

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 290

Introduced by Assembly Member Bigelow

February 11, 2015

An act to amend ~~Section 3953 of~~ Sections 714, 3953, 4181, 4181.1, 4188, 4650, 4654, and 13005 of, to repeal Sections 4181.2, 4656, and 4657 of, and to repeal and add Sections 4651, 4652, 4653, and 4655 of, the Fish and Game Code, relating to mammals.

LEGISLATIVE COUNSEL'S DIGEST

AB 290, as amended, Bigelow. Game mammals: ~~Big Game Management Account.~~ *wild pig depredation.*

(1) Existing law defines the term “wild pig” for purposes of managing, taking, or hunting that species.

The bill would also define “pigs” and prohibit the release of pigs into uncontrolled areas. The bill would provide that an area shall be deemed controlled if the pigs are regularly cared for and enclosed by a lawful fence, as defined. The bill would provide that an owner of a pig that escapes from a controlled area who has complied with this provision is not deemed to be in violation of any law that prohibits the release of any animal.

(2) Existing law requires the Department of Fish and Wildlife to prepare a management plan for wild pigs and provides that funds deposited in the Big Game Management Account shall be available to the department to be used for, among other things, acquiring land, completing projects, and implementing programs to benefit specified game mammals. Existing law authorizes the department to make grants

to reimburse or enter into contracts or other agreements with nonprofit organizations for these purposes.

The bill would delete the requirement that the department prepare a management plan for wild pigs. The bill would also require an amount of not less than 25% and not more than 40% of funds appropriated to the department from revenue generated from the sale of wild pig validations to be used to remediate land damaged by wild pigs. The bill would also authorize the use of funds from this account for grants and reimbursement to, and contracts with, state and federal land management agencies for projects on lands that are open for hunting.

(3) Existing law requires a person to procure, as specified, either a hunting license and a wild pig tag or a depredation permit in order to take a wild pig. However, existing law provides that any wild pig that is encountered while in the act of inflicting injury to, or damaging or destroying, or threatening to immediately damage or destroy, land or other property may be taken immediately by the owner or the owner's employee or agent, as specified. Existing regulations prohibit a person with a hunting license and a wild pig tag from taking a wild pig between $\frac{1}{2}$ hour after sunset and $\frac{1}{2}$ hour before sunrise.

This bill would revise and recast the provisions applicable to wild pigs by, among other things, replacing the wild pig tag requirement with a validation on the hunting license that would allow for the unlimited take and possession of wild pigs. The bill would set the price of a wild pig validation at \$15 for residents and \$30 for nonresidents. The bill would prohibit the taking of wild pigs at night unless the department is notified by 3:00 p.m. prior to the planned take or, if the daylight hours before the planned take are not on a business day, by 3:00 p.m. of the last business day before the planned take and the person taking the wild pig possesses a valid hunting license. The bill would provide that the notification provided for the planned take under these provisions applies to the night designated in that notification and the six nights following.

The bill would authorize landowners and lessees and their agents to take wild pigs on land owned or leased by the landowner or lessee without obtaining a hunting license, wild pig validation, or depredation permit if certain conditions exist.

(4) The bill would make other technical and conforming changes to these provisions.

(5) Because the bill would create new crimes, it would impose a state-mandated local program.

(6) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law establishes the Big Game Management Account within the Fish and Game Preservation Fund. Existing law requires revenue from the sale of antelope, elk, deer, wild pig, bear, and sheep tags, be deposited in the Big Game Management Account, except as provided. Existing law requires funds deposited in the Big Game Management Account be expended solely for specified purposes and pursuant to specified limitations. Existing law requires an advisory committee, which includes interested nonprofit organizations that, among other requirements, have goals and objectives directly related to the management and conservation of big game species, review and provide comments to the department on all proposed projects funded from the Big Game Management Account.~~

~~This bill would make nonsubstantive changes to these provisions.~~

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

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

1 SECTION 1. Section 714 of the Fish and Game Code is
2 amended to read:
3 714. (a) In addition to Section 3031, 3031.2, 7149, 7149.05,
4 or 7149.2 and notwithstanding Section 3037, the department shall
5 issue lifetime sportsman’s licenses pursuant to this section. A
6 lifetime sportsman’s license authorizes the taking of birds,
7 mammals, fish, reptiles, or amphibia anywhere in this state in
8 accordance with law for purposes other than profit for the life of
9 the person to whom issued unless revoked for a violation of this
10 code or regulations adopted pursuant to this code. A lifetime
11 sportsman’s license is not transferable. A lifetime sportsman’s
12 license does not include any special tags, stamps, or other
13 entitlements.
14 (b) A lifetime sportsman’s license may be issued to residents,
15 as follows:

1 (1) To a person 62 years of age or over upon payment of a base
2 fee of seven hundred thirty dollars (\$730).

3 (2) To a person 40 years of age or over and less than 62 years
4 of age upon payment of a base fee of one thousand eighty dollars
5 (\$1,080).

6 (3) To a person 10 years of age or over and less than 40 years
7 of age upon payment of a base fee of one thousand two hundred
8 dollars (\$1,200).

9 (4) To a person less than 10 years of age upon payment of a
10 base fee of seven hundred thirty dollars (\$730).

11 (c) This section does not require a person less than 16 years of
12 age to obtain a license to take fish, reptiles, or amphibia for
13 purposes other than profit or to obtain a license to take birds or
14 mammals, except as required by law.

15 (d) This section does not exempt an applicant for a license from
16 meeting other qualifications or requirements otherwise established
17 by law for the privilege of sport hunting or sport fishing.

18 (e) Upon payment of a base fee of four hundred forty-five dollars
19 (\$445), a person holding a lifetime hunting license or lifetime
20 sportsman's license shall be issued annually one deer tag
21 application pursuant to subdivision (a) of Section 4332 and ~~five a~~
22 ~~wild pig tags~~ *validation* issued pursuant to Section 4654. Lifetime
23 privileges issued pursuant to this subdivision are not transferable.

24 (f) Upon payment of a base fee of two hundred ten dollars
25 (\$210), a person holding a lifetime hunting license or lifetime
26 sportsman's license shall be entitled annually to the privileges
27 afforded to a person holding a state duck stamp or validation issued
28 pursuant to Section 3700 or 3700.1 and an upland game bird stamp
29 or validation issued pursuant to Section 3682 or 3682.1. Lifetime
30 privileges issued pursuant to this subdivision are not transferable.

31 (g) The base fees specified in this section are applicable
32 commencing January 1, 2004, and shall be adjusted annually
33 thereafter pursuant to Section 713.

34 (h) The commission shall adjust the amount of the fees specified
35 in subdivision (g), as necessary, to fully recover, but not exceed,
36 all reasonable administrative implementation costs of the
37 department and the commission relating to those licenses.

38 **SECTION 1.**

39 *SEC. 2.* Section 3953 of the Fish and Game Code is amended
40 to read:

1 3953. (a) The Big Game Management Account is hereby
2 established within the Fish and Game Preservation Fund.

3 (b) Except as provided in Section 709, all revenues from the
4 sale of antelope, elk, deer, ~~wild pig~~, bear, and sheep tags, including
5 any fundraising ~~tags~~, *tags and wild pig validations*, shall be
6 deposited in the Big Game Management Account to permit separate
7 accountability for the receipt and expenditure of these funds.
8 Within 30 days of the date of the sale, the selling nonprofit
9 organization shall send the department 95 percent of the total
10 auction sale price of the ~~tag~~, *tag or validation*, with an itemized
11 receipt showing the sale price and the 5-percent reduction retained
12 by the nonprofit organization as a vendor's fee.

13 (c) Funds deposited in the Big Game Management Account
14 shall be available for expenditure upon appropriation by the
15 Legislature to the department. These funds shall be expended solely
16 for the purposes set forth in this section and Sections 3951 and
17 3952, and Chapter 5 (commencing with Section 450) of Division
18 1, Chapter 7 (commencing with Section 4650), and Chapter 11
19 (commencing with Section 4900), including acquiring land,
20 completing projects, and implementing programs to benefit
21 antelope, elk, deer, ~~wild pigs~~, bear, and sheep, and expanding
22 public hunting opportunities and related public outreach. *An*
23 *amount of not less than 25 percent and not more than 40 percent*
24 *of funds appropriated to the department from revenue generated*
25 *from the sale of wild pig validations shall be used to remediate*
26 *lands damaged by wild pigs.* Any land acquired with funds from
27 the Big Game Management Account shall be acquired in fee title
28 or protected with a conservation easement and, to the extent
29 possible, be open or provide access to the public for antelope, elk,
30 deer, ~~wild pig~~, bear, or sheep hunting. The department may also
31 use funds from the Big Game Management Account to pay for
32 administrative and enforcement costs of the programs and activities
33 described in this section. The amount allocated from the account
34 for administrative costs shall be limited to the reasonable costs
35 associated with administration of the programs and activities
36 described in this section.

37 (d) The department may *use funds from the Big Game*
38 *Management Account to make a grant* grants to, reimburse, or
39 enter into a ~~contract~~ *contracts* or other ~~agreement~~, *agreements*, as
40 defined in subdivision (a) of Section 1571, with a ~~nonprofit~~

1 ~~organization for the use of the funds from the Big Game~~
2 ~~Management Account~~ *nonprofit organizations or state and federal*
3 *land management agencies for projects on lands that are open for*
4 *hunting* to carry out the purposes of this section, including related
5 habitat conservation projects.

6 (e) An advisory committee, as determined by the department,
7 that includes interested nonprofit organizations that have goals
8 and objectives directly related to the management and conservation
9 of big game species and primarily represent the interests of persons
10 licensed pursuant to Section 3031 shall review and provide
11 comments to the department on all proposed projects funded from
12 the Big Game Management Account to help ensure that the
13 requirements of this section are met. The department shall post
14 budget information and a brief description on an Internet Web site
15 for all projects funded from the Big Game Management Account.

16 (f) ~~A big game project~~ *Big game projects* authorized pursuant
17 to this section ~~is~~ *are* not subject to Part 2 (commencing with
18 Section 10100) of Division 2 of the Public Contract Code or Article
19 6 (commencing with Section 999) of Chapter 6 of Division 4 of
20 the Military and Veterans Code.

21 (g) The department shall maintain the internal accountability
22 necessary to ensure compliance with the collection, deposit, and
23 expenditure of funds specified in this section.

24 *SEC. 3. Section 4181 of the Fish and Game Code is amended*
25 *to read:*

26 4181. (a) Except as provided in Section 4181.1, any owner or
27 tenant of land or property that is being damaged or destroyed or
28 is in danger of being damaged or destroyed by elk, bear, beaver,
29 ~~wild pig, wild~~ turkeys, or gray squirrels, may apply to the
30 department for a permit to kill the animals. Subject to the
31 limitations in subdivisions (b) and (d), the department, upon
32 satisfactory evidence of the damage or destruction, actual or
33 immediately threatened, shall issue a revocable permit for the
34 taking and disposition of the animals under regulations adopted
35 by the commission. The permit shall include a statement of the
36 penalties that may be imposed for a violation of the permit
37 conditions. Animals so taken shall not be sold or shipped from the
38 premises on which they are taken except under instructions from
39 the department. No iron-jawed or steel-jawed or any type of
40 metal-jawed trap shall be used to take any bear pursuant to this

1 section. No poison of any type may be used to take any gray
2 squirrel or wild turkey pursuant to this section. The department
3 shall designate the type of trap to be used to ensure the most
4 humane method is used to trap gray squirrels. The department may
5 require trapped squirrels to be released in parks or other
6 nonagricultural areas. It is unlawful for any person to violate the
7 terms of any permit issued under this section.

8 (b) The permit issued for taking bears pursuant to subdivision
9 (a) shall contain the following facts:

- 10 (1) Why the issuance of the permit was necessary.
11 (2) What efforts were made to solve the problem without killing
12 the bears.
13 (3) What corrective actions should be implemented to prevent
14 reoccurrence.

15 ~~(e) With respect to wild pigs, the department shall provide an~~
16 ~~applicant for a depredation permit to take wild pigs or a person~~
17 ~~who reports taking wild pigs pursuant to subdivision (b) of Section~~
18 ~~4181.1 with written information that sets forth available options~~
19 ~~for wild pig control, including, but not limited to, depredation~~
20 ~~permits, allowing periodic access to licensed hunters, and holding~~
21 ~~special hunts authorized pursuant to Section 4188. The department~~
22 ~~may maintain and make available to these persons lists of licensed~~
23 ~~hunters interested in wild pig hunting and lists of nonprofit~~
24 ~~organizations that are available to take possession of depredating~~
25 ~~wild pig carcasses.~~

26 ~~(d)~~
27 (c) With respect to elk, the following procedures shall apply:

28 (1) Prior to issuing a depredation permit pursuant to subdivision
29 (a), the department shall do all of the following:

- 30 (A) Verify the actual or immediately threatened damage or
31 destruction.
32 (B) Provide a written summary of corrective measures necessary
33 to immediately alleviate the problem.
34 (C) Determine the viability of the local herd, and determine the
35 minimum population level needed to maintain the herd.
36 (D) Ensure the permit will not reduce the local herd below the
37 minimum.
38 (E) Work with affected landowners to develop measures to
39 achieve long-term resolution, while maintaining viability of the
40 herd.

1 (2) After completing the statewide elk management plan
2 pursuant to Section 3952, the department shall use the information
3 and methods contained in the plan to meet the requirements of
4 subparagraphs (C), (D), and (E) of paragraph (1).

5 *SEC. 4. Section 4181.1 of the Fish and Game Code is amended*
6 *to read:*

7 4181.1. (a) Any bear that is encountered while in the act of
8 inflicting injury to, molesting, or killing, livestock may be taken
9 immediately by the owner of the livestock or the owner's employee
10 if the taking is reported no later than the next working day to the
11 department and the carcass is made available to the department.

12 ~~(b) Notwithstanding Section 4652, any wild pig that is~~
13 ~~encountered while in the act of inflicting injury to, molesting,~~
14 ~~pursuing, worrying, or killing livestock or damaging or destroying,~~
15 ~~or threatening to immediately damage or destroy, land or other~~
16 ~~property, including, but not limited to, rare, threatened, or~~
17 ~~endangered native plants, wildlife, or aquatic species, may be taken~~
18 ~~immediately by the owner of the livestock, land, or property or~~
19 ~~the owner's agent or employee, or by an agent or employee of any~~
20 ~~federal, state, county, or city entity when acting in his or her official~~
21 ~~capacity. The person taking the wild pig shall report the taking no~~
22 ~~later than the next working day to the department and shall make~~
23 ~~the carcass available to the department. Unless otherwise directed~~
24 ~~by the department and notwithstanding Section 4657, the person~~
25 ~~taking a wild pig pursuant to this subdivision, or to whom the~~
26 ~~carcass of a wild pig taken pursuant to this subdivision is~~
27 ~~transferred pursuant to subdivision (c), may possess the carcass~~
28 ~~of the wild pig. The person in possession of the carcass shall make~~
29 ~~use of the carcass, which may include an arrangement for the~~
30 ~~transfer of the carcass to another person or entity, such as a~~
31 ~~nonprofit organization, without compensation. The person who~~
32 ~~arranges this transfer shall be deemed to be in compliance with~~
33 ~~Section 4304. A violation of this subdivision is punishable pursuant~~
34 ~~to Section 12000. It is the intent of the Legislature that nothing in~~
35 ~~this subdivision shall be interpreted to authorize a person to take~~
36 ~~wild pigs pursuant to this subdivision in violation of a state statute~~
37 ~~or regulation or a local zoning or other ordinance that is adopted~~
38 ~~pursuant to other provisions of law and that restricts the discharge~~
39 ~~of firearms.~~

40 (e)

1 (b) The department shall make a record of each report made
2 pursuant to subdivision (a) ~~or (b)~~ and may have an employee of
3 the department investigate the taking or cause the taking to be
4 investigated. ~~The person taking a wild pig shall provide information~~
5 ~~as deemed necessary by the department.~~ Upon completion of the
6 investigation, the investigator may, upon a finding that the
7 requirements of this section have been met with respect to the
8 particular bear ~~or wild pig~~ taken under subdivision ~~(a) or (b)~~; (a),
9 issue a written statement to the person confirming that the
10 requirements of this section have been met. ~~The person who took~~
11 ~~the wild pig may transfer the carcass to another person without~~
12 ~~compensation.~~

13 ~~(d)~~

14 (c) Notwithstanding Section 4763, any part of any bear lawfully
15 possessed pursuant to this section is subject to Section 4758.

16 ~~(e)~~

17 (d) Nothing in this section prohibits federal, state, or county
18 trappers from killing or trapping bears when the bears are killing
19 or molesting livestock, but no iron-jawed or steel-jawed or any
20 type of metal-jawed trap shall be used to take the bear, and no
21 person, including employees of the state, federal, or county
22 government, shall take bear with iron-jawed or steel-jawed or any
23 type of metal-jawed traps.

24 *SEC. 5. Section 4181.2 of the Fish and Game Code is repealed.*

25 ~~4181.2. For the purposes of this article relating to damage~~
26 ~~caused by wild pigs, “damage” means loss or harm resulting from~~
27 ~~injury to person or property. The department shall develop~~
28 ~~statewide guidelines to aid in determining the damage caused by~~
29 ~~wild pigs. The guidelines shall consider various uses of the land~~
30 ~~impacted by pigs.~~

31 *SEC. 6. Section 4188 of the Fish and Game Code is amended*
32 *to read:*

33 4188. (a) If a landowner or tenant applies for a permit under
34 Section 4181 for ~~wild pigs or wild turkeys~~, or under Section 4181.5
35 for deer, the department shall notify the landowner or tenant about
36 available options for allowing access by licensed hunters, including,
37 but not limited to, access authorized pursuant to Article 3
38 (commencing with Section 1570) of Chapter 5 of Division 2 to
39 control ~~wild pigs, wild turkeys, turkeys~~ and deer.

1 (b) The commission, in lieu of a permit as described in
 2 subdivision (a), and with the consent of, or upon the request of,
 3 the landowner or tenant, under appropriate regulations, may
 4 authorize the issuance of permits to persons holding valid hunting
 5 licenses to take wild pigs, wild turkeys, turkeys or deer in sufficient
 6 numbers to stop the damage or threatened damage. Before issuing
 7 permits to licensed hunters, the department shall investigate and
 8 determine the number of permits necessary, the territory involved,
 9 the dates of the proposed hunt, the manner of issuing the permits,
 10 and the fee for the permit.

11 *SEC. 7. Section 4650 of the Fish and Game Code is amended*
 12 *to read:*

13 4650. (a) Wild pigs, as used in this chapter, means code, are
 14 free-roaming pigs not distinguished by branding, ear marking, or
 15 other permanent identification methods.

16 (b) For purposes of this code, pigs are of the species *sus scrofa*
 17 *and sus srofa domestica*.

18 *SEC. 8. Section 4651 of the Fish and Game Code is repealed.*

19 ~~4651. (a) The department shall prepare a plan for the~~
 20 ~~management of wild pigs. Under the plan, the status and trend of~~
 21 ~~wild pig populations shall be determined and management units~~
 22 ~~shall be designated within the state. The plan may establish pig~~
 23 ~~management zones to address regional needs and opportunities.~~
 24 ~~In preparing the plan, the department shall consider available,~~
 25 ~~existing information and literature relative to wild pigs.~~

26 ~~(b) The plan may include all of the following:~~

27 ~~(1) The distribution and abundance of wild pigs, as described~~
 28 ~~in Section 3950.~~

29 ~~(2) A survey of range conditions.~~

30 ~~(3) Recommendations for investigations and utilization of wild~~
 31 ~~pigs.~~

32 ~~(4) Encouraging mitigation of depredation by sport hunting~~
 33 ~~pursuant to this chapter.~~

34 ~~(5) Live trapping and relocation of wild pigs to areas suitable~~
 35 ~~and accessible to mitigation of depredation, with the consent of~~
 36 ~~the landowner and after prior consultation with adjacent landowners~~
 37 ~~who, in the department's opinion may be impacted, pursuant to~~
 38 ~~this chapter.~~

39 *SEC. 9. Section 4651 is added to the Fish and Game Code, to*
 40 *read:*

1 4651. (a) Except as specified in subdivision (b), wild pigs may
2 be taken at any time of the year, and in any number by any person
3 in possession of a valid hunting license and wild pig validation
4 and it shall be unlawful to possess any wild pig without first
5 procuring a wild pig validation pursuant to Section 4654.

6 (b) Notwithstanding subdivision (a), Section 3007, or any other
7 provision of this code or regulations adopted pursuant to this code
8 requiring possession of a hunting license, a landowner or lessee,
9 or an agent tenant of either the landowner or lessee in immediate
10 possession of written authority from the landowner or lessee, shall
11 not be required to obtain a hunting license, wild pig validation,
12 or depredation permit to take wild pigs on land owned or leased
13 by the landowner or lessee, if that land, or property on that land,
14 is being damaged or destroyed or is in danger of being damaged
15 or destroyed by wild pigs. However, it shall be unlawful to possess
16 any wild pig taken pursuant to this subdivision by any person who
17 does not possess a valid wild pig validation, except a person who
18 took the wild pig pursuant to this subdivision.

19 SEC. 10. Section 4652 of the Fish and Game Code is repealed.

20 ~~4652. It is unlawful to take any wild pig, except as provided~~
21 ~~in Section 4181, without first procuring a tag authorizing the taking~~
22 ~~of that wild pig in accordance with this chapter.~~

23 SEC. 11. Section 4652 is added to the Fish and Game Code,
24 to read:

25 4652. (a) Notwithstanding Section 3000, it is unlawful to take
26 any wild pig between one-half hour after sunset and one-half hour
27 before sunrise at the place of the taking, except as provided in
28 subdivision (b) of this section and subdivision (b) of Section 4651.

29 (b) A wild pig may be taken between one-half hour after sunset
30 and one-half hour before sunrise at the place of the taking, if the
31 department receives prior notice pursuant to Section 4653 and the
32 person taking the wild pig possesses a valid hunting license.

33 SEC. 12. Section 4653 of the Fish and Game Code is repealed.

34 ~~4653. The department may determine the design and type of~~
35 ~~information to be included on the wild pig tag and prescribe the~~
36 ~~procedures for the issuance and use of the tag.~~

37 SEC. 13. Section 4653 is added to the Fish and Game Code,
38 to read:

39 4653. (a) A person who intends to take a wild pig between
40 one-half hour after sunset and one-half hour before sunrise shall

1 provide to the department his or her name and the location where
2 the taking of the wild pig is expected to occur by telephoning the
3 regional office nearest to the location of the expected take no later
4 than 3:00 p.m. prior to the night or morning of the take, or, if the
5 daylight hours before the planned take are not on a business day,
6 no later than 3:00 p.m. of the last business day before the planned
7 take.

8 (b) The notification provided pursuant to subdivision (a) shall
9 apply to the night designated in that notification and the six nights
10 following.

11 *SEC. 14. Section 4654 of the Fish and Game Code is amended*
12 *to read:*

13 4654. (a) Any resident of this state, 12 years of age or older,
14 who possesses a valid hunting license, may procure ~~the number~~
15 ~~of a wild pig tags corresponding to the number of wild pigs that~~
16 ~~may legally be taken by one person during the license year~~
17 ~~validation~~ upon payment of a base fee of fifteen dollars (\$15), for
18 ~~each wild pig tag. (\$15).~~

19 (b) Any nonresident, 12 years of age or older, who possesses a
20 valid California nonresident hunting license, may procure ~~the~~
21 ~~number of a wild pig tags corresponding to the number of wild~~
22 ~~pigs that may legally be taken by one person during the license~~
23 ~~year validation~~ upon payment of a base fee of ~~fifty~~ thirty dollars
24 ~~(\$50), for each wild pig tag. (\$30).~~

25 (c) The base fees specified in this section are applicable to the
26 ~~2004~~ 2015 license year, and shall be adjusted annually thereafter
27 pursuant to Section 713.

28 *SEC. 15. Section 4655 of the Fish and Game Code is repealed.*

29 ~~4655. Wild pig tags are valid only during that portion of the~~
30 ~~current hunting license year in which wild pigs may be taken or~~
31 ~~possessed in any area of the state.~~

32 *SEC. 16. Section 4655 is added to the Fish and Game Code,*
33 *to read:*

34 4655. (a) Pigs shall not be released into uncontrolled areas.
35 An area shall be deemed controlled if the pigs are regularly cared
36 for and enclosed by a lawful fence as defined in Section 17121 of
37 the Food and Agriculture Code.

38 (b) An owner of a pig that escapes from a controlled area who
39 has complied with subdivision (a) shall not be in violation of any
40 law that prohibits the release of any animal.

1 *SEC. 17. Section 4656 of the Fish and Game Code is repealed.*

2 ~~4656. Revenues received pursuant to this chapter shall be~~
3 ~~deposited in the Big Game Management Account established in~~
4 ~~Section 3953. These funds shall be available for expenditure by~~
5 ~~the department as set forth in Section 3953. The department shall~~
6 ~~maintain all internal accounting measures necessary to ensure that~~
7 ~~all restrictions on these funds are met.~~

8 *SEC. 18. Section 4657 of the Fish and Game Code is repealed.*

9 ~~4657. The holder of a wild pig tag shall keep the tag in his or~~
10 ~~her possession while hunting wild pig. Before the taking of any~~
11 ~~wild pig, the holder of a wild pig tag, except for wild pig tags~~
12 ~~issued through the Automated License Data System, shall legibly~~
13 ~~write or otherwise affix his or her hunting license number to the~~
14 ~~wild pig tag. Upon the killing of any wild pig, the date of the kill~~
15 ~~shall be clearly marked by the holder of the tag on both parts of~~
16 ~~the tag. Before transporting the pig, a tag shall be attached to the~~
17 ~~carcass by the holder of the tag. The holder of the wild pig tag~~
18 ~~shall immediately, upon harvesting a pig, notify the department~~
19 ~~in a manner specified by the commission.~~

20 *SEC. 19. Section 13005 of the Fish and Game Code is amended*
21 *to read:*

22 13005. (a) Notwithstanding Section 13001, the fees collected
23 from lifetime sportsman's licenses and privileges issued pursuant
24 to Section 714, lifetime hunting licenses and privileges issued
25 pursuant to Section 3031.2, and lifetime sport fishing licenses and
26 privileges issued pursuant to Section 7149.2 shall be deposited as
27 follows:

28 (1) Twenty dollars (\$20) from the initial issuance of each
29 lifetime license shall be deposited in the Fish and Game
30 Preservation Fund for use in accordance with Section 711.

31 (2) The balance of the fees collected shall be deposited in the
32 Lifetime License Trust Account which is hereby created in the
33 Fish and Game Preservation Fund. Except as provided in this
34 section, that principal amount of the money in the account from
35 the fee for a lifetime license shall not be used, except for
36 investment.

37 (b) The money in the Lifetime License Trust Account may be
38 transferred and invested through the Surplus Money Investment
39 Fund and all interest shall accrue to the account pursuant to
40 subdivision (g) of Section 16475 of the Government Code.

1 (c) Upon issuance of a lifetime license or lifetime privilege
 2 issued pursuant to Section 714, 3031.2, or 7149.2, the department
 3 shall transfer the following amounts from the Lifetime License
 4 Trust Account to the Fish and Game Preservation Fund:

5 (1) Twenty-nine dollars and twenty-five cents (\$29.25) for an
 6 annual resident hunting license or an annual resident sport fishing
 7 license.

8 (2) Seven dollars and twenty-five cents (\$7.25) for a junior
 9 hunting license.

10 (3) Nine dollars and twenty-five cents (\$9.25) for one second-rod
 11 stamp or validation issued pursuant to Section 7149.4 or ~~Section~~
 12 ~~7149.45.~~

13 (4) Two dollars and fifty cents (\$2.50) for one sport fishing
 14 ocean enhancement stamp or validation issued pursuant to
 15 subdivision (a) of Section 6596 or subdivision (a) of Section
 16 6596.1.

17 ~~(5) Three dollars and fifty cents (\$3.50) for one Bay-Delta sport~~
 18 ~~fishing enhancement stamp or validation issued pursuant to Section~~
 19 ~~7360 or Section 7360.1.~~

20 ~~(6)~~
 21 (5) Three dollars and seventy-five cents (\$3.75) for one steelhead
 22 trout catch report-restoration card issued pursuant to Section 7380.

23 ~~(7)~~
 24 (6) One dollar (\$1) for one salmon punchcard issued pursuant
 25 to regulations adopted by the commission.

26 ~~(8)~~
 27 (7) Nineteen dollars and twenty-five cents (\$19.25) for a deer
 28 tag application issued pursuant to subdivision (a) of Section 4332.

29 ~~(9) Eight dollars and seventy-five cents (\$8.75) for five wild~~
 30 ~~pig tags issued pursuant to Section 4654.~~

31 ~~(10)~~
 32 (8) Ten dollars (\$10) for one state duck stamp or validation
 33 issued pursuant to Section 3700 or 3700.1.

34 ~~(11)~~
 35 (9) Six dollars and twenty-five cents (\$6.25) for one upland
 36 game bird stamp or validation issued pursuant to Section 3682 or
 37 3682.1.

38 *SEC. 20. No reimbursement is required by this act pursuant*
 39 *to Section 6 of Article XIII B of the California Constitution because*
 40 *the only costs that may be incurred by a local agency or school*

1 *district will be incurred because this act creates a new crime or*
2 *infraction, eliminates a crime or infraction, or changes the penalty*
3 *for a crime or infraction, within the meaning of Section 17556 of*
4 *the Government Code, or changes the definition of a crime within*
5 *the meaning of Section 6 of Article XIII B of the California*
6 *Constitution.*

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