

# Work permits for farmworkers gain traction in California

Backers see proposal as a way to work around lack of progress in Congress

By ZANE SPARLING  
Capital Press

In a move that signals their frustration with federal inaction on immigration reform, California state legislators have advanced a bill that would grant temporary work permits — not to foreign laborers, but to agricultural workers living in the U.S. illegally.

The bill, which was introduced by Central Coast Assemblyman Luis Alejo, D-Salinas, would protect seasonal farmworkers and their immediate families from the threat of deportation. Applicants would be at least 18, have a clean criminal record and be required to pay a small administrative fee.

“California has everything to gain, nothing to lose,” Alejo said. “We’re focusing on California agricultural workers because that’s where we see the greatest need. ... We estimate 50 to 70 percent of agricultural workers are undocumented.”

The proposal does not formally create a visa program, but would instead form a group that would “negotiate” with the national Department of Homeland Security and the U.S. Department of Justice and then issue a report to the



AP Photo/Gosia Wozniacka, File

In this 2013 file photo taken near Fresno, Calif., farmworkers pick paper trays of dried raisins off the ground and heap them onto a trailer in the final step of raisin harvest. The California legislature is considering a permit program for farmworkers who are in the state illegally.

legislature. If favorable, the governor would presumably request authorization to grant work permits from the DHS and DOJ through a second bill.

The legislation, known as AB 20, passed the assembly June 4 and now awaits a fiscal impact statement from the state Senate Appropriations Committee.

University of California-Irvine Professor of Law Jennifer

Chacon said the while it was unlikely the DHS would grant authorization for work visas to California, the language of the bill deliberately bypasses Congress.

“The language and structure of this bill show just how little faith legislators have left in the possibility of federal congressional action on immigration,” she said in an email. “Since Congress has basically

abdicated its responsibility to undertake long overdue reform ... the efforts of Rep. Alejo and other state officials to move this debate along ... are commendable.”

AB 20 has already garnered the support of the California Citrus Mutual and the California Farm Bureau Federation, which have vigorously backed similar legislative efforts on both the state and national level.

Labor unions and other immigrant advocates killed a 2012 state bill, arguing that a “patchwork” of state-by-state laws would be insufficient compared with national reform. Partisanship in Congress doomed a subsequent federal attempt at passing legislation.

Bryan Little, employment policy director for the Farm Bureau, said that after 20 years of political bickering, Alejo’s

bill would send a message to Congress that something has to be done.

“Either we’re going to import our workers, or we’re going to import our food,” he said. “(Agriculture) requires the work of human hands, that’s a fact of life. So we can grow it in another country, or we can grow it here and get the economic benefit.”

Immigration law experts say the legislation has at least the implied approval of labor and union interests this time around.

The United Food and Commercial Workers, which represents about 4,500 unionized farm laborers, recently sent Alejo, the bill’s sponsor, a letter of support. Other groups, including the California Labor Federation and the Mexican American Legal Defense Fund, which opposed earlier legislative efforts, have simply stayed quiet this time around.

Sameer Ashar, who co-directs the UC-Irvine Immigrant Rights Clinic, said he “highly doubted” the federal government would grant California authority for work permits.

“A reading of the Constitution makes it clear that immigration is a part of foreign policy ... and the federal government has been fairly consistent in arguing for federal supremacy,” Ashar said. “But it seems to me that states should be able to experiment in ways that don’t compromise other constitutional values, like equality and dignity.”

# Canadian official urges veto of California forest products bill

By TIM HEARDEN  
Capital Press

SACRAMENTO — A Canadian trade official is urging Gov. Jerry Brown to veto a forest products bill that has so far sailed through the Legislature with unanimous support.

The bill by Assemblyman Brian Dahle, R-Bieber, would require that contractors building state road signs, guard rails and other projects procure their wood from sources that comply with California’s environmental laws when prices and quality are equal.

Cassie Doyle, the Canadian consul general in San Francisco, said the bill sets a bad precedent considering that California and Canada are parties to the World Trade Organization’s Government Procurement Agreement, which aims to provide trading partners with greater access to procurement markets.

Doyle voiced her opposition to Dahle’s Assembly Bill 429 during a hearing of the Senate Natural Resources and Water committee, whose 5-0

vote of approval sent the bill to the Senate Appropriations Committee. The legislation has already received unanimous approval from two Assembly committees and the full lower chamber.

“We’ll now be focusing more on the governor,” Doyle told the Capital Press. She said interactions with Dahle and other lawmakers have “been very friendly and cordial. They know what their role is and we know what our role is, but our trade lawyers are vigilant on this kind of stuff.”

Doyle said Canada would pursue legal action if the bill is signed into law, though she didn’t specify whether it would be in the U.S. courts or in the WTO.

Brown’s office does not comment on legislation until it reaches his desk, deputy press secretary Gareth Lacy said.

Dahle held the bill back for several weeks to try to smooth things over with the Canadians but opted to move forward with the legislation with or without their support.

Specifically, the bill sets a

preference for wood products harvested under the state’s 1973 Z’berg-Nejedly Forest Practices Act, whose sweeping environmental protections included the requirement that professional foresters submit a timber harvest plan when logging on non-federal land.

In reality, state contractors purchase very little wood — mostly for road signs and guard rail posts for the Department of Transportation, said Mark Pawlicki, spokesman for Sierra Pacific Industries, which supports the legislation.

“The purpose for this bill is for the Legislature to understand and promote the concept that since the industry operates under very stringent standards, the state should reciprocate by purchasing the wood produced under those standards, regardless of location,” Pawlicki said last month.

While the bill doesn’t technically require procured wood to be from California, there’s no way to verify whether forest products from outside the state would quali-

fy, Doyle said. And while the dollar amount that changes hands in a given year may be small, the bill is still seen by Canadian officials as protectionist, she said.

“There’s a whole body of law around international trade,” she said. “It doesn’t matter how much value (is generated) in a particular year. Laws like this run counter to trade deals.”



Assemblyman Brian Dahle addresses the media at a recent rally at the state Capitol in Sacramento. Dahle is moving forward with a bill to give preference to California-grown lumber in state contracts despite opposition from Canadian trade officials.

Courtesy of Assemblyman Brian Dahle

# Diamond Foods opens its new innovation center

By ZANE SPARLING  
Capital Press

SALEM — The science of snacking was the subject as Diamond Foods Inc. dedicated its new corporate innovation center at the company’s Kettle potato chip plant in Salem.

The 7,000-square-foot product-testing and research-and-development laboratory is the company’s first formal brand development facility. The center, which employs 18 people, will also work on new products for the company’s other lines of snacks, nuts and popcorn.

In addition to food scientists and sensory specialists, marketing, packaging and regulatory experts will work there.

Innovation was the buzzword as Oregon Gov. Kate Brown delivered a brief speech at a July 15 ceremony, praising Diamond’s commitment to the state.

“...In this state, we make things. Innovative, useful, marketable — and in this case, delicious — things,” she said.

In the consumer polling area of the innovation center, the governor issued a ringing endorsement of the company’s Emerald Nuts brand raspberry-glazed almonds — “Can we eat the rest of them?” she



Zane Spirling/Capital Press

In a demonstration of Diamond Foods’ new test kitchen’s capabilities, chef Marianne Paloncy, right, demonstrates her craft while Gov. Kate Brown, center, and Holly Mensch, Kettle’s vice president of research and development, look on.

asked — before donning a hair net and touring the center’s prototype kitchen.

In the “nosh pitch,” a creatively named conference room, employees exhibited the peppers and kimchi that became the inspiration for Kettle’s new pepperoncini-flavored chips.

“We don’t adulterate the base (potato chip). Everything you taste is from the seasoning that we put on after,” food scientist Rebecca Andersen said.

Andersen said the company tests about 10 different flavors — including such candi-

dates as churro and strawberry cream — for every successful flavor that makes it to market.

Closing out the tour, the governor pondered the regional differences in tastes.

“My family members tend to like — I will describe it as blander things. Midwest foods,” she said.

Diamond Foods, which acquired microwave popcorn brand Pop Secret in 2008, became a publicly traded company in 2005. Its other lines include Emerald brand snack nuts and Diamond of California culinary nuts.

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