

AMENDED IN SENATE MARCH 26, 2014

SENATE BILL

No. 1018

Introduced by Senator De León

February 14, 2014

An act to amend ~~Section~~ *Sections 5915 and 5918* of the Food and Agricultural Code, relating to pest control.

LEGISLATIVE COUNSEL'S DIGEST

SB 1018, as amended, De León. Pest control: citrus disease prevention: ~~expenditure reimbursement.~~ *prevention.*

Existing law creates in the Department of Food and Agriculture the California Citrus Pest and Disease Prevention Committee and provides for its continuation, and that of the California Citrus Pest and Disease Prevention Program, every 4 years subject to a referendum of the citrus producers on or before June 30, 2013, and every 4 years thereafter. Pursuant to this referendum the department has extended the citrus pest and disease prevention program for an additional 4 years. *Under existing law, the committee is required to develop and make recommendations to the Secretary of Food and Agriculture on all matters regarding the implementation of the citrus pest and disease prevention program.*

This bill would prohibit the secretary from altering any citrus pest and disease prevention program or activity submitted by the committee to, and approved by, the secretary without first obtaining approval for the alteration from the committee.

Existing law requires the committee to reimburse the ~~Secretary of Food and Agriculture~~ *secretary* for all expenditures incurred by the secretary in carrying out his or her duties and responsibilities pursuant to the citrus pest and disease prevention program, including the costs of implementing and administering the administrative, enforcement,

and regulatory recommendations of the statewide work plan developed by the committee.

This bill would require that all expenditures be reasonable and ~~that expenditures charged by the department not exceed a total of 14% of the assessments collected pursuant to the citrus pest and disease prevention program, unless the committee is notified and approves of~~ would prohibit the secretary from seeking reimbursement for costs that exceed expenditures developed by the committee without first obtaining approval for the additional ~~expense~~ expenditures from the committee.

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 5915 of the Food and Agricultural Code
2 is amended to read:

3 5915. (a) The powers and duties of the committee are limited
4 to activities involving the producers of citrus fruit and residential
5 owners of citrus fruit or other host material.

6 (b) The committee may do all of the following:

7 (1) Develop, subject to the approval of the secretary, a statewide
8 citrus specific pest and disease work plan that includes, but is not
9 limited to, the following:

10 (A) Informational programs to educate and train residential
11 owners of citrus fruit, local communities, groups, and individuals
12 on the prevention of pests, and diseases and their vectors, specific
13 to citrus.

14 (B) Programs for surveying, detecting, analyzing, and treating
15 pests and diseases specific to citrus involving producers of citrus
16 fruit and residential owners of citrus fruit and host materials, except
17 as provided in Section 5930.

18 (2) Submit recommendations to the secretary on, but not limited
19 to, the following:

20 (A) Annual assessment rate.

21 (B) Annual budget.

22 (C) Expenditures necessary to implement the statewide work
23 plan developed pursuant to this section.

24 (D) The amount of fees to be levied, as provided in Section
25 5919.

1 (E) The receipt of money from other sources to pay any
2 obligation of the committee and to accomplish the purposes of the
3 committee in the manner provided in this article.

4 (3) Recommend to the secretary the adoption of regulations
5 consistent with the powers and duties of the committee.

6 (c) The committee shall not engage in any activity deemed by
7 the secretary to be contradictory to any eradication program or
8 quarantine implemented to combat citrus specific pests, diseases,
9 or related vectors.

10 (d) For any program or activity occurring pursuant to this
11 section, the department shall be the lead agency, unless an
12 agreement is reached between the committee and the secretary to
13 authorize another agency within the state or local government to
14 act as lead for specific activities.

15 (e) *Any program or activity submitted by the committee to, and*
16 *approved by, the secretary pursuant to this section shall not be*
17 *altered without first obtaining approval for the alteration from the*
18 *committee.*

19 **SECTION 1.**

20 *SEC. 2.* Section 5918 of the Food and Agricultural Code is
21 amended to read:

22 5918. (a) The committee shall reimburse the secretary for all
23 reasonable expenditures incurred by the secretary in carrying out
24 his or her duties and responsibilities pursuant to this article,
25 including the costs of implementing and administering the
26 administrative, enforcement, and regulatory recommendations of
27 the statewide work plan developed by the committee.

28 ~~(b) Expenditures charged by the department shall not exceed a~~
29 ~~total of 14 percent of the assessments collected pursuant to this~~
30 ~~article, unless the committee is notified and approves of the~~
31 ~~additional expense.~~

32 (b) *The secretary shall not seek reimbursement for costs that*
33 *exceed expenditures developed by the committee without first*
34 *obtaining approval for the additional expenditures from the*
35 *committee.*