

Senate Committee on Agriculture

Senator Cathleen Galgiani, Chair

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2017-2018 Legislative Summary

Introduction

This publication provides a comprehensive list of bills heard by the Senate Committee on Agriculture as well as a brief synopsis of the oversight and informational hearings held during the 2017-2018 legislative session.

This report is intended to provide a quick reference to bills considered by the Committee and is not intended to provide a comprehensive analysis of the bills. Each summary includes the final status of the bill. Bills the Legislature passed and the Governor signed into law also include their chapter references.

The Committee also keeps a record of all oversight and informational hearings. The record includes the hearing agenda, background materials developed by Committee staff, testimony, and supporting materials submitted by witnesses. In addition, oversight and informational hearings are generally audio and/or video recorded. Those recordings are posted on the Senate's website at <http://senate.ca.gov/media-archive>.

If you would like additional information about a particular bill or oversight 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 Legislature also maintains a website where all bills and analyses are readily available. This website can be accessed at <http://leginfo.legislature.ca.gov/>.

Senate Bills

SB 243 (Galgiani)

Citrus disease prevention

This bill appropriates \$9,616,000 from the Citrus Disease Management Account to the Department of Food and Agriculture for operating expenses necessary for the prevention and management of citrus diseases.

Signed into law. Chapter 10, Statutes of 2017

SB 276 (Dodd)

Greenhouse Gas Reduction Fund: exemptions

As heard by this committee, this bill would have exempted the Healthy Soils Program and the State Water Efficiency and Enhancement Program from requirements that the California Department of Food and Agriculture review proposed projects funded by the Greenhouse Gas Reduction Fund for potential adverse impacts such as a net increase in criteria pollutants, toxic air contaminants, and hazardous air pollutants; ground and surface water impacts; and truck traffic and odor.

Died in the Senate Committee on Appropriations, held on the suspense file.

SB 335 (Cannella)

Nursery Advisory Board

This bill codifies the Nursery Advisory Board within the California Department of Food and Agriculture to provide recommendations to the secretary on all matters pertaining to the nursery industry.

Signed into law. Chapter 234, Statutes of 2017

SB 368 (McGuire)

Horse racing: fairs: funding

This bill provides that any unallocated balance, as specified, from the Fair and Exposition Fund as well funding appropriated by the legislature or otherwise designated for California fairs, is to be continuously appropriated to the secretary of the California Department of Food and Agriculture for capital outlay to California fairs.

Signed into law. Chapter 808, Statutes of 2017

SB 475 (Galgiani)

Citrus disease prevention: Citrus Disease Management Account

This bill would have provided a continuous appropriation of money from several sources to be made available to the Citrus Disease Management Account within the California Department of Food and Agriculture for the purpose of combating citrus-specific pests, diseases, and their vectors.

Died in the Senate Committee on Agriculture, hearing not requested by the author.

SB 668 (McGuire)

Commercial feed: violations: administrative penalty

This bill removes the current provisions that specify different criminal penalties for noncompliance with state regulations regarding the sale of commercial feed in California and provides that any person who manufactures or distributes any commercial feed in California

without complying with state regulations will be subject to a fine of not more than \$5,000 for the first violation and not less than \$5,000 for each subsequent violation. This bill requires all funds received from the collection of these civil penalties to be deposited into a special account within the California Department of Food and Agriculture to be used to cover the costs related to enforcement of commercial feed provisions. This bill also authorizes the secretary to deny a license to sell commercial feed to a person for three years if he or she has been in violation of the regulations relating to commercial feed.

Signed into law. Chapter 683, Statutes of 2018

SB 782 (Skinner)

School meals: California-grown food

As heard by this committee, this bill would have established the California Grown Fresh School Meals Grant Program within the California Department of Food and Agriculture to provide grants for public schools to buy California-grown food and expand the number of freshly prepared school meals that use these food products.

This bill was later amended and all agriculture-related provisions removed.

SB 900 (Wiener)

Electronic benefits transfer system: CalFresh supplemental benefits

This bill would have established the California Fruit and Vegetable Electronic Benefits Transfer (EBT) System Pilot Project and would have required the California Department of Social Services (CDSS), in consultation with the California Department of Food and Agriculture and specified stakeholders, to include within the EBT system a supplemental benefit mechanism that would allow authorized retailers to deliver and redeem supplemental CalFresh benefits. The bill also would have required CDSS to provide grants to implement and test the supplemental benefits mechanism in existing retail settings.

Died in the Assembly Committee on Human Services, hearing cancelled at request of the author.

SB 965 (McGuire)

California Cattle Council

This bill establishes the California Cattle Council within the California Department of Food and Agriculture (CDFA) to provide production research, producer and consumer education, and various promotional activities related to cattle in California; and provides that the council will consist of 11 members and 11 alternates appointed by the secretary of CDFA. This bill assesses \$1 per head of live cattle and calves sold to enable the council to carry out programs and administer activities.

Signed into law. Chapter 410, Statutes of 2018

SB 1039 (Pan)

Market milk: ultra-filtered milk products

This bill defines “ultra-filtered milk products” and authorizes the secretary of the California Department of Food and Agriculture to establish milk standards for ultra-filtered milk products sold in California.

Signed into law. Chapter 510, Statutes of 2018

SB 1409 (Wilk)

Industrial hemp

This bill updates existing California law pertaining to the production and cultivation of industrial hemp by amending the definition of “industrial hemp” so that it is no longer defined as a fiber and oilseed crop; establishes requirements for registration, renewal, and permitting; establishes testing and sampling procedures; and authorizes the California Department of Food and Agriculture to establish and implement an industrial hemp registration pilot program.

Signed into law. Chapter 986, Statutes of 2018

SB 1459 (Cannella) Cannabis cultivation: county agricultural commissioners: reporting

As heard by this committee, this bill would have allowed a county agricultural commissioner to include cannabis in his or her report on the county’s agricultural products.

This bill was later amended and all agriculture-related provisions removed.

Assembly Bills

AB 243 (Cooper)

California Beef Commission

This bill would have created the California Beef Commission to augment and support the work of the California Beef Council to expand beef markets and improve competitiveness, conduct research, and negotiate with government agencies. This bill would have prescribed membership, powers and duties, fees, actions and penalties, and implementation, continuation, and termination voting procedures. The commission would not have become operative unless a favorable producer referendum vote occurred before June 1, 2019.

Died in the Senate Committee on Judiciary, hearing cancelled at the request of the author.

AB 376 (Chavez)

Veterans benefits: veteran farmers or ranchers

This bill requires by July 1, 2018, the California Labor and Workforce Development Agency, the California Department of Veterans Affairs, and the California Department of Food and Agriculture to post information on their respective Web sites to assist, educate, train, and otherwise support California’s military veterans to enter into farming or ranching careers in California.

Signed into law. Chapter 188, Statutes of 2017

AB 564 (Agriculture Committee)

**Food and agriculture:
fruits, nuts and vegetables: inspections**

This bill authorizes the California Department of Food and Agriculture to regulate and enforce food safety programs adopted by the state or by the federal government for raw unprocessed fruits, nuts, or vegetables.

Signed into law. Chapter 79, Statutes of 2017

AB 768 (Aguiar-Curry) Certified farmers' markets: enforcement: civil penalties

This bill repeals the sunset date for enforcement provisions of direct marketing.

Signed into law. Chapter 83, Statutes of 2017

AB 822 (Caballero) Institutional purchasers: sale of California produce

This bill requires all California state-owned or state-run institutions, except public universities and colleges and school districts, to give bid preferences to California-grown agricultural products, as specified.

Signed into law. Chapter 785, Statutes of 2017

AB 861 (Dahle) Africanized honey bees

This bill authorizes a county agricultural commissioner, in the absence of a local ordinance, to take abatement action against a hive containing Africanized or overly defensive honey bees if it is determined that the hive is a public nuisance.

Signed into law. Chapter 143, Statutes of 2017

AB 933 (Agriculture Committee) Food and agriculture omnibus bill

This bill authorizes specified funds appropriated to the California Department of Food and Agriculture (CDFA) to be disbursed to the California Agricultural Commissioners and Sealers Association to offset program and personnel expenses; authorizes, rather than requires, CDFA to expend funds on fair exhibits and judges, as specified; requires milk products to be labeled with a date that would ensure consumer quality; and authorizes the Olive Oil Commission of California to engage in public education activities.

Signed into law. Chapter 144, Statutes of 2017

AB 944 (Limón) California Spiny Lobster Commission

This bill creates the California Spiny Lobster Commission to maintain the spiny lobster commercial fishing industry through research, promotion, and education. This bill prescribes membership, powers and duties, implementing and voting procedures, assessments and recordkeeping, and procedures for continuation or termination of the commission. This bill does not become operative until after a favorable producer referendum vote occurs.

Signed into law. Chapter 503, Statutes of 2017

AB 954 (Chiu) Food labeling: guidelines: quality and safety dates

This bill requires the California Department of Food and Agriculture (CDFA), in consultation with the Department of Public Health, to publish information by July 1, 2018, that encourages food manufacturers, processors, and retailers responsible for the labeling of food products to voluntarily use specified "best by" and "use by" labels that communicate quality and safety dates, respectively. This bill also requires CDFA to promote consistent use of those terms. This

bill also establishes the Consumer Education Account within the Department of Food and Agriculture Fund.

Signed into law. Chapter 787, Statutes of 2017

AB 1126 (Agriculture Committee)

Pesticides: carbon monoxide

As heard in this committee, this bill repeals the sunset date that authorizes the use of carbon monoxide to control burrowing rodent pests, subject to specified requirements, under the condition that a warning label be permanently affixed to the carbon monoxide delivery device. The bill was amended in the Senate Committee on Environmental Quality to sunset the legislation after five years.

Signed into law. Chapter 112, Statutes of 2017

AB 1131 (Lackey)

District agricultural associations: joint powers agreements: audits

This bill requires that, if a district agricultural association has entered into a joint powers agreement to create a joint powers agency to manage the responsibilities of the association, the joint powers agency also be responsible for ensuring the association's annual audit.

Signed into law. Chapter 556, Statutes of 2017

AB 1165 (Caballero)

Agriculture: Agricultural Sustainability Council: regulatory alignment

As heard by this committee, this bill would have established the Agricultural Growth Council under the Food and Agricultural Code. It would have required the council to plan for regulatory alignments that aid grower compliance, reduce costs to the agricultural industry, and protect the environment. This bill would have allowed the council to suspend the application of one or more conflicting regulatory requirements.

Vetoed, 2018

AB 1348 (Aguiar-Curry)

Farmer Equity Act of 2017

This bill requires the California Department of Food and Agriculture to ensure the inclusion of socially disadvantaged farmers and ranchers in the development, adoption, implementation, and enforcement of food and agriculture laws, regulations, and policies and programs.

Signed into law. Chapter 620, Statutes of 2017

AB 1351 (Caballero)

District agricultural associations: authorized activities

This bill allows, under a district agriculture association (DAA) leasing authority and with the California Department of General Services' approval, the lease, construction, and maintenance of affordable housing, as specified, on DAA property.

Signed into law. Chapter 559, Statutes of 2017

AB 1486 (Caballero)

Milk products: licenses: fees

This bill consolidates milk products plant permits, increases license and permit fees, and updates food safety laws in regards to the manufacture and sale of frozen and soft-serve dairy and nondairy products.

Signed into law. Chapter 153, Statutes of 2017

AB 1952 (Maves)

Social services: access to food

This bill would have created the Envision a Hunger-Free California Act of 2018. The bill would have required the California departments of Social Services, Public Health, Education, and Food and Agriculture to develop a plan to end hunger.

Died in the Senate Appropriations Committee, held on the suspense file.

AB 2054 (Gonzalez Fletcher)

Agricultural pests: shot hole borer beetles

As heard by this committee, this bill would have established a framework for local and state agencies and other stakeholders to coordinate efforts to suppress and eradicate diseases associated with the spread of invasive shot hole borers, including, but not limited to, Polyphagous and Kuroshio shot hole borers.

This bill was later amended and all agriculture-related provisions removed.

AB 2106 (Eduardo Garcia)

Institutional purchasers: sale of California produce

This bill would have increased the existing bid preference from 5% to 10% for state purchases, as specified, for California-grown or California-packed or processed agricultural products over those produced out of state.

Died in the Senate Appropriations Committee, held on the suspense file.

AB 2114 (Bigelow)

Livestock inspection

This bill updates existing law on animal slaughter licensing and inspections to exempt a mobile slaughter operator who provides services to an owner of livestock, if the slaughter occurs on the premises of a person who raised the livestock and who is not the owner of the livestock, subject to certain conditions. The bill includes an industry-supported fee increase for brand inspections to provide inspectors the ability to better recover their cost for traveling to individual ranches to conduct an inspection. Finally, the bill allows the California Department of Food and Agriculture to accept an annual permit for show cattle or cattle used in an exhibition event to reenter the state without obtaining a brand inspection from the state hosting the show or exhibition.

Signed into law. Chapter 211, Statutes of 2018

AB 2335 (Ting)

**Nutrition Incentive Matching Grant Program:
Healthy Stores Refrigeration Grant Program**

This bill would have created the Healthy Stores Refrigeration Grant Program within the California Nutrition Incentive Program, to award grants to certain small businesses and corner

stores for the purchase of energy efficient refrigeration units that would be used to sell California-grown fresh fruits and vegetables.

Died in the Senate Appropriations Committee, held on the suspense file.

AB 2360 (Rodriguez) Pupil nutrition: best practices for school districts to create food bank partnerships

This bill would have required the California Department of Education to collaborate with the California Department of Food and Agriculture, including its Office of Farm to Fork, and to consult with the California Department of Public Health, the California Department of Social Services, and other relevant entities and experts, as determined by the department of education, to develop and promote best practices for school districts to create partnerships with food banks that increase students' access to fresh produce and healthy foods for the purposes of reducing pupil hunger and food insecurity outside of standard school hours.

Vetoed, 2018

AB 2377 (Irwin) Agriculture: Cannella Environmental Farming Act of 1995: technical assistance grant program

This bill requires the California Department of Food and Agriculture to establish a technical assistance grant program to provide funds to technical assistance providers who help farmers and ranchers apply for grants from the Healthy Soils Program, alternative manure management programs, and the State Water Efficiency and Enhancement Program.

Signed into law. Chapter 868, Statutes of 2018

AB 2468 (Arambula) Bees: apiaries: registration: colony relocation: administrative civil penalty

This bill makes changes to the laws governing the registration of the location of apiary colonies within the state. This bill also provides the secretary of the California Department of Food and Agriculture, or a county agricultural commissioner the ability to seek civil penalty for violations of any of the laws governing the registration of apiary colonies within the state.

Signed into law. Chapter 320, Statutes of 2018

AB 2470 (Grayson) Invasive Species Council of California

This bill codifies the Invasive Species Council of California (ISCC) and allows ISCC to establish the California Invasive Species Advisory Committee to assist in a comprehensive effort to suppress and eradicate invasive species in California. Upon appropriation by the Legislature, the bill also establishes the Invasive Species Account for purposes of funding invasive species projects and activities recommended by ISCC. Makes changes to the allocation of grant funds from the Noxious Weed Management Account, as specified. This bill establishes a framework for local and state agencies and other stakeholders to coordinate efforts to suppress and eradicate diseases associated with the spread of invasive shot hole borers, as specified.

Signed into law. Chapter 870, Statutes of 2018.

AB 3021 (Levine) **Farm animals: egg-laying hens: confinement**

This bill would have required the adoption of cage-free standards for egg-laying hens. It would have prohibited a farm owner or operator in California from confining an egg-laying hen in an enclosure that was not in compliance with specified cage-free standards and would prohibit selling in California shelled eggs for human consumption produced by hens on farms not in compliance with cage-free standards.

Died in the Senate Appropriations Committee, held on the suspense file.

AB 3252 (Agriculture Committee) **Animal health**

This bill places the exemption for private veterinarians in relation to drawing and using animal blood in their own office into the appropriate code section, repeals obsolete codes and updates farm animal quarantine laws, and makes technical and clarifying changes to the Equine Medication Monitoring Program.

Signed into law. Chapter 289, Statutes of 2018

AB 3260 (Agriculture Committee) **Department of Food and Agriculture:
administrative civil penalties: notice**

This bill amends existing law to require California Department of Food and Agriculture to notice meeting information regarding the California Marketing Act and Beef Council Law online rather than in a newspaper and posted at CDFA's headquarters in Sacramento. This bill also allows CDFA or a county agricultural commissioner to impose an administrative civil penalty or suspension of certification, or both, for a violation of laws and regulations related to certified farmers' markets, regardless of where in the state the violation took place.

Signed into law. Chapter 223, Statutes of 2018

Oversight and Informational Hearings

Committee on Agriculture

01/30/17

**Bureau of Medical Cannabis Regulation:
Status of regulations, interagency coordination, and stakeholder outreach**

This oversight hearing provided updates on Proposition 64: the Control, Regulate and Tax Adult Use of Marijuana Act and the Medical Cannabis Regulation and Safety Act. The hearing provided expert testimony from the Bureau of Medical Cannabis Regulation through the Department of Consumer Affairs; the undersecretary of the California Department of Food and Agriculture; the branch chief of CalCannabis Cultivation Licensing through CDFA; and the director of the California Department of Public Health. *This oversight hearing was held jointly by the Senate Committee on Business, Professions and Economic Development (lead committee); the Senate Committee on Health; and the Senate Committee on Agriculture. The hearing was held at the State Capitol, Sacramento, California.*

03/06/18

**The Buzz on Bees:
Protecting and Growing California's Bee Population**

This informational hearing provided an overview of the programs that are in place for bees and apiaries in California; the threats affecting California's bee population; and the issues facing growers, beekeepers, and other stakeholders.

The hearing was held at the State Capitol, Sacramento, California.

05/01/18

**Asian Citrus Psyllid and Huanglongbing Disease:
An Update on the Continuing Threat to California's Citrus**

This informational hearing provided an update on the crisis facing California citrus due to the rapid spread of Asian citrus psyllid (ACP), an invasive pest that carries the Huanglongbing (HLB) disease that threatens to kill every California citrus tree.

The hearing was held at the State Capitol, Sacramento, California.

06/19/18

**Initiative Statute: Establishes New Standards for Confinement of
Certain Farm Animals; Bans Sale of Certain Non-Complying Products (#1823)**

This informational hearing was conducted pursuant to the Elections Code which requires the Legislature to hold public joint informational hearings on measures that qualify for the ballot. This hearing focused on Initiative Statute Number 1823, "New Standards for Confinement of Certain Farm Animals: Bans Sale of Certain Non-Complying Products."

The hearing was held jointly with the Assembly Committee on Agriculture at the State Capitol in Sacramento, California.

Subcommittee on Invasive Species

05/15/18

**The Invasive Rodent Nutria and
Its Effect on Our Levees and Agricultural Land**

This informational hearing provided an update on the nutria, an aquatic rodent that is threatening California's agriculture and water infrastructure. The hearing focused on what is currently being done to eradicate the nutria and what needs to be done. The hearing also presented experts with first-hand experience with the successful eradication of nutria in the Chesapeake Bay.

The hearing was held at the State Capitol, Sacramento, California.