

Senate Bill No. 1434

CHAPTER 259

An act to add Sections 711.1 and 3702.1 to the Fish and Game Code, relating to fish and wildlife.

[Approved by Governor August 22, 2014. Filed with
Secretary of State August 22, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1434, Wolk. Funding of fish and wildlife programs: State Duck Stamp Account advisory committee.

(1) Existing federal law imposes a sales tax on the sale of bows and arrows, ammunition, and certain firearms. Existing federal law, the Federal Aid in Wildlife Restoration Act, makes certain revenues collected from those taxes available to the states by requiring the Secretary of the Interior to apportion an amount available to each state according to a specified formula. The federal act authorizes a state, through its fish and wildlife department, to submit programs or projects for wildlife restoration and hunter safety education to the Secretary of the Interior for funding of up to 75% of the cost of those programs or projects from the amount apportioned to the state.

Existing law establishes the Department of Fish and Wildlife in the Natural Resources Agency, administered by the Director of Fish and Wildlife. Existing law requires the department, with approval of the Fish and Game Commission, to perform acts as may be necessary to the conduct and establishment of cooperative wildlife-restoration projects, in compliance with the federal act and regulations adopted pursuant to the federal act. Under existing law, the Legislature has made findings that the costs of hunting programs shall be provided out of hunting revenues, reimbursements, and federal funds received for hunting programs, and from other funds appropriated by the Legislature for this purpose. The Legislature has also made findings that these revenues, reimbursements, and federal funds shall not be used to support commercial fishing programs, free hunting and fishing license programs, or nongame fish and wildlife programs.

This bill would require the expenditure of all federal grant moneys made available to the state under the federal act to be consistent with that federal act. The bill would require the department, in applying for these federal grant moneys, to give priority to projects that fulfill one or more specified purposes. The bill would require the department to post a brief description of projects or programs funded by moneys received from the federal act on its Internet Web site. The bill would require the department to consult with specified hunting advisory committees regarding all relevant projects funded by the federal act.

(2) Under existing law, funds derived from state duck hunting validations, state duck stamps, and certain related items are required to be deposited in the State Duck Stamp Account in the Fish and Game Preservation Fund. Existing law provides that moneys in the account are to be used, among other things, for projects or endowments approved by the Fish and Game Commission for the purpose of protecting, preserving, restoring, enhancing, and developing migratory waterfowl breeding and wintering habitat, evaluating habitat projects, and conducting waterfowl resource assessments and other waterfowl-related research.

This bill would require an advisory committee, as determined by the department, to review and provide comments to the department on all proposed projects funded by the State Duck Stamp Account to help ensure that specified requirements pertaining to the State Duck Stamp Account have been met.

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

SECTION 1. Section 711.1 is added to the Fish and Game Code, to read:

711.1. (a) The expenditure of all federal grant moneys made available to the state pursuant to the Federal Aid in Wildlife Restoration Act (16 U.S.C. Sec. 669 et seq.) shall be consistent with that act.

(b) In applying for federal grant moneys available pursuant to the Federal Aid in Wildlife Restoration Act, the department shall give priority to projects that fulfill one or more of the following purposes:

(1) Management of the department's wildlife areas or other lands open to the public for hunting and other public priority uses listed in paragraph (1) of subdivision (d) of Section 1745.

(2) Conservation of, or scientific research concerning, wildlife or wildlife habitat.

(3) Support of the department's hunting-related programs, including hunter education, public access, and target shooting.

(c) The department shall post a brief description of projects or programs funded by moneys received pursuant to the Federal Aid in Wildlife Restoration Act on its Internet Web site. The description shall include information about the budget of each project or program.

(d) The department shall consult with any of the advisory committees established pursuant to Sections 3684, 3702.1, and 3953 regarding all projects funded by the Federal Aid in Wildlife Restoration Act that are relevant to the committee or committees.

SEC. 2. Section 3702.1 is added to the Fish and Game Code, to read:

3702.1. An advisory committee, as determined by the department, that includes interested nonprofit organizations that have goals and objectives directly related to the management and conservation of waterfowl species and primarily represent the interests of persons licensed pursuant to Section 3031 shall review and provide comments to the department on all proposed

projects funded from the State Duck Stamp Account to help ensure that the requirements of Sections 3702, 3703, and 3704 have been met.

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