

AMENDED IN SENATE JULY 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1038

Introduced by Assembly Member Pan
(Coauthor: Assembly Member Medina)
(Coauthors: Senators Correa, Roth, and Yee)

February 22, 2013

An act to add ~~Section 2159.7 to Article 10 (commencing with Section 590) to Chapter 3 of Part 1 of Division 1 of the Elections Food and Agricultural Code~~, relating to ~~elections~~ milk products.

LEGISLATIVE COUNSEL'S DIGEST

AB 1038, as amended, Pan. ~~Voter registration: paid registration activities.~~ *California Dairy Future Task Force.*

Existing law empowers the Secretary of Food and Agriculture to formulate stabilization and marketing plans that establish the prices to be paid by milk handlers for specified classes of market milk. Existing law requires every handler subject to the provisions of a stabilization and marketing plan that purchases market milk from producers to pay a specified assessment to the secretary for deposit into the Department of Food and Agricultural Fund, with revenues to be used for certain purposes.

This bill would require the California Dairy Future Task Force previously established by the secretary be continued in existence in order to evaluate, hold workshops, and make recommendations on various issues relating to the specific purpose of establishing a stable economic environment for California dairy producers and processors. The bill would provide that funding for the task force, not to exceed \$500,000, shall be made available from assessment revenues paid to

the secretary by handlers subject to a stabilization and marketing plan, subject to appropriation by the Legislature. The bill would also make legislative findings and declarations.

~~Existing law authorizes any person, company, or other organization that complies with specified conditions to agree to pay money or other valuable consideration, on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of registration.~~

~~This bill would, notwithstanding existing law, prohibit a person from offering to pay or paying money or other valuable consideration to another person, either directly or indirectly, to assist another person to register to vote under a certain political party by receiving the completed affidavit of registration. A violation of this prohibition would be a misdemeanor.~~

~~By defining a new crime, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) *The Legislature finds and declares both of*
- 2 *the following:*
- 3 (1) *The California dairy industry has been confronted with*
- 4 *numerous significant challenges in the past several years that have*
- 5 *resulted in dairy producers losing revenue and equity, with many*
- 6 *forced to exit the industry, while processors have faced heightened*
- 7 *competition and transportation costs, and other economic*
- 8 *challenges.*
- 9 (2) *A concentrated focus on these challenges is essential so that*
- 10 *the California dairy industry may participate successfully in*
- 11 *domestic and international markets to the benefit of dairy*
- 12 *producers and processors alike.*
- 13 (b) *It is the intent of the Legislature that the Secretary of Food*
- 14 *and Agriculture actively engage a California Dairy Future Task*

1 *Force to develop recommendations intended to best position both*
2 *dairy producers and processors, as well as consumers, to achieve*
3 *the goals of long-term success and sustainability in a market that*
4 *continues to evolve beyond the scope of the current regulatory*
5 *system with the addition of new products and markets.*

6 *(c) It is the further intent of the Legislature that these*
7 *recommendations address current statutory and regulatory*
8 *impediments to achieve these goals.*

9 *SEC. 2. Article 10 (commencing with Section 590) is added to*
10 *Chapter 3 of Part 1 of Division 1 of the Food and Agricultural*
11 *Code, to read:*

12
13 *Article 10. California Dairy Future Task Force*
14

15 *590. (a) The California Dairy Future Task Force previously*
16 *established by the secretary and consisting of dairy producers,*
17 *processors, and cooperatives shall be continued in existence for*
18 *the specific purpose of developing a stable economic environment*
19 *for California dairy producers and processors.*

20 *(b) The California Dairy Future Task Force shall do all of the*
21 *following:*

22 *(1) Evaluate all of the following issues and any other issues it*
23 *determines to be relevant:*

24 *(A) Market-based and other alternative pricing models.*

25 *(B) Pricing mechanisms that appropriately share risk and value*
26 *between producers and processors, promote competition, and*
27 *encourage innovation.*

28 *(C) Impacts of milk pricing decisions on small cheese*
29 *manufacturers and other manufacturers that do not participate in*
30 *the whey markets, and whether revenues from their products should*
31 *be included in the milk pool, because whey products are derived*
32 *from the milk delivered by producers.*

33 *(D) Whether California's regulated milk pricing system has*
34 *kept pace with the rapidly changing global marketplace.*

35 *(E) Whether milk is directed to the highest and best use.*

36 *(F) Adequacy of relevant statutes and regulations.*

37 *(2) Hold workshops and solicit input from the dairy industry*
38 *and related businesses.*

39 *(3) Make recommendations to the secretary and the Legislature*
40 *no later than July 1, 2014, regarding the addition, modification,*

1 or repeal of existing statutes and regulations for all classes of
2 milk.

3 (c) Funding for the California Dairy Future Task Force, in an
4 amount not to exceed five hundred thousand dollars (\$500,000),
5 shall be made available from the funds deposited into the
6 Department of Food and Agricultural Fund pursuant to Article
7 14 (commencing with Section 62211) of Chapter 2 of Part 3 of
8 Division 21, subject to appropriation by the Legislature.

9 SECTION 1. Section 2159.7 is added to the Elections Code,
10 to read:

11 2159.7. Notwithstanding any other law, a person shall not offer
12 to pay or pay money or other valuable consideration to another
13 person, either directly or indirectly, to assist another person to
14 register to vote under a certain political party by receiving the
15 completed affidavit of registration. Any person who violates this
16 section is guilty of a misdemeanor.

17 SEC. 2. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the penalty
22 for a crime or infraction, within the meaning of Section 17556 of
23 the Government Code, or changes the definition of a crime within
24 the meaning of Section 6 of Article XIII B of the California
25 Constitution.