

Date of Hearing: August 10, 2022

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

SB 558 (Caballero) – As Amended June 6, 2022

Policy Committee: Emergency Management

Vote: 7 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill, until January 1, 2026, and contingent upon an appropriation for this purpose, creates the Farmworker Climate Resilience Adaptation Program (Program) administered by the Strategic Growth Council (SGC) to award grants totaling \$20 million to eligible entities for the development and implementation of projects addressing the needs of farmworkers, their families and communities for sustainable and equitable adaptation to the impacts of climate change.

This bill also establishes the Farmworker Climate Resilience Adaptation Task Force (Task Force), which must be comprised of 19 or more representatives across state agencies and the agriculture and farmworker communities, to guide the Program. Per diem or similar compensation is prohibited, except for task force members who are or have been farmworkers. The Task Force must meet at least six times by June 30, 2023, make recommendations about funded projects and report recommendations to SGC, other state agencies, the Legislature and Governor by June 30, 2023.

This bill provides SGC a budget of \$5 million, upon appropriation, to administer the Program and Task Force and allows SGC to seek private funds. Other state agencies participating in the Task Force must operate within existing budgetary resources. SGC must produce, by October 1, 2023, an actuarial report of the Task Force's recommendations to ensure program solvency.

FISCAL EFFECT:

General Fund cost pressures of at least \$25 million to SGC, with \$20 million specified for grant awards and \$5 million for Program and Task Force administration. This bill's provisions are contingent on an appropriation, but neither the Budget Act of 2022 (SB 154, Skinner) nor other budget bills or budget trailer bills contain an appropriation for these purposes.

Additionally, SGC estimates administrative costs to be closer to \$8 million to \$9.7 million, depending on the number of Task Force members, how many members would be eligible for compensation and the number of in-person meetings. SGC anticipates contracting for language access resources and the actuarial report and needing six positions to support the Task Force, develop grant guidelines, oversee grant awards and manage contracts.

COMMENTS:

1) **Purpose.** According to the author:

As a low wage, mostly immigrant and undocumented work force, farmworkers have the least power to build and maintain resilience as climate change affects their futures. Language barriers (many speak only indigenous languages), educational status and long work hours have excluded farmworkers from participation in local and regional climate resilience discussions. California's efforts on climate resilience and adaptation, particularly in the water arena, tend to favor the industry's interests.

This bill is supported by the California Rural Legal Assistance Foundation and other groups advocating for farmworker communities.

- 2) **Impact of Climate Change on Farmworkers.** Farmworkers have been especially affected by drought, extreme heat and wildfires. The drought has reduced access to potable water and decreased job opportunities for farmworkers. Loss of land from wildfires has also decreased job opportunities and extreme heat and wildfire smoke pose a significant health and safety risk for all outdoor laborers. Existing Division of Occupational Safety and Health (Cal/OSHA) regulations establish a heat illness standard that applies to all outdoor places of employment, with "high-heat procedures" (when the temperature exceeds 95 degrees) applicable to the agriculture, construction, landscaping, oil and gas extraction and hauling industries. Existing Cal/OSHA regulations also specify employee protections from wildfire smoke, applicable to most outdoor workplaces when the Air Quality Index for particulate matter 2.5 is 151 or greater and when an employer reasonably anticipates employees could be exposed to wildfire smoke. This bill establishes the Program and Task Force to award grants supporting farmworkers impacted by climate change.
- 3) **Related Legislation.** AB 2243 (E. Garcia) requires Cal/OSHA to submit rulemaking proposals to the Occupational Safety and Health Standards Board to consider strengthening the heat illness standard and wildfire smoke standard. AB 2243 is pending on the Senate Appropriations Committee suspense file.
- 4) **Prior Legislation.** AB 941 (Bennett), Chapter 203, Statutes of 2021, required the Department of Community Services and Development to establish a grant program for counties to establish Farmworker Resource Centers

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