

Governor Brown Signs Bill to Increase Minimum Wage in California

Governor Brown has signed AB 10 by Assemblymember Luis Alejo (D-Salinas), which will raise the minimum wage in California from \$8.00 per hour to \$10.00 per hour. AB 10 will raise California's minimum wage in two one-dollar increments, from \$8 per hour today to **\$9 per hour, effective July 1, 2014** and from \$9 per hour to **\$10 per hour, effective January 1, 2016**. Currently, California ranks 8th in the country in minimum wage behind Nevada (\$8.25), Connecticut (\$8.25), Illinois (\$8.25), District of Columbia (\$8.25), Vermont (8.60), Oregon (\$8.95) and the highest – the state of Washington (\$9.19). In 2016, California could become the highest; however, Vermont, Oregon and Washington are all tied to inflationary increases and could very well be higher than \$10 in 2016.

Governor Brown Expands California's Paid Family Leave

Governor Brown signed SB 770 expanding California's Paid Family Leave ("PFL") program to workers who need to care for seriously ill siblings, grandparents, grandchildren, and parents-in-law. Currently, PFL allows workers to receive partial pay for 6 weeks while bonding with a new child or caring for a seriously ill parent, child, spouse or registered domestic partner. Siblings, grandparents, grandchildren, and parents-in-law were not previously included in the law's narrow definition of family. The PFL program is fully paid for by workers through payroll deductions, but many have been unable to access the benefit because of the limitations of the law's previous definition of family. These changes will take effect July 1, 2014, coinciding with the 10th anniversary of PFL's implementation in California. **Counsel to Management:** If you need help determining how these changes impact your business, please feel free to contact the Saqui Law Group. **Redistributed and reprinted from our labor law partner, the Saqui Law Group.**

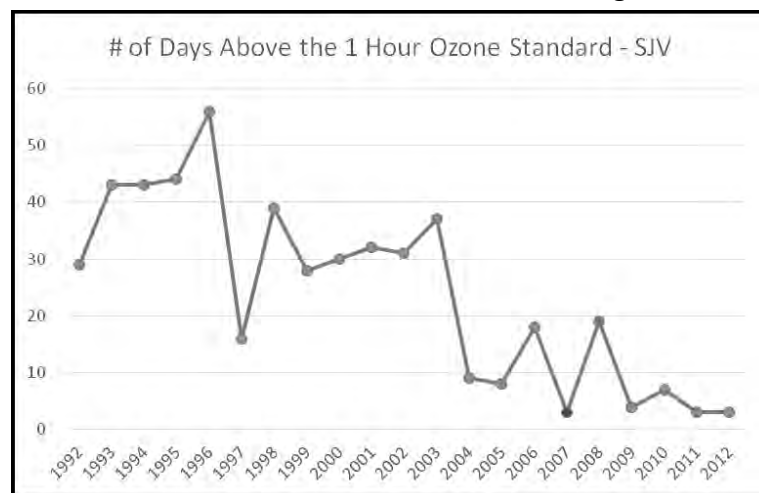
DIR Warns Business on Entity Called "Labor Compliance Office"

The California Department of Industrial Relations (DIR) is warning businesses of demands for payment from the "Labor Compliance Office". This entity is sending notices to businesses seeking payment of a "processing" of \$275 for labor-related postings. "This group is not authorized by the State of California to issue citations or charge fees on our behalf" said DIR Director Christine Baker. Labor Commissioner Julie Su reminds employers that the De-

partment of Labor Standards Enforcement (DLSE) investigators who visit businesses to ensure compliance with labor laws will never request payment during an inspection. Most required labor posting can be downloaded for free from the agency website. Please contact WAPA if you have such an inquiry before making any payments.

CCGGA Executive Vice President Isom Testifies at Important Air Pollution Hearing

CCGGA Executive Vice President Roger Isom testified on two important items at a recent Governing Board Meeting of the San Joaquin Valley Air Pollution Control District. The first item was the Governing Board's consideration of the 1 Hour Ozone Attainment Plan. Even though the 1-



hour ozone standard has been revoked, it is still in play for the San Joaquin Valley until it meets the standard. This also means that the San Joaquin Valley is paying a \$29 million penalty for being in nonattainment. Achieving attainment of the 1-hour ozone standard would alleviate that penalty, but would not alleviate the continuing burden of further regulations, as there is a new 8-hour ozone standard which is much more stringent. WAPA testified in support of the attainment plan, which did not contain any further control measures beyond what has already been adopted or scheduled for adoption. This was in opposition to environmentalists who called for more actions and further regulations. Isom also testified on the impact of the update to the Health Risk Assessment Guidelines by the Office of Health Hazard Assessment (OEHHA). These changes would increase the perceived risk of air emissions in California, and could have a major impact on the permitting of sources within California. The proposed revisions would increase risk by 2.3 times in the San Joaquin Valley and as much as 3 times in other areas of the state (SJVAPCD al-

ready uses more stringent assumptions in their risk assessments). Every permit project has a risk assessment conducted on it, and this could truly be an issue on fumigation permitting in the San Joaquin Valley. These risk assessments assume that a person is breathing the maximum emissions 24 hours per day, 7 days per week for 70 years. CCGGA opposes the changes and expressed serious concerns at the meeting, citing already overly conservative assumptions in the risk assessments that are performed on these projects. The proposed changes are supposed to be released by OEHHA sometime later this year or in early 2014.

2013 Legislative Summary Report – Part 1

The California State Legislature has now adjourned the first year of the 2013-2014 Legislative Session. Below is a summary of the bills that CCGGA was tracking or involved in, but that did **not** reach the Governor's desk.

- ◆ **AB 69 (Perea):** *Groundwater: drinking water: Nitrate at Risk Fund*

Summary: Would charge a fee on fertilizers to fund the Nitrate at Risk Fund, which would be used for loans or grants to water systems in high-nitrate-at-risk areas. This bill is in the second house (Senate) and will be eligible for a policy hearing in January.

- ◆ **AB 145 (Perea):** *State Water Resources Control Board: drinking water*

Summary: Would transfer the duties and responsibilities of the California Safe Drinking Water Act to the State Water Resources Control Board. This bill remains in the Senate Appropriations Committee on the Suspense File.

- ◆ **AB 976 (Atkins):** *Coastal resources: California Coastal Act of 1976: enforcement: penalties*

Summary: Would allow the California Coastal Commission to impose fines on any person who violates the Coastal Act. This bill was defeated twice on the Assembly Floor on a 36-32 vote and a 34-30 vote. CCGGA opposed.

- ◆ **AB 1330 (Perez):** *Environmental Justice*

Summary: Would establish a list of environmental justice communities by identifying the top 15% of communities in the state that are disproportionately impacted by environmental hazards. This bill was moved to the Senate Inactive File. In January, it will be eligible for removal from the Inactive File and a Senate Floor vote, pending any committee hearings. It will also require an Assembly concurrence vote. CCGGA opposed.

- ◆ **SB 11 (Pavley):** *Alternative fuel and vehicle technologies: funding programs*

Summary: Would extend the sunset on programs at the California Air Resources Board, including the Carl Moyer program. This bill never received a concurrence vote in the Senate. The identical bill, AB 8, awaits the Governor's signature, which he has indicated he will sign. CCGGA supported this legislation.

- ◆ **SB 25 (Steinberg):** *Agricultural labor relations: contract dispute resolution*

Summary: Would require mandatory mediation during collective bargaining negotiations at any point during a collective bargaining agreement, provided the labor organization declared it had made itself available to meet and bargain. This bill was moved to the Senate Inactive File prior to a concurrence vote. The bill will be eligible for removal from the Inactive File in January, when it can immediately receive a concurrence vote and head to the Governor. CCGGA opposes.

- ◆ **SB 42 (Wolk):** *Safe Drinking Water, Water Quality, and Flood Protection Act of 2014*

Summary: Would repeal the water bond currently submitted for the November 4, 2014 statewide general election. Would instead place a \$6.475 billion water bond on the ballot for the same election. This bill is a result of the Assembly Water Working Group and remains in the Assembly where it awaits a policy committee hearing. The Legislature has until June to make changes to the November 2014 ballot measures, so work on this bill will likely resume during the interim and in January when the Legislature returns. CCGGA is closely monitoring this legislation.

- ◆ **SB 691 (Hancock):** *Non-vehicular air pollution control: penalties*

Summary: Would increase the penalties tenfold for violations to Title V of the Clean Air Act where the discharge results in a severe disruption to the community, the discharge contains or includes one or more toxic air contaminants, and 100 or more people are exposed to the discharge. This bill was moved to the Assembly Inactive File prior to receiving an Assembly Floor vote. The bill will be eligible for an Assembly vote in January and, if it passes, will need to return to the Senate for a concurrence vote. CCGGA opposes this bill.

We will provide you another update in November summarizing the actions taken by the Governor on the bills sent to him in the last two weeks of the Session. Please do not hesitate to contact us if you have any questions about the bills listed above or any others.

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Tulare Lake Basin WDR Adopted

The Central Valley Regional Water Quality Control Board adopted the waste discharge requirements for irrigated agriculture on September 19th. The requirements are very similar for growers in the TLB region as were adopted in the East San Joaquin Coalition area. Growers in this region will be required to sign up with a coalition group within 180 days and also complete Nitrogen Management Plans, Farm Evaluations, and Sediment and Erosion Control Plans where applicable. Look for information on workshops to further explain the requirements in upcoming newsletters. The Westside and Westlands areas will have their WDR's heard by the Board in January and timelines for growers in those regions will be tied to that adoption date.

CCGGA PAC Co-Sponsors Fundraising Event for Senator Anthony Cannella

The California Cotton Ginners and Growers Associations' PAC was a co-sponsor of a fundraiser for **Senator Anthony Cannella** on September 18th in Los Banos. Senator Cannella represents the 12th Senate District which undergoes significant changes after this upcoming election due to re-districting. The new 12th Senate District will pick up all of western Fresno County from essentially Highway 41



west. Senator Cannella has been a critical ally in his first few years. This year he co-authored SB 11 and AB 8, two pieces of legislation that would continue the extremely important Carl Moyer and AB 923 incentive funding programs that are currently funding the replacement of tractors and loaders in the San Joaquin Valley. CCGGA was a major player in these two bills, as many of our members have taken advantage of these critical incentive programs to upgrade their tractors and loaders! AB 8 is currently sitting on the Governor's Desk awaiting his signature.



The Cotton Chronicle

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Industry Calendar

Oct 24

New VOC Regulation
Review—

Kearney Ag Center
AAIE Members \$35
Non Members \$50

Cotton Harvest
&
Cotton Ginning!

(Visit web calendar
for details)

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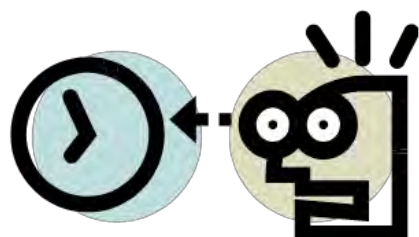
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Important Deadline Looms for Diesel-fired Ag Irrigation Pump Engines

In the San Joaquin Valley, an important deadline is fast approaching for diesel-fired pump engines. You must replace your Tier 1 and Tier 2 certified engines with Tier 4 engines no later than January 1, 2015, or 12 years after installation, but not later than June 1, 2018. Any replacement engine must meet the certified compression-ignited engine standards at the time of the installation. The current requirement is Tier 4 Interim certification. District Permit Exempt Equipment Registrations (PEERs) or Authority to Construct (ATC) permits are required for the replacement of engines. The PEER or ATC permit applications are due 3 months and 6 months, respectively, before the existing engine's replacement deadline. Unfortunately, there is no incentive monies available



for engine replacement, unless the engine is being converted to an electric motor.

No Sticky Cotton—Final Notice!

It's that time of year when aphid and whitefly can make their mark with open bolls exposing lint to their sugary secretions!

Reports are varied depending on the area, but some treatments have been made with many more underway. As stated in the past, the problem, must be addressed in a timely and responsible way in the field before harvest. Cooperation from growers and PCA's keeping



a lookout until harvest begins is critical. Hopefully this early crop will avoid continued or drawn out exposure for these insects to establish or re-establish following defoliation which has gotten some in trouble in the past. Main thing again is, address what's out there now all the way to and including defoliation and if harvest is delayed continue to watch for problems reoccurring. Our reputation has served this industry well. As a much smaller industry today it is even more important that we protect what we have left and hope to hold on too! Let's all, growers, PCA's, ginners and merchants continue to work together as we have in the past to make sure we have "No Sticky Cotton." Our customers around the world are watching and counting on us all! Thank you—Cotton—Up with "No Sticky Cotton!"