

AMENDED IN SENATE MAY 14, 2012
AMENDED IN SENATE APRIL 23, 2012
AMENDED IN SENATE APRIL 10, 2012
AMENDED IN SENATE MARCH 22, 2012

SENATE BILL

No. 1107

Introduced by Senator Berryhill

February 17, 2012

An act to add Section 1065 to the Fish and Game Code, relating to entitlements, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1107, as amended, Berryhill. Automated License Data System: nonprofit conservation organizations.

Under existing law, all licenses, permits, tags, reservations, and other entitlements authorized by the Fish and Game Code are prepared and issued by the Department of Fish and Game or an authorized license agent. Existing law authorizes specified persons to obtain tags or stamps for the taking of specific animals or aquatic species, if certain requirements are met. Existing law authorizes the Fish and Game Commission to require and prescribe the form of applications for licenses, permits, tags, reservations, and other entitlements and the form of any contrivance to be used in connection therewith. An existing regulation defines the Automated License Data System as an automated system that replaced the department's paper license inventory system.

This bill would require the department, if it determines that a nonprofit conservation organization meets specified eligibility requirements and submits a prescribed letter annually, to include the nonprofit conservation organization's logo in a space with a link to the

organization's Internet Web site on the Automated ~~Data License~~ *Data System* for a time period agreed upon by the department and the organization. The bill would authorize the department to impose a charge on a nonprofit conservation organization for inclusion on the Automated ~~Data License~~ *Data System* ~~that would be prohibited, and would prohibit that charge~~ from exceeding the reasonable costs of administering these provisions. ~~The bill would continuously appropriate to the department the moneys generated from the charge, to be used to pay the reasonable costs associated with the direct administration of the bill, including, but not limited to, a reasonable portion of the costs of making changes to the Automated License Data System necessary to implement the bill.~~

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

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

- 1 SECTION 1. Section 1065 is added to the Fish and Game Code,
- 2 to read:
- 3 1065. (a) A nonprofit conservation organization seeking
- 4 promotion, exposure, and awareness of the organization on the
- 5 Automated License Data System through means, including, but
- 6 not limited to, the display of the organization's logo and the
- 7 opportunity for a prospective license buyer to link electronically
- 8 to the organization's Internet Web site, shall annually submit, in
- 9 a manner determined by the department, a letter to the department
- 10 providing evidence that the organization meets the criteria set forth
- 11 in subdivision (c). If the department determines that the nonprofit
- 12 conservation organization is eligible, it shall include the
- 13 organization's logo in a space with a link to the organization's
- 14 Internet Web site on the Automated License Data System for a
- 15 time period agreed upon by both parties.
- 16 (b) The department may impose a charge on a nonprofit
- 17 conservation organization for inclusion on the Automated License
- 18 Data System pursuant to subdivision (a) that shall not exceed the
- 19 reasonable costs associated with the direct administration of this
- 20 section.
- 21 (c) As used in this section, "nonprofit conservation organization"
- 22 means an entity that the department determines meets all of the
- 23 following:

1 (1) It is a nonprofit organization described in Section 501(c)(3)
2 of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)), that is
3 exempt from taxation under Section 501(a) of that code (26 U.S.C.
4 Sec. 501(a)).

5 (2) It is registered with the Attorney General.

6 (3) Its goals and objectives are ~~directly~~ related to the
7 conservation ~~and management~~ of sport fish or game species.

8 (4) In at least one of the previous three calendar years, it has
9 entered into, or been obligated under, a contract or other agreement,
10 including, but not limited to, a license, easement, memorandum
11 of understanding, or lease, with the department to perform habitat
12 or other wildlife conservation work, to provide hunting or fishing
13 opportunities for the public, to raise funds on behalf of the
14 department, including, but not limited to, the sale of hunting
15 fundraising tags or related items, or to otherwise provide assistance
16 to the department that is consistent with the department's mission.

17 ~~(d) Notwithstanding Section 13340 of the Government Code,~~
18 ~~the moneys generated from the charge imposed pursuant to~~
19 ~~subdivision (d) are continuously appropriated, without regard to~~
20 ~~fiscal year, to the department, to be used to pay the reasonable~~
21 ~~costs associated with the direct administration of this section,~~
22 ~~including, but not limited to, a reasonable portion of the costs of~~
23 ~~making changes to the Automated License Data System necessary~~
24 ~~to implement this section.~~