

# **Senate Committee on Agriculture**

Senator Anthony Cannella, Chair

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## **2011-2012 Legislative Summary**

### **Introduction**

This publication provides a comprehensive report of bills heard by the Senate Committee on Agriculture as well as a brief synopsis of the informational hearings held during the 2011-2012 legislative session.

This report is intended to provide a quick reference to bills that were considered by the Committee and is not intended to provide a comprehensive analysis of each bill. Each summary includes the bill number and author, with the final status of the bill presented in italics. Bills that the Legislature passed and the Governor signed into law also include their chapter references.

The Committee also keeps a record of all informational hearings. The record includes the hearing agenda, background materials developed by Committee staff, testimony, and supporting materials submitted by witnesses. In addition, informational hearings are often audio recorded and occasionally video recorded, and these recordings available upon request.

If you would like additional information about a particular bill or informational hearing presented in this report, please contact the Committee office by phone at (916) 651-1508 or visit the Committee's website at <http://sagri.senate.ca.gov>. The Legislative Data Center also maintains a website where all bills and analyses are readily available. This website can be accessed at <http://www.leginfo.ca.gov/>.

## Senate Bills

### **District agricultural associations:**

#### **SB 249 (Yee)**

#### **1-A District Agricultural Association: membership**

This bill would have required changes to the composition of board of directors for the 1-A district agricultural association. *This bill was later amended and all agriculture-related provisions removed.*

### **Expositions and fairs:**

#### **SB 276 (Wright)**

#### **California Science Center: police and security services**

This bill would have eliminated the position of Exposition Park Manager for the California Science Center and would have authorized the Executive Director of the California Science Center to appoint specified security and safety personnel. *This bill was later amended and all agriculture-related provisions removed.*

#### **SB 513 (Cannella)**

#### **Renderers and farmers' markets: regulatory fees**

This bill establishes within state government a Rendering Industry Advisory Board and reinstates the renderer enforcement program at the Department of Food and Agriculture. This bill also extends the sunset date for certified farmers' market operator fees to be collected by the Department of Food and Agriculture and extends the enforcement article for civil penalties and appeal provisions for certified farmers' markets. *Signed into law. Chapter 337, Statutes of 2011.*

#### **SB 549 (Rubio)**

#### **Eggs: assessment fees**

This bill raises the maximum assessment fee on eggs sold in California and expands the scope of the assessment to include egg products produced out-of-state. *Signed into law. Chapter 340, Statutes of 2011.*

#### **SB 625 (Hernandez)**

#### **Nursery stock**

This bill would have authorized the Secretary of the California Department of Food and Agriculture to develop and implement an audit-based certification system for nursery stock shipments to mitigate the spread of plant pests. This bill would have also required existing standards of cleanliness for nursery products mandatory. *Held in the Assembly Appropriations Committee under submission.*

#### **SB 676 (Leno)**

#### **Industrial hemp**

This bill would have permitted the cultivation of industrial hemp in California. *Vetoed, 2011.*

#### **SB 707 (Cannella)**

#### **Agricultural development**

This bill includes olive trees within an existing 1% fee assessment and extends the membership of the Fruit Tree, Nut Tree and Grapevine Improvement Advisory Board to representatives from the olive industry. *Signed into law. Chapter 343, Statutes of 2011.*

**SB 899 (LaMalfa)**

**District agricultural associations**

As heard in the Senate Committee on Agriculture, this bill would have eliminated the requirement for District Agricultural Associations to seek approval from the Department of General Services prior to exercising specified powers granted to them. *This bill was later amended and all agriculture-related provisions removed.*

**SB 1119 (T. Berryhill)**

**Pesticides: violations: civil penalties**

This bill would have specified that if the county agricultural commissioner determines that a conflict-of-interest exists, a civil penalty for certain violations of law and/or regulations relating to pesticides may be levied by another commissioner designated by the Director of the Department of Pesticide Regulation. *Held in the Senate Agriculture Committee without a hearing.*

**SB 1126 (Walters)**

**The Wildlife Center**

This bill would have required the California Department of Food and Agriculture to grant the Wildlife Center in San Diego a five-year permit to operate and would have required the Department of Fish and Game to release the remains of a dog-coyote hybrid to the Wildlife Center upon request. *Held in the Senate Agriculture Committee without a hearing.*

**SB 1187 (Rubio)**

**California Seed Law**

This bill would have expanded the definition of “person” and clarify the definition of “neighbor” for purposes of the California Seed Law. This bill would have also clarified legislative intent that seed purchased by consumer-buyers be properly identified with the amount of seed represented on the tag or label. *Held in the Assembly Inactive File.*

**28<sup>th</sup> District Agricultural Association:**

**SB 1253 (S. Runner)**

**joint powers agreement**

This bill would have allowed the 28<sup>th</sup> District Agricultural Association (DAA) to enter into a joint powers agreement to operate, maintain, and improve the 28<sup>th</sup> DAA. *Held in the Assembly Appropriations Committee under submission.*

**SB 1415 (Wolk)**

**Olive trees: annual assessment: exemptions**

This bill would have specified that the Secretary of the California Department of Food and Agriculture may exempt certain varieties of olive trees from an annual assessment if it can be demonstrated that no benefit for these varieties is derived from the assessment. *Held in the Assembly Agriculture Committee without a hearing. These provisions were enacted in AB 2632.*

## Assembly Bills

### AB 35 (Solorio)

### 32<sup>nd</sup> District Agricultural Association

This bill would have authorized the Board of Directors of the Orange County Fair to enter into a revenue-sharing plan with the state regarding property assets owned by the 32<sup>nd</sup> District Agricultural Association if the plan would generate revenue in excess of \$100 million. *Held in the Senate Agriculture Committee without a hearing.*

### AB 222 (Assembly Agriculture Committee)

### Food and Agriculture: omnibus bill

This bill deletes obsolete, expired reporting requirements; authorizes a joint powers agency to contract with the 50<sup>th</sup> District Agricultural Association for employee services; defines the term “business day” for purposes of holding period requirements for a stray dog or cat impounded in a shelter, and replaces the maximum per diem allowance for members of the California Walnut Commission with an amount not to exceed reasonable and necessary traveling expenses and meal allowances. *Signed into law. Chapter 97, Statutes of 2011.*

### AB 292 (Galgiani)

### High-speed rail: agricultural lands

This bill would have required the High-Speed Rail Authority to appoint and consult with an agricultural advisory committee prior to adopting any policy relevant to agriculture. *Held on the Senate Floor.*

### AB 581 (John A. Pérez)

### Public health: food access

This bill establishes the California Healthy Food Financing Initiative for the purpose of expanding access to healthy foods in underserved communities. *Signed into law. Chapter 505, Statutes of 2011.*

### AB 634 (Huber)

### Vertebrate pest control: carbon monoxide

This bill authorizes the use of carbon monoxide for the control of burrowing rodent pests, as specified. *Signed into law. Chapter 407, Statutes of 2011.*

### AB 907 (Ma)

### Processors of Farm Products

This bill increases by three times the amount of fees due to the Secretary of the California Department of Food and Agriculture if any person is found to be operating as a processor without a license. This bill also expands the definitions for surety bonds and irrevocable guarantees as proof of financial responsibility. *Signed into law. Chapter 465, Statutes of 2012.*

### AB 914 (Atkins)

### State Commissions: market information

This bill authorizes the California Avocado Commission to require avocado producers to provide specified production information; increases the number of crop years used to determine the reapportionment of avocado districts, and requires the California Cut Flower Commission to collect and disseminate market price information in order to prevent unfair trade practices. *Signed into law. Chapter 322, Statutes of 2011.*

**AB 1625 (Allen)**

**Transition to Organics Act**

This bill would have established the Transition to Organics Fund, administered by the California Department of Food and Agriculture, to provide financial assistance to persons who are transitioning their farms from conventional to certified organic farming systems. Funds would have consisted of moneys contributed from industry and citizen sources. *Vetoed, 2012.*

**AB 2174 (Alejo)**

**Fertilizer: reduction of use**

This bill identifies the University of California Cooperative Extension, the California resource conservation districts, other institutions of higher education or other qualified entities to provide specified technical education, research programs, and education awareness of methods that result in more agronomically sound uses of fertilizer materials to reduce environmental impacts. *Signed into law. Chapter 198, Statutes of 2012.*

**AB 2378 (Huber)**

**Rendering: enforcement**

This bill increases fines, penalties, and duration of imprisonment for specified violations of the licensing and transport statutes relating to the rendering and transport of inedible kitchen grease. This bill also expands the period of time that renderers, collection center operators, and transporters must retain specified transaction records reflecting sales and transport of inedible kitchen grease. *Signed into law. Chapter 303, Statutes of 2012.*

**AB 2682 (Assembly Agriculture Committee)**

**Agriculture**

This bill permits the California Science Center's space-age museum to establish an air and space center; exempts certain varieties of olive trees from fee assessments; classifies kefir as a class 2 milk market product; excludes grocery stores that cut and wrap cheese from the definition of milk products plant; makes technical changes to the appointment of members to the Dairy Council of California, and makes technical changes to the rules for the California Walnut Commission to become nonoperational. *Signed into law. Chapter 323, Statutes of 2012.*

## **Informational Hearings**

### **7/15/11 From Food to Rail: High-Speed Rail Impacts on Agriculture.**

This hearing examined how the proposed high-speed rail project would affect California agriculture. *The hearing was held jointly with the Senate Committee on Transportation and Housing at the County Administration Building in Merced, California.*

### **12/14/11 Invasive Pest Prevention in California.**

This hearing examined the growing impact of invasive pests in California and discussed methods to mitigate pest infestations through research and coordination between government entities and rural and urban communities. *The hearing was held at the California Science Center in Los Angeles, California.*

### **2/24/12 Regulatory Impacts on Agriculture**

This hearing examined how state regulations impact California's agriculture industry both locally and statewide. *The hearing was held at the Monterey County Government Center in Salinas, California.*

### **5/18/12 Agricultural Metal Theft**

This hearing provided the opportunity for agriculturalists and law enforcement officers to describe their efforts on mitigating agricultural metal theft in California, as well as discuss collaborative solutions and necessary future actions. *The hearing was held at the Fresno County Hall of Records in Fresno, California.*

### **9/13/12 Proposition 37: Genetically Engineered Foods. Mandatory Labeling**

Pursuant to Section 9034 of the Elections Code, the Legislature is required to hold public joint informational hearings on measures that qualify for the ballot. This hearing served to meet this statutory requirement. Proposition 37 would require the mandatory labeling of genetically engineered foods. *The hearing was held jointly with the Assembly Committee on Agriculture at the State Capitol in Sacramento, California.*

### **10/11/12 The Future of Fairs in California**

This hearing examined the current financial status of California's fairs and discussed future alternative financial solutions. *The hearing was held at the Fresno County Fairgrounds in Fresno, California.*