

AMENDED IN SENATE AUGUST 22, 2006

AMENDED IN SENATE AUGUST 15, 2005

AMENDED IN SENATE JULY 6, 2005

AMENDED IN SENATE JUNE 23, 2005

AMENDED IN SENATE JUNE 6, 2005

AMENDED IN ASSEMBLY APRIL 25, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 87

**Introduced by Assembly Member Bermudez
(Principal coauthor: Assembly Member Maze)
(Coauthors: Assembly Members Benoit, Daucher, DeVore,
Emmerson, Leslie, Mountjoy, Parra, and Sharon Runner)
(Coauthor: Senator Machado)**

January 6, 2005

~~An act to amend Sections 8564, 8565, 8565.5, and 8566 of, and to add Sections 8565.7 and 8565.8 to, the Business and Professions Code, and to amend Section 4005 of the Fish and Game Code, and to amend Sections 11702, 12203, and 14153 of, and to add Sections 14153.2 and 14153.3 to, the Food and Agricultural Code, relating to trapping licenses.—An act to amend Section 4005 of the Fish and Game Code, relating to trapping licenses.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 87, as amended, Bermudez. Trapping licenses: exemptions.
Existing law requires every person, other than a fur dealer, who traps fur-bearing mammals or nongame mammals, designated by the

Fish and Game Commission or who sells raw furs of those mammals, to procure a trapping license from the Department of Fish and Game.

Existing law provides for the licensing by the Structural Pest Control Board of individuals who practice structural pest control. Existing law also provides for the licensing by the Department of Pesticide Regulation of various persons and businesses who apply pesticides.

This bill would exempt a structural pest control operator licensed by the Structural Pest Control Board and a person or business licensed or certified by the Department of Pesticide Regulation from the licensing requirement for trapping specified mammals, as provided.

~~Existing law requires every person, other than a fur dealer, who traps fur-bearing mammals or nongame mammals, designated by the Fish and Game Commission or who sells the raw furs of those mammals, to procure a trapping license from the Department of Fish and Game.~~

~~Existing law provides for the licensing by the Structural Pest Control Board of individuals who practice structural pest control. Existing law also provides for the licensing by the Department of Pesticide Regulation of various persons and businesses who apply pesticides.~~

~~This bill would exempt a structural pest control operator licensed by the Structural Pest Control Board and a person or business licensed or certified by the Department of Pesticide Regulation from the licensing requirement for trapping mammals upon the adoption and implementation of regulations by the Structural Pest Control Board, as specified.~~

~~Existing law prescribes the procedures to obtain pest control field representative and applicator licenses.~~

~~This bill would require an applicant seeking a general pest, Branch 2, field representative's license to have had training and experience that include the management of vertebrate pests and training on applicable regulations, and would require an operator applicant to have adequate knowledge of the same demonstrated by written examination and to have satisfactorily passed board-approved courses in that area. This bill would also require the board to ascertain by written examination that an applicant for a license as a field representative has knowledge of management of vertebrate pests and applicable codes and regulations governing trapping of mammals.~~

~~Existing law requires persons licensed or certified by the Department of Pesticide Regulation meet certain requirements, as specified.~~

~~This bill would require that in addition, persons licensed or certified by the department be trained and tested in applicable regulations governing trapping of mammals.~~

~~This bill would also require the Structural Pest Control Board and the Department of Pesticide Regulation to work in conjunction with the Department of Fish and Game to formulate regulations that apply to licensees authorized to engage in pest control activities who trap animals, as specified and then to adopt those regulations by July 1, 2006. This bill would, in addition, require licensees to file reports, would make the reports filed by licensees public, and would permit the suspension of a license if licensees fail to file or file incomplete reports.~~

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 4005 of the Fish and Game Code is*
2 *amended to read:*

3 4005. (a) Except as otherwise provided in this section, every
4 person, other than a fur dealer, who traps fur-bearing mammals
5 or nongame mammals, designated by the commission or who
6 sells raw furs of those mammals, shall procure a trapping license.
7 “Raw fur” means any fur, pelt, or skin that has not been tanned or
8 cured, except that salt-cured or sun-cured pelts are raw furs.

9 (b) The department shall develop standards that are necessary
10 to ensure the competence and proficiency of applicants for a
11 trapping license. No person shall be issued a license until he or
12 she has passed a test of his or her knowledge and skill in this
13 field.

14 (c) Persons trapping mammals in accordance with Section
15 4152 or 4180 are not required to procure a trapping license
16 except when providing trapping services for profit.

17 (d) No raw furs taken by persons providing trapping services
18 for profit may be sold.

19 (e) *The license requirement imposed by this section does not*
20 *apply to any of the following:*

1 (1) Officers or employees of federal, county, or city agencies
2 or the department, when acting in their official capacities, or
3 officers or employees of the Department of Food and Agriculture
4 when acting pursuant to the Food and Agricultural Code
5 pertaining to pests or pursuant to Article 6 (commencing with
6 Section 6021) of Chapter 9 of Part 1 of Division 4 of the Food
7 and Agricultural Code, ~~are exempt from the license requirement~~
8 ~~of this section.~~

9 (2) *Structural pest control operators license pursuant to*
10 *Chapter 14 (commencing with Section 8500) of Division 3 of the*
11 *Business and Professions Code, when trapping rats, mice, voles,*
12 *moles, or gophers.*

13 (3) *Persons and businesses licensed or certified by the*
14 *Department of Pesticide Regulation pursuant to Chapter 4*
15 *(commencing with Section 11701) and Chapter 8 (commencing*
16 *with Section 12201) of Division 6 of, and Chapter 3.6,*
17 *(commencing with Section 14151) of Division 7 of, the Food and*
18 *Agricultural Code, when trapping rats, mice, voles, moles, or*
19 *gophers.*

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**All matter deleted in this version of the bill
appears in the bill as amended in Senate,
August 15, 2005 (JR11)**