

AMENDED IN ASSEMBLY MAY 28, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2376

Introduced by Assembly Member Huffman

February 19, 2010

An act to add Section 12805.3 to the Government Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

AB 2376, as amended, Huffman. Fish and wildlife: strategic vision.

The California Constitution establishes the Fish and Game Commission and provides for the delegation to the commission of powers relating to the protection and propagation of fish and game. Existing statutory law delegates to the commission the power to regulate the taking or possession of birds, mammals, fish, amphibians, and reptiles in accordance with prescribed laws. Existing law establishes the Department of Fish and Game in the Natural Resources Agency, and generally charges the department with the administration and enforcement of the Fish and Game Code.

This bill would require the Secretary of the Natural Resources Agency to convene a committee, with membership as prescribed, to develop and submit to the Governor and Legislature, before July 1, 2012, a strategic vision for the department and the commission that addresses specified matters relating to state fish and wildlife resource management.

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

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

- 1 SECTION 1. Section 12805.3 is added to the Government
2 Code, to read:
- 3 12805.3. (a) The Secretary of the Natural Resources Agency
4 shall convene a committee to develop and submit to the Governor
5 and the Legislature, before July 1, 2012, a strategic vision for the
6 Department of Fish and Game and the Fish and Game Commission.
- 7 (b) The committee members shall include all of the following:
- 8 (1) The Secretary of the Natural Resources Agency.
9 (2) The Director of Fish and Game.
10 (3) The president of the Fish and Game Commission.
11 (4) The chair of the State Energy Resources Conservation and
12 Development Commission.
13 (5) A representative of the University of California.
14 (6) Representatives of the United States Fish and Wildlife
15 Service and the National Marine Fisheries Service, if they choose
16 to participate.
- 17 (c) The strategic vision shall address all of the following matters:
- 18 (1) Improving and enhancing the department's capacity to fulfill
19 its public trust responsibilities to protect and manage the state's
20 fish and wildlife for their ecological values and for the *use and*
21 *benefit* of the people of the state.
- 22 (2) Comprehensive biodiversity management, including
23 conservation planning and monitoring.
24 (3) Sustainable ecosystem functions, including terrestrial,
25 freshwater, and marine habitat.
26 (4) ~~Recreational~~ *Opportunities for sustainable recreational and*
27 *commercial harvest of fish and wildlife.*
28 (5) Permitting, regulatory, and enforcement functions.
29 (6) Science capacity and academic relationships, including
30 strategies to protect and enhance the independence and integrity
31 of the science that forms the basis for department and commission
32 policies and decisions.
33 (7) Education, communication, and relations with the public,
34 landowners, nonprofit entities, and land management agencies.
35 (8) Reforms necessary to take on the challenges of the 21st
36 century, including, but not necessarily limited to:
37 (A) Climate change and adaptation.

1 (B) Meeting California’s future renewable energy needs while
2 protecting sensitive habitat.

3 (C) The restoration of the state’s native fish species.

4 (D) Implementing and updating the state’s Wildlife Action Plan.

5 (9) The development and deployment of technology to meet the
6 department’s mission, including data modeling, collection, and
7 online reporting.

8 (10) Budget and fiscal development, accounting, and
9 management.

10 (11) Coordination among state agencies.

11 (12) Recommendations for institutional or governance changes,
12 including clarification of the roles of the commission and the
13 department.

14 (13) Strategies for identifying stable funding options to fulfill
15 the mission of the department while reducing dependency on the
16 General Fund.

17 (14) Other recommendations deemed desirable by the
18 committee.

19 (d) The committee shall seek input from elected officials,
20 governmental agencies, and interested parties, and shall review
21 existing reports and studies on the functioning of the department
22 and other state models for fish and wildlife governance.

23 (e) For the purposes of carrying out this section, the committee
24 may also seek input from other policy and resource leaders.

25 (f) (1) The committee, its members, and state agencies
26 represented on the committee may contract for consultants to assist
27 in the preparation of the strategic vision.

28 (2) Contracts entered into pursuant to paragraph (1) shall
29 terminate no later than December 31, 2011.

30 (3) Contracts entered into pursuant to paragraph (1) shall be
31 exempt from Part 2 (commencing with Section 10100) of Division
32 2 of the Public Contract Code.

33 ~~(g) The Governor or the committee may appoint a “blue ribbon”~~
34 ~~or citizen commission, advisory committee, task force, or any other~~
35 ~~group or groups that the Governor or the committee deems~~
36 ~~necessary or desirable to assist in carrying out this section.~~

37 *(g) The Governor or the committee shall appoint a “blue*
38 *ribbon” citizen commission or task force, a stakeholder advisory*
39 *group, and any other group that the Governor or the committee*
40 *deems necessary or desirable to assist in carrying out this section.*

1 A stakeholder advisory group appointed pursuant to this section
2 shall be broadly constructed to represent a diverse range of
3 interests affected by state policies that govern fish and wildlife,
4 including, but not necessarily limited to, persons representing
5 fishing and hunting interests, nonprofit conservation organizations,
6 nonconsumptive recreational users, landowners, scientific and
7 educational interests, and other interests or entities dedicated to
8 habitat conservation and protection of public trust resources. The
9 committee convened pursuant to subdivision (a), in developing the
10 strategic vision, shall take into account the recommendations of
11 any group appointed pursuant to this subdivision.

12 (h) For the purposes of carrying out this section, the committee
13 shall seek funding from nonstate entities to minimize the use of
14 ~~General Fund moneys~~ state funds. This section shall be
15 implemented only to the extent that nonstate funds are available
16 for that purpose.

17 (i) (1) The requirement for submitting the strategic vision
18 imposed under subdivision (a) is inoperative on January 1, 2015,
19 pursuant to Section 10231.5 of the Government Code, or on the
20 date that the strategic vision is submitted, whichever date is later.

21 (2) The strategic vision shall be submitted in compliance with
22 Section 9795 of the Government Code.