

ASSEMBLY BILL

No. 3023

**Introduced by Committee on Agriculture (Matthews (Chair),
Berg, Maze, Oropeza, Parra, Reyes, Salinas, Vargas, and
Wiggins)**

February 25, 2004

An act to amend Section 80074 of the Food and Agricultural Code, relating to native plants.

LEGISLATIVE COUNSEL'S DIGEST

AB 3023, as introduced, Committee on Agriculture. Native plants.

Existing law prohibits specified native plants from being harvested. Existing law authorizes the Secretary of Food and Agriculture, after consultation with the Secretary of the Resources Agency and after a public hearing, to add to, or remove from, the lists of native plants that may not be harvested. A public hearing on native plants is required to be held at least once every 24 months, as specified.

This bill would instead authorize a public hearing to be held on native plants at least once every 24 months, as specified.

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

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

- 1 SECTION 1. Section 80074 of the Food and Agricultural
- 2 Code is amended to read:
- 3 80074. After consultation with the Secretary of the Resources
- 4 Agency and after a public hearing, the ~~director~~ secretary may add
- 5 to, or remove from, the jurisdiction of this division a native plant.

1 A public hearing on native plants ~~shall~~ *may* be held at least once
2 every 24 months in a county subject to this division and in a
3 location that is convenient to a large segment of the public.
4 In deciding whether to call a public hearing, the ~~director~~
5 *secretary* may consider a request from a public or private group,
6 including concerned citizens, and the ~~director~~ *secretary* shall
7 convene such a hearing when requested by resolution of any
8 county board of supervisors. The ~~director~~ *secretary* may consider
9 at ~~such a~~ *the* hearing which plants are in need of protection and
10 whether the boundaries of the area to be protected should be
11 changed pursuant to Section 80003.

