

AMENDED IN SENATE APRIL 21, 2014

**SENATE BILL**

**No. 1410**

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**Introduced by Senators Wolk and Nielsen**

*(Principal coauthor: Senator Vidak)*

(Principal coauthors: Assembly Members Frazier, Harkey, Logue, and Yamada)

**(Coauthors: Senators Berryhill, Cannella, Gaines, and Galgiani)**

(Coauthors: Assembly Members Achadjian, *Alejo*, Bigelow, Chesbro, Dahle, Gray, *Hagman*, Levine, *Melendez*, Nestande, Olsen, Patterson, *V. Manuel Pérez*, and Waldron)

February 21, 2014

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An act to amend Section 1504 of the Fish and Game Code, relating to fish and wildlife, and making an appropriation therefor, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1410, as amended, Wolk. Wildlife management areas: payments.

Existing law requires the Department of Fish and Wildlife, when income is derived directly from real property acquired and operated by the state as a wildlife management area, as defined, to pay annually to the county in which the property is located an amount equal to the county taxes levied upon the property at the time title to the property was transferred to the state, and any assessments levied upon the property by any irrigation, drainage, or reclamation district.

This bill would appropriate \$19,000,000 from the General Fund to the department to make payments to counties for ~~outstanding obligations~~ *unpaid amounts* under these provisions. The bill would also appropriate \$2,000,000 annually, beginning with the 2014–15 fiscal year, from the

General Fund to the department to make payments to counties ~~for obligations incurred~~ under these provisions.

*This bill would declare that it is to take effect immediately as an urgency statute.*

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Section 1504 of the Fish and Game Code requires that  
4 payments be made to counties equal to the property taxes  
5 previously levied on property held by the Department of Fish and  
6 Wildlife pursuant to that section.

7 (b) No payments have been made to counties pursuant to Section  
8 1504 of the Fish and Game Code since the 2001–02 fiscal year  
9 when a partial payment was made.

10 (c) Counties are now owed approximately ~~\$19,000,000~~ *nineteen*  
11 *million dollars (\$19,000,000)* for the unpaid payments.

12 (d) If this property were owned by a private party, a county  
13 could sell the property to recoup unpaid property taxes.

14 (e) Because the sale of this state-owned property is not an option  
15 for a county, the state should fulfill its statutory obligation and pay  
16 the current and ~~owed moneys~~ *unpaid amounts*.

17 (f) To that end, an appropriation is needed to meet the  
18 obligations of the Department of Fish and Wildlife incurred  
19 pursuant to Section 1504 of the Fish and Game Code since the  
20 2001–02 fiscal year.

21 SEC. 2. The sum of nineteen million dollars (\$19,000,000) is  
22 hereby appropriated from the General Fund to the Department of  
23 Fish and Wildlife, to make payments to counties ~~for the obligations~~  
24 *unpaid amounts* incurred pursuant to Section 1504 of the Fish and  
25 Game Code.

26 SEC. 3. Section 1504 of the Fish and Game Code is amended  
27 to read:

28 1504. (a) When income is derived directly from real property  
29 acquired and operated by the state as *a* wildlife management ~~areas~~,  
30 *area*, and regardless of whether income is derived from property  
31 acquired after October 1, 1949, the department shall pay annually

1 to the county in which the property is located an amount equal to  
2 the county taxes levied upon the property at the time title to the  
3 property was transferred to the state. The department shall also  
4 pay the assessments levied upon the property by any irrigation,  
5 drainage, or reclamation district.

6 (b) Any delinquent penalties or interest applicable to any such  
7 assessments made ~~prior to~~ before September 9, 1953, are hereby  
8 canceled and shall be waived.

9 (c) *Payments provided by this section shall be from funds made*  
10 *available to the department pursuant to subdivision (d).*

11 ~~(e)~~

12 (d) Notwithstanding Section 13340 of the Government Code,  
13 the sum of two million dollars (\$2,000,000) is hereby appropriated  
14 annually, beginning with the 2014–15 fiscal year, from the General  
15 Fund to the department to make the payments to counties provided  
16 by this section.

17 ~~(d)~~

18 (e) As used in this section, the term “wildlife management area”  
19 includes waterfowl management areas, deer ranges, upland game  
20 bird management areas, and public shooting grounds.

21 ~~(e)~~

22 (f) Payments under this section shall be made on or before  
23 December 10 of each year, excepting newly acquired property for  
24 which payments shall be made pursuant to subdivision ~~(f)~~ (g).

25 ~~(f)~~

26 (g) Payments for the purposes of this section shall be made  
27 within one year of the date title to the property was transferred to  
28 the state, or within 90 days from the date of designation as a  
29 wildlife management area, whichever occurs first, prorated for the  
30 balance of the year from the date of designation as a wildlife  
31 management area to the 30th day of June following the date of  
32 designation as a wildlife management area, and, thereafter,  
33 payments shall be made on or before December 10 of each year.

34 *SEC. 4. This act is an urgency statute necessary for the*  
35 *immediate preservation of the public peace, health, or safety within*  
36 *the meaning of Article IV of the Constitution and shall go into*  
37 *immediate effect. The facts constituting the necessity are:*

38 *In order for the fiscal arrangements made by this act to be*  
39 *operative at the commencement of the 2014–15 fiscal year, it is*  
40 *necessary for this act to take effect immediately.*

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