

AMENDED IN SENATE APRIL 2, 2013

**SENATE BILL**

**No. 583**

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**Introduced by Senator Berryhill**

*(Coauthors: Assembly Members Hagman and Mansoor)*

February 22, 2013

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An act to amend Sections 7149 and 7149.05 of the Fish and Game Code, relating to sport fishing.

LEGISLATIVE COUNSEL'S DIGEST

SB 583, as amended, Berryhill. Sport fishing: licenses.

Existing law requires every person 16 years of age or older who takes any fish, reptile, or amphibian for any purpose other than profit to first obtain a license for that purpose, with specified exceptions, and to have that license on his or her person or in his or her immediate possession when engaged in carrying out any activity authorized by the license. Existing law requires a resident or a nonresident, 16 years of age or older, upon payment of a specified fee, to be issued a sport fishing license for the period of a calendar year, or, if issued after the beginning of the year, for the remainder thereof. Existing law requires the Fish and Game Commission to adjust the amount of the sport fishing license fees, as prescribed, to fully recover, but not exceed, all reasonable administrative and implementation costs of the Department of Fish and Wildlife and the commission relating to those licenses.

This bill would ~~instead~~ require a resident or a nonresident, 16 years of age or older, upon payment of a *specified* fee, to be issued a sport fishing license for the period of 12 consecutive months beginning on the date specified on the license, *as prescribed*. ~~This bill would require the department to determine the base fee for this license and would prohibit the total fee for the license from exceeding the reasonable~~

~~regulatory costs incurred incident to the issuance of, and the administration and enforcement duties relating to, the license.~~

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 7149 of the Fish and Game Code is  
2 amended to read:

3 7149. (a) A sport fishing license granting the privilege to take  
4 any fish, reptile, or amphibia anywhere in this state for purposes  
5 other than profit shall be issued to any of the following:

6 (1) A resident, 16 years of age or older, for the period of ~~12~~  
7 ~~consecutive months a calendar year, or, if issued after the~~  
8 ~~beginning on the date specified on of the year, for the license~~  
9 ~~remainder thereof~~, upon payment of a base fee ~~determined by the~~  
10 ~~department. The total fee for the license shall not exceed the~~  
11 ~~reasonable regulatory costs incurred incident to the issuance of,~~  
12 ~~and the administration and enforcement duties relating to, the~~  
13 ~~license of thirty-one dollars and twenty-five cents (\$31.25).~~

14 (2) A resident, 16 years of age or older, for the period of 12  
15 consecutive months beginning on the date specified on the license,  
16 upon payment of a base fee of forty-seven dollars and fifty cents  
17 (\$47.50).

18 (2)

19 (3) A nonresident, 16 years of age or older, for the period of ~~12~~  
20 ~~consecutive months beginning on the date specified on the license~~  
21 ~~a calendar year, or, if issued after the beginning of the year, for~~  
22 ~~the remainder thereof~~, upon payment of a base fee ~~determined by~~  
23 ~~the department. The total fee for the license shall not exceed the~~  
24 ~~reasonable regulatory costs incurred incident to the issuance of,~~  
25 ~~and the administration and enforcement duties relating to, the~~  
26 ~~license of eighty-four dollars (\$84).~~

27 (4) A nonresident, 16 years of age or older, for the period of 12  
28 consecutive months beginning on the date specified on the license,  
29 upon payment of a base fee of one hundred nineteen dollars and  
30 twenty-five cents (\$119.25).

31 (3)

1 (5) A nonresident, 16 years of age or older, for the period of 10  
2 consecutive days beginning on the date specified on the license  
3 upon payment of the fee set forth in paragraph (1).

4 ~~(4)~~

5 (6) A resident or nonresident, 16 years of age or older, for two  
6 consecutive designated calendar days, upon payment of one-half  
7 of the fee set forth in paragraph (1). Notwithstanding Section 1053,  
8 more than one two-day license issued for different two-day periods  
9 may be issued to, or possessed by, a person at one time.

10 ~~(5)~~

11 (7) A resident or nonresident, 16 years of age or older, for one  
12 designated day, upon payment of a base fee of ten dollars (\$10).

13 (b) California sport fishing license stamps shall be issued by  
14 authorized license agents in the same manner as sport fishing  
15 licenses, and no compensation may be paid to the authorized  
16 license agent for issuing the stamps except as provided in Section  
17 1055.

18 (c) This section does not apply to licenses, permits, reservations,  
19 tags, or other entitlements issued through the Automated License  
20 Data System.

21 (d) (1) The base fees specified in this section are applicable to  
22 the 2004 license year, and shall be adjusted annually thereafter  
23 pursuant to Section 713.

24 (2) *Notwithstanding paragraph (1), the base fees specified in*  
25 *paragraphs (2) and (4) of subdivision (a) are applicable to the*  
26 *2013 license year, and shall be adjusted annually thereafter*  
27 *pursuant to Section 713.*

28 (e) The commission shall adjust the amount of the fees specified  
29 in subdivision (d), as necessary, to fully recover, but not exceed,  
30 all reasonable administrative and implementation costs of the  
31 department and the commission relating to those licenses.

32 SEC. 2. Section 7149.05 of the Fish and Game Code is  
33 amended to read:

34 7149.05. (a) A sport fishing license granting the privilege to  
35 take any fish, reptile, or amphibia anywhere in this state for  
36 purposes other than profit shall be issued to any of the following:

37 (1) A resident, 16 years of age or older, for the period of ~~12~~  
38 ~~consecutive months beginning on the date specified on the license~~  
39 *a calendar year, or, if issued after the beginning of the year, for*  
40 *the remainder thereof, upon payment of a base fee ~~determined by~~*

1 the department. The total fee for the license shall not exceed the  
2 reasonable regulatory costs incurred incident to the issuance of,  
3 and the administration and enforcement duties relating to, the  
4 license of *thirty-one dollars and twenty-five cents* (\$31.25).

5 (2) *A resident, 16 years of age or older, for the period of 12*  
6 *consecutive months beginning on the date specified on the license,*  
7 *upon payment of a base fee of forty-seven dollars and fifty cents*  
8 *(\$47.50).*

9 ~~(2)~~

10 (3) *A nonresident, 16 years of age or older, for the period of 12*  
11 *consecutive months beginning on the date specified on the license*  
12 *a calendar year; or, if issued after the beginning of the year, for*  
13 *the remainder thereof, upon payment of a base fee determined by*  
14 *the department. The total fee for the license shall not exceed the*  
15 *reasonable regulatory costs incurred incident to the issuance of,*  
16 *and the administration and enforcement duties relating to, the*  
17 *license of eighty-four dollars* (\$84).

18 (4) *A nonresident, 16 years of age or older, for the period of 12*  
19 *consecutive months beginning on the date specified on the license,*  
20 *upon payment of a base fee of one hundred nineteen dollars and*  
21 *twenty-five cents* (\$119.25).

22 ~~(3)~~

23 (5) *A nonresident, 16 years of age or older for the period of 10*  
24 *consecutive days beginning on the date specified on the license*  
25 *upon payment of the fee set forth in paragraph (1).*

26 ~~(4)~~

27 (6) *A resident or nonresident, 16 years of age or older, for two*  
28 *designated days, upon payment of one-half the fee set forth in*  
29 *paragraph (1). Notwithstanding Section 1053, more than one single*  
30 *day license issued for different days may be issued to, or possessed*  
31 *by, a person at one time.*

32 ~~(5)~~

33 (7) *A resident or nonresident, 16 years of age or older, for one*  
34 *designated day upon payment of a base fee of ten dollars* (\$10).

35 (b) *California sport fishing license validations shall be issued*  
36 *by authorized license agents in the same manner as sport fishing*  
37 *licenses, and no compensation shall be paid to the authorized*  
38 *license agent for issuing the validations except as provided in*  
39 *Section 1055.1.*

1 (c) This section applies only to licenses, permits, reservations,  
2 tags, and other entitlements issued through the Automated License  
3 Data System.

4 (d) (1) The base fees specified in this section are applicable to  
5 the 2004 license year, and shall be adjusted annually thereafter  
6 pursuant to Section 713.

7 (2) *Notwithstanding paragraph (1), the base fees specified in*  
8 *paragraphs (2) and (4) of subdivision (a) are applicable to the*  
9 *2013 license year, and shall be adjusted annually thereafter*  
10 *pursuant to Section 713.*

11 (e) The commission shall adjust the amount of the fees specified  
12 in subdivision (d), as necessary, to fully recover, but not exceed,  
13 all reasonable administrative and implementation costs of the  
14 department and the commission relating to those licenses.