

AMENDED IN SENATE AUGUST 20, 2010  
AMENDED IN SENATE AUGUST 9, 2010  
AMENDED IN SENATE JUNE 29, 2010  
AMENDED IN SENATE MAY 11, 2010  
AMENDED IN ASSEMBLY APRIL 5, 2010  
AMENDED IN ASSEMBLY MARCH 25, 2010  
AMENDED IN ASSEMBLY MARCH 16, 2010  
CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1956**

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**Introduced by Assembly Member Monning**

February 17, 2010

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An act to amend Section 19348 of, and to add Section 19348.2 to, the Food and Agricultural Code, relating to wildlife.

LEGISLATIVE COUNSEL'S DIGEST

AB 1956, as amended, Monning. California condors: feeding.

Existing law authorizes the Department of Fish and Game to implement programs to preserve California condors.

Existing law generally prohibits the transport of a dead animal by a dead animal hauler or any other person to any place other than prescribed locations, except under certain circumstances, including transport pursuant to prescribed waivers or permits.

This bill would exempt from that prohibition a nonprofit organization promoting the recovery of California condors that participates in a memorandum of understanding with the department to provide food

for free-ranging California condors and possesses ~~an annual~~ *a special permit issued by the Secretary of Food and Agriculture, as specified, for the transport of dead animals that this bill would authorize the Secretary of Food and Agriculture to issue to such an organization to provide food for the condors.*

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 19348 of the Food and Agricultural Code  
2 is amended to read:

3 19348. (a) Unless a waiver is granted by the State Veterinarian  
4 in conjunction with implementation of Section 9562 or a  
5 declaration of a state of emergency or local emergency, as defined  
6 in subdivisions (b) and (c) of Section 8558 of the Government  
7 Code, pursuant to the California Emergency Services Act (Chapter  
8 7 (commencing with Section 8550) of Division 1 of Title 2 of the  
9 Government Code), a dead animal hauler or any other person shall  
10 not transport any dead animal to any place, other than to a licensed  
11 rendering plant, a licensed collection center, an animal disease  
12 diagnostic laboratory acceptable to the department, the nearest  
13 crematory, or to a destination in another state that has been  
14 approved for that purpose by the appropriate authorities in that  
15 state.

16 (b) The secretary may issue a master or individual permit to a  
17 licensed renderer, collection center, or dead animal hauler for the  
18 purpose of authorizing transport of a dead animal to an  
19 appropriately permitted landfill under either of the following  
20 circumstances:

21 (1) During a proclaimed state of emergency or local emergency,  
22 as defined in subdivisions (b) and (c) of Section 8558 of the  
23 Government Code.

24 (2) When the licensed hauler has certification from a licensed  
25 renderer that the licensed renderer cannot process the dead animal  
26 due to operational conditions or legal or regulatory requirements  
27 or constraints. The certification shall be in a form approved by the  
28 department and, for purposes of this paragraph, “licensed hauler”  
29 shall include licensed collection centers and renderers.

1 (c) Nothing in this section shall be interpreted to conflict with  
2 any state or federal environmental or zoning law, or to prohibit an  
3 owner of a live animal from burying the animal on the owner's  
4 property after the animal dies if the burial is within three miles of  
5 where the animal died.

6 (d) Subdivision (a) does not apply to the Department of  
7 Transportation or to local agencies having jurisdiction over a road  
8 or highway when engaged in removing animal carcasses from the  
9 road or highway.

10 (e) A nonprofit organization promoting the recovery of  
11 California condors by providing food for free-ranging California  
12 condors shall be exempt from subdivision (a), if the nonprofit  
13 organization fulfills both of the following requirements:

14 (1) Participates in a memorandum of understanding with the  
15 Department of Fish and Game to provide food for free-ranging  
16 California condors.

17 (2) Possesses a *special* permit issued by the secretary pursuant  
18 to Section 19348.2.

19 SEC. 2. Section 19348.2 is added to the Food and Agricultural  
20 Code, to read:

21 19348.2. The secretary may issue ~~an annual~~ a *special* permit  
22 to a nonprofit organization promoting the recovery of California  
23 condors for the purpose of authorizing transport of dead animals  
24 to provide food for free-ranging California condors, if all of the  
25 following information is provided on the transport permit:

26 (a) The number and type of animals.

27 (b) The probable cause of death of the transported animals, *as*  
28 *determined by a veterinarian licensed in the State of California.*

29 (c) All possible pickup and dropoff locations of the transported  
30 animals.

31 ~~(d) The name of the person providing the transportation.~~

32 *(d) The name of the licensed dead animal hauler that will be*  
33 *doing the transportation.*