

PDCP LAW
(As amended by AB 1642; effective Jan. 1, 2015)

Food and Agricultural Code, Section 6045-6047
Article 8. Pierce's Disease

6045.

- (a) The Legislature finds and declares that the plant killing bacterium, *Xyella Fastidiosa* and the resulting pathogen, Pierce's disease, and its vectors present a clear and present danger to California's 60-billion-dollar grape industry, as well as to many other commodities and plant life.
- (b) There exists an ongoing need for at least fifteen million dollars (\$15,000,000) annually in research and programs to combat Pierce's disease and its vectors in California.

6046.

- (a) There is hereby created in the department the Pierce's Disease Control Program.
- (b) The Governor shall appoint a statewide coordinator, and the secretary shall provide an appropriate level of support staffing and logistical support for combating Pierce's disease and its vectors.
- (c)
 - (1) There is hereby created the Pierce's Disease Management Account in the Food and Agriculture Fund.
 - (2) The account shall consist of money transferred from the General Fund and money made available from federal, industry, and other sources. Money made available from federal, industry, and other sources shall be available for expenditure without regard to fiscal year for the purpose of combating Pierce's disease or its vectors and for the purpose described in Section 6047.30. State general funds to be utilized for research shall be expended only when the secretary has received commitments from nonstate sources for at least a 25-percent match for each state dollar to be expended.
- (d) The funds appropriated pursuant to this section to the Food and Agriculture Fund for the purpose of combating Pierce's disease and its vectors shall be used for costs that are incurred by the state or by local entities during and subsequent to the fiscal year of the act that added this section for the purpose of research and other efforts to combat Pierce's disease and its vectors.
- (e) Whenever, in any county, funds are allocated by the department for local assistance regarding Pierce's disease and its vectors, those funds shall be made available to a local public entity, or local public entities, designated by that county's board of supervisors.
- (f) Funds appropriated for local assistance shall not be allocated to the local public entity until the local public entity creates a Pierce's disease work plan that is approved by the department. Any funds allocated by the department to a designated local public entity shall be utilized for activities consistent with the local Pierce's disease work plan or other programs or work plans approved by the department. It shall be the responsibility of the designated local public entity to develop and implement the local Pierce's disease work plan. Upon request, the department shall provide consultation to the local public entity regarding its work plan.
- (g) The work plan created by the designated local public entity shall include, but is not limited to, all of the following:
 - (1) In coordination with the department, the development and delivery of producer outreach information and training to local communities, groups, and individuals to organize their involvement with the work plan and to raise awareness regarding Pierce's disease and its vectors.

- (2) In coordination with the department, the development and delivery of ongoing training of the designated local public entity's employees in the biology, survey, and treatment of Pierce's disease and its vectors.
 - (3) The identification within the designated local public entity of a local Pierce's disease coordinator.
 - (4) The proposed treatment of Pierce's disease and its vectors. Treatment programs shall comply with all applicable laws and regulations and shall be conducted in an environmentally responsible manner.
 - (5) In coordination with the department, the development and implementation of a data collection system to track and report new infestations of Pierce's disease and its vectors in a manner respectful of property and other rights of those affected.
 - (6) On an annual basis, while funds appropriated by this section are available for encumbrance, the department shall review the progress of each local public entity's activities regarding Pierce's disease and its vectors and, as needed, make recommendations regarding those activities to the local public entity.
- (h)
- (1) The department shall report to the Legislature each January 1 while this section is operative, regarding its expenditures, progress, and ongoing priorities in combating Pierce's disease and its vectors in California.
 - (2) A report submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.
- (i) This article shall become inoperative on March 1, 2021, and as of January 1, 2022, is repealed, unless a later enacted statute that is enacted before January 1, 2022, deletes or extends the dates on which it becomes inoperative and is repealed.

6047.

The secretary may establish, maintain, and enforce regulations consistent with the intent of the Legislature as expressed in this article as may be necessary to interpret, clarify, or implement this article. This authority shall be liberally construed to effectuate the intent of this article.