

AMENDED IN SENATE JULY 20, 2001

AMENDED IN ASSEMBLY MAY 23, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 435

**Introduced by ~~Committee on Budget (Cardenas (Chair), Aroner, Cardoza, Cedillo, Dutra, Firebaugh, Horton, Keeley, Nakano, Oropeza, Pavley, Simitian, Steinberg, Vargas, and Wright)~~
Assembly Member Goldberg**

(Coauthors: Assembly Members Aroner, Cardenas, Keeley, Kehoe, Longville, Migden, Nakano, Shelley, Strom-Martin, Washington, Wayne, and Wiggins)

(Coauthor: Senator Ortiz)

February 20, 2001

~~An act relating to resources and environmental protection. An act to amend Sections 70, 714, 1050, 1051, 1055, 1055.5, 1056, 1057, 1058, 1059, 1060, 3055, 3682, 3684, 3700, 3701, 4336, 4654, 4657, 4753, 6596, 7149, 7149.1, 7149.4, 7180, 7181, 7182, 7183, 7184, 7186, 7700, and 13005 of, to add Sections 16, 1055.1, 1055.6, 1061, 3055.1, 3682.1, 3682.2, 3700.1, 3700.2, 6596.1, 7149.15, 7149.45, 7180.1, 7181.1, 7182.1, 7183.1, 7184.1, 7186.1, and 7360.1 to, to add, repeal, and add Section 7149.05 of, to repeal Sections 3034, 3701.5, and 7146 of, and to repeal and add Sections 1053, 7149.8, and 7360 of, the Fish and Game Code, and to amend Item 3790-001-0449 of Section 2.00 of the Budget Act of 2001, relating to resources, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 435, as amended, ~~Committee on Budget Goldberg. Resources and environmental protection~~ *Resources: fish and game licenses and other entitlements: implementation of the Budget Act of 2001.*

(1) Under existing law, licenses, license tags, license stamps, permits, certificates, and other entitlements are issued by the Department of Fish and Game for specified fees that authorize various activities relating to taking and possession of birds, mammals, and fish for purposes other than commercial purposes. Fees collected for those entitlements are deposited in the Fish and Game Preservation Fund, a fund continuously appropriated to the department and the Fish and Game Commission to carry out the Fish and Game Code.

This bill would change the requirements for issuing, possessing, replacing, and renewing certain entitlements and for transacting business as a license agent for the purpose of issuing those entitlements.

Because the bill would impose new duties on the department and the commission, the bill would make an appropriation, and, to the extent that this bill would result in additional money being deposited in the fund, the bill would also make an appropriation.

(2) Existing law makes a violation of a provision of the Fish and Game Code a crime.

To the extent that the new procedures in the bill would redefine crimes related to issuing, possessing, replacing, or renewing the entitlements or the requirements for transacting business as a license agent, the bill would impose a state-mandated local program.

(3) 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.

~~Prior annual budget acts have appropriated funds for the purposes of resources and environmental protection.~~

~~This bill would declare the intent of the Legislature to make the necessary statutory changes to implement the Budget Act of 2001 relative to the purposes of resources and environmental protection.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.



The people of the State of California do enact as follows:

1 ~~SECTION 1.~~ It is the intent of the Legislature in enacting this
2 SECTION 1. Section 16 is added to the Fish and Game Code,
3 to read:

4 16. “Affix” means physically attached to or imprinting an
5 electronic validation to a license document.

6 SEC. 2. Section 70 of the Fish and Game Code is amended to
7 read:

8 70. “Resident” means any person who has resided
9 continuously in the State of California for six months or more
10 immediately prior to the date of his application for a license or
11 permit, ~~or~~ any person on active military duty with the Armed
12 Forces of the United States or auxiliary branch thereof, *or any*
13 *person enrolled in the Job Corps established pursuant to Section*
14 *2883 of Title 29 of the United States Code.*

15 SEC. 3. Section 714 of the Fish and Game Code is amended
16 to read:

17 714. (a) In addition to Section 3031, 3031.2, 7149, or 7149.2
18 and notwithstanding Section 3037, the department shall issue
19 lifetime sportsman’s licenses ~~under~~ pursuant to this section. A
20 lifetime sportsman’s license authorizes the taking of birds,
21 mammals, fish, reptiles, or amphibia anywhere in this state in
22 accordance with law for purposes other than profit for the life of
23 the person to whom issued unless revoked for a violation of this
24 code or regulations adopted ~~under~~ pursuant to this code. A lifetime
25 sportsman’s license is not transferable. A lifetime sportsman’s
26 license does not include any special license tags, license stamps,
27 or fees other entitlements.

28 (b) A lifetime sportsman’s license may be issued to residents of
29 this state, as follows:

30 (1) To a person 62 years of age or over upon payment of a fee
31 of six hundred dollars (\$600) in 1998.

32 (2) To a person 40 years of age or over and less than 62 years
33 of age upon payment of a fee of eight hundred ninety dollars
34 (\$890) in 1998.

35 (3) To a person 10 years of age or over and less than 40 years
36 of age upon payment of a fee of nine hundred ninety dollars (\$990)
37 in 1998.



1 (4) To a person less than 10 years of age upon payment of a fee
2 of six hundred dollars (\$600) in 1998.

3 (5) The department shall establish the fee for each license
4 authorized under this section in 1999 and subsequent years. The
5 license fee shall not be less than the fee authorized in 1998, and the
6 fee shall not exceed the cost of a license if the license fee was
7 adjusted pursuant to Section 713 with the base year of 1998.

8 (c) Nothing in this section requires a person under the age of 16
9 to obtain a license to take fish, reptiles, or amphibia for purposes
10 other than profit or to obtain a license to take birds or mammals
11 except as required by law.

12 (d) Nothing in this section exempts an applicant for a license
13 from meeting other qualifications or requirements otherwise
14 established by law for the privilege of sporthunting or sport
15 fishing.

16 (e) Upon payment of a fee of three hundred ten dollars (\$310),
17 a person holding a lifetime hunting license or lifetime sportsman's
18 license shall be issued annually one deer tag ~~application~~ pursuant
19 to subdivision (a) of Section 4332 and ~~one book of~~ five wild pig
20 tags issued pursuant to Section 4654.

21 (f) Upon payment of a fee of two hundred dollars (\$200), a
22 person holding a lifetime hunting license or lifetime sportsman's
23 license shall be entitled annually to the privileges afforded to a
24 person holding a state duck stamp *or validation* issued pursuant to
25 ~~subdivision (a) of~~ Section 3700 *or 3700.1* and an upland game bird
26 stamp *or validation* issued pursuant to Section 3682 *or 3682.1*.

27 *SEC. 4. Section 1050 of the Fish and Game Code is amended*
28 *to read:*

29 1050. (a) All licenses, ~~certificates, permits, and license tags~~
30 *reservations, and other entitlements* authorized by this code shall
31 be prepared and issued by the department.

32 (b) The commission shall determine the form of all licenses,
33 ~~permits, license tags, and certificates~~ *reservations, and other*
34 *entitlements* and the method of carrying and displaying all
35 licenses, and may require and prescribe the form of applications
36 therefor; and the form of any contrivance to be used in connection
37 therewith.

38 (c) Whenever, ~~under any of the provisions~~ *provision* of this
39 code, ~~provides for a permit, certificate, license, license tag,~~
40 ~~reservation, or application is provided for,~~ *or other entitlement, the*



1 commission shall, in accordance with the ~~provisions~~ *provision*,
 2 prescribe the terms and conditions under which the permit,
 3 ~~certificate~~, license, ~~license~~ tag, reservation, ~~or~~ application, *or*
 4 *other entitlement* shall be issued and the department shall issue the
 5 permit, ~~certificate~~, license, ~~license~~ tag, reservation, ~~or~~ application,
 6 *or other entitlement* in accordance therewith and with the
 7 applicable provisions of law.

8 (d) Whenever this code does not specify whether a fee is to be
 9 collected, or does not specify the amount of a fee to be collected
 10 for the issuance of any license, ~~license~~ tag, ~~certificate~~, permit,
 11 application, reservation, or other entitlement, the commission may
 12 establish a fee or the amount thereof by regulation. The
 13 commission may also provide for the change in the amount of the
 14 fee in accordance with Section 713. However, no fee may exceed
 15 the reasonable costs incurred by the department in implementing
 16 and administering the program or activity to which the license,
 17 ~~license~~ tag, ~~certificate~~, permit, application, reservation, or other
 18 entitlement is related.

19 (e) Whenever this code provides for a license, ~~license~~ tag,
 20 ~~certificate~~, permit, reservation, or other entitlement, the
 21 commission may establish a nonrefundable application fee, not to
 22 exceed seven dollars and fifty cents (\$7.50) sufficient to pay the
 23 department's costs for issuing the license, ~~license~~ tag, ~~certificate~~,
 24 permit, reservation, or other entitlement and may adjust the
 25 application fee in accordance with Section 713.

26 *SEC. 5. Section 1051 of the Fish and Game Code is amended*
 27 *to read:*

28 1051. Licenses of each class shall be ~~consecutively~~ *uniquely*
 29 numbered. Every license shall contain its expiration date and ~~the~~
 30 ~~amount of~~ the fee for which it is issued. If no fee is either required
 31 by this code or established by the commission pursuant to Section
 32 1050, the license shall so indicate.

33 *SEC. 6. Section 1053 of the Fish and Game Code is repealed.*

34 ~~1053. (a) Not more than one license or not more than the~~
 35 ~~number of license tags authorized by statute or regulation of the~~
 36 ~~same class shall be issued to, or the fees paid by, a person for the~~
 37 ~~same license year, except upon:~~

- 38 ~~(1) The expiration of the license.~~
- 39 ~~(2) Except as provided in paragraph (3) or (4), the filing of an~~
 40 ~~affidavit showing the loss or destruction of an unexpired license~~



1 or license tag previously issued and payment of a fee in an amount
2 determined by the department to pay the cost of issuing a duplicate
3 license or license tag, not to exceed the fee for issuing the original
4 license or license tag.

5 ~~(3) For the license year beginning July 1, 1996, and each~~
6 ~~license year thereafter, the surrender of a valid license receipt~~
7 ~~issued by the department for an unexpired license issued pursuant~~
8 ~~to paragraph (1), (2), or (3) of subdivision (a) of Section 3031 and~~
9 ~~payment of a base fee of five dollars (\$5), as adjusted pursuant to~~
10 ~~Section 713. A duplicate license issued pursuant to this paragraph~~
11 ~~may be issued by any person authorized by the department to issue~~
12 ~~licenses.~~

13 ~~(4) The surrender of a valid license receipt issued by the~~
14 ~~department for an unexpired license issued pursuant to paragraph~~
15 ~~(1) or (2) of subdivision (a) or subdivision (b) of Section 7149 and~~
16 ~~the payment of a base fee of five dollars (\$5), as adjusted pursuant~~
17 ~~to Section 713. A duplicate license issued pursuant to this~~
18 ~~paragraph may be issued by any person authorized by the~~
19 ~~department to issue licenses.~~

20 ~~(b) Any person authorized by the department to issue licenses~~
21 ~~may administer the oath for purposes of the affidavit without any~~
22 ~~fee. Each of the affidavits provided for under subdivision (a) shall~~
23 ~~be filed with the department at the times and in the manner~~
24 ~~prescribed by the department.~~

25 ~~(e) The adjustment of the base fee pursuant to Section 713~~
26 ~~specified in subdivision (a) shall be applicable to the hunting~~
27 ~~license years beginning on or after July 1, 1996, and the fishing~~
28 ~~license years beginning on or after January 1, 1996.~~

29 *SEC. 7. Section 1053 is added to the Fish and Game Code, to*
30 *read:*

31 *1053. No person shall obtain more than one license, permit,*
32 *reservation, or other entitlement of the same class, or more than*
33 *the number of tags authorized by statute or regulation for the same*
34 *license year, except under one of the following conditions:*

35 *(a) Licenses issued pursuant to paragraphs (3) and (4) of*
36 *subdivision (a) of Section 7149 and subdivision (b) of Section 7149*
37 *and paragraphs (4) and (5) of subdivision (a) of Section 3031.*

38 *(b) The loss or destruction of an unexpired license, tag, permit,*
39 *reservation, or other entitlement as certified by the applicant's*
40 *signed affidavit and proof, as determined by the department, that*



1 *the original license, tag, permit, reservation, or other entitlement*
2 *was issued, and payment of a base fee of five dollars (\$5), adjusted*
3 *pursuant to Section 713, not to exceed the fee for the original*
4 *entitlement.*

5 *SEC. 8. Section 1055 of the Fish and Game Code is amended*
6 *to read:*

7 1055. (a) The department may authorize any person, except
8 a commissioner ~~or an~~, officer, or employee of the department, to
9 be a license agent to issue ~~punch cards, licenses, license stamps,~~
10 ~~and license tags. It~~ *licenses, permits, reservations, tags, and other*
11 *entitlements. The department may consign* ~~punch cards, licenses,~~
12 ~~license stamps, and license tags~~ *licenses, permits, reservations,*
13 *tags, and other entitlements* to license agents without receiving
14 payment therefor, upon application of the license agent and upon
15 the giving of a bond or assigning a certificate of deposit, payable
16 to the department, as provided in this article. It may not consign
17 any ~~punch cards, licenses, license stamps, and license tags~~ *permits,*
18 *reservations, tags, or other entitlements* to any license agent who
19 fails to submit the report required by subdivision (a) of Section
20 1055.5 within one month and 20 days following the last day of that
21 calendar month or who otherwise fails to fully comply with
22 Section 1055.5.

23 (b) A license agent authorized ~~under~~ *pursuant to* subdivision
24 (a) shall add a handling charge to the fees, ~~which fees are~~
25 prescribed in this code or in regulations adopted pursuant to this
26 code, for ~~applications, punch cards, licenses, license stamps, and~~
27 ~~license tags~~ *licenses, permits, reservations, tags, and other*
28 *entitlements* issued by the license agent in an amount that is 5
29 percent of the face value of the item rounded to the nearest five
30 cents (\$0.05).

31 (c) The handling charge added ~~under~~ *pursuant to* subdivision
32 (b) shall be incorporated into the total amount collected for issuing
33 ~~the punch card, license, license stamp, or license tag~~ *any license,*
34 *permit, reservation, tag, and other entitlement*, but the handling
35 charge may not be included when determining license fees in
36 accordance with Section 713. License agents may issue any ~~punch~~
37 ~~card, license, license stamp, or license tag~~ *license, permit,*
38 *reservation, tag, and other entitlement* for any amount ~~that is~~ up
39 to 10 percent less than the fee prescribed in this code or in
40 regulations adopted pursuant to this code. The license agent shall



1 remit to the department the full amount of the fees as prescribed
2 in this code or in regulations adopted pursuant to this code for all
3 ~~punch cards, licenses, license stamps, or license tags~~ *licenses,*
4 *permits, reservations, tags, and other entitlements* issued.

5 (d) The handling charge required by subdivision (b) is the
6 license agent's only compensation for services. ~~No~~ *The license*
7 *agent shall not make any* other additional fee or charge ~~may be~~
8 ~~made by the license agent~~ for issuing ~~punch cards, licenses, license~~
9 ~~stamps, or license tags~~ *licenses, permits, reservations, tags, and*
10 *other entitlements* authorized ~~under~~ *pursuant to* this section.

11 (e) The department may designate a nonprofit organization,
12 organized pursuant to the laws of this state, or the California
13 chapter of a nonprofit organization, organized pursuant to the laws
14 of another state, as a license agent for the sale of lifetime licenses
15 issued pursuant to Sections 714, 3031.2, and 7149.2. These
16 licenses may be sold by auction or by other methods and are not
17 subject to the fee limitations prescribed in this code. An agent
18 authorized to issue lifetime sport fishing licenses, lifetime hunting
19 licenses, and lifetime sportsman's licenses under this subdivision
20 is exempt from subdivisions (b) and (d). The license agent shall
21 remit to the department all revenue derived from the sale of the
22 lifetime licenses.

23 (f) In order to facilitate the prompt remittance of fees and more
24 accurate accounting of licenses, ~~license stamps, and license tags~~
25 ~~permits, reservations, tags, and other entitlements~~ provided for
26 issuance to license agents, the department ~~shall~~ *may* provide them
27 in books containing licenses, ~~license stamps, or license tags~~
28 ~~permits, reservations, tags, or other entitlements~~ that do not
29 exceed the total fees for 20 resident sport fishing licenses. This
30 subdivision does not apply to nonresident licenses and nonresident
31 ~~license tags~~.

32 (g) At any single business location, a license agent shall issue
33 all items from a single book before commencing to issue licenses,
34 ~~license stamps, or license tags~~ *permits, reservations, tags, or other*
35 *entitlements* of the same series from another book.

36 (h) The department, alternatively, may provide for the issuance
37 of ~~punch cards, licenses, license stamps, and license tags~~ *licenses,*
38 *permits, reservations, tags, or other entitlements* to authorized
39 license agents and shall collect at the time the documents are
40 provided an amount equal to the fees for all ~~of the punch cards,~~



1 ~~licenses, license stamps, and license tags~~ *licenses, permits,*
 2 *reservations, tags, and other entitlements* provided. Any license
 3 agent who pays the fees for ~~punch cards, licenses, license stamps,~~
 4 ~~and license tags~~ *licenses, permits, reservations, tags, or other*
 5 *entitlements* provided is exempt from subdivisions (a) and (e) of
 6 Section 1055.5, ~~Section~~ *and Sections* 1056, and ~~Section~~ 1059.
 7 ~~Punch cards, licenses, license stamps, and license tags~~ Any
 8 *licenses, permits, reservations, tags, or other entitlements*
 9 provided pursuant to this subdivision ~~and remaining~~ *that remain*
 10 unissued at the end of the license year may be returned to the
 11 department, within 60 days of their expiration date, for refund or
 12 credit, or a combination thereof.

13 (i) ~~All License agents shall return all~~ unissued and expired
 14 ~~punch cards, licenses, license stamps, and license tags shall be~~
 15 ~~returned~~ *licenses, permits, reservations, tags, and other*
 16 *entitlements* to the department. ~~Any license agent who does not~~
 17 ~~return them~~ within one month and 20 days following the last day
 18 of the license year ~~may~~. *Any license agent who does not comply*
 19 *with this section shall not be provided additional* ~~punch cards,~~
 20 ~~licenses, license stamps, or license tags~~ *licenses, permits,*
 21 *reservations, tags, and other entitlements* until the unissued and
 22 expired ~~punch cards, licenses, license stamps, and license tags~~
 23 *licenses, permits, reservations, tags, and other entitlements* have
 24 been returned to the department. In addition, any unissued and
 25 expired ~~item~~ *license, permit, reservation, tag, or other entitlement*
 26 that is not returned within 60 days following the last day of the
 27 license year shall be billed to the license agent. ~~Items~~ *Licenses,*
 28 *permits, reservations, tags, and other entitlements* may be returned
 29 for credit after the 60 days; however, the license agent shall pay
 30 interest and penalties on the returned ~~items~~ *licenses, permits,*
 31 *reservations, tags, and other entitlements* as prescribed in
 32 subdivision (b) of Section 1059. No credit may be allowed after six
 33 months following the last day of the license year.

34 (j) *This section does not apply to licenses, permits,*
 35 *reservations, tags, or other entitlements issued through the*
 36 *Automated License Data System.*

37 SEC. 9. *Section 1055.1 is added to the Fish and Game Code,*
 38 *to read:*

39 1055.1. (a) *The department may authorize any person,*
 40 *except a commissioner, officer, or employee of the department, to*



1 *be a license agent to issue any license, permit, reservation, tag, or*
2 *other entitlement upon the department's approval of an*
3 *application.*

4 *(b) A license agent authorized pursuant to subdivision (a) shall*
5 *add a handling charge to the fees prescribed in this code or in*
6 *regulations adopted pursuant to this code for any license, permit,*
7 *reservation, tag, and other entitlement issued by the license agent*
8 *in an amount that is 5 percent of the face value of the item rounded*
9 *to the nearest five cents (\$0.05).*

10 *(c) The handling charge added pursuant to subdivision (b)*
11 *shall be incorporated into the total amount collected for issuing*
12 *the license, permit, reservation, tag, and other entitlement, but the*
13 *handling charge shall not be included when determining license*
14 *fees in accordance with Section 713. A license agent may issue any*
15 *license, permit, reservation, tag, or other entitlement for any*
16 *amount up to 10 percent less than the fee prescribed in this code*
17 *or in regulations adopted pursuant to this code. The license agent*
18 *shall remit to the department the full amount of the fees as*
19 *prescribed in this code or in regulations adopted pursuant to this*
20 *code for all licenses, permits, reservations, tags, and other*
21 *entitlements issued.*

22 *(d) The handling charge required by subdivision (b) is the*
23 *license agent's only compensation for services. The license agent*
24 *shall not make any other additional fee or charge for issuing any*
25 *license, permit, reservation, tag, or other entitlement authorized*
26 *pursuant to this section.*

27 *(e) The department may designate a nonprofit organization,*
28 *organized pursuant to the laws of this state, or the California*
29 *chapter of a nonprofit organization, organized pursuant to the*
30 *laws of another state, as a license agent for the sale of lifetime*
31 *licenses issued pursuant to Sections 714, 3031.2, and 7149.2.*
32 *These licenses may be sold by auction or by other methods and are*
33 *not subject to the fee limitations prescribed in this code. An agent*
34 *authorized to issue lifetime sport fishing licenses, lifetime hunting*
35 *licenses, and lifetime sportsman's licenses under this subdivision*
36 *is exempt from subdivisions (b) and (d). The license agent shall*
37 *remit to the department all revenue derived from the sale of the*
38 *lifetime licenses.*

39 *(f) The department, alternatively, may provide for the issuance*
40 *of licenses, permits, reservations, tags, or other entitlements to*



1 *authorized license agents and shall collect at the time the*
2 *documents are provided an amount equal to the fees for all*
3 *licenses, permits, reservations, tags, or other entitlements*
4 *provided. Any license agent who pays the fees for licenses, permits,*
5 *reservations, tags, or other entitlements provided is exempt from*
6 *subdivisions (a) and (d) of Section 1055.6 and Sections 1056 and*
7 *1059. Any licenses, permits, reservations, tags, and other*
8 *entitlements provided pursuant to this subdivision that remain*
9 *unissued at the end of the license year may be returned to the*
10 *department, within 60 days of their expiration date, for refund or*
11 *credit, or a combination thereof.*

12 (g) *This section applies only to licenses, permits, reservations,*
13 *tags, and other entitlements issued through the Automated License*
14 *Data System.*

15 *SEC. 10. Section 1055.5 of the Fish and Game Code is*
16 *amended to read:*

17 1055.5. (a) Except as provided in subdivision (c) or (d), each
18 license agent authorized pursuant to Section 1055 shall remit to the
19 department the fees prescribed in this code or in regulations
20 adopted pursuant to this code for all licenses, ~~license stamps, or~~
21 ~~license tags~~ *permits, reservations, tags, and other entitlements*
22 issued in each calendar month not later than 20 days following the
23 last day of that calendar month. The transmittal of the fees to the
24 department shall be accompanied with an accounting report on
25 forms provided by the department of all licenses, ~~license stamps,~~
26 ~~and license tags~~ *permits, reservations, tags, and other entitlements*
27 received, issued, remaining on hand, reported lost under
28 subdivision (b), and returned to the department during the
29 preceding month.

30 (b) A license agent shall report any losses of licenses, ~~license~~
31 ~~stamps, or license tags~~ *permits, reservations, tags, or other*
32 *entitlements*, or any part or all of the fees received for them, to the
33 department on or before the end of the next business day of the
34 department.

35 (c) A license agent is not required to remit the fees for a book
36 of licenses, ~~license stamps, or license tags~~ *permits, reservations,*
37 *tags, or other entitlements* in any month if, on the last day of the
38 preceding month, all items in that single book provided for
39 issuance at a single business location are not issued. If, however,
40 all items in that book are issued, the license agent shall remit the



1 fees for that book and transmit the accounting report in accordance
2 with the requirements of this section.

3 (d) The license agent may retain not more than fifteen cents
4 (\$.15) of the fee received for each Colorado River special use
5 stamp issued pursuant to Section 7180 as compensation for
6 services. The license agent shall remit to the department the fees
7 prescribed by Section 7180, less any amounts retained under this
8 subdivision, for all Colorado River special use stamps issued. The
9 license agent shall remit the net fees with an accounting report as
10 prescribed in subdivision (a).

11 (e) Except as provided in subdivision (c), any fee remittance
12 and accounting report not transmitted to the department within 30
13 days following the last day of each calendar month is delinquent,
14 and fees due are subject to interest and penalties prescribed in
15 subdivision (b) of Section 1059. Interest and penalties shall be
16 computed beginning 21 days following the last day of the calendar
17 month in which the fees were collected.

18 (f) *This section does not apply to licenses, permits,*
19 *reservations, tags, or other entitlements issued through the*
20 *Automated License Data System.*

21 *SEC. 11. Section 1055.6 is added to the Fish and Game Code,*
22 *to read:*

23 *1055.6. (a) Except as provided in subdivision (b), each*
24 *license agent authorized pursuant to Section 1055.1 shall remit to*
25 *the department the fees prescribed in this code or in regulations*
26 *adopted pursuant to this code for all licenses, permits,*
27 *reservations, tags, and other entitlements by electronic means,*
28 *such as electronic fund transfer. In order to facilitate the prompt*
29 *remittance of revenues, the department is authorized to withdraw*
30 *funds from the separate bank account of the license agent required*
31 *by Section 1057, including adjustments, by electronic transfer.*
32 *License agents shall ensure that the total fees required for all*
33 *licenses, permits, reservations, tags, or other entitlements*
34 *necessary to perform the electronic transfer are available on the*
35 *date specified by the license agent contract.*

36 *(b) A license agent shall report to the department on or before*
37 *the end of the next business day of the department any losses of fees*
38 *received from the issuing of licenses, permits, reservations, tags,*
39 *or other entitlements.*



1 (c) *The license agent may retain not more than fifteen cents*
2 *(\$0.15) of the fee received for each Colorado River special use*
3 *validation issued pursuant to Section 7180.1 as compensation for*
4 *services. The license agent shall remit to the department the fees*
5 *prescribed by Section 7180.1, less any amounts retained under this*
6 *subdivision, for all Colorado River special use validations issued.*
7 *The license agent shall remit the net fees as prescribed in*
8 *subdivision (a).*

9 (d) *Except as provided in subdivision (b), any fees not*
10 *transmitted or made available to the department within seven days*
11 *following the due date as specified by the department are*
12 *delinquent, and delinquent fees are subject to interest and*
13 *penalties prescribed in subdivision (b) of Section 1059. Interest*
14 *and penalties shall be computed beginning one day following the*
15 *due date as specified by the department.*

16 (e) *This section applies only to licenses, permits, reservations,*
17 *tags, and other entitlements issued through the Automated License*
18 *Data System.*

19 SEC. 12. *Section 1056 of the Fish and Game Code is amended*
20 *to read:*

21 1056. (a) ~~Every person authorized to issue licenses, license~~
22 ~~stamps, and license tags under permits, reservations, tags, and~~
23 ~~other entitlements pursuant to Section 1055 shall or 1055.1 may~~
24 ~~be required to execute, in favor of the department, a bond or~~
25 ~~certificate of deposit, payable to the department, in a sum equal to~~
26 ~~the value of fees due from the licenses, license stamps, and license~~
27 ~~tags provided for issuance to that license agent determined by the~~
28 ~~department. The bond or certificate of deposit shall secure the~~
29 ~~faithful accurate accounting and payment to the department of the~~
30 ~~funds collected and the faithful performance of the duties imposed~~
31 ~~upon the license agent by this article.~~

32 (b) ~~Any license agent who fails to transmit the fees or~~
33 ~~accounting reports required by Section 1055.5 or 1055.6 not later~~
34 ~~than 60 days following the last day of that calendar month in which~~
35 ~~the fees were collected shall due date as specified by the~~
36 ~~department may be bonded pursuant to subdivision (a) in order to~~
37 ~~continue as a license agent.~~

38 (c) ~~The department may waive the requirements of~~
39 ~~subdivisions (a) and (b) if the license agent has fully complied with~~
40 ~~Section 1055.5 in each month of the preceding 12 months.~~



1 SEC. 13. Section 1057 of the Fish and Game Code is amended
2 to read:

3 1057. All fees collected from issuing any license ~~and license~~
4 ~~tag money~~, permit, reservation, tag, and other entitlement shall be
5 kept in a separate ~~and apart from any other funds of a license agent,~~
6 ~~and shall~~ bank account, at all times belong to the State state, and
7 not be commingled with other funds of the license agent.

8 SEC. 14. Section 1058 of the Fish and Game Code is amended
9 to read:

10 1058. In case of an assignment for the benefit of creditors,
11 receivership, or bankruptcy, the State state shall have a preferred
12 claim against the license agent, receiver, or trustee for all moneys
13 owing the State state for the ~~sale~~ issuing of licenses ~~and license~~
14 ~~tags~~, permits, reservations, tags, and other entitlements as
15 provided in this code; and shall not be estopped from asserting
16 ~~such~~ that claim by reason of the commingling of funds or
17 otherwise.

18 SEC. 15. Section 1059 of the Fish and Game Code is amended
19 to read:

20 1059. (a) The failure or refusal of any license agent to
21 account for licenses, ~~license stamps, or license tags~~, permits,
22 reservations, tags, and other entitlements, or any fees received
23 from their issuance as required by Section 1055.5 or 1055.6 or
24 upon demand by an authorized representative of the department is
25 a misdemeanor.

26 (b) In addition to subdivision (a), any license agent who fails
27 to remit fees to the department on or before the date required by
28 Section 1055.5 or 1055.6 shall pay interest and penalties
29 prescribed for sales and use taxes and, except as otherwise
30 provided in this code, the department shall collect amounts owing
31 under the procedures prescribed for sales and use taxes provided
32 in Chapter 5 (commencing with Section 6451) and Chapter 6
33 (commencing with Section 6701) of Part 1 of Division 2 of the
34 Revenue and Taxation Code, insofar as they may be applicable,
35 and for those purposes, “board” means the department.

36 SEC. 16. Section 1060 of the Fish and Game Code is amended
37 to read:

38 1060. (a) The department or its authorized employees may
39 accept from any bonded license agent an affidavit for settlement
40 on its account in lieu of licenses ~~and license tags~~, permits,



1 *reservations, tags, and other entitlements* that have been lost or
2 destroyed. ~~Such~~ The affidavits shall show the value and
3 classification of the licenses ~~and license tags, permits,~~
4 *reservations, tags, and other entitlements*, their serial numbers,
5 and the causes of loss or destruction.

6 (b) *This section does not apply to licenses, permits,*
7 *reservations, tags, or other entitlements that are issued through the*
8 *Automated License Data System.*

9 SEC. 17. *Section 1061 is added to the Fish and Game Code,*
10 *to read:*

11 1061. (a) *A person may purchase a license voucher as a gift*
12 *for a licensee when the licensee's complete and accurate personal*
13 *information, as defined in regulation, is not provided by the license*
14 *buyer at the time of purchase.*

15 (b) *A license purchase voucher may be purchased for the*
16 *following items only:*

17 (1) *Annual licenses issued pursuant to paragraphs (1), (2), and*
18 *(3) of subdivision (a) of Section 3031 and paragraphs (1) and (2)*
19 *of subdivision (a) and subdivision (b) of Section 7149.*

20 (2) *Authorizations issued pursuant to Sections 3682, 3682.1,*
21 *3700, 3700.1, 4332, 4654, 4751, 6596, 6596.1, 7149.4, 7149.45,*
22 *7149.8, 7360, 7360.1, and 7380.*

23 (c) *A license purchase voucher entitles the holder of the*
24 *voucher to redeem it for the specific annual license, privilege, and*
25 *license year for which it was purchased.*

26 (d) *A license purchase voucher shall expire and be considered*
27 *void if not redeemed within the license year for which it was*
28 *purchased.*

29 (e) *A license purchase voucher may be issued and redeemed by*
30 *any person authorized by the department to issue licenses.*

31 (f) *The license agent handling fee, as provided under*
32 *subdivision (b) of Section 1055 and subdivision (b) of Section*
33 *1055.1, shall only apply to the sale of the license purchase voucher.*

34 (g) *This section applies only to licenses, permits, reservations,*
35 *tags, and other entitlements issued through the Automated License*
36 *Data System.*

37 SEC. 18. *Section 3034 of the Fish and Game Code is repealed.*

38 ~~3034. Licenses granting the privilege to take birds or~~
39 ~~mammals shall be issued and delivered, upon application in~~



1 ~~writing, by the department, or by any person appointed and~~
2 ~~authorized by the department.~~

3 *SEC. 19. Section 3055 of the Fish and Game Code is amended*
4 *to read:*

5 3055. ~~Persons~~ (a) Any person who ~~apply~~ *applies* for a
6 hunting license and ~~qualify~~ *qualifies* for the license through the
7 issuance of a certificate of completion of a course in hunter safety,
8 principles of conservation, and sportsmanship as provided by this
9 article, shall obtain a hunter safety instruction validation stamp.
10 The hunter safety instruction validation stamp shall be issued by
11 license agents for a base fee of two dollars (\$2), as adjusted under
12 Section 713, in the same manner as resident hunting licenses. The
13 validation stamp shall be affixed to the certificate of completion.
14 A certificate of competence issued by this state prior to January 1,
15 1990, shall be accepted as equivalent to a certificate of completion
16 issued by this state after January 1, 1990.

17 (b) *This section does not apply to licenses, permits,*
18 *reservations, tags, or other entitlements issued through the*
19 *Automated License Data System.*

20 *SEC. 20. Section 3055.1 is added to the Fish and Game Code,*
21 *to read:*

22 3055.1. (a) Any person who *applies* for a hunting license and
23 *qualifies* for the license through the issuance of a certificate of
24 completion of a course in hunter safety, principles of conservation,
25 and sportsmanship as provided by this article, shall obtain a
26 hunter safety instruction validation. The hunter safety instruction
27 validation shall be issued by license agents for a base fee of two
28 dollars (\$2), as adjusted under Section 713, in the same manner
29 as resident hunting licenses. The validation shall be affixed to the
30 certificate of completion. A certificate of competence issued by this
31 state prior to January 1, 1990, shall be accepted as equivalent to
32 a certificate of completion issued by this state after January 1,
33 1990.

34 (b) *This section applies only to licenses, permits, reservations,*
35 *tags, and other entitlements issued through the Automated License*
36 *Data System.*

37 *SEC. 21. Section 3682 of the Fish and Game Code is amended*
38 *to read:*

39 3682. (a) It is unlawful for any person, except a person
40 licensed pursuant to paragraph (2) of subdivision (a) of Section



1 3031, to take any upland game bird species without first procuring
2 an upland game bird stamp, and having the stamp permanently
3 affixed to his or her valid hunting license.

4 (b) Upland game bird stamps may be obtained from the
5 department, or a licensed agent authorized pursuant to Section
6 1055, for a fee of ~~five dollars (\$5)~~ *six dollars and twenty-five cents*
7 *(\$6.25)*, adjusted pursuant to Section 713.

8 ~~(c) This section shall become operative on July 1, 1993.~~

9 (c) *This section does not apply to licenses, permits,*
10 *reservations, tags, or other entitlements issued through the*
11 *Automated License Data System.*

12 *SEC. 22. Section 3682.1 is added to the Fish and Game Code,*
13 *to read:*

14 3682.1. (a) *It is unlawful for any person, except a person*
15 *licensed pursuant to paragraph (2) of subdivision (a) of Section*
16 *3031, to take any upland game bird species without first procuring*
17 *an upland game bird hunting validation, as provided in*
18 *subdivision (b), and having the validation affixed to his or her*
19 *valid hunting license.*

20 (b) *Upland game bird hunting validations may be obtained*
21 *from the department or a licensed agent authorized pursuant to*
22 *Section 1055.1 for a fee of six dollars and twenty-five cents*
23 *(\$6.25), adjusted pursuant to Section 713.*

24 (c) *This section applies only to licenses, permits, reservations,*
25 *tags, and other entitlements issued through the Automated License*
26 *Data System.*

27 *SEC. 23. Section 3682.2 is added to the Fish and Game Code,*
28 *to read:*

29 3682.2. (a) *Upon full implementation of the Automated*
30 *License Data System, the department shall continue to prepare, or*
31 *have prepared, upland game bird stamps depicting upland game*
32 *birds.*

33 (b) *Any person who obtains an upland game bird hunting*
34 *validation pursuant to Section 3682.1 is entitled, upon request, to*
35 *receive an upland game bird stamp at no additional charge.*

36 (c) *Any person may purchase an upland game bird stamp for a*
37 *fee of six dollars and twenty-five cents (\$6.25), as adjusted*
38 *pursuant to Section 713.*



1 (d) Possession of an upland game bird stamp obtained
2 pursuant to this section does not entitle the holder to take any
3 upland game bird species.

4 SEC. 24. Section 3684 of the Fish and Game Code is amended
5 to read:

6 3684. All funds derived from the sale of upland game bird
7 hunting validations and upland game bird stamps shall be
8 deposited in the Fish and Game Preservation Fund and shall be
9 expended solely for the purposes specified in Section 3685. The
10 department shall maintain the internal accountability necessary to
11 ensure that all restrictions and requirements pertaining to the
12 expenditure of revenues received pursuant to this section are met.

13 ~~This section shall become operative on July 1, 1993.~~

14 SEC. 25. Section 3700 of the Fish and Game Code is amended
15 to read:

16 3700. (a) It is unlawful for any person, except a person
17 licensed pursuant to paragraph (2) of subdivision (a) of Section
18 3031, to take any migratory game bird, except jacksnipe, coots,
19 gallinules, western mourning doves, white-winged doves, and
20 band-tailed pigeons, without first procuring either an open edition
21 or a Governor's edition state duck stamp, as provided in
22 subdivisions (b) and (c), and having the state duck stamp in his or
23 her possession while taking those birds.

24 (b) State duck stamps, open edition, shall be sold for a fee of ten
25 dollars (\$10); by the department and by license agents, who are
26 authorized by the department pursuant to Section 1055, in the
27 same manner as hunting licenses.

28 (c) State duck stamps, Governor's edition, may be printed and
29 sold on a bid basis, beginning at a minimum bid, as determined by
30 the department or its representative.

31 (d) The commission shall determine the form of the state duck
32 stamp.

33 (e) The department may prepare and sell artwork, posters, and
34 other promotional materials related to the sale of duck stamps or
35 waterfowl hunting and conservation.

36 ~~(f) This section shall become operative on July 1, 1993.~~

37 (f) This section does not apply to licenses, permits,
38 reservations, tags, or other entitlements issued through the
39 Automated License Data System.



1 SEC. 26. Section 3700.1 is added to the Fish and Game Code,
2 to read:

3 3700.1. (a) It is unlawful for any person, except a person
4 licensed pursuant to paragraph (2) of subdivision (a) of Section
5 3031, to take any migratory game bird, except jacksnipe, coots,
6 gallinules, western mourning doves, white-winged doves, and
7 band-tailed pigeons, without first procuring a state duck hunting
8 validation as provided in subdivision (b), and having that
9 validation in his or her possession while taking those birds.

10 (b) State duck hunting validations shall be sold for a fee of ten
11 dollars (\$10) by the department and by license agents, who are
12 authorized by the department pursuant to Section 1055.1, in the
13 same manner as hunting licenses.

14 (c) This section applies only to licenses, permits, reservations,
15 tags, and other entitlements issued through the Automated License
16 Data System.

17 SEC. 27. Section 3700.2 is added to the Fish and Game Code,
18 to read:

19 3700.2. (a) Upon full implementation of the Automated
20 License Data System, the department shall continue to prepare, or
21 have prepared, state duck stamps depicting migratory waterfowl.

22 (b) Any person who obtains a duck hunting validation pursuant
23 to Section 3700.1 is entitled, upon request, to receive a state duck
24 stamp, open edition, at no additional charge.

25 (c) Any person may purchase a state duck stamp, open edition,
26 for a fee of ten dollars (\$10).

27 (d) State duck stamps, Governor's edition, may be printed and
28 sold on a bid basis, beginning at a minimum bid, as determined by
29 the department or its representative.

30 (e) The commission shall determine the form of the state duck
31 stamp.

32 (f) Possession of a state duck stamp obtained pursuant to this
33 section does not entitle the holder to take any migratory bird, as
34 defined in Section 3700.1.

35 (g) The department may prepare and sell artwork, posters, and
36 other promotional materials related to the sale of duck stamps or
37 waterfowl hunting and conservation.

38 SEC. 28. Section 3701 of the Fish and Game Code is amended
39 to read:



1 3701. All funds derived from the sale of *state duck hunting*
2 *validations and state duck stamps*, and related items authorized by
3 subdivision (e) of Section 3700 *or subdivision (g) of Section*
4 *3700.2*, shall be deposited in the State Duck Stamp Account in the
5 Fish and Game Preservation Fund to permit separate
6 accountability for the receipt and expenditure of these funds. An
7 amount not to exceed 6 percent of the amount annually deposited
8 in the account may be used for administrative overhead related to
9 the use of those funds and for implementation of the federal
10 Migratory Bird Harvest Program.

11 ~~This section shall become operative on July 1, 1993.~~

12 SEC. 29. *Section 3701.5 of the Fish and Game Code is*
13 *repealed.*

14 ~~3701.5. Not more than ten thousand dollars (\$10,000) may be~~
15 ~~expended annually for the purposes of subdivision (e) of Section~~
16 ~~3700 during the 1993-94 and 1994-95 fiscal years.~~

17 ~~This section shall become operative July 1, 1993.~~

18 SEC. 30. *Section 4336 of the Fish and Game Code is amended*
19 *to read:*

20 4336. The holder of a deer ~~license~~ tag shall carry the tag while
21 hunting deer, and upon the killing of any deer, shall immediately
22 fill out ~~both parts of~~ the tag and permanently mark the date of the
23 kill. ~~One part of the~~ *The deer license* tag shall be immediately
24 attached to the antlers of antlered deer or to the ear of any other
25 deer and kept attached during the open season and for 15 days
26 thereafter. ~~The other part of the tag shall be sent to the department.~~
27 *The holder of the deer tag shall immediately, upon harvesting a*
28 *deer, notify the department in a manner specified by the*
29 *commission.*

30 Except as otherwise provided *by this code or regulation adopted*
31 *pursuant to this code*, possession of any untagged deer ~~shall be~~ *is*
32 a violation of this section.

33 SEC. 31. *Section 4654 of the Fish and Game Code is amended*
34 *to read:*

35 4654. (a) Any resident of this state, 12 years of age or older,
36 who possesses a valid hunting license, may procure the number of
37 wild pig tags corresponding to the number of wild pigs that may
38 legally be taken by one person during the license year upon
39 payment of a base fee of one dollar and fifty cents (\$1.50), as



1 adjusted under Section 713 for each wild pig tag. ~~Wild pig tags~~
2 ~~may be sold only in packets of not more than five wild pig tags.~~

3 (b) Any nonresident, 12 years of age or older, who possesses a
4 valid California nonresident hunting license, may procure the
5 number of wild pig tags corresponding to the number of wild pigs
6 that may legally be taken by one person during the license year
7 upon payment of a base fee of ten dollars (\$10), as adjusted under
8 Section 713, for each wild pig tag. ~~Wild pig tags may be sold only~~
9 ~~in packets of not more than five wild pig tags.~~

10 ~~(c) This section shall become operative on July 1, 1992.~~

11 *SEC. 32. Section 4657 of the Fish and Game Code is amended*
12 *to read:*

13 4657. ~~(a)~~The holder of a wild pig ~~license~~ tag shall keep the
14 tag in his or her possession while hunting wild pig. Prior to the
15 taking of any wild pig, the holder of a wild pig tag shall write or
16 otherwise affix his or her hunting license number to the wild pig
17 ~~license~~ tag. Upon the killing of any wild pig, the date of the kill
18 shall be clearly marked by the holder of the tag on ~~both parts of the~~
19 tag. Prior to transporting the pig, a tag shall be attached to the
20 carcass by the holder of the tag. ~~The report card portion of the tag~~
21 ~~shall be transmitted to the department by the holder of the tag.~~
22 ~~Possession of an untagged wild pig is a violation of this section.~~
23 *The holder of the wild pig tag shall immediately, upon harvesting*
24 *a pig, notify the department in a manner specified by the*
25 *commission.*

26 ~~(b) This section shall become operative on July 1, 1992.~~

27 *SEC. 33. Section 4753 of the Fish and Game Code is amended*
28 *to read:*

29 4753. The holder of a bear ~~license~~ tag shall carry the tag while
30 hunting bear, and upon the killing of any bear shall immediately
31 fill out ~~both parts of the~~ tag and punch out clearly the date of the
32 kill. One part of the tag shall be immediately attached to the ear of
33 the bear and kept attached during the open season and for 15 days
34 thereafter. ~~The other part of the tag shall be immediately sent to the~~
35 ~~department.~~ *The holder of the bear tag shall immediately, upon*
36 *harvesting a bear, notify the department in a manner specified by*
37 *the commission.* Possession of any untagged bear ~~shall be~~ is a
38 violation of this section.

39 *SEC. 34. Section 6596 of the Fish and Game Code is amended*
40 *to read:*



1 6596. (a) In addition to a valid California fishing license
2 issued pursuant to Section 7149 and any other applicable license
3 stamp issued pursuant to this code, a person taking fish from ocean
4 waters south of a line extending due west from Point Arguello for
5 purposes other than for profit shall have permanently affixed to his
6 or her fishing license, except a sport fishing license issued pursuant
7 to paragraph (4) of subdivision (a) of Section 7149, an ocean
8 fishing enhancement stamp. A license stamp issued under this
9 subdivision shall be issued for the following fees:

10 (1) A stamp for a sport fishing or sport ocean fishing license,
11 two dollars and fifty cents (\$2.50). Sport fishing licenses issued
12 pursuant to paragraph (4) of subdivision (a) of Section 7149 are
13 not subject to this requirement.

14 (2) A stamp for each single day sport ocean fin fishing license
15 issued pursuant to subdivision (c) of Section 7149, fifty cents
16 (\$0.50). Sport fishing licenses issued pursuant to paragraph (4) of
17 subdivision (a) of Section 7149 are not subject to this requirement.

18 (b) In addition to a valid California commercial passenger
19 fishing boat license issued pursuant to Section 7920, the owner of
20 any boat or vessel who, for profit, permits any person to fish
21 therefrom, south of a line extending due west from Point Arguello,
22 shall have a valid commercial ocean fishing enhancement stamp
23 issued for that vessel that has not been suspended or revoked.

24 (c) Any person who takes, possesses aboard a boat, or lands any
25 white sea bass for commercial purposes, south of a line extending
26 due west from Point Arguello, shall have a valid commercial ocean
27 fishing enhancement stamp issued to that person that has not been
28 suspended or revoked.

29 (d) The fee for a commercial ocean fishing enhancement stamp
30 ~~shall be~~ is twenty-five dollars (\$25).

31 (e) *This section does not apply to licenses, permits,*
32 *reservations, tags, or other entitlements issued through the*
33 *Automated License Data System.*

34 SEC. 35. *Section 6596.1 is added to the Fish and Game Code,*
35 *to read:*

36 6596.1. (a) *In addition to a valid California fishing license*
37 *issued pursuant to Section 7149.05 and any other applicable*
38 *license validation issued pursuant to this code, a person taking fish*
39 *from ocean waters south of a line extending due west from Point*
40 *Arguello for purposes other than for profit shall have permanently*



1 *affixed to his or her fishing license, except a sport fishing license*
2 *issued pursuant to paragraph (4) of subdivision (a) of Section*
3 *7149.05, an ocean fishing enhancement validation. A license*
4 *validation issued under this subdivision shall be issued for the*
5 *following fees:*

6 *(1) A validation for a sport fishing or sport ocean fishing*
7 *license, two dollars and fifty cents (\$2.50). Sport fishing licenses*
8 *issued pursuant to paragraph (4) of subdivision (a) of Section*
9 *7149.05 are not subject to this requirement.*

10 *(2) A validation for each single day sport ocean fin fishing*
11 *license issued pursuant to subdivision (c) of Section 7149.05, fifty*
12 *cents (\$0.50). Sport fishing licenses issued pursuant to paragraph*
13 *(4) of subdivision (a) of Section 7149.05 are not subject to this*
14 *requirement.*

15 *(b) In addition to a valid California commercial passenger*
16 *fishing boat license issued pursuant to Section 7920, the owner of*
17 *any boat or vessel who, for profit, permits any person to fish*
18 *therefrom, south of a line extending due west from Point Arguello,*
19 *shall have a valid commercial ocean fishing enhancement*
20 *validation issued for that vessel that has not been suspended or*
21 *revoked.*

22 *(c) Any person who takes, possesses aboard a boat, or lands*
23 *any white sea bass for commercial purposes south of a line*
24 *extending due west from Point Arguello, shall have a valid*
25 *commercial ocean fishing enhancement validation issued to that*
26 *person that has not been suspended or revoked.*

27 *(d) The fee for a commercial ocean fishing enhancement*
28 *validation is twenty-five dollars (\$25).*

29 *(e) This section applies only to licenses, permits, reservations,*
30 *tags, and other entitlements issued through the Automated License*
31 *Data System.*

32 *SEC. 36. Section 7146 of the Fish and Game Code is repealed.*

33 ~~*7146. A license granting the privilege to take fish, reptiles,*~~
34 ~~*and amphibia for purposes other than profit shall be issued and*~~
35 ~~*delivered, upon application in writing, by the department or by any*~~
36 ~~*person authorized by the department.*~~

37 *SEC. 37. Section 7149 of the Fish and Game Code, as*
38 *amended by Section 5 of Chapter 247 of the Statutes of 1998, is*
39 *amended to read:*



1 7149. (a) A sportfishing license granting the privilege to take
2 any fish, reptile, or amphibia anywhere in this state for purposes
3 other than profit shall be issued to any of the following:

4 (1) A resident of this state, over the age of 16 years, upon
5 payment during the 1987 calendar year, or, if issued after the
6 beginning of the year, for the remainder thereof, upon payment of
7 a fee of eighteen dollars (\$18), or upon the payment during a
8 calendar year beginning on or after January 1, 1988, of the base fee
9 of sixteen dollars seventy-five cents (\$16.75), as adjusted under
10 Section 713.

11 (2) A nonresident, over the age of 16 years, for the period of a
12 calendar year, or, if issued after the beginning of the year, for the
13 remainder thereof, upon payment of a base fee of forty-five dollars
14 (\$45), as adjusted under Section 713.

15 (3) A nonresident, over the age of 16 years for the period of 10
16 consecutive days beginning on the date specified on the license
17 upon payment of the fee set forth in paragraph (1), as adjusted
18 under Section 713.

19 (4) A resident or nonresident, over the age of 16 years, for two
20 consecutive designated calendar days, upon payment of the base
21 fee of seven dollars (\$7) as adjusted under Section 713.
22 Notwithstanding Section 1053, more than one two-day license
23 issued for different two-day periods may be issued to, or possessed
24 by, a person at one time.

25 (b) A sport ocean fishing license granting the licensee to take
26 any fish from ocean waters of this state for purposes other than
27 profit shall be issued to a resident of this state, over the age of 16
28 years, for the period of a calendar year, or if issued after the
29 beginning of the year, for the remainder thereof, upon payment of
30 a base fee of ten dollars (\$10), as adjusted under Section 713.

31 (c) A sport ocean fin fishing license granting the privilege to
32 take only fin fish from the ocean waters of this state for purposes
33 other than profit shall be issued to a person over the age of 16 years
34 for one designated day, upon the payment for a designated day in
35 the license year beginning on January 1 of the base fee of four
36 dollars (\$4), as adjusted under Section 713.

37 (d) For the purposes of this section, the adjustment under
38 Section 713 shall be calculated and added to the base fees to
39 establish the fees paid for licenses issued in the license years



1 beginning on and after January 1, 1988, in accordance with Section
2 713.

3 (e) California sportfishing license stamps shall be ~~sold~~ *issued*
4 by *authorized* license agents in the same manner as sportfishing
5 licenses, and no compensation may be paid to the *authorized*
6 license agent for ~~sale of~~ *issuing* the stamps except as provided in
7 Section 1055.

8 (f) *This section does not apply to licenses, permits,*
9 *reservations, tags, or other entitlements issued through the*
10 *Automated License Data System.*

11 (g) This section shall remain in effect until January 1, 2002, and
12 as of that date is repealed unless a later enacted statute, which is
13 enacted on or before January 1, 2002, deletes or extends that date.

14 *SEC. 38. Section 7149 of the Fish and Game Code, as added*
15 *by Section 6 of Chapter 247 of the Statutes of 1998, is amended to*
16 *read:*

17 7149. (a) A sportfishing license granting the privilege to take
18 any fish, reptile, or amphibia anywhere in this state for purposes
19 other than profit shall be issued to any of the following:

20 (1) A resident of this state, over the age of 16 years, upon
21 payment during the 1987 calendar year, or, if issued after the
22 beginning of the year, for the remainder thereof, upon payment of
23 a fee of eighteen dollars (\$18), or upon the payment during a
24 calendar year beginning on or after January 1, 1988, of the base fee
25 of sixteen dollars seventy-five cents (\$16.75), as adjusted under
26 Section 713.

27 (2) A nonresident, over the age of 16 years, for the period of a
28 calendar year, or, if issued after the beginning of the year, for the
29 remainder thereof, upon payment of a base fee of forty-five dollars
30 (\$45), as adjusted under Section 713.

31 (3) A nonresident, over the age of 16 years for the period of 10
32 consecutive days beginning on the date specified on the license
33 upon payment of the fee set forth in paragraph (1), as adjusted
34 under Section 713.

35 (4) A resident or nonresident, over the age of 16 years, for one
36 designated day, upon payment of the base fee of seven dollars (\$7)
37 as adjusted under Section 713. Notwithstanding Section 1053,
38 more than one single day license issued for different days may be
39 issued to, or possessed by, a person at one time.



1 (b) A sport ocean fishing license granting the licensee to take
2 any fish from ocean waters of this state for purposes other than
3 profit shall be issued to a resident of this state, over the age of 16
4 years, for the period of a calendar year, or if issued after the
5 beginning of the year, for the remainder thereof, upon payment of
6 a base fee of ten dollars (\$10), as adjusted under Section 713.

7 (c) A sport ocean fin fishing license granting the privilege to
8 take only fin fish from the ocean waters of this state for purposes
9 other than profit shall be issued to a person over the age of 16 years
10 for one designated day, upon the payment for a designated day in
11 the license year beginning on January 1 of the base fee of four
12 dollars (\$4), as adjusted under Section 713.

13 (d) For the purposes of this section, the adjustment under
14 Section 713 shall be calculated and added to the base fees to
15 establish the fees paid for licenses issued in the license years
16 beginning on and after January 1, 1988, in accordance with Section
17 713.

18 (e) California sportfishing license stamps shall be ~~sold~~ *issued*
19 by *authorized* license agents in the same manner as sportfishing
20 licenses, and no compensation may be paid to the *authorized*
21 license agent for ~~sale of~~ *issuing* the stamps except as provided in
22 Section 1055.

23 (f) *This section does not apply to licenses, permits,*
24 *reservations, tags, or other entitlements issued through the*
25 *Automated License Data System.*

26 (g) This section shall become operative on January 1, 2002.

27 *SEC. 39. Section 7149.05 is added to the Fish and Game*
28 *Code, to read:*

29 *7149.05. (a) A sportfishing license granting the privilege to*
30 *take any fish, reptile, or amphibia anywhere in this state for*
31 *purposes other than profit shall be issued to any of the following:*

32 *(1) A resident of this state, over the age of 16 years, upon*
33 *payment during the 1987 calendar year, or, if issued after the*
34 *beginning of the year, for the remainder thereof, upon payment of*
35 *a fee of eighteen dollars (\$18), or upon the payment during a*
36 *calendar year beginning on or after January 1, 1988, of the base*
37 *fee of sixteen dollars seventy-five cents (\$16.75), as adjusted under*
38 *Section 713.*

39 *(2) A nonresident, over the age of 16 years, for the period of a*
40 *calendar year, or, if issued after the beginning of the year, for the*



1 remainder thereof, upon payment of a base fee of forty-five dollars
2 (\$45), as adjusted under Section 713.

3 (3) A nonresident, over the age of 16 years for the period of 10
4 consecutive days beginning on the date specified on the license
5 upon payment of the fee set forth in paragraph (1), as adjusted
6 under Section 713.

7 (4) A resident or nonresident, over the age of 16 years, for two
8 consecutive designated calendar days, upon payment of the base
9 fee of seven dollars (\$7) as adjusted under Section 713.
10 Notwithstanding Section 1053, more than one two-day license
11 issued for different two-day periods may be issued to, or possessed
12 by, a person at one time.

13 (b) A sport ocean fishing license granting the privilege to take
14 any fish from ocean waters of this state for purposes other than
15 profit shall be issued to a resident of this state, over the age of 16
16 years, for the period of one calendar year, or if issued after the
17 beginning of the year, for the remainder thereof, upon payment of
18 a base fee of ten dollars (\$10), as adjusted under Section 713.

19 (c) A sport ocean fin fishing license granting the privilege to
20 take only fin fish from the ocean waters of this state for purposes
21 other than profit shall be issued to a person over the age of 16 years
22 for one designated day, upon the payment for a designated day in
23 the license year beginning on January 1 of the base fee of four
24 dollars (\$4), as adjusted under Section 713.

25 (d) For the purposes of this section, the adjustment under
26 Section 713 shall be calculated and added to the base fees to
27 establish the fees paid for licenses issued in the license years
28 beginning on and after January 1, 1988, in accordance with
29 Section 713.

30 (e) California sportfishing license validations shall be issued
31 by authorized license agents in the same manner as sportfishing
32 licenses, and no compensation may be paid to the authorized
33 license agent for issuing the validations except as provided in
34 Section 1055.

35 (f) This section applies only to licenses, permits, reservations,
36 tags, and other entitlements issued through the Automated License
37 Data System.

38 (g) This section shall remain in effect until January 1, 2002,
39 and as of that date is repealed unless a later enacted statute, which



1 *is enacted on or before January 1, 2002, deletes or extends that*
2 *date.*

3 *SEC. 40. Section 7149.05 is added to the Fish and Game*
4 *Code, to read:*

5 *7149.05. (a) A sportfishing license granting the privilege to*
6 *take any fish, reptile, or amphibia anywhere in this state for*
7 *purposes other than profit shall be issued to any of the following:*

8 *(1) A resident of this state, over the age of 16 years, upon*
9 *payment during the 1987 calendar year; or, if issued after the*
10 *beginning of the year, for the remainder thereof, upon payment of*
11 *a fee of eighteen dollars (\$18), or upon the payment during a*
12 *calendar year beginning on or after January 1, 1988, of the base*
13 *fee of sixteen dollars seventy-five cents (\$16.75), as adjusted under*
14 *Section 713.*

15 *(2) A nonresident, over the age of 16 years, for the period of a*
16 *calendar year; or, if issued after the beginning of the year, for the*
17 *remainder thereof, upon payment of a base fee of forty-five dollars*
18 *(\$45), as adjusted under Section 713.*

19 *(3) A nonresident, over the age of 16 years for the period of 10*
20 *consecutive days beginning on the date specified on the license*
21 *upon payment of the fee set forth in paragraph (1), as adjusted*
22 *under Section 713.*

23 *(4) A resident or nonresident, over the age of 16 years, for one*
24 *designated day, upon payment of the base fee of seven dollars (\$7)*
25 *as adjusted under Section 713. Notwithstanding Section 1053,*
26 *more than one single day license issued for different days may be*
27 *issued to, or possessed by, a person at one time.*

28 *(b) A sport ocean fishing license granting the privilege to take*
29 *any fish from ocean waters of this state for purposes other than*
30 *profit shall be issued to a resident of this state, over the age of 16*
31 *years, for the period of one calendar year; or if issued after the*
32 *beginning of the year; for the remainder thereof, upon payment of*
33 *a base fee of ten dollars (\$10), as adjusted under Section 713.*

34 *(c) A sport ocean fin fishing license granting the privilege to*
35 *take only fin fish from the ocean waters of this state for purposes*
36 *other than profit shall be issued to a person over the age of 16 years*
37 *for one designated day, upon the payment for a designated day in*
38 *the license year beginning on January 1 of the base fee of four*
39 *dollars (\$4), as adjusted under Section 713.*



1 (d) For the purposes of this section, the adjustment under
2 Section 713 shall be calculated and added to the base fees to
3 establish the fees paid for licenses issued in the license years
4 beginning on and after January 1, 1988, in accordance with
5 Section 713.

6 (e) California sportfishing license validations shall be issued
7 by authorized license agents in the same manner as sportfishing
8 licenses, and no compensation shall be paid to the authorized
9 license agent for issuing the validations except as provided in
10 Section 1055.1.

11 (f) This section applies only to licenses, permits, reservations,
12 tags, and other entitlements issued through the Automated License
13 Data System.

14 (g) This section shall become operative on January 1, 2002.

15 SEC. 41. Section 7149.1 of the Fish and Game Code is
16 amended to read:

17 7149.1. (a) A person holding a valid resident sport ocean
18 fishing license issued under subdivision (b) of Section 7149 may
19 upgrade this license to ~~a~~ an annual resident sportfishing license,
20 as described in paragraph (1) of subdivision (a) of Section 7149,
21 by obtaining a resident sportfishing license upgrade stamp.

22 (b) The department or an authorized license agent shall issue
23 a resident sportfishing license upgrade stamp upon payment of the
24 fee for that stamp. The upgrade stamp fee shall be equal to the
25 difference in the fee determined ~~under~~ pursuant to paragraph (1)
26 of subdivision (a) of Section 7149 and the fee determined under
27 subdivision (b) of Section 7149.

28 ~~(c) A person may apply for a resident sportfishing license
29 upgrade stamp under subdivision (b) only by mail to, or in person
30 at, an office of the department or in person from an authorized
31 license agent.~~

32 (c) This section does not apply to licenses, permits,
33 reservations, tags, or other entitlements issued through the
34 Automated License Data System.

35 SEC. 42. Section 7149.15 is added to the Fish and Game
36 Code, to read:

37 7149.15. (a) A person holding a valid resident sport ocean
38 fishing license issued under subdivision (b) of Section 7149.05
39 may upgrade this license to an annual resident sport fishing
40 license, as described in paragraph (1) of subdivision (a) of Section



1 7149.05, by obtaining a resident sport fishing license upgrade
2 validation.

3 (b) The department or an authorized license agent shall issue
4 a resident sport fishing license upgrade validation upon payment
5 of the fee for that validation. The upgrade validation fee shall be
6 equal to the difference in the fee determined pursuant to paragraph
7 (1) of subdivision (a) of Section 7149.05 and the fee determined
8 under subdivision (b) of Section 7149.05.

9 (c) This section applies only to licenses, permits, reservations,
10 tags, and other entitlements issued through the Automated License
11 Data System.

12 SEC. 43. Section 7149.4 of the Fish and Game Code is
13 amended to read:

14 7149.4. (a) ~~A person holding a valid sportfishing license~~
15 ~~issued pursuant to subdivision (a) of Section 7149 may obtain a~~
16 ~~second-rod sportfishing stamp from the department. It is unlawful~~
17 ~~for any person to fish with two rods without first obtaining a~~
18 ~~second-rod sport fishing stamp, in addition to a valid California~~
19 ~~sport fishing license and any applicable stamp issued pursuant to~~
20 ~~Section 7149.05, and having that stamp affixed to his or her valid~~
21 ~~sport fishing license. A person who has a valid second-rod~~
22 ~~sportfishing license stamp attached to his or her valid sportfishing~~
23 ~~license issued pursuant to subdivision (a) of Section 7149 may fish~~
24 ~~in inland lakes and reservoirs with two rods in any sport fishery in~~
25 ~~which the regulations of the commission provide for the taking of~~
26 ~~fish by angling.~~

27 (b) The department or an authorized license agent shall issue
28 a second-rod sportfishing ~~license~~ stamp upon payment of a base
29 fee of seven dollars and fifty cents (\$7.50) during the 1995
30 calendar year and subsequent years, as adjusted under Section 713.

31 (c) This section does not apply to licenses, permits,
32 reservations, tags, or other entitlements issued through the
33 Automated License Data System.

34 SEC. 44. Section 7149.45 is added to the Fish and Game
35 Code, to read:

36 7149.45. (a) It is unlawful for any person to fish with two rods
37 without first obtaining a second-rod sport fishing validation, in
38 addition to a valid California sport fishing license and any
39 applicable validation issued pursuant to Section 7149.05, and
40 having that validation affixed to his or her valid sport fishing



1 license. A person who has a valid second-rod sport fishing
2 validation affixed to his or her valid sport fishing license may fish
3 in inland lakes and reservoirs with two rods in any sport fishery in
4 which the regulations of the commission provide for the taking of
5 fish by angling.

6 (b) The department or an authorized license agent shall issue
7 a second-rod sport fishing validation upon payment of a base fee
8 of seven dollars and fifty cents (\$7.50) during the 1995 calendar
9 year and subsequent years, as adjusted under Section 713.

10 (c) This section applies only to licenses, permits, reservations,
11 tags, and other entitlements issued through the Automated License
12 Data System.

13 SEC. 45. Section 7149.8 of the Fish and Game Code is
14 repealed.

15 ~~7149.8. In addition to a valid California sport fishing license
16 and any applicable license stamp issued pursuant to Sections 7149,
17 7150, and 7151, a person taking abalone from ocean waters shall
18 have permanently affixed to his or her sport fishing license an
19 abalone stamp that may be obtained from the department or an
20 authorized agent of the department upon payment of a fee of
21 twelve dollars (\$12).~~

22 SEC. 46. Section 7149.8 is added to the Fish and Game Code,
23 to read:

24 7149.8. (a) It is unlawful for any person to take abalone from
25 ocean waters without first obtaining, in addition to a valid
26 California sport fishing license and any applicable license
27 validation issued pursuant to Section 7149 or 7149.05, and
28 Sections 7150 and 7151, an abalone report card and having that
29 report card in his or her possession while taking abalone.

30 The department or an authorized license agent shall issue an
31 abalone report card upon payment of a fee of twelve dollars (\$12).

32 SEC. 47. Section 7180 of the Fish and Game Code is amended
33 to read:

34 7180. (a) Any person taking fish or amphibia for purposes
35 other than profit from or on a boat or other floating device on the
36 waters of the Colorado River and on adjacent waters, except
37 canals, drains, or ditches used to transport water used for irrigation
38 or domestic purposes, shall have in his or her possession a valid
39 sport fishing license issued by either the State of Arizona or State
40 of California.



1 ~~It~~

2 (b) In addition to either of the licenses, a person taking fish or
3 amphibia as indicated shall have in his *or her* possession a
4 Colorado River special use stamp. If he *or she* is a person having
5 in his *or her* possession a valid California sport fishing license he
6 *or she* shall have an Arizona special use stamp to fish legally the
7 waters described above. If he *or she* is a person having in his *or her*
8 possession a valid Arizona sport fishing license, he *or she* shall
9 have a California special use stamp to fish legally the waters
10 described above.

11 ~~A~~

12 (c) A special use stamp, when accompanied by the proper
13 license, ~~will allow~~ *permits* fishing in any portion of ~~such~~ *those*
14 waters, and permit fishermen to enter the waters from any point.

15 The fee for a Colorado River special use stamp is three dollars
16 (\$3).

17 (d) *This section does not apply to licenses, permits,*
18 *reservations, tags, or other entitlements issued through the*
19 *Automated License Data System.*

20 SEC. 48. *Section 7180.1 is added to the Fish and Game Code,*
21 *to read:*

22 7180.1. (a) *Any person taking fish or amphibia for purposes*
23 *other than profit from or on a boat or other floating device on the*
24 *waters of the Colorado River and on adjacent waters, except*
25 *canals, drains, or ditches used to transport water used for*
26 *irrigation or domestic purposes, shall have in his or her possession*
27 *a valid sport fishing license issued by either the State of Arizona*
28 *or State of California.*

29 (b) *In addition to either of the licenses, a person taking fish or*
30 *amphibia as indicated shall have in his or her possession a*
31 *Colorado River special use validation. If he or she is a person*
32 *having in his or her possession a valid California sport fishing*
33 *license, he or she shall have an Arizona special use validation to*
34 *fish legally the waters described above. If he or she is a person*
35 *having in his or her possession a valid Arizona sport fishing*
36 *license, he or she shall have a California special use validation to*
37 *fish legally the waters described above.*

38 (c) *A special use validation, when accompanied by the proper*
39 *license, permits fishing in any portion of those waters, and permit*



1 *fishermen to enter the waters from any point. The fee for a*
2 *Colorado River special use validation is three dollars (\$3).*

3 *(d) This section applies only to licenses, permits, reservations,*
4 *tags, and other entitlements issued through the Automated License*
5 *Data System.*

6 *SEC. 49. Section 7181 of the Fish and Game Code is amended*
7 *to read:*

8 7181. (a) A person fishing from the shore in the waters of the
9 Colorado River located in Arizona or California shall have in his
10 or her possession a valid sport fishing license issued by the state
11 ~~which~~ *that* has jurisdiction over ~~such~~ *that* shore. ~~Such~~ *That*
12 shoreline fishing does not require a Colorado River special use
13 stamp as long as the fisherman remains on the shore and does not
14 embark on the water. Any person, however, having in his or her
15 possession a valid Arizona sport fishing license and a California
16 special use stamp may fish from the shore in the waters of the
17 Colorado River, or adjacent waters, except canals, drains, and
18 ditches used to transport water used for irrigation or domestic
19 purposes, located in California, without a sport fishing license
20 issued by the State of California.

21 *(b) This section does not apply to licenses, permits,*
22 *reservations, tags, or other entitlements issued through the*
23 *Automated License Data System.*

24 *SEC. 50. Section 7181.1 is added to the Fish and Game Code,*
25 *to read:*

26 7181.1. (a) A person fishing from the shore in the waters of
27 the Colorado River located in Arizona or California shall have in
28 his or her possession a valid sport fishing license issued by the state
29 that has jurisdiction over that shore. That shoreline fishing does
30 not require a Colorado River special use validation as long as the
31 fisherman remains on the shore and does not embark on the water.
32 Any person, however, having in his or her possession a valid
33 Arizona sport fishing license and a California special use
34 validation may fish from the shore in the waters of the Colorado
35 River, or adjacent waters, except canals, drains, and ditches used
36 to transport water used for irrigation or domestic purposes,
37 located in California without a sport fishing license issued by the
38 State of California.



1 (b) This section applies only to licenses, permits, reservations,
2 tags, and other entitlements issued through the Automated License
3 Data System.

4 SEC. 51. Section 7182 of the Fish and Game Code is amended
5 to read:

6 7182. (a) Arizona Colorado River special use stamps shall be
7 ~~sole~~ issued by California authorized license ~~dealers~~ agents under
8 the supervision of the department in the same manner as sport
9 fishing licenses are ~~sole~~ issued, and California sport fishing
10 licenses and California Colorado River special use stamps shall be
11 ~~sole~~ issued by Arizona license dealers under the supervision of the
12 Arizona Game and Fish Commission.

13 (b) This section does not apply to licenses, permits,
14 reservations, tags, or other entitlements issued through the
15 Automated License Data System.

16 SEC. 52. Section 7182.1 is added to the Fish and Game Code,
17 to read:

18 7182.1. (a) Arizona Colorado River special use validations
19 shall be issued by California authorized license agents under the
20 supervision of the department in the same manner as sport fishing
21 licenses are issued, and California sport fishing licenses and
22 California Colorado River special use validations shall be issued
23 by Arizona license dealers under the supervision of the Arizona
24 Game and Fish Commission.

25 (b) This section applies only to licenses, permits, reservations,
26 tags, and other entitlements issued through the Automated License
27 Data System.

28 SEC. 53. Section 7183 of the Fish and Game Code is amended
29 to read:

30 7183. (a) The Arizona Game and Fish Commission shall
31 handle California sport fishing licenses and California special use
32 stamps and issue them to Arizona license dealers, ~~and prior~~. Prior
33 to August ~~31st~~ 31 of each year, that commission shall make an
34 audit report and send a remittance for ~~such~~ those sales to the
35 California Department of Fish and Game. ~~The~~

36 (b) The California Department of Fish and Game shall handle
37 Arizona special use stamps and issue them to California license
38 dealers, ~~and prior~~. Prior to August ~~31st~~ 31 of each year, that
39 department shall make an audit report and send a remittance for
40 ~~such~~ those sales to the Arizona Game and Fish Commission.



1 (c) This section does not apply to licenses, permits,
2 reservations, tags, or other entitlements issued through the
3 Automated License Data System.

4 SEC. 54. Section 7183.1 is added to the Fish and Game Code,
5 to read:

6 7183.1. (a) The Arizona Game and Fish Commission shall
7 handle California sport fishing licenses and California special use
8 validations and issue them through Arizona license dealers. Prior
9 to August 31 of each year, that commission shall make an audit
10 report and send a remittance for those issued to the California
11 Department of Fish and Game.

12 (b) The California Department of Fish and Game shall handle
13 Arizona special use validations and issue them through California
14 license dealers. Prior to August 31 of each year that department
15 shall make an audit report and send a remittance for those issued
16 to the Arizona Game and Fish Commission.

17 (c) This section applies only to licenses, permits, reservations,
18 tags, and other entitlements issued through the Automated License
19 Data System.

20 SEC. 55. Section 7184 of the Fish and Game Code is amended
21 to read:

22 7184. ~~An~~ (a) An Arizona special use stamp is valid from
23 January ~~1st~~ 1 to December ~~31st~~ 31, inclusive, of each year, to
24 coincide with the period for which a California sport fishing
25 license is issued.

26 ~~A~~

27 (b) A California special use stamp is valid for one year to
28 coincide with the period for which an Arizona fishing license is
29 issued.

30 (c) This section does not apply to licenses, permits,
31 reservations, tags, or other entitlements issued through the
32 Automated License Data System.

33 SEC. 56. Section 7184.1 is added to the Fish and Game Code,
34 to read:

35 7184.1. (a) An Arizona special use validation is valid from
36 January 1 to December 31, inclusive, of each year, to coincide with
37 the period for which a California sport fishing license is issued.

38 (b) A California special use validation is valid for one year to
39 coincide with the period for which an Arizona fishing license is
40 issued.



1 (c) *This section applies only to licenses, permits, reservations,*
2 *tags, and other entitlements issued through the Automated License*
3 *Data System.*

4 SEC. 57. *Section 7186 of the Fish and Game Code is amended*
5 *to read:*

6 7186. (1)–(a) *When the director determines from the*
7 *Secretary of State that copies of the law of the State of Arizona*
8 *have been received by the Secretary of State which provides for an*
9 *Arizona resident sport fishing license valid for a period of less than*
10 *one year, a California special use stamp valid for the same period*
11 *as the Arizona resident sport fishing license may be issued for a fee*
12 *of one dollar (\$1).*

13 (2)
14 (b) *If Arizona issues a resident sport fishing license for a term*
15 *less than one year for the purpose of changing to a calendar year*
16 *license from a fiscal year license, such a that license shall be*
17 *deemed to be a license upon substantially the same terms and*
18 *conditions as are provided for the issuance of California licenses*
19 *to licensees of the State of Arizona for the purposes of Section*
20 *7185.*

21 (c) *This section does not apply to licenses, permits,*
22 *reservations, tags, or other entitlements issued through the*
23 *Automated License Data System.*

24 SEC. 58. *Section 7186.1 is added to the Fish and Game Code,*
25 *to read:*

26 7186.1. (a) *When the director determines from the Secretary*
27 *of State that copies of the law of the State of Arizona have been*
28 *received by the Secretary of State that provides for an Arizona*
29 *resident sport fishing license valid for a period of less than one*
30 *year, a California special use validation valid for the same period*
31 *as the Arizona resident sport fishing license may be issued for a fee*
32 *of one dollar (\$1).*

33 (b) *If Arizona issues a resident sport fishing license for a term*
34 *less than one year for the purpose of changing to a calendar year*
35 *license from a fiscal year license, that license shall be deemed to*
36 *be a license upon substantially the same terms and conditions as*
37 *are provided for the issuance of California licenses to licensees of*
38 *the State of Arizona for the purposes of Section 7185.*



1 (c) *This section applies only to licenses, permits, reservations,*
2 *tags, and other entitlements issued through the Automated License*
3 *Data System.*

4 *SEC. 59. Section 7360 of the Fish and Game Code is repealed.*

5 ~~7360. In addition to a valid California sportfishing license and~~
6 ~~any applicable license stamp issued pursuant to Section 7149, a~~
7 ~~person taking striped bass shall have permanently affixed to his or~~
8 ~~her license a striped bass stamp that may be obtained from the~~
9 ~~department or an authorized agent of the department for a fee of~~
10 ~~three dollars and fifty cents (\$3.50).~~

11 *SEC. 60. Section 7360 is added to the Fish and Game Code,*
12 *to read:*

13 7360. (a) *It is unlawful for any person to take striped bass in*
14 *any sport fishery without first obtaining, in addition to a valid*
15 *California sport fishing license and any applicable stamp issued*
16 *pursuant to Section 7149, a striped bass stamp and having that*
17 *stamp affixed to his or her valid sport fishing license.*

18 (b) *The department or an authorized license agent shall issue*
19 *a striped bass stamp upon payment of a fee of three dollars and fifty*
20 *cents (\$3.50).*

21 (c) *This section does not apply to licenses, permits,*
22 *reservations, tags, or other entitlements issued through the*
23 *Automated License Data System.*

24 *SEC. 61. Section 7360.1 is added to the Fish and Game Code,*
25 *to read:*

26 7360.1. (a) *It is unlawful for any person to take striped bass*
27 *in any sport fishery without first obtaining, in addition to a valid*
28 *California sport fishing license and any applicable validation*
29 *issued pursuant to Section 7149.05, a striped bass validation and*
30 *having that validation affixed to his or her valid sport fishing*
31 *license.*

32 (b) *The department or an authorized license agent shall issue*
33 *a striped bass validation upon payment of a fee of three dollars and*
34 *fifty cents (\$3.50).*

35 (c) *This section applies only to licenses, permits, reservations,*
36 *tags, and other entitlements issued through the Automated License*
37 *Data System.*

38 *SEC. 62. Section 7700 of the Fish and Game Code is amended*
39 *to read:*

40 7700. As used in this chapter:



1 (a) “Reduction plant” means any plant used in the reduction or
2 conversion of fish into fish flour, fishmeal, fish scrap, fertilizer,
3 fish oil, or other fishery products or byproducts.

4 (b) “Packer” means any person canning fish or preserving fish
5 by the common methods of drying, salting, pickling, smoking,
6 cold packing, or vacuum packing.

7 (c) “Fish offal” means the heads, viscera, and other parts of
8 fish taken off in preparing for canning, preserving, packing, and
9 preparing for consumption in a fresh state.

10 (d) “Stamp,” *except where otherwise specified, includes an*
11 *electronic validation of privileges issued to the licensee.*

12 SEC. 63. Section 13005 of the Fish and Game Code is
13 amended to read:

14 13005. (a) ~~A person who received a valid lifetime sport~~
15 ~~fishing license or a valid lifetime sportsman’s license prior to~~
16 ~~January 1, 1998, may obtain a refund of the difference, if any,~~
17 ~~between the amount paid for that license and the license fee in~~
18 ~~effect on January 1, 1998. A lifetime license holder requesting a~~
19 ~~refund shall submit a request for the refund to the department no~~
20 ~~later than December 1, 1998. No lifetime license fees shall be~~
21 ~~refunded after December 31, 1998. The department, prior to April~~
22 ~~1, 1998, shall notify in writing each person who received a lifetime~~
23 ~~sport fishing license or a lifetime sportsman’s license about the~~
24 ~~availability and conditions for obtaining a refund.~~

25 ~~(b)~~ Notwithstanding Section 13001, the money collected from
26 fees for lifetime sportsman’s licenses under Section 714, lifetime
27 hunting licenses under Section 3031.2, and lifetime sport fishing
28 licenses under Section 7149.2 shall be deposited, as follows:

29 (1) Twenty dollars (\$20) for each lifetime license issued shall
30 be deposited in the Fish and Game Preservation Fund for use in
31 accordance with Section 711.

32 (2) The balance of the fees shall be deposited in the Lifetime
33 License Trust Account which is hereby created in the Fish and
34 Game Preservation Fund. Except as provided in this section, that
35 principal amount of the money in the account from the fee for a
36 lifetime license shall not be used, except for investment.

37 ~~(e)~~

38 (b) The money in the Lifetime License Trust Account may be
39 transferred and invested through the Surplus Money Investment



1 Fund and all interest shall accrue to the account pursuant to
2 subdivision (g) of Section 16475 of the Government Code.

3 ~~(d)~~

4 (c) (1) Each year the department shall transfer from the
5 Lifetime License Trust Account to the Fish and Game Preservation
6 Fund an amount equal to the current amount of the annual resident
7 hunting and the sport fishing license fee times the number of
8 lifetime sportsman's licenses in force and effect on July 1 of that
9 year.

10 (2) Each year the department shall transfer from the Lifetime
11 License Trust Account to the Fish and Game Preservation Fund an
12 amount equal to the current amount of the annual resident sport
13 fishing license fee times the number of lifetime sport fishing
14 licenses in force and effect on July 1 of that year.

15 (3) Each year the department shall transfer from the Lifetime
16 License Trust Account to the Fish and Game Preservation Fund an
17 amount equal to the current ~~amount of the~~ annual resident hunting
18 license fee times the number of lifetime hunting licenses in force
19 and effect *that are held by hunters 16 years of age or older* on July
20 1 of that year. *In addition, each year the department shall transfer*
21 *from the Lifetime License Trust Account to the Fish and Game*
22 *Preservation Fund an amount equal to the current junior hunting*
23 *license fee times the number of lifetime hunting licenses in full*
24 *force and effect that are held by hunters who are under 16 years*
25 *of age on July 1 of that year.*

26 (4) Upon receipt of the fee prescribed by subdivision (f) of
27 Section 7149.2, the department shall transfer into the appropriate
28 account within the Fish and Game Preservation Fund an amount
29 equal to one second-rod stamp *or validation* issued pursuant to
30 Section 7149.4 *or Section 7149.45*, one ocean fishing
31 enhancement stamp *or validation* issued pursuant to paragraph (1)
32 of subdivision (a) of Section 6596 *or paragraph (1) of subdivision*
33 *(a) of Section 6596.1*, ~~one steelhead trout report-restoration card~~
34 ~~issued pursuant to Section 7380~~, one striped bass stamp *or*
35 *validation* issued pursuant to Section 7360 *or Section 7360.1*, one
36 *steelhead trout catch report-restoration card issued pursuant to*
37 *Section 7380*, and one salmon punch card issued pursuant to
38 regulations adopted by the commission. Each year the department
39 shall transfer from the Lifetime License Trust Account to the
40 appropriate account within the Fish and Game Preservation Fund



1 an amount equal to the number of persons holding the additional
2 privileges prescribed in subdivision (f) of Section 7149.2 in force
3 and effect on January 1 of that year times the current fee for the
4 ~~second-rod stamp~~, ocean fishing enhancement stamp, steelhead
5 trout *catch* report-restoration card, striped bass stamp, and salmon
6 punch card. In addition, each year the department shall transfer
7 from the Lifetime License Trust Account to the Fish and Game
8 Preservation Fund an amount equal to 20 percent of the number of
9 persons holding ~~lifetime sport fishing and lifetime sportsman's~~
10 ~~licenses times the current fee for the second-rod fishing stamp~~ *the*
11 *additional fishing privileges prescribed in subdivision (f) of*
12 *Section 7149.2 multiplied by the current fee for the second-rod*
13 *fishing stamp.*

14 (5) Upon receipt of the fee prescribed by subdivision (e) of
15 Section 714, the department shall transfer into the appropriate
16 account within the Fish and Game Preservation Fund an amount
17 equal to one deer tag ~~application~~ issued pursuant to subdivision (a)
18 of Section 4332 and ~~one book of~~ five wild pig tags issued pursuant
19 to Section 4654. Each year the department shall transfer from the
20 Lifetime License Trust Account to the appropriate account within
21 the Fish and Game Preservation Fund an amount equal to the
22 number of persons holding the additional privileges prescribed in
23 subdivision (e) of Section 714 in force and effect on July 1 of that
24 year times the current fee for a deer tag ~~application~~ issued pursuant
25 to subdivision (a) of Section 4332 and ~~one book of~~ five wild pig
26 tags issued pursuant to Section 4654.

27 (6) Upon receipt of the fee prescribed by subdivision (f) of
28 Section 714, the department shall transfer into the appropriate
29 account within the Fish and Game Preservation Fund an amount
30 equal to one state duck stamp *or hunting validation* issued pursuant
31 to ~~subdivision (a) of~~ Section 3700 *or 3700.1* and one upland game
32 bird stamp *or hunting validation* issued pursuant to Section 3682
33 *or 3682.1*. Each year the department shall transfer from the
34 Lifetime License Trust Account to the appropriate account within
35 the Fish and Game Preservation Fund an amount equal to the
36 number of persons holding the additional privileges prescribed in
37 subdivision (f) of Section 714 in force and effect on July 1 of that
38 year times the current fee for a state duck ~~stamp~~ *hunting*
39 *validations* issued pursuant to subdivision (a) of Section 3700 and



1 an upland game bird stamp hunting validations issued pursuant to
2 Section 3682.

3 SEC. 64. Item 3790-001-0449 of Section 2.00 of the Budget
4 Act of 2001, as proposed to be added by Senate Bill No. 739, as
5 amended July 14, 2001, is amended to read:

6	7 Item	8 Amount
8	3790-001-0449— For support of Department of Parks and	
9	Recreation, for payment to Item 3790-001-0392, pay-	
10	able from the Winter Recreation Fund	284,000
11	Schedule:	
12	(1) For support of the Department of	
13	Parks and Recreation	272,852,000
14	(2) Reimbursements	-11,958,000
15	(3) Less funding provided by capital	
16	outlay	-1,744,000
17	(4) Amount payable from the General	
18	Fund (Item 3790-001-0001) . . .	-130,272,000
19	(5) Amount payable from the Safe	
20	Neighborhood Parks, Clean Water,	
21	Clean Air, and Coastal Protection	
22	Bond Fund (Item 3790-001-0005)	-23,729,000
23	(6) Amount payable from the Califor-	
24	nia Environmental License Plate	
25	Fund (Item 3790-001-0140) . . .	-113,000
26	(7) Amount payable from the Public	
27	Resources Account, Cigarette and	
28	Tobacco Products Surtax Fund	
29	(Item 3790-001-0235)	-13,028,000
30	(8) Amount payable from the Off-	
31	Highway Vehicle Trust Fund (Item	
32	3790-001-0263)	-21,484,000
33	(9) Amount payable from the Winter	
34	Recreation Fund (Item	
35	3790-001-0449)	-284,000
36	(10) Amount payable from the Harbors	
37	and Watercraft Revolving Fund	
38	(Item 3790-001-0516)	-620,000



1	(11) Amount payable from the State	
2	Parks System Deferred Mainte-	
3	nance Account (Item	
4	3790-001-0646)	-10,000,000
5	(12) Amount payable from the Federal	
6	Trust Fund (Item 3790-001-0890)	-2,915,000
7	(13) 97.20.004-Local Projects	300,000

8 Provisions:

- 9 1. Of the funds appropriated by this act from the General
- 10 Fund and special funds, other than the Off-Highway
- 11 Vehicle Trust Fund and bond funds, to the
- 12 Department of Parks and Recreation for local
- 13 assistance grants to local agencies, the department
- 14 may allocate an amount not to exceed 1.5 percent of
- 15 each project’s allocation to provide for the
- 16 department’s costs to administer these grants.
- 17 2. It is the intent of the Legislature that salaries, wages,
- 18 operating expenses, and positions associated with
- 19 implementing specific Department of Parks and
- 20 Recreation capital outlay projects continue to be
- 21 funded through capital outlay appropriations, and
- 22 that these funds and related position authority should
- 23 also be reflected in the department’s state operations
- 24 budget in the Governor’s Budget and Budget Bill
- 25 with an offsetting payable from the capital outlay
- 26 appropriations.
- 27 3. To protect the public interest in receiving lease
- 28 payments on the concessions at Old Town State
- 29 Historic Park involving provision of food,
- 30 beverages, and lodging (the “Concessions”)
- 31 without interruption due to the economic effects of
- 32 a labor dispute, the Department of Parks and
- 33 Recreation (“Agency”) shall require that, in order to
- 34 be considered a qualified bidder for the Concessions,
- 35 each prospective concessionaire shall sign a valid
- 36 labor peace agreement with any labor organization
- 37 which has informed the Agency that it seeks to
- 38 represent the Concession Employees, which does
- 39 the following: (a) prohibits the labor organization
- 40 and its members from engaging in any picketing,



1 work stoppages, boycotts, or any other economic
 2 interference with the Concessions for as long as the
 3 state has a financial interest in the Concessions; (b)
 4 provides that for as long as the state has a financial
 5 interest in the Concessions, all disputes between the
 6 concessionaire and the labor organization relating to
 7 employment conditions or the negotiation thereof
 8 shall be submitted to final and binding arbitration;
 9 and (c) provides that any operations at the
 10 Concessions involving the use of Concession
 11 Employees, which are conducted by contractors,
 12 subcontractors, tenants, or subtenants of the
 13 concessionaire, shall be done under valid
 14 agreements containing the same provisions as
 15 specified above. "Concession Employees" as used
 16 herein means all nonmanagerial employees engaged
 17 in work related to food, beverage, or lodging in all
 18 or any part of the Concessions.

19 4. *Each provision of this item shall be operative to the*
 20 *extent the provision does not violate Section 9 of*
 21 *Article IV of the California Constitution.*

22 *SEC. 65. No reimbursement is required by this act pursuant*
 23 *to Section 6 of Article XIII B of the California Constitution*
 24 *because the only costs that may be incurred by a local agency or*
 25 *school district will be incurred because this act creates a new crime*
 26 *or infraction, eliminates a crime or infraction, or changes the*
 27 *penalty for a crime or infraction, within the meaning of Section*
 28 *17556 of the Government Code, or changes the definition of a*
 29 *crime within the meaning of Section 6 of Article XIII B of the*
 30 *California Constitution.*

31 ~~act to make the necessary statutory changes to implement the~~
 32 ~~Budget Act of 2001 relative to the purposes of resources and~~
 33 ~~environmental protection.~~

