

**ASSEMBLY BILL**

**No. 1792**

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**Introduced by Assembly Member Wood**

February 4, 2016

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An act to amend Section 332 of the Fish and Game Code, relating to hunting.

LEGISLATIVE COUNSEL'S DIGEST

AB 1792, as introduced, Wood. Elk tags: Indian tribes.

Existing law authorizes the Fish and Game Commission to determine and fix the area or areas, the seasons and hours, the bag and possession limit, and the number of elk that may be taken under rules and regulations that the commission may adopt from time to time.

This bill would require the commission to allocate a specific number of elk tags to federally-recognized Indian tribes in California for the purpose of cultural or religious ceremonies or celebrations.

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 332 of the Fish and Game Code is
- 2 amended to read:
- 3 332. (a) The commission may determine and fix the area or
- 4 areas, the seasons and hours, the bag and possession limit, and the
- 5 number of elk that may be taken under rules and regulations that
- 6 the commission may adopt from time to time. The commission
- 7 may authorize the taking of tule elk if the average of the
- 8 department's statewide tule elk population estimates exceeds 2,000

1 animals, or the Legislature determines, pursuant to the reports  
2 required by Section 3951, that suitable areas cannot be found in  
3 the state to accommodate that population in a healthy condition.

4 (b) Only a person possessing a valid hunting license may obtain  
5 a tag for the taking of elk.

6 (c) The department may issue an elk tag upon payment of a fee.  
7 The fee for a tag shall be one hundred sixty-five dollars (\$165) for  
8 a resident of the state, as adjusted under Section 713. On or before  
9 July 1, 2007, the commission shall, by regulation, fix the fee for  
10 a nonresident of the state at not less than one thousand fifty dollars  
11 (\$1,050), as adjusted under Section 713. The fees shall be deposited  
12 in the Big Game Management Account established in Section 3953  
13 and, upon appropriation by the Legislature, shall be expended, in  
14 addition to moneys budgeted for salaries of the department as set  
15 forth in Section 3953.

16 (d) The commission shall annually direct the department to  
17 authorize not more than three elk hunting tags for the purpose of  
18 raising funds for programs and projects to benefit elk. These tags  
19 may be sold at auction to residents or nonresidents of the state or  
20 by another method and are not subject to the fee limitation  
21 prescribed in subdivision (c). All revenues from sales pursuant to  
22 this subdivision shall be deposited in the Big Game Management  
23 Account established in Section 3953 and, upon appropriation by  
24 the Legislature, shall be expended as set forth in that section.

25 (e) The commission shall direct the department to annually  
26 authorize one elk tag of the total number of tags available for  
27 issuance to nonresidents of the state.

28 (f) *The commission shall allocate a specific number of elk tags*  
29 *to federally-recognized Indian tribes in California for the purpose*  
30 *of cultural or religious ceremonies or celebrations.*