

AMENDED IN ASSEMBLY APRIL 11, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 528

Introduced by Assembly Member Chesbro

February 15, 2011

An act to amend Sections 7381 and 7382 of the Fish and Game Code, relating to fishing, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 528, as amended, Chesbro. Fish and game: steelhead trout.

Existing law requires a person taking steelhead trout in inland waters, in addition to a valid California sport fishing license and any applicable sport license stamp, to have in his or her possession a valid nontransferable steelhead trout fishing report-restoration card issued by the Department of Fish and Game. Under existing law, the base fee for the card was \$5 for the 2004 license year, and is authorized to be adjusted annually pursuant to a specified index. Existing law requires revenues to be deposited in the Fish and Game Preservation Fund and to be available for expenditure, appropriation by the Legislature, to monitor, restore, or enhance steelhead trout resources consistent with specified law, and to administer the fishing report-restoration card program. Existing law requires the department to report to the Legislature on or before July 1, 2007, regarding the steelhead trout fishing report-restoration card program's projects undertaken using revenues derived pursuant to that program, the benefits derived, and its recommendations for revising the fishing report-restoration card requirement, if any. These provisions become inoperative as of July 1, 2012, and are repealed as of January 1, 2013.

This bill would extend the operation of those provisions to July 1, 2017, to be repealed as of January 1, 2018. The bill would require the department to report to the Legislature regarding the card program’s projects by July 1, 2016. The bill would appropriate \$500,000 from the steelhead trout fishing report-restoration card revenues deposited in the fund to the department to monitor, restore, or enhance steelhead trout resources consistent with specified law, and to administer the fishing report-restoration card program.

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

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 7381 of the Fish and Game Code is
2 amended to read:
3 7381. (a) Revenue received pursuant to Section 7380 may be
4 expended, upon appropriation by the Legislature, only to monitor,
5 restore, or enhance steelhead trout resources consistent with
6 Sections 6901 and 6902, and to administer the fishing
7 report-restoration card program. The department shall submit all
8 proposed expenditures, including proposed expenditures for
9 administrative purposes, to the Advisory Committee on Salmon
10 and Steelhead Trout for review and comment before submitting a
11 request for inclusion of the appropriation in the annual Budget
12 Bill. The committee may recommend revisions in any proposed
13 expenditure to the Legislature and the commission.
14 (b) The department shall report to the Legislature on or before
15 July 1, 2016, regarding the steelhead trout fishing report-restoration
16 card program’s projects undertaken using revenues derived
17 pursuant to that program, the benefits derived, and its
18 recommendations for revising the fishing report-restoration card
19 requirement, if any. The report submitted pursuant to this

1 subdivision shall be submitted in compliance with Section 9795
2 of the Government Code.

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

5 7382. This article shall become inoperative on July 1, 2017,
6 and, as of January 1, 2018, is repealed, unless a later enacted statute
7 that is enacted before January 1, 2018, deletes or extends the dates
8 on which it becomes inoperative and is repealed.

9 SEC. 3. The sum of five hundred thousand dollars (\$500,000)
10 is hereby appropriated from the steelhead trout fishing
11 report-restoration card revenues deposited in the Fish and Game
12 Preservation Fund pursuant to subdivision (b) of Section 7380 of
13 the Fish and Game Code to the Department of Fish and Game for
14 the purposes authorized pursuant to Section 7381 of the Fish and
15 Game Code. The money appropriated in this section shall be
16 available for ~~expenditure~~ *encumbrance* by the Department of Fish
17 and Game until December 31, 2014.

18 SEC. 4. No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.