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SB-144 Fish and wildlife: steelhead trout: fishing report-restoration card. (2017-2018)

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Senate Bill No. 144

CHAPTER 305

An act to amend Sections 7381 and 7382 of the Fish and Game Code, relating to fishing, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 26, 2017. Filed with Secretary of State September 26, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 144, McGuire. Fish and wildlife: steelhead trout: fishing report-restoration card.

Existing law requires a person taking steelhead trout in inland waters, in addition to a valid California sport fishing license and any applicable sport license stamp, to have in his or her possession a valid nontransferable steelhead trout fishing report-restoration card issued by the Department of Fish and Wildlife. Under existing law, the base fee for the fishing report-restoration card was \$5 for the 2004 license year and is authorized to be adjusted annually pursuant to a specified index. Existing law requires revenues to be deposited in the Fish and Game Preservation Fund and to be available for expenditure, upon appropriation by the Legislature, to monitor, restore, or enhance steelhead trout resources consistent with specified law, and to administer the fishing report-restoration card program. Existing law requires the department to report to the Legislature on or before July 1, 2016, regarding the steelhead trout fishing report-restoration card program's projects undertaken using revenues derived pursuant to that program, the benefits derived, and its recommendations for revising the fishing report-restoration card requirement, if any. These provisions become inoperative as of July 1, 2017, and are repealed as of January 1, 2018.

This bill would extend the operation of those provisions to July 1, 2022, to be repealed as of January 1, 2023. The bill would require the department to report to the Legislature regarding the fishing report-restoration card program's projects on or before July 1, 2021.

Because this bill would extend the operation of the fishing report-restoration card requirements, the violation of which would be a crime, it would impose a 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.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 7381 of the Fish and Game Code is amended to read:

7381. (a) Revenue received pursuant to Section 7380 may be expended, upon appropriation by the Legislature, only to monitor, restore, or enhance steelhead trout resources consistent with Sections 6901 and 6902, and to administer the fishing report-restoration card program. The department shall submit all proposed expenditures, including proposed expenditures for administrative purposes, to the Advisory Committee on Salmon and Steelhead Trout for review and comment before submitting a request for inclusion of the appropriation in the annual Budget Bill. The committee may recommend revisions in any proposed expenditure to the Legislature and the commission.

(b) The department shall report to the Legislature on or before July 1, 2021, regarding the steelhead trout fishing report-restoration card program's projects undertaken using revenues derived pursuant to that program, the benefits derived, and its recommendations for revising the fishing report-restoration card requirement, if any. The report submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 2. Section 7382 of the Fish and Game Code is amended to read:

7382. This article shall become inoperative on July 1, 2022, and, as of January 1, 2023, is repealed, unless a later enacted statute that is enacted before January 1, 2023, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. 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.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure the uninterrupted collection of information and funds used to help preserve steelhead trout, it is necessary that this act take effect immediately.