

ASSEMBLY COMMITTEE ON AGRICULTURE

CATHLEEN GALGIANI, CHAIR

2011 SUMMARY

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MINORITY CONSULTANT:

Doug Haaland, Minority Consultant

October 30, 2011

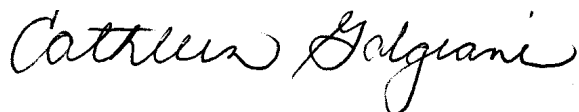
TO ALL INTERESTED PARTIES:

The following report summarizes legislation referred to the Assembly Committee on Agriculture during the 2011 legislative session and indicates the final status of each measure.

The Committee's primary jurisdiction extends to agricultural land use, commodity specific legislation, agricultural commissions and councils, the California Department of Food and Agriculture, fairs and expositions, agricultural marketing, pesticides, and food safety and labeling.

For additional information regarding this summary, or other activities of the Assembly Committee on Agriculture, please contact the Committee staff at 916-319-2084.

Sincerely,

A handwritten signature in black ink that reads "Cathleen Galgiani". The signature is written in a cursive, flowing style.

Cathleen Galgiani, Chair
Assembly Committee on Agriculture

Assembly Committee on Agriculture
Cathleen Galgiani, Chair

2011 Summary

ASSEMBLY BILLS:

AB 74 (Ma) – Public Event Action Plans and Cooperataive Agreements for Agricultural Inspector Services

As passed by the Legislature, this bill requires that state agencies, including district agricultural associations (DAA), and joint powers agencies that include a DAA, must conduct a threat assessment for all events where the expected attendance is over 10,000 people. This bill also reinstates previous law related to California Department of Food and Agriculture's cooperative agreements for Agricultural Inspector Services.

Chaptered by Secretary of State, Chapter 666, Statutes of 2011.

AB 222 (Committee on Agriculture) – Food and Agriculture Omnibus Bill

This bill 1) deletes obsolete reporting requirements that have passed for the California Department of Food and Agriculture (CDFA) and the Food Biotechnology Task Force; 2) defines "business day" as it relates to the impoundment of dogs and cats in public or private shelters; 3) deletes the \$100 per diem provision for California Walnut Commission (CWC) members, alternate members, and committee members, and instead provides that CWC members may receive an amount not to exceed reasonable and necessary traveling expenses and meal allowances, as established by CWC; and, 4) specifies that for civil service employees working for the 50th District Agricultural Association (DAA) who choose to remain in state service, the joint powers agency may contract with the 50th DAA for the services of the employee rather than CDFA.

Chaptered by Secretary of State, Chapter 97, Statutes of 2011.

AB 258 (Hagman) – Rabies: Vaccinations

This bill allows exemptions from canine antirabies vaccination requirements to the owner of a dog that a licensed veterinarian determines has a compromised immune system or pre-existing condition that renders the vaccine dangerous to the animal's health.

Chaptered by Secretary of State, Chapter 542, Statutes of 2011.

AB 581 (John A. Pérez) – Public Health: Food Access

This bill creates the California Healthy Food Financing Initiative (CHFFI), the CHFFI fund and the CHFFI Council, for the purpose of expanding access to healthy foods in underserved communities. Requires the Secretary of the California Department of Food and Agriculture (CDFA), by July 1, 2012, to prepare recommended actions to be taken to promote food access within California. Authorizes CDFA to create an Advisory Group, as specified. This authority remains in effect until January 1, 2017.

Double Referred to Assembly Committee on Agriculture and Assembly Committee on Health.

Chaptered by Secretary of State, Chapter 505, Statutes of 2011.

AB 634 (Huber) – Vertebrate Pest Control: carbon monoxide

This bill allows the use of carbon monoxide for the control of burrowing rodent pest control, in accordance with existing pest control laws.

Chaptered by Secretary of State, Chapter 407, Statutes of 2011.

AB 691(Perea) – Agency Regulations and Economic Impacts

This bill designates the Secretary of the California Department of Food and Agriculture as an ombudsman responsible for providing assistance in obtaining permits expeditiously from the state and assist in policy development of agricultural related issues. The ombudsman is required to review and identify agricultural regulations within the state and other government agencies, and to initiate reviews of such. Additionally, this bill requires agencies developing regulations to evaluate and include additional information to the Office of Administrative Law for approval of proposed regulations.

In Assembly Appropriations Committee. Set, second hearing. Held under submission.

AB 781 (John A. Pérez) – Local Government

As introduced February 17, 2011, this bill pertained to the Williamson Act, and was double-referred to the Assembly Committee on Agriculture and the Assembly Committee on Local Government. It passed the Assembly Committee on Agriculture on April 27, 2011, and the Assembly Committee on Local Government on May 12, 2011. The bill was amended in the Senate on June 20, 2011, and the subject matter changed to Local Government: counties: unincorporated areas.

Senate Inactive File.

AB 914 (Atkins) – State Commissions: Market Information

As passed by the Legislature, this bill makes changes to the Cut Flower Commission (CFC) and the California Avocado Commission (CAC), as specified. Specifically, this bill 1) requires CFC to annually collect information relating to the type and varieties of cut flower's market price information based on sales to prevent unfair trade practices; and, 2) authorizes CAC to utilize the information provided to CAC for specified purposes, including food safety and communications. This bill would also revise the provision requiring CAC to reapportion those districts every five years by determining the average number of pounds of fruit produced in each ZIP Code area in the five, rather than two, crop years prior to a specified referendum.

Chaptered by Secretary of State, Chapter 322, Statutes of 2011.

AB 921 (Allen) – Agriculture Water Use Efficiency: compost Applications

This bill requires the California Department of Food and Agriculture, in conjunction with the Department of Water Resources, to oversee a study or studies conducted by the University of California Extension Service, in partnership with local water districts, agricultural interests and compost producers, to measure increases in water use efficiency through the use of compost in agricultural settings, and other potential benefits from the use of compost, with regard to climate change.

In Assembly Committee on Appropriations. Set, Second Hearing. Held in Committee.

AB 1014 (Fletcher, Chesbro) – Food Facilities: Definition

This bill was introduced February 18, 2011, and referred to the Assembly Committee on Agriculture. On March 16, 2011, pursuant to Assembly Rule 96, AB 1014 was re-referred to the Committee on Health, as the subject matter changed to Food Facilities: definition.

Chaptered by Secretary of State, Chapter 159, Statutes of 2011.

AB 1154 (Bill Berryhill) – California Nursery Producers Commission

This bill would exempt from the provisions relating to the California Nursery Producers Commission, crops that are subject to assessments imposed upon gross sales of fruit trees, nut trees, and grapevines by licensed nursery dealers, or imposed for the support of the California Citrus Nursery Board.

In Assembly Committee on Agriculture. Set, first hearing. Hearing canceled at the request of author.

AB 1176 (Williams) – Pesticides: Toxic Air Contaminant

This bill requires the Director of the Department of Pesticide Regulation to complete at least one report per year on the health impacts of a pesticide which may be determined to be a Toxic Air Contaminant (TAC). It also requires at least two pesticides per year go through the TAC determination process, and makes technical and conforming changes.

Double-referred to the Assembly Committee on Environmental Safety and Toxic Materials, and Assembly Committee on Agriculture. Failed Passage in Assembly Committee on Agriculture. Reconsideration Granted.

AB 1204 (Dickinson) – Fairs: California Exposition and State Fair Authority

This bill would add two new areas of knowledge, in which Governor's appointees to the California Exposition and State Fair's board (board) are required to have general expertise. Specifically, this bill 1) requires that public relations and marketing are subject areas that Governor's appointees to the board possess; 2) requires board members to continue on the board past the expiration of their term, until a replacement is appointed and qualified; and, 3) makes technical changes by deleting obsolete code.

In Assembly Committee on Agriculture. Set, first hearing. Hearing Canceled at the request of Author.

AB 1265 (Nielsen) – Local Government: Williamson Act

This bill creates a temporary program that counties can use when the state's open space subventions are less than a specified level. This bill allows counties to increase the assessed values of Williamson Act contracted land and divert the resulting property tax revenues. The provisions of this bill become effective January 1, 2011, and sunset January 1, 2016.

Chaptered by Secretary of State, Chapter 90, Statutes of 2011.

AB 1266 (Nielsen) – Local Government: Williamson Act: Agricultural Preserves: Advisory Board

This bill allows Williamson Act (Act) advisory boards to advise a legislative body of a city or county, on matters as specified. Specifically, this bill 1) allows an advisory board, in addition to advising on the administration of the agricultural preserves in the county or city, to advise the city or county on any matters relation to Act contracts, including, but not limited to, the following: program benefits; costs; amendments; and, landowners participation. This bill also provides that the advisory board process is not the only means by which a board of supervisors or city council may address or receive advice regarding agricultural preserve matters.

Senate Inactive File.

HOUSE RESOLUTIONS:

HR4 (Galgiani) – California Agriculture Day

Honors the men and women of California agriculture for their dedication and productivity by observing the week of March 13, 2011 to March 19, 2011, inclusive, as National Agriculture Week, and March 23, 2011 as California Agriculture Day.

Read and Adopted March 17, 2011.

SENATE BILLS:

SB 226 (Simitian, Vargas) – California Environmental Quality Act

This bill streamlines the California Environmental Quality Act (CEQA) and adds exemptions from CEQA for specific types of projects.

Double-referred to the Assembly Committee on Natural Resources and the Assembly Committee on Agriculture.

Chaptered by Secretary of State, Chapter 469, Statutes of 2011.

SB 249 (Yee) – District Agricultural Associations: 1-A District Agricultural Association: Facilities

As introduced, this bill makes changes to the appointment process of District Agricultural Association 1-A's (Cow Palace) Board of Directors by shifting some appointment authority to the Mayors of San Francisco and Daly City. This bill was amended on July 14, 2011 to require the Cow Palace submit a risk assessment plan to specified local governments before authorizing private exhibitor events.

In Assembly Committee on Agriculture. Set, first hearing. Hearing canceled at the request of author.

SB 276 (Corbett) – General Acute Care Hospitals: Special Services

As introduced, SB 276 would allow the Executive Director of the California Science Center to appoint specified security and safety personnel if there is no Exposition Park Manager. This bill was amended on September 2, 2011, and the subject matter changed to General Acute Care Hospitals: special services; the author changed from Senator Wright to Senator Corbett.

Re-referred to Assembly Committee on Rules per Assembly Rule 77.2.

SB 513 (Cannella) – Renderers and Farmers' Markets: Regulatory Fees

This bill creates the Rendering Industry Advisory Board (RIAB) within the California Department of Agriculture (CDFA). Specifically, this bill: 1) creates a seven member RIAB, appointed by the Secretary of CDFA, of which six must be renderers licensed by CDFA and one must be a member of the public; 2) authorizes CDFA to adopt regulations and procedures to be used by RIAB to administer this statute. Pursuant to these regulations, CDFA is required to accept the recommendations of RIAB if they find them to be practicable and in the interest of the rendering industry and the public. Requires CDFA, within 30 days of receiving RIAB recommendations, to notify RIAB of their acceptance or provide a written statement of reasons they were not accepted; 3) reinstates an additional fee, which sunset on January 1, 2011, of not more than \$3,000 per year on each licensed rendering plant or collection center or transporter of inedible kitchen grease, to cover the reasonable cost of administering this statute. Unpaid fees are subject to a penalty of 10% per annum. This authority will sunset on July 2, 2016; and, 4) extends the sunset for Certified Farmers' Market fees until January 2, 2014.

Chaptered by Secretary of State, Chapter 337, Statutes of 2011.

SB 549 (Rubio) – Eggs: Assessment Fees

This bill would increase the assessment fee on in-state and out-of-state eggs from a maximum of \$0.05 per 30 dozen to a maximum of \$0.15 per 30 dozen. Specifically, this bill: 1) adds an assessment fee on out-of-state egg products brought into California of up to \$0.15 per 30 dozen eggs equivalent; 2) requires the Secretary of the California Department of Food and Agriculture to establish a lower rate of egg assessment that reasonably covers the cost of administration and enforcement of the shell egg program; and, 3) makes technical and non-substantive changes.

Chaptered by Secretary of State, Chapter 340, Statutes of 2011.

SB 618 (Wolk) – Local Government: solar-use Easement

This bill authorizes a city or county and a landowner to rescind a Williamson Act contract on agricultural lands of limited agriculture value and enter into a solar-use easement that restricts the use of land to photovoltaic solar facilities, as specified.

Double-referred to Assembly Committee on Agriculture and Assembly Committee on Local Government.

Chaptered by Secretary of State, Chapter 596, Statutes of 2011.

SB 668 (Evans) – Local Government: Williamson Act

This bill allows a city or county, to offset a reduction in state subvention payments for the Williamson Act (Act), to accept contributions from a nonprofit land-trust organization, a nonprofit entity, or a public agency, for specific land that is under an Act contract, to supplement the city or county's foregone property tax revenues.

Chaptered by Secretary of State, Chapter 254, Statutes of 2011.

SB 676 (Leno) – Industrial Hemp

As passed by the Legislature, this bill authorizes an eight-year pilot project with respect to the cultivation and processing of industrial hemp. This bill was double referred to the Assembly Committee on Public Safety and the Assembly Committee on Agriculture.

Vetoed by the Governor.

SB 707 (Cannella, Wolk) – Agricultural Development

This bill adds olive trees, except for ornamental olive trees, in the types that a special assessment is paid on to fund research, provides virus tested and disease free stock, true-to-type validations and authorizes contracting for research. Further, it adds a licensed olive nursery representative to the program's advisory board, reduces the pome fruit representation from two to one, and makes technical conforming changes.

Chaptered by the Secretary of State, Chapter 343, Statutes of 2011.

SB 818 (Wolk) – Food labeling: olive oil

This bill redefines California's olive oil labeling requirements to conform to United States (US) labeling standards as outlined in the US Standards for Grades of Olive Oil and Olive-Pomace oil, published in the Federal Register, that took effect on October 25, 2010.

Chaptered by Secretary of State, Chapter 567, Statutes of 2011.

SB 899 (La Malfa) – Fairs

This bill would remove county fairs from the California Department of Food and Agriculture's (CDFA) duty to conduct fiscal and performance audits and for which the Legislature is authorized to appropriate specified revenue to CDFA.

In Assembly Committee on Agriculture. Set, first hearing. Hearing canceled at the request of author.

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