

AMENDED IN SENATE MAY 12, 2014
AMENDED IN SENATE APRIL 3, 2014
AMENDED IN SENATE MARCH 24, 2014

SENATE BILL

No. 987

Introduced by Senator Monning
(Coauthor: Assembly Member Stone)

February 12, 2014

~~An act to add Section 710.9 to the Fish and Game Code, to add Section 31122 to the Public Resources Code, and to amend Section 18754.2 of the Revenue and Taxation Code, relating to wildlife.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 987, as amended, Monning. California Sea Otter Fund: Department of Fish and Wildlife: State Coastal Conservancy.

Existing law establishes the Department of Fish and Wildlife and sets forth the duties of that department. Existing law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing a program of agricultural land protection, area restoration, and resource enhancement within the coastal zone, as defined.

Existing law, until January 1, 2016, establishes the California Sea Otter Fund and allows taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the fund. Existing law requires money in that fund, upon appropriation by the Legislature, to be allocated to the Department of Fish and Wildlife for the purposes of establishing a sea otter fund, ~~as prescribed, fund to be used within the department's index coding system for increased investigation, prevention, and enforcement actions,~~ and to the State Coastal Conservancy for competitive grants and contracts for research,

projects, and programs related to the Federal Sea Otter Recovery Plan or improving the nearshore ocean ecosystem.

With respect to the portion of money allocated to the department upon appropriation by the Legislature, this bill would instead specify that the money be allocated to the department for purposes of establishing a sea otter fund to be used for sea otter conservation, including for increased investigation, prevention, and enforcement actions related to sea otter mortality. The bill would also require money in the fund, upon appropriation by the Legislature, to be allocated to the department and the conservancy for public outreach activities that encourage taxpayers to make contributions by voluntary checkoff on a tax return to the fund.

~~This bill would require the department and the conservancy to take appropriate measures to encourage taxpayers to make contributions on their tax returns to the California Sea Otter Fund and would also authorize the department and the conservancy to disseminate information to the public about the status of California sea otters. The bill would require that costs incurred by the department and the conservancy in carrying out these activities be paid for, upon appropriation, with money allocated to the department and the conservancy from the fund.~~

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 710.9 is added to the Fish and Game~~
 2 ~~Code, to read:~~
 3 ~~710.9. (a) The department shall take appropriate measures,~~
 4 ~~including, but not limited to, public outreach activities, to~~
 5 ~~encourage taxpayers to make contributions by voluntary checkoff~~
 6 ~~on a tax return to the California Sea Otter Fund established in~~
 7 ~~Article 5.6 (commencing with Section 18754) of Chapter 3 of Part~~
 8 ~~10.2 of Division 2 of the Revenue and Taxation Code.~~
 9 ~~(b) The department may disseminate information to the public~~
 10 ~~concerning the status of California sea otters.~~
 11 ~~(c) The costs incurred by the department in carrying out the~~
 12 ~~activities required and authorized by this section shall, upon~~
 13 ~~appropriation by the Legislature, be paid for with money allocated~~
 14 ~~to the department pursuant to Section 18754.2 of the Revenue and~~
 15 ~~Taxation Code.~~

1 ~~SEC. 2. Section 31122 is added to the Public Resources Code,~~
2 ~~to read:~~

3 ~~31122. (a) The conservancy shall take appropriate measures,~~
4 ~~including, but not limited to, public outreach activities, to~~
5 ~~encourage taxpayers to make contributions by voluntary checkoff~~
6 ~~on a tax return to the California Sea Otter Fund established in~~
7 ~~Article 5.6 (commencing with Section 18754) of Chapter 3 of Part~~
8 ~~10.2 of Division 2 of the Revenue and Taxation Code.~~

9 ~~(b) The conservancy may disseminate information to the public~~
10 ~~concerning the status of California sea otters.~~

11 ~~(c) The costs incurred by the conservancy in carrying out the~~
12 ~~activities required and authorized by this section shall, upon~~
13 ~~appropriation by the Legislature, be paid for with money allocated~~
14 ~~to the conservancy pursuant to Section 18754.2 of the Revenue~~
15 ~~and Taxation Code.~~

16 ~~SEC. 3.~~

17 ~~SECTION 1. Section 18754.2 of the Revenue and Taxation~~
18 ~~Code is amended to read:~~

19 ~~18754.2. (a) All money transferred to the California Sea Otter~~
20 ~~Fund, upon appropriation by the Legislature, shall be allocated as~~
21 ~~follows:~~

22 ~~(1) To the Franchise Tax Board and the Controller for~~
23 ~~reimbursement of all costs incurred by the Franchise Tax Board~~
24 ~~and the Controller in connection with their duties under this article.~~

25 ~~(2) Fifty percent of the revenues remaining after allocation~~
26 ~~pursuant to paragraph (1), to the Department of Fish and Wildlife~~
27 ~~for the purposes of establishing a sea otter fund to be used for sea~~
28 ~~otter conservation, including, but not limited to, for increased~~
29 ~~investigation, prevention, and enforcement actions related to sea~~
30 ~~otter mortality, and for the purposes of carrying out the activities~~
31 ~~required and authorized in Section 710.9 of the Fish and Game~~
32 ~~Code: public outreach activities that encourage taxpayers to make~~
33 ~~contributions by voluntary checkoff on a tax return to the~~
34 ~~California Sea Otter Fund.~~

35 ~~(3) Fifty percent of the revenues remaining after allocation~~
36 ~~pursuant to paragraph (1), to the State Coastal Conservancy for~~
37 ~~competitive grants and contracts to public agencies and nonprofit~~
38 ~~organizations for research, science, protection, projects, or~~
39 ~~programs related to the Federal Sea Otter Recovery Plan or~~
40 ~~improving the nearshore ocean ecosystem, including, but not~~

1 limited to, program activities to reduce sea otter mortality, and for
2 ~~the purposes of carrying out the activities required and authorized~~
3 ~~in Section 31122 of the Public Resources Code.~~ *public outreach*
4 *activities that encourage taxpayers to make contributions by*
5 *voluntary checkoff on a tax return to the California Sea Otter*
6 *Fund.* The projects or programs may also address pathogens and
7 water and wastewater treatment technologies.

8 (b) The State Coastal Conservancy shall solicit available federal,
9 private, matching, and other dollars to maximize or leverage funds
10 appropriated pursuant to paragraph (3) of subdivision (a) to provide
11 the greatest benefit for sea otters.

12 (c) The State Coastal Conservancy may enter into interagency
13 agreements with public agencies for purposes of paragraph (3) of
14 subdivision (a).