BILL NUMBER: AB 2657   INTRODUCED

        BILL TEXT

INTRODUCED BY   Assembly Member Bloom

                        FEBRUARY 21, 2014

   An act to add Section 12016.5 to the Fish and Game Code, relating

to fish and wildlife protection.

        LEGISLATIVE COUNSEL'S DIGEST

   AB 2657, as introduced, Bloom. Environmentally sensitive areas:

use of anticoagulants.

    Existing law requires the Director of Pesticide Regulation to, by

regulation, designate and establish a list of restricted materials

based upon, among other criteria, hazards related to persistent

residues in the soil resulting ultimately in contamination of the

air, waterways, estuaries, or lakes, with consequent damage to fish,

wild birds, and other wildlife. Existing law requires the director to

control and otherwise regulate the use of restricted materials, as

specified. Existing law requires the Fish and Game Commission and the

Department of Fish and Wildlife to protect and conserve the fish and

wildlife resources of the state by establishing ecological reserves

and by conserving, protecting, restoring, and enhancing any

endangered species or any threatened species and its habitat.

   This bill would prohibit the use of any poison, substance, or

product, other than its use as a prescription drug under the

direction of a licensed physician and surgeon, that contains one or

more of specified anticoagulants, including brodifacoum and

bromadiolone, in environmentally sensitive areas.

   Because a violation of this provision would be a misdemeanor, the

bill would create new crimes, thereby a imposing state-mandated local

program.

   The California Constitution requires the state to reimburse local

agencies and school districts for certain costs mandated by the

state. Statutory provisions establish procedures for making that

reimbursement.

   This bill would provide that no reimbursement is required by this

act for a specified reason.

   Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

  SECTION 1.  Section 12016.5 is added to the Fish and Game Code, to

read:

   12016.5.  (a) The use of any poison, substance, or product, other

than its use as a prescription drug under the direction of a licensed

physician and surgeon, that contains one or more of the following

anticoagulants is prohibited in an environmentally sensitive area.

   (1) Brodifacoum.

   (2) Bromadiolone.

   (3) Difenacoum.

   (4) Difethialone.

   (b) As used in subdivision (a), an "environmentally sensitive area"

has the same meaning as defined in Section 30107.5 of the Public

Resources Code, and includes, but is not limited to, any wetlands,

animal sanctuary, conservancy, state or national park, and any area

or habitat that is protected for any endangered or threatened

species, including animals, birds, fish, and insects.

  SEC. 2.  No reimbursement is required by this act pursuant to

Section 6 of Article XIII B of the California Constitution because

the only costs that may be incurred by a local agency or school

district will be incurred because this act creates a new crime or

infraction, eliminates a crime or infraction, or changes the penalty

for a crime or infraction, within the meaning of Section 17556 of the

Government Code, or changes the definition of a crime within the

meaning of Section 6 of Article XIII B of the California

Constitution.