

AMENDED IN ASSEMBLY APRIL 18, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2402**

---

---

**Introduced by Assembly Member Huffman**

February 24, 2012

---

---

An act to amend Sections 37, 39, 700, *1002*, 2089.4, 2536, 2540, 3031.2, 6651, ~~and~~ 7149.8, *and* 8598.3 of, *and* to add Sections 13.5, 33, 43, 703.3, 703.5, 715, 1020, ~~1021~~, 1065, 12028, and 13205 to, ~~and to repeal and add Section 8598.3 of~~, the Fish and Game Code, and to amend Section 12805 of the Government Code, relating to fish and wildlife resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 2402, as amended, Huffman. Department of Fish and Game: Fish and Game Commission: entitlements: fees: violations.

(1) Existing law establishes the Department of Fish and Game and the Fish and Game Commission and sets forth the powers and duties of that department and commission.

This bill would make findings and declarations of the Legislature concerning the process of developing a strategic vision for the Department of Fish and Game and the Fish and Game Commission pursuant to Chapter 424 of the Statutes of 2010, as specified. *The bill would make specified statements of policy relating to the use of ecosystem-based management, adaptive management, and credible science, as defined. The bill would state the intent of the Legislature regarding department and commission partnerships and collaborations with other agencies and stakeholders.*

This bill would rename the Department of Fish and Game the Department of Fish and Wildlife, and would make related changes. The

bill would prohibit existing supplies, forms, insignias, signs, logos, uniforms, or emblems from being destroyed or changed as a result of changing the name of the Department of Fish and Game to the Department of Fish and Wildlife, and would require their continued use until exhausted or unserviceable.

The bill would require the Director of Fish and Game, in consultation with the Natural Resources Agency, to establish an independent science advisory panel to provide advice and recommendations to the department and the commission.

The bill would require the department to develop and adopt a method to impose and collect entry pass fees onsite for visitors that are engaging in nonconsumptive uses, as defined, at state wildlife refuges and other lands managed by the department that are open to the public. The bill would require the department to modify its online processes for purchase of entry passes and warden stamps to make these systems user-friendly for nonconsumptive users.

The bill would require the director, at least 30 days before submitting the department's proposed annual budget requests to the Governor, to give the commission an opportunity to review and provide comment on the proposed annual budget requests.

(2) Under existing law, the changes in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services is used as the index to determine an annual rate of increase or decrease in the fees for licenses, stamps, permits, and tags. Under existing law, the department issues *scientific collecting permits*, lifetime hunting licenses, *guide licenses*, abalone report cards, *kelp harvester licenses*, and marine aquaria collector's permits, and existing law establishes base fees for those entitlements, adjusted annually pursuant to the index.

~~This bill would require the commission to establish base fees for lifetime hunting licenses, as specified, and for abalone report cards and marine aquaria collector's permits, and would require those fees to be adjusted annually thereafter according to the index. The bill would require the department to adjust the amount of the fees for scientific collecting permits as necessary, to fully recover, but not~~ *adjust the amount of the fees for lifetime hunting licenses, guide licenses, abalone report cards, kelp harvester licenses, and marine aquaria collector's permits, as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses or permits for the 2013 license year, and would require those fees to be adjusted annually thereafter according to the index. The bill would require the department to adjust the amount of the fees for scientific collecting permits as necessary, to fully recover, but not*

*exceed, all reasonable administrative and implementation costs of the department and the commission relating to those permits.*

(3) Existing law, except as expressly provided otherwise, makes violations of the Fish and Game Code, or of any rule, regulation, or order made or adopted under that code, a misdemeanor. Existing law sets prescribed fines and penalties for specified violations.

This bill would require the department to modify its Automated License Data System to include information on all violations of the code and regulations adopted pursuant to the code. The bill would require electronic field equipment utilized by fish and game wardens to be modified to give fish and game wardens access to Automated License Data System information in the field.

(4) Existing law requires, unless otherwise provided, that all money collected under the provisions of the Fish and Game Code and of any other law relating to the protection and preservation of birds, mammals, fish, reptiles, or amphibia be paid into the State Treasury to the credit of the Fish and Game Preservation Fund. Existing law establishes specific accounts within the fund, including the Big Game Management Account, and the department has established other accounts within the fund.

This bill would require the Augmented Deer Tags Account, Bighorn Sheep Permit Account, and Wild Pig Account within the fund to be consolidated and any remaining funds in these accounts transferred to the Big Game Management Account. The bill would require the department, after consultation with the Department of Finance and the Legislative Analyst's Office, to provide recommendations to the Legislature for consolidation of additional dedicated accounts within the fund if, in the determination of the department, consolidation would serve to reduce administrative costs to the department and enhance its ability to meet current needs, while still preserving the stated purposes of the dedicated accounts.

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. (a) In 2010, the Legislature passed and the  
2 Governor signed Assembly Bill 2376, which established a process  
3 to develop a strategic vision for the Department of Fish and Game  
4 and the Fish and Game Commission.

1 (b) Pursuant to Assembly Bill 2376, the Natural Resources  
2 Agency appointed an executive committee, a blue ribbon  
3 commission, and a broad-based stakeholder group, and established  
4 a public process that is focused on improving and enhancing the  
5 capacity of both the Department of Fish and Game and the Fish  
6 and Game Commission to protect and manage California's fish  
7 and wildlife.

8 (c) All groups and individuals with an interest in improving the  
9 work of the department and the commission have been invited to  
10 participate in the stakeholder group process. Numerous public  
11 meetings have been held and extensive information on the process  
12 and the comments received to date are available on the Internet  
13 Web site of the Department of Fish and Game. The process is still  
14 underway and a final report is due to the Legislature by June 2012.

15 (d) The policy chairs of the committees of the Legislature with  
16 subject matter jurisdiction shall consider proposed legislation to  
17 address many of the draft recommendations of the California Fish  
18 and Wildlife Strategic Vision and other reforms necessary to satisfy  
19 the mandate of Assembly Bill 2376. Some of the content of the  
20 proposed legislation reflects suggestions contained in the draft  
21 interim strategic vision report released by the department and the  
22 commission on November 22, 2011. The proposed legislation may  
23 be amended from time to time to reflect additional  
24 recommendations as the stakeholder and blue ribbon commission  
25 process and final reports of the executive committee are completed.

26 *SEC. 2. Section 13.5 is added to the Fish and Game Code, to*  
27 *read:*

28 *13.5. "Adaptive management," unless otherwise specified in*  
29 *this code, means management that improves the management of*  
30 *biological resources over time by using new information gathered*  
31 *through monitoring, evaluation, and other credible sources as they*  
32 *become available, and adjusts management strategies and practices*  
33 *to assist in meeting conservation and management goals. Under*  
34 *adaptive management, program actions are viewed as tools for*  
35 *learning to inform future actions.*

36 *SEC. 3. Section 33 is added to the Fish and Game Code, to*  
37 *read:*

38 *33. "Credible science" means the best available scientific*  
39 *information that is not overly prescriptive due to the dynamic*  
40 *nature of science, and includes the evaluation principles of*

1 *relevance, inclusiveness, objectivity, transparency, timeliness,*  
2 *verification, validation, and peer review of information as*  
3 *appropriate. Credible science also recognizes the need for adaptive*  
4 *management as scientific knowledge evolves.*

5 ~~SEC. 2.~~

6 SEC. 4. Section 37 of the Fish and Game Code is amended to  
7 read:

8 37. “Department” means the Department of Fish and Wildlife.

9 ~~SEC. 3.~~

10 SEC. 5. Section 39 of the Fish and Game Code is amended to  
11 read:

12 39. “Director” means the Director of Fish and Wildlife.

13 SEC. 6. *Section 43 is added to the Fish and Game Code, to*  
14 *read:*

15 43. *“Ecosystem-based management” means an environmental*  
16 *management approach relying on credible science, as defined in*  
17 *Section 33, that recognizes the full array of interactions within an*  
18 *ecosystem, including humans, rather than considering single issues,*  
19 *species, or ecosystem services in isolation.*

20 ~~SEC. 4.~~

21 SEC. 7. Section 700 of the Fish and Game Code is amended  
22 to read:

23 700. (a) There is in the Natural Resources Agency a  
24 Department of Fish and Wildlife administered through the director.

25 (b) The Department of Fish and Wildlife shall succeed to, and  
26 is vested with, all the duties, powers, purposes, responsibilities,  
27 property, and jurisdiction previously vested in the Department of  
28 Fish and Game.

29 (c) Whenever the term “Department of Fish and Game” appears  
30 in a law, the term means the “Department of Fish and Wildlife.”

31 (d) No existing supplies, forms, insignias, signs, logos, uniforms,  
32 or emblems shall be destroyed or changed as a result of changing  
33 the name of the Department of Fish and Game to the Department  
34 of Fish and Wildlife, and those materials shall continue to be used  
35 until exhausted or unserviceable.

36 SEC. 8. *Section 703.3 is added to the Fish and Game Code, to*  
37 *read:*

38 703.3. *It is the policy of the state that the department and*  
39 *commission use ecosystem-based management informed by credible*  
40 *science in all resource management decisions. It is further the*

1 *policy of the state that scientific professionals at the department*  
2 *and commission, and all resource management decisions of the*  
3 *department and commission, be governed by a scientific quality*  
4 *assurance and integrity policy, and follow well-established*  
5 *standard protocols of the scientific profession, including, but not*  
6 *limited to, the use of peer review, publication, and science review*  
7 *panels where appropriate. Resource management decisions of the*  
8 *department and commission should also incorporate adaptive*  
9 *management to the extent possible.*

10 *SEC. 9. Section 703.5 is added to the Fish and Game Code, to*  
11 *read:*

12 *703.5. It is the intent of the Legislature that the department*  
13 *and the commission seek to create, foster, and actively participate*  
14 *in effective partnerships and collaborations with other agencies*  
15 *and stakeholders to achieve shared goals and to better integrate*  
16 *fish and wildlife resource conservation and management with the*  
17 *natural resource management responsibilities of other agencies.*  
18 *To that end, the department and commission are encouraged to*  
19 *participate in interagency coordination processes that facilitate*  
20 *consistency and efficiency in review of projects requiring multiple*  
21 *permits, including, but not necessarily limited to, joint state,*  
22 *federal, and local permit review teams that enable early*  
23 *consultation with project applicants, and provide improved sharing*  
24 *of data, information, tools, and science to achieve better alignment*  
25 *of planning, policies, and regulations across agencies.*

26 ~~SEC. 5.~~

27 *SEC. 10. Section 715 is added to the Fish and Game Code, to*  
28 *read:*

29 *715. (a) As used in this section, “panel” means the independent*  
30 *science advisory panel established pursuant to subdivision (b).*

31 *(b) The director, in consultation with the Natural Resources*  
32 *Agency, shall establish an independent science advisory panel to*  
33 *provide advice and recommendations to the department and the*  
34 *commission. The panel shall be composed of no more than 10*  
35 *members recommended by the director and approved by the*  
36 *Secretary of the Natural Resources Agency. The term of office*  
37 *shall be for five years. A member may serve not more than two*  
38 *consecutive terms. Members of the panel shall be scientific experts*  
39 *in their fields with expertise in biological sciences and with a range*  
40 *of multidisciplinary expertise pertinent to the work of the*

1 department and *the* commission. The purpose of the panel shall  
2 be to assist the department and *the* commission in establishing an  
3 independent and objective view of the scientific issues underlying  
4 important policy decisions.

5 (c) The duties of the panel shall include, but not necessarily be  
6 limited to, the following:

7 (1) Providing oversight of the scientific research, monitoring,  
8 and assessment programs that support the department's and the  
9 commission's work with fish and wildlife species and their habitats.

10 (2) Providing the best available independent scientific  
11 information and advice to guide and inform department and  
12 commission decisions.

13 (3) Promoting and facilitating independent scientific peer review.

14 (4) Promoting science-based adaptive management.

15 (5) Ensuring scientific integrity and transparency in  
16 decisionmaking.

17 (d) The panel may recommend and consult with other  
18 independent scientific experts with specialized expertise as needed  
19 for independent peer review of department reports, including, but  
20 not limited to, status review reports prepared for purposes of  
21 informing decisions on petitions for listing of species under the  
22 California Endangered Species Act (Chapter 1.5 (commencing  
23 with Section 2050) of Division 3).

24 (e) The panel shall develop a proposed scientific integrity policy  
25 to guide the work of the department and *the* commission. The  
26 scientific integrity policy may include, but is not necessarily limited  
27 to, an ethical code of conduct for department scientists, standards  
28 for independent peer review, and other best practices for ensuring  
29 scientific integrity and public confidence in department and  
30 commission work products and decisions.

31 (f) *For marine fisheries and other marine resources, the*  
32 *department may utilize the California Ocean Science Trust for the*  
33 *purposes of this section.*

34 *SEC. 11. Section 1002 of the Fish and Game Code is amended*  
35 *to read:*

36 1002. (a) The department may issue permits, subject to  
37 restrictions and regulations that the commission determines are  
38 desirable, to take or possess, in any part of the state, for scientific,  
39 educational, or propagation purposes, mammals, birds and the

1 nests and eggs thereof, fish, amphibia, reptiles, or any other form  
2 of plant or animal life.

3 (b) The department may issue a permit that is valid for 24  
4 months from the date of issuance to a resident of this state on the  
5 payment of a base fee of thirty dollars (\$30), as adjusted under  
6 Section 713.

7 (c) Notwithstanding subdivision (b), the department may issue  
8 a permit without fee that is valid for 12 months from the date of  
9 issuance for either of the following purposes:

10 (1) To authorize only the banding of birds and the exhibition  
11 of live or dead wildlife specimens by public zoological gardens,  
12 scientific, or educational institutions.

13 (2) To a student who is regularly enrolled in a commercial  
14 fishing class in a school operating under the jurisdiction of the  
15 State Board of Education or in a commercial fishing class in a  
16 community college and to a faculty member of those schools or a  
17 community college when conducting a regularly enrolled class in  
18 commercial fishing. Any permit issued under this paragraph shall  
19 be valid only when the student is under the direct supervision of  
20 the instructor who is approved by the school or community college  
21 to teach the class and who has obtained a permit under subdivision  
22 (b) or this paragraph from the department. All fish taken shall be  
23 taken in accordance with state law, except that Sections 7850,  
24 7880, and 7881 do not apply to persons or equipment operating  
25 under this paragraph. All fish taken under a permit issued under  
26 this paragraph may be sold only to a person licensed to receive  
27 fish from commercial fishermen as provided in Section 8032 or  
28 8033 or donated to a charitable institution. All funds received from  
29 the sale of the fish shall be used solely for the support of the  
30 commercial fishing classes.

31 (d) The department may issue a special student permit that is  
32 valid for 12 months from the date of issuance on the payment of  
33 a base fee of ten dollars (\$10), as adjusted under Section 713, to  
34 any student in a school of collegiate level who is required by an  
35 instructor in wildlife research in the school to collect specimens  
36 used in laboratory work in the school under supervision and in  
37 connection with a course in wildlife research or in the conduct of  
38 wildlife investigations and studies on behalf of the public.

39 (e) The department may issue a nonresident permit that is valid  
40 for 24 months from the date of issuance on application and payment

1 of a base fee of one hundred dollars (\$100) as adjusted under  
2 Section 713.

3 (f) It is not necessary for the possessor of the permit to have a  
4 sportfishing or hunting license to collect any fish, reptile, aquatic  
5 animal or plant, bird, or mammal for scientific, educational, or  
6 propagation purposes in this state.

7 (g) Nothing in this section authorizes any act which violates  
8 Section 597 of the Penal Code.

9 (h) A permit under this section does not authorize the taking of  
10 fish or mammals from the ocean waters of this state which are  
11 within the boundaries of any city if the city has filed with the  
12 department an objection to the taking.

13 (i) The adjustment of the base fees pursuant to Section 713 that  
14 is specified in subdivisions (b), (d), and (e) shall be applicable to  
15 permits issued on or after January 1, 1991.

16 (j) *The department shall adjust the amount of the fees specified*  
17 *in subdivisions (b), (d), and (e) as necessary, to fully recover, but*  
18 *not exceed, all reasonable administrative and implementation costs*  
19 *of the department and the commission relating to those permits.*

20 ~~SEC. 6:~~

21 *SEC. 12.* Section 1020 is added to the Fish and Game Code,  
22 to read:

23 1020. The department shall develop and adopt a method to  
24 impose and collect entry pass fees onsite for visitors that are  
25 engaging in nonconsumptive uses at state wildlife refuges and  
26 other lands managed by the department that are open to the public.  
27 The department shall also modify its online processes for purchase  
28 of entry passes and warden stamps to make these systems  
29 user-friendly for nonconsumptive users. As used in this section,  
30 “nonconsumptive uses” means compatible uses other than hunting  
31 or fishing.

32 ~~SEC. 7.~~ Section 1021 is added to the Fish and Game Code, to  
33 read:

34 ~~1021.~~ The director, at least 30 days before submitting the  
35 department’s proposed annual budget requests to the Governor,  
36 shall give the commission an opportunity to review and provide  
37 comment on the proposed annual budget requests.

38 ~~SEC. 8:~~

39 *SEC. 13.* Section 1065 is added to the Fish and Game Code,  
40 to read:

1 1065. The department shall modify its Automated License Data  
2 System to include information on all violations of this code and  
3 regulations adopted pursuant to this code. Electronic field  
4 equipment utilized by fish and game wardens shall be modified to  
5 give fish and game wardens access to Automated License Data  
6 System information in the field.

7 ~~SEC. 9.~~

8 *SEC. 14.* Section 2089.4 of the Fish and Game Code is amended  
9 to read:

10 2089.4. As used in this article, the following definitions apply:

11 (a) “Agreement” means a state safe harbor agreement approved  
12 by the department pursuant to this article. “Agreement” includes  
13 an agreement with an individual landowner and a programmatic  
14 agreement.

15 (b) “Baseline conditions” means the existing estimated  
16 population size, the extent and quality of habitat, or both population  
17 size and the extent and quality of habitat, for the species on the  
18 land to be enrolled in the agreement that sustain seasonal or  
19 permanent use by the covered species. Baseline conditions shall  
20 be determined by the department, in consultation with the applicant,  
21 and shall be based on the best available science and objective  
22 scientific methodologies. For purposes of establishing baseline  
23 conditions, a qualified person that is not employed by the  
24 department may conduct habitat surveys, if that person has  
25 appropriate species expertise and has been approved by the  
26 department.

27 (c) “Department” means the Department of Fish and Wildlife,  
28 acting through its director or his or her designee.

29 (d) “Landowner” means any person or nonstate or federal entity  
30 or entities that lawfully hold any interest in land or water to which  
31 they are committing to implement the requirements of this article.

32 (e) “Management actions” means activities on the enrolled land  
33 or water that are reasonably expected by the department to provide  
34 a net benefit to the species or their habitat, or both.

35 (f) “Monitoring program” means a program established or  
36 approved by the department in accordance with subdivision (f) of  
37 Section 2089.6.

38 (g) “Net conservation benefit” means the cumulative benefits  
39 of the management activities identified in the agreement that  
40 provide for an increase in a species’ population or the enhancement,

1 restoration, or maintenance of covered species' suitable habitats  
2 within the enrolled property. Net conservation benefit shall take  
3 into account the length of the agreement, any offsetting adverse  
4 effects attributable to the incidental taking allowed by the  
5 agreement, and other mutually agreed upon factors. Net  
6 conservation benefits shall be sufficient to contribute either directly  
7 or indirectly to the recovery of the covered species. These benefits  
8 include, but are not limited to, reducing fragmentation and  
9 increasing the connectivity of habitats, maintaining or increasing  
10 populations, enhancing and restoring habitats, and buffering  
11 protected areas.

12 (h) "Programmatic agreement" means a state safe harbor  
13 agreement issued to a governmental or nongovernmental program  
14 administrator. The program administrator for a programmatic  
15 agreement shall work with landowners and the department to  
16 implement the agreement. The program administrator and the  
17 department shall be responsible for ensuring compliance with the  
18 terms of the agreement.

19 (i) "Qualified person" means a person with species expertise  
20 who has been approved by the department.

21 (j) "Return to baseline" means, at the termination of an  
22 agreement, activities undertaken by the landowner to return the  
23 species population or extent or quality of habitat to baseline,  
24 excluding catastrophic events such as floods, unplanned fires, or  
25 earthquakes, and other factors mutually agreed upon prior to permit  
26 issuance and that are beyond the control of the landowner.

27 *SEC. 15. Section 2536 of the Fish and Game Code is amended*  
28 *to read:*

29 2536. (a) It is unlawful for any person to engage in the business  
30 of guiding or packing, or to act as a guide for any consideration  
31 or compensation whatever, without first having secured a guide  
32 license from the department.

33 (b) An employee of a licensee who acts as a guide only in  
34 connection with, and within the scope of, his or her employment  
35 is exempt from the requirement of subdivision (a) if all of the  
36 following conditions are met:

37 (1) If the employment is subject to and the person is reported  
38 to the carrier of the employer's workers' compensation insurance.

39 (2) If the person is subject and reported to the state and federal  
40 taxing authorities for withholding of income tax.

1 (3) If the person is reported to the department, on forms provided  
2 by the department, as an employee of the guide prior to any contact  
3 with any person being guided, and a registration fee has been paid.  
4 The base fee for an employee guide registration for the 2004 license  
5 year shall be thirty-three dollars (\$33), which shall be adjusted  
6 annually thereafter pursuant to Section 713.

7 (c) A person who is licensed in another state to provide guide  
8 services for the purposes of fishing is exempt from the requirements  
9 of subdivision (a) if all of the following conditions are met:

10 (1) The state in which the person is licensed grants a similar  
11 exemption to licensed guides who are residents of this state.

12 (2) Evidence of a valid guide license is provided to the  
13 department upon request.

14 (3) The person is engaged in the business of guiding only in  
15 conjunction with and during the term of a multistate fishing  
16 tournament approved by the appropriate agency in each of the  
17 affected states.

18 (4) The tournament sponsor provides to the department any  
19 information or documents necessary to administer and enforce this  
20 paragraph, as determined by the department, including, but not  
21 limited to, the identities of all guides participating in the  
22 tournament, verification of another state's license exemption, and  
23 information sufficient to determine the validity of another state's  
24 guide licenses.

25 (5) The tournament sponsor pays the department an amount,  
26 determined by the department, to be sufficient to cover the  
27 department's cost to administer and enforce this subdivision.

28 (6) The net proceeds of the tournament are used for resource  
29 management projects or habitat improvement projects, or both.

30 (d) *The commission shall adjust the amount of the fees specified*  
31 *in paragraph (3) of subdivision (b), as necessary, to fully recover,*  
32 *but not exceed, all reasonable administrative and implementation*  
33 *costs of the department and the commission relating to those*  
34 *licenses.*

35 *SEC. 16. Section 2540 of the Fish and Game Code is amended*  
36 *to read:*

37 2540. (a) The base fee for a guide license issued to a resident  
38 is one hundred fifty dollars (\$150).

39 (b) The base fee for a guide license issued to a nonresident is  
40 three hundred fifty dollars (\$350).

1 (c) A guide license is valid for the license year beginning on  
2 February 1 and ending on January 31 of the succeeding year or, if  
3 issued after the beginning of the license year, for the remainder of  
4 that license year.

5 (d) The base fees specified in this section are applicable to the  
6 2004 license year, and shall be adjusted annually thereafter  
7 pursuant to Section 713.

8 (e) *The commission shall adjust the amount of the fees specified*  
9 *in subdivisions (a), (b), and (d), as necessary, to fully recover, but*  
10 *not exceed, all reasonable administrative and implementation costs*  
11 *of the department and the commission relating to those licenses.*

12 ~~SEC. 10. Section 3031.2 of the Fish and Game Code is~~  
13 ~~amended to read:~~

14 ~~3031.2. (a) In addition to Sections 714 and 3031, and~~  
15 ~~notwithstanding Section 3037, the department shall issue lifetime~~  
16 ~~hunting licenses under this section. A lifetime hunting license~~  
17 ~~authorizes the taking of birds and mammals anywhere in this state~~  
18 ~~in accordance with the law for purposes other than profit for the~~  
19 ~~life of the person to whom issued unless revoked for a violation~~  
20 ~~of this code or regulations adopted under this code. A lifetime~~  
21 ~~hunting license is not transferable. A lifetime hunting license does~~  
22 ~~not include any special tags, stamps, or fees.~~

23 ~~(b) A lifetime hunting license may be issued to residents of this~~  
24 ~~state, as follows:~~

25 ~~(1) To a person 62 years of age or over, upon payment of a base~~  
26 ~~fee as determined pursuant to subdivision (e).~~

27 ~~(2) To a person 40 years of age or over, and less than 62 years~~  
28 ~~of age, upon payment of a base fee as determined pursuant to~~  
29 ~~subdivision (e).~~

30 ~~(3) To a person 10 years of age or over, and less than 40 years~~  
31 ~~of age, upon payment of a base fee as determined pursuant to~~  
32 ~~subdivision (e).~~

33 ~~(4) To a person less than 10 years of age, upon payment of a~~  
34 ~~base fee as determined pursuant to subdivision (e).~~

35 ~~(e) Nothing in this section requires a person less than 16 years~~  
36 ~~of age to obtain a license to take birds or mammals except as~~  
37 ~~required by law.~~

38 ~~(d) Nothing in this section exempts an applicant for a license~~  
39 ~~from meeting other qualifications or requirements otherwise~~  
40 ~~established by law for the privilege of sport hunting.~~

1 ~~(e) The commission shall establish base fees for lifetime hunting~~  
2 ~~licenses described in subdivisions (a) and (b) in an amount~~  
3 ~~sufficient to recover, but not exceed, all reasonable administrative~~  
4 ~~and implementation costs of the department and commission~~  
5 ~~relating to those licenses. The base fees specified in this section~~  
6 ~~as it was amended effective January 1, 2013, are applicable~~  
7 ~~commencing January 1, 2013, and shall be adjusted annually~~  
8 ~~thereafter pursuant to Section 713.~~

9 *SEC. 17. Section 3031.2 of the Fish and Game Code is amended*  
10 *to read:*

11 3031.2. (a) In addition to Sections 714 and 3031, and  
12 notwithstanding Section 3037, the department shall issue lifetime  
13 hunting licenses under this section. A lifetime hunting license  
14 authorizes the taking of birds and mammals anywhere in this state  
15 in accordance with the law for purposes other than profit for the  
16 life of the person to whom issued unless revoked for a violation  
17 of this code or regulations adopted under this code. A lifetime  
18 hunting license is not transferable. A lifetime hunting license does  
19 not include any special tags, stamps, or fees.

20 (b) A lifetime hunting license may be issued to residents of this  
21 state, as follows:

22 (1) To a person 62 years of age or over, upon payment of a base  
23 fee of three hundred sixty-five dollars (\$365).

24 (2) To a person 40 years of age or over, and less than 62 years  
25 of age, upon payment of a base fee of five hundred forty dollars  
26 (\$540).

27 (3) To a person 10 years of age or over, and less than 40 years  
28 of age, upon payment of a base fee of six hundred dollars (\$600).

29 (4) To a person less than 10 years of age, upon payment of a  
30 base fee of three hundred sixty-five dollars (\$365).

31 (c) Nothing in this section requires a person less than 16 years  
32 of age to obtain a license to take birds or mammals except as  
33 required by law.

34 (d) Nothing in this section exempts an applicant for a license  
35 from meeting other qualifications or requirements otherwise  
36 established by law for the privilege of sport hunting.

37 (e) The base fees specified in this section are applicable  
38 commencing January 1, 2004, and shall be adjusted annually  
39 thereafter pursuant to Section 713.

1 (f) *The commission shall adjust the amount of the fees specified*  
2 *in subdivision (b), as necessary, to fully recover, but not exceed,*  
3 *all reasonable administrative and implementation costs of the*  
4 *department and the commission relating to those licenses.*

5 *SEC. 18. Section 6651 of the Fish and Game Code is amended*  
6 *to read:*

7 6651. (a) A license granting the privilege to harvest kelp or  
8 other aquatic plants shall be issued upon application and the  
9 payment of a fee of one hundred dollars (\$100) to the department.  
10 The license shall be valid from January 1 to December 31,  
11 inclusive, or, if issued after the beginning of that term, for the  
12 remainder thereof.

13 (b) *The commission shall adjust the amount of the fees specified*  
14 *in subdivision (a), as necessary, to fully recover, but not exceed,*  
15 *all reasonable administrative and implementation costs of the*  
16 *department and the commission relating to those licenses.*

17 ~~(b)~~

18 (c) This chapter does not apply to aquatic plants grown on  
19 private land or on state water bottoms leased pursuant to Division  
20 12 (commencing with Section 15000).

21 ~~SEC. 11. Section 7149.8 of the Fish and Game Code is~~  
22 ~~amended to read:~~

23 ~~7149.8. (a) A person shall not take abalone from ocean waters~~  
24 ~~unless he or she first obtains, in addition to a valid California sport~~  
25 ~~fishing license and any applicable license validation or stamp~~  
26 ~~issued pursuant to this code, an abalone report card, and maintains~~  
27 ~~that report card in his or her possession while taking abalone.~~

28 ~~(b) The department or an authorized license agent shall issue~~  
29 ~~an abalone report card upon payment of a base fee as determined~~  
30 ~~pursuant to subdivision (e).~~

31 ~~(c) The commission shall establish a base fee for abalone report~~  
32 ~~cards in an amount sufficient to recover, but not exceed, all~~  
33 ~~reasonable administrative and implementation costs of the~~  
34 ~~department and commission relating to those cards. The base fee~~  
35 ~~specified in this section is applicable to the 2013 license year, and~~  
36 ~~shall be adjusted annually thereafter pursuant to Section 713.~~

37 *SEC. 19. Section 7149.8 of the Fish and Game Code is amended*  
38 *to read:*

39 7149.8. (a) A person shall not take abalone from ocean waters  
40 unless he or she first obtains, in addition to a valid California sport

1 fishing license and any applicable license validation or stamp  
2 issued pursuant to this code, an abalone report card, and maintains  
3 that report card in his or her possession while taking abalone.

4 (b) The department or an authorized license agent shall issue  
5 an abalone report card upon payment of a fee of fifteen dollars  
6 (\$15) in the 2004 license year, which shall be adjusted annually  
7 thereafter pursuant to Section 713.

8 (c) *The commission shall adjust the amount of the fees specified*  
9 *in subdivision (b) as necessary, to fully recover, but not exceed,*  
10 *all reasonable administrative and implementation costs of the*  
11 *department and the commission relating to those licenses.*

12 ~~SEC. 12. Section 8598.3 of the Fish and Game Code is~~  
13 ~~repealed.~~

14 ~~SEC. 13. Section 8598.3 is added to the Fish and Game Code,~~  
15 ~~to read:~~

16 ~~8598.3. (a) The commission shall establish a base fee for a~~  
17 ~~marine aquaria collector's permit in an amount sufficient to~~  
18 ~~recover, but not exceed, all reasonable administrative and~~  
19 ~~implementation costs of the department and commission relating~~  
20 ~~to those permits. The base fee established pursuant to this section~~  
21 ~~is applicable to the 2013 license year, and shall be adjusted~~  
22 ~~annually thereafter pursuant to Section 713.~~

23 ~~(b) A person engaged in taking, possessing, or landing marine~~  
24 ~~species under a marine aquaria collector's permit shall not take,~~  
25 ~~possess aboard a boat, or land any species under the authority of~~  
26 ~~a scientific collector's permit issued pursuant to Section 1002,~~  
27 ~~5515, or 10660 on the same fishing trip.~~

28 ~~SEC. 20. Section 8598.3 of the Fish and Game Code is amended~~  
29 ~~to read:~~

30 ~~8598.3. (a) The fee for a marine aquaria collector's permit~~  
31 ~~shall be three hundred thirty dollars (\$330).~~

32 ~~(b) A person engaged in taking, possessing, or landing marine~~  
33 ~~species under a marine aquaria collector's permit shall not take,~~  
34 ~~possess aboard a boat, or land any species under the authority of~~  
35 ~~a scientific collector's permit issued pursuant to Section 1002,~~  
36 ~~5515, or 10660 on the same fishing trip.~~

37 ~~(c) The commission shall adjust the amount of the fees specified~~  
38 ~~in subdivision (a) as necessary, to fully recover, but not exceed,~~  
39 ~~all reasonable administrative and implementation costs of the~~  
40 ~~department and the commission relating to those licenses.~~

1 ~~SEC. 14.~~

2 *SEC. 21.* Section 12028 is added to the Fish and Game Code,  
3 to read:

4 12028. The Legislature finds and declares that:

5 (a) Egregious poaching violations and other violations of the  
6 Fish and Game Code have been increasing, and these violations  
7 have a detrimental impact on fish and wildlife and their habitats,  
8 which are held in trust by the state for the benefit of the people of  
9 the state.

10 (b) In order to facilitate effective enforcement of the Fish and  
11 Game Code and deter illegal poaching and other violations that  
12 adversely impact fish and wildlife, it is important that courts be  
13 provided with up-to-date information on current Fish and Game  
14 Code prohibitions and penalties that have been enacted by the  
15 Legislature.

16 (c) It is therefore the intent of the Legislature to urge the Judicial  
17 Council to review and update the Uniform Bail and Penalty  
18 Schedule to include references to additional Fish and Game Code  
19 provisions not included in the Uniform Bail and Penalty Schedule  
20 currently.

21 (d) It is further the intent of the Legislature that courts in all 58  
22 counties be informed of the availability of the updated Uniform  
23 Bail and Penalty Schedules once those are completed.

24 ~~SEC. 15.~~

25 *SEC. 22.* Section 13205 is added to the Fish and Game Code,  
26 to read:

27 13205. The Augmented Deer Tags Account, Bighorn Sheep  
28 Permit Account, and Wild Pig Account within the Fish and Game  
29 Preservation Fund shall be consolidated and any remaining funds  
30 in these accounts transferred to the Big Game Management  
31 Account, consistent with Section 3953. The department, after  
32 consultation with the Department of Finance and the Legislative  
33 Analyst's Office, shall provide recommendations to the Legislature  
34 for consolidation of additional dedicated accounts within the Fish  
35 and Game Preservation Fund if, in the determination of the  
36 department, consolidation would serve to reduce administrative  
37 costs to the department and enhance its ability to meet current  
38 needs, while still preserving the generally stated purpose of the  
39 dedicated accounts.

1     ~~SEC. 16.~~

2     *SEC. 23.* Section 12805 of the Government Code is amended  
3 to read:

4     12805. (a) The Resources Agency is hereby renamed the  
5 Natural Resources Agency. The Natural Resources Agency consists  
6 of the departments of Forestry and Fire Protection, Conservation,  
7 Fish and Wildlife, Boating and Waterways, Parks and Recreation,  
8 Resources Recycling and Recovery, and Water Resources; the  
9 State Lands Commission; the Colorado River Board; the San  
10 Francisco Bay Conservation and Development Commission; the  
11 Central Valley Flood Protection Board; the Energy Resources  
12 Conservation and Development Commission; the Wildlife  
13 Conservation Board; the Delta Protection Commission; the Native  
14 American Heritage Commission; the California Conservation  
15 Corps; the California Coastal Commission; the State Coastal  
16 Conservancy; the California Tahoe Conservancy; the Santa Monica  
17 Mountains Conservancy; the Coachella Valley Mountains  
18 Conservancy; the San Joaquin River Conservancy; the San Gabriel  
19 and Lower Los Angeles Rivers and Mountains Conservancy; the  
20 Baldwin Hills Conservancy; the San Diego River Conservancy;  
21 and the Sierra Nevada Conservancy.

22     (b) No existing supplies, forms, insignias, signs, or logos shall  
23 be destroyed or changed as a result of changing the name of the  
24 Resources Agency to the Natural Resources Agency, and those  
25 materials shall continue to be used until exhausted or unserviceable.