

ASSEMBLY BILL

No. 350

Introduced by Assembly Member Alejo

February 17, 2015

An act to amend Sections 12022 and 12023 of, and to add Section 12022.5 to, the Food and Agricultural Code, relating to pest control.

LEGISLATIVE COUNSEL'S DIGEST

AB 350, as introduced, Alejo. Agricultural pest control advisers.

Existing law requires agricultural pest control advisers to be licensed by the Department of Pesticide Regulation. Under existing law, applicants for licensing are required to elect to be examined by the Director of Pesticide Regulation for certification in one or more identified specializations, including plant growth regulation.

This bill would specify that the certification for plant growth regulation includes plant and soil health.

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 12022 of the Food and Agricultural Code
2 is amended to read:
3 12022. ~~Applicants~~ *An applicant* for licensing shall elect to be
4 examined for certification in one or more of the following
5 categories:
6 (a) Control of insects, mites, and other invertebrates.
7 (b) Control of plant pathogens.
8 (c) Control of nematodes.

- 1 (d) Control of vertebrate pests.
- 2 (e) Control of weeds.
- 3 (f) Defoliation.
- 4 (g) Plant growth ~~regulation~~: *regulation, including plant and soil*
- 5 *health.*

6 ~~The examination shall be prepared and administered by the~~
7 ~~director.~~

8 SEC. 2. Section 12022.5 is added to the Food and Agricultural
9 Code, to read:

10 12022.5. Examinations for licensing and certification pursuant
11 to Section 12022 shall be prepared and administered by the
12 director.

13 SEC. 3. Section 12023 of the Food and Agricultural Code is
14 amended to read:

15 12023. An agricultural pest control adviser license may be
16 refused or may be revoked or suspended by the director as
17 necessary to carry out the purposes of this division. Cause for
18 refusal, revocation, or suspension shall include, but shall not be
19 limited to the following:

- 20 (a) Failure to put a recommendation in writing.
- 21 (b) The making of false or fraudulent statements in any written
22 recommendation.
- 23 (c) Failure or refusal to comply with any provision of this
24 chapter, or any other regulation adopted by the agricultural
25 commissioner.
- 26 (d) Failure or refusal to comply with any provisions of this
27 division or of Division 7 (commencing with Section 12501) relating
28 to pesticides or regulation of the department adopted pursuant to
29 such provisions.
- 30 (e) Failure to qualify by examination ~~in at least one of the~~
31 ~~categories in accordance with~~ Section 12022.
- 32 (f) Unprofessional conduct, as defined in Section 12023.5.