed to AB 226 and it is currently the subject of [Farm Team Alert](#) along with [AB 291](#) (Saldaña, D-San Diego). AB 291 is another Coastal Commission bill that would allow the Commission's staff to halt processing of a permit application if the staff asserts that any violation exists on any property for which a permit is filed. This measure was developed by the Commission to reduce its backlog of permit applications by granting Commission staff the authority to deny permit applications without a hearing. We urge all Farm Bureau members to participate in this Farm Team Alert.

The Senate Appropriations Committee also sent [AB 64](#) (Karen Bass, D-Los Angeles and Paul Krekorian, D-Burbank) to the Senate Floor. This measure remains the most controversial of the 3 legislative vehicles to increase the requirement to procure electricity from renewable resources from the current 20% by 2010 to at least 33% by 2020. CFBF continues to oppose the bill due to the provision to establish an Energy Planning and Infrastructure Coordinating Committee that would be tasked with designating and ranking transmission corridors and there is still no requirement in the bill to provide any notice to landowners about the designation of transmission corridors. The vote to take AB 64 off the Suspense File was 8 to 5 with all Republicans voting "No."

The Assembly Appropriations committee sent [SB 2](#) (Wiggins, D-Santa Rosa) to the Assembly Floor. This bill extends the sunset date for the Pierce's Disease Control Program from March 2011 to March 2016 and expands the advisory board's authority to expend funding on any other disease or pest that they find threatens California's grape crop. The bill also provides the required findings necessary for the advisory board to expand the prevention program and prohibits the use of state General Funds after March 1, 2011, on any new research and outreach programs relating to other designated pests or diseases beyond the glassy winged sharpshooter and Pierce's Disease.

[SB 250](#) (Florez) also came off of the Assembly Suspense File yesterday. The bill was amended to exempt working dogs used on California's farms and ranches, however it did not ensure that this exemption would be acknowledged by local governments if they were to enact further spay and neuter requirements. When Senator Florez committed to taking amendments to exempt working dogs, he also committed to ensuring that this exemption would be protected at the local level. This bill currently requires dogs, not covered by the exemptions, and cats in California to be spayed or neutered, unless the owner obtains an "intact" permit for the dog, or keeps the cat indoors at all times. If dog owners have been cited for certain pet related violations, they are ineligible to obtain an intact permit. Included in the list of violations, is allowing a dog to run at large. CFBF remains opposed to SB 250 until the working dog exemption is covered at both the state and local levels. The bill now moves to the Assembly Floor.

On August 27, the Assembly passed [SB 789](#) on a 46-28 vote. The Assembly immediately returned the bill to the house of origin, which is expected to forward it directly to the Governor. This will leave the Governor 12 days in which to sign or veto SB 789. CFBF and a broad coalition of business and agriculture organizations have opposed SB 789 and have urged the Governor to veto it.

[SB 261](#) (Bob Dutton, R-Inland Empire & Denise Ducheny, D-San Diego) was held in the Assembly Appropriations Committee this week and is now a two-year bill. The measure, sponsored by the Santa Ana Watershed Project Authority, would require the Department of Water Resources to include a strategy for use of agricultural water use efficiency management programs, including costs and benefits of the efficiency improvements in on-farm distribution systems, as well as requiring urban, commercial, industrial and institutional water suppliers to develop and implement a water use conservation plan. Farm Bureau and a diverse group of agricultural and business organizations worked with the authors to include agricultural water use efficiency and to recognize the implementation of past and current agricultural water use efficiency measures. Farm Bureau supported SB 261.

The Assembly Water, Parks & Wildlife and Senate Natural Resources & Water Committees held the last of three joint hearings on a five-bill Delta/Water package this week. The five-bill water package; preprint SB 1 (SB 12, Simitian); preprint SB 2 (SB 229, Pavley); preprint SB 4 (SB 458, Wolk); preprint AB 1 (AB 39, Huffman); and preprint AB 2 (AB 49, Feuer) is expected to move to the Conference Committee next week. The Conference Committee may be made up of three Assemblymembers and three Senators although there has been some talk of expanding that number to 10. Senate Pro Tem Steinberg and Assembly Speaker Bass are expected to make the final decision on the size and make up of the committee in the coming days.

During each of the informational joint hearings Farm Bureau stressed that the bill package is lacking in key elements necessary for a reliable water supply and includes elements that will hinder economic and Delta ecosystem recovery goals. Farm Bureau and a coalition of irrigation districts, water districts and agricultural organizations are opposed to the bills. The governor has also indicated that he will not sign any water bills that are not part of a comprehensive solution to the state's water crisis.