



September 4, 2019

California State Senate
 State Capitol
 Sacramento, CA 95814

AB 1783 (Rivas) — OPPOSE

Dear Senators:

The California Farm Bureau Federation (Farm Bureau), along with its enumerated County Farm Bureau affiliates, writes in strong OPPOSITION to AB 1783. As the Nation's largest agricultural state, we depend upon a robust cadre of farm employees, which includes both H-2A and non-H-2A workers. Given the current labor shortages, now more so than ever, we are thankful for every employee willing to help us support California agriculture. Moreover, with an acknowledgement of the State's current housing crisis, we share the perspective

that affordable housing is essential for all. To that end, Farm Bureau applauds the author's attempt to allow for a streamlined and expeditious process for the development of affordable housing for California's farmworkers, but is disappointed in its lack of practicality and the discriminatory preclusions on H-2A employers. The provisions of AB 1783 would have an antithetical effect of providing affordable housing for farm employees.

Proposed Housing Exemptions are Inaccessible

We appreciate the author's attempt to allow for agricultural employee housing developments to undergo a streamlined approval process, however, because of the bill's strict criteria, the proposed exemption is inaccessible. To elaborate, in accordance with the provisions of AB 1783, to qualify for such expediency, a housing development must be operated and maintained by a qualified affordable housing organization and operate with a 55-year deed restriction. This deed restriction includes the standard that it be affordable *and* for agricultural employees. Given the rapid changes in California's land and resource availability, especially in the agricultural sector, these 55-year conditions are overly restrictive. Should the surrounding farmland no longer require labor or exist at all, this housing would still only be eligible for agricultural employees. This could result in unoccupied affordable units and a misuse of state funds to support such developments because of a lack of foresight. Secondly, AB 1783's criteria for what constitutes a qualified affordable housing organization specifically excludes the role of the agricultural employer, and delegates all management of the housing to the organization but does not obligate them to share in any liability or demonstrate the financial wherewithal to function in this capacity sustainably. In this situation, the landowner/employer is expressly prohibited from involvement in the management but solely liable—this is an untenable risk that makes this incentive unusable. Finally, while the sponsors may posit that the affordable housing organization serves as a buffer between employer and employee, California's agricultural employee protections within labor and employment law are the strongest amongst any employment industry in the Nation. Moreover, this relationship of employer-employee in a housing context already exists in several industries—healthcare, building trades and construction, technology, and even state employees, such as CalTrans, CalFire, and CalOES. There is no demonstrable justification for this assumption amongst the agricultural industry at the preclusion of all others. If this were to become precedent for all industries, California employers that provide housing, including the State of California as the largest employer, would face incredible financial risk and cost to support these intermediaries. Collectively, these restrictions would practically preclude any landholder from taking advantage of what could be, with amendments, a meaningful opportunity to expedite affordable housing production for farm employees.

Funding Restrictions would Exacerbate the Existing Housing Crisis

Additionally, AB 1783 expressly prohibits the use of all State funds for the construction of agricultural employee housing intended for H-2A workers. The Legislature and the Administration have repeatedly acknowledged that housing affordability is a universal issue, regardless of industry sector or locale, and is too a reality for H-2A agricultural employee housing. This is most apparent in the passage of Proposition 1 (2018) which provides \$300 million in state grants and loans for all farm employee housing. Any limitation on these funds from the general benefit of building housing for all employees will result in displacement of other low-income individuals and households, as the stock of affordable housing developments is further limited or unappropriated funds amidst a state housing crisis. Moreover, the prohibition on state funds for a subset of agricultural employees is expressly prejudicial and further inhibits development of affordable housing for those most in need.

For these reasons, the Farm Bureau must oppose AB 1783. Thank you for the opportunity to share our position and please feel free to contact Farm Bureau with any questions or concerns.

Sincerely,



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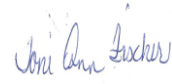
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cc: The Honorable Assemblymember Rivas
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