

Introduced by Senator Ashburn

February 20, 2004

An act to amend Section 6047.63 of the Food and Agricultural Code, relating to pest control, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1604, as introduced, Ashburn. Pest control: Pierce's disease.

Existing law, the Table Grape Pest and Disease Control District Law, establishes a procedure for the organization, operation, and dissolution of districts to, among other things, respond to, manage, and control the effects of the spread of the glassy-winged sharpshooter and Pierce's disease, and other pests that attack grapevines. For purposes of these provisions, under existing law the definition of "owner" includes joint owner, coowner, guardian, executor, administrator, or any other person that holds property in a trust capacity under court appointment.

This bill would include lessee in the definition of owner.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

- 1 SECTION 1. Section 6047.63 of the Food and Agricultural
- 2 Code is amended to read:
- 3 6047.63. Unless the context otherwise requires, the
- 4 definitions in this section govern the construction of this article.

- 1 (a) “Board” or “board of directors” means the board of
 - 2 directors of a district.
 - 3 (b) “District” means a table grape pest abatement district
 - 4 organized pursuant to this article.
 - 5 (c) “Owner” includes joint owner, co-owner, *lessee*, guardian,
 - 6 executor, administrator, or any other person that holds property in
 - 7 a trust capacity under court appointment.
 - 8 (d) “Pierce’s disease” is the pathogen caused by the bacterium
 - 9 *Xyella fastidiosa*.
 - 10 (e) “Table grapes” means grapes produced that are intended to
 - 11 be sold in their fresh form.
 - 12 (f) “Table grape acreage” means any parcel of real property
 - 13 with one or more acres of table grape plants.
 - 14 (g) “Grower” or “producer” means any person who is
 - 15 engaged within this state in the business of producing, or causing
 - 16 to be produced, table grapes for market.
- 17 SEC. 2. This act is an urgency statute necessary for the
- 18 immediate preservation of the public peace, health, or safety
- 19 within the meaning of Article IV of the Constitution and shall go
- 20 into immediate effect. The facts constituting the necessity are:
- 21 Because the immediate establishment of a pest control district
- 22 is necessary to avoid severe economic loss to the grape industry
- 23 from the spread of the glassy-winged sharpshooter and Pierce’s
- 24 disease, it is necessary for this act to take effect immediately as an
- 25 urgency statute.

