

Assembly Bill No. 1354

CHAPTER 514

An act to add Article 12 (commencing with Section 8125) to Chapter 1 of Part 3 of Division 6 of the Fish and Game Code, relating to fish, and making an appropriation therefor.

[Approved by Governor September 24, 2003. Filed
with Secretary of State September 25, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1354, Berg. Commercial Fisheries Capacity Reduction Account.

Existing law states the intent of the Legislature to enact legislation establishing a comprehensive program to allow California groundfish fishermen to participate in any federally established buy-back program for the Pacific groundfish fishery.

This bill would establish the Commercial Fisheries Capacity Reduction Account in the Fish and Game Preservation Fund, and would require the Fish and Game Commission to establish a capacity reduction fee on the taking of certain species of fish and shellfish to be used to repay loans made to California fishermen by the federal government under the buy-back program. The bill would authorize the commission to establish, by regulation, additional program elements necessary to conform state law to federal law, in order to allow California groundfish fishermen to participate fully in the buy-back program.

Existing law continuously appropriates money in the Fish and Game Preservation Fund to the commission to pay all necessary expenses incurred in carrying out the Fish and Game Code, and to pay the compensation and expenses of the commissioners and employees of the commission. Existing law provides that all money collected under the code, except as otherwise provided, is deposited in the fund.

By imposing a new duty on the commission, and increasing revenues deposited in the fund, the bill would make an appropriation.

Appropriation: yes.

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

SECTION 1. Article 12 (commencing with Section 8125) is added to Chapter 1 of Part 3 of Division 6 of the Fish and Game Code, to read:

Article 12. Commercial Fisheries Capacity Reduction Program

8125. There is hereby established the Commercial Fisheries Capacity Reduction Account in the Fish and Game Preservation Fund. Fees collected pursuant to Section 8126 shall be deposited into the account. Money in the account shall be used to repay the California fishermen's share of any federal loans used in the federal West Coast Groundfish Fishery Capacity Reduction Program (Sec. 212, P.L. 107-206). The commission may establish, by regulation, any additional program elements necessary to conform state law to federal law, in order to allow California groundfish fishermen to fully participate in the federally established buy-back program for the Pacific groundfish fishery.

8126. The commission shall establish a capacity reduction fee on the taking of certain species of fish and shellfish, consistent with the West Coast Groundfish Fishery Capacity Reduction Program. In establishing the fee, the commission shall also consider the administrative cost associated with collecting these fees.

