

**Introduced by Committee on Natural Resources and Water
(Senators Pavley (Chair), Allen, Fuller, Hertzberg, Hueso,
Jackson, Monning, Stone, and Wolk)**

April 9, 2015

An act to amend Sections 205.1, 714, 1050.8, 1053.5, 1055.1, 1056, 1059, 1764, 3050, 7149.2, 7149.3, 7150, 7860, 12002.2.1, 12153, and 13005 of, and to repeal Sections 1053, 1055, 1055.4, 1055.5, 1060, 1070, 3682, 3700, 6596, 7149, 7149.4, 7181, 7182, 7183, 7184, and 7186 of, the Fish and Game Code, to amend Section 113 of the Government Code, to amend Sections 741, 8301, and 30315 of, and to repeal Section 30310.5 of, the Public Resources Code, relating to natural resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 805, as introduced, Committee on Natural Resources and Water. Natural resources.

(1) Existing law authorizes the Fish and Game Commission to establish, by regulation, an automatic process to conform its sport fishing regulations to federal regulations.

This bill would clarify that specified laws relating to administrative regulations and rulemaking do not apply to the conforming action implemented pursuant to the automatic process described above.

An existing regulation defines the Automated License Data System as an automated system that replaces the Department of Fish and Wildlife's paper license inventory system. Existing law generally prohibits a person from obtaining from the department more than one license, permit, reservation, or other entitlement of the same class, or more than the number of tags authorized by law, as provided, except under certain conditions. Existing law authorizes a person, as provided,

to submit an application to the department, to be a license agent to issue licenses, permits, reservations, tags, and other entitlements. Existing law requires these authorized license agents to remit to the department the specified fees for these licenses, permits, reservations, tags, and other entitlements, as provided. Existing law authorizes the department to accept from any authorized license agent an affidavit for settlement of its account in lieu of licenses, permits, reservations, tags, and other entitlements that have been lost or destroyed if the license agent meets specified criteria. Existing law provides that the above provisions and various other provisions apply only to those licenses, permits, reservations, tags, or other entitlements that are not issued through the Automated License Data System.

This bill would delete those provisions and would make conforming changes.

(2) Existing law provides that the sovereignty and jurisdiction of the state extends to all places within its boundaries, as established by the constitution. Existing law provides that the extent of the jurisdiction over places that have been or may be ceded to, purchased, or condemned by the United States is qualified by the terms of the cession or the laws under which the purchase or condemnation is made. Existing law provides that the state has accepted the retrocession of jurisdiction over certain lands, including the Presidio in the City and County of San Francisco.

Existing law provides that the Legislature consents to the retrocession of jurisdiction by the United States over land within the state, subject to certain conditions, including that the State Lands Commission holds a hearing to determine whether acceptance of the retrocession is in the best interest of the state.

This bill would provide that the Legislature, acting through the State Lands Commission, consents to the retrocession of jurisdiction by the United States over land within the state subject to additional conditions, including that a notice of the proposed retrocession has been given to the clerk for the board of supervisors of the county in which the federal lands are located, as provided, and that the United States has agreed to bear all costs and expenses incurred by the State Lands Commission in making the retrocession. The bill would also require the acceptance of the retrocession to be made at a publicly noticed meeting of the commission.

Existing law requires, among other things, the commission to make rules and regulations governing the conditions and procedures of the hearings on retrocession.

This bill would delete these requirements.

Existing law authorizes the Governor to convey certain state land to the United States for the site of a lighthouse, beacon, or other aid to navigation. Existing law provides that after the conveyance, the United States has jurisdiction over the tract, subject to the right of the state to have concurrent jurisdiction, as provided.

This bill would delete that provision.

(3) Existing law requires the State Board of Forestry and Fire Protection to appoint a Range Management Advisory Committee and requires 2 members on the board to be from the general public, as provided, and for one member to be nominated by the Watershed Fire Council of Southern California.

This bill would instead require 3 members to be from the general public, as provided, and would delete the nomination from the Watershed Fire Council of Southern California.

(4) Existing law requires the California Coastal Commission to meet at least once a month at a place convenient to the public.

This bill would require the commission to instead meet at least 10 times annually.

Existing law provides that no law precludes or prevents the appointment, as a public member, to the commission of any person who is not a locally elected official.

This bill would delete that provision.

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 205.1 of the Fish and Game Code is
- 2 amended to read:
- 3 205.1. (a) The commission may establish by regulation an
- 4 automatic process to conform its sport fishing regulations to federal
- 5 regulations.
- 6 (b) Chapter 3.5 (commencing with Section 11340) of Part 1 of
- 7 Division 3 of Title 2 of the Government Code shall not apply to
- 8 conforming actions implemented pursuant to the automatic process
- 9 specified in subdivision (a).

1 ~~(b)~~
 2 (c) The department shall provide public notice of ~~any~~ *a*
 3 conforming action implemented pursuant to this section.

4 SEC. 2. Section 714 of the Fish and Game Code is amended
 5 to read:

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

17 (b) A lifetime sportsman’s license may be issued to residents,
 18 as follows:

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

21 (2) To a person 40 years of age or over and less than 62 years
 22 of age upon payment of a base fee of one thousand eighty dollars
 23 (\$1,080).

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

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

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

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

36 (e) Upon payment of a base fee of four hundred forty-five dollars
 37 (\$445), a person holding a lifetime hunting license or lifetime
 38 sportsman’s license shall be issued annually one deer tag
 39 application pursuant to subdivision (a) of Section 4332 and five

1 wild pig tags issued pursuant to Section 4654. Lifetime privileges
2 issued pursuant to this subdivision are not transferable.

3 (f) Upon payment of a base fee of two hundred ten dollars
4 (\$210), a person holding a lifetime hunting license or lifetime
5 sportsman's license shall be entitled annually to the privileges
6 afforded to a person holding a state duck stamp or validation issued
7 pursuant to Section ~~3700~~ or 3700.1 and an upland game bird stamp
8 or validation issued pursuant to Section ~~3682~~ or 3682.1. Lifetime
9 privileges issued pursuant to this subdivision are not transferable.

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

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

17 SEC. 3. Section 1050.8 of the Fish and Game Code is amended
18 to read:

19 1050.8. (a) The department may issue collectible,
20 commemorative licenses to any person for purposes of promoting
21 and supporting licensed hunting, fishing, and resource conservation,
22 subject to all of the following:

23 (1) A commemorative license may be designed and produced
24 as the department may determine and shall be clearly marked and
25 identified as a commemorative license, rendering it invalid for the
26 take of any mammal, bird, fish, reptile, or amphibian.

27 (2) A commemorative license shall not confer any rights,
28 privileges, or other entitlements to any person purchasing or in
29 possession of such a license.

30 (3) Subdivision (a) of Section 1052, Section ~~1053~~, 1053.1,
31 Article 2 (commencing with Section 3031) of Chapter 1 of Part 1
32 of Division 4, and Article 3 (commencing with Section 7145) of
33 Chapter 1 of Part 2 of Division 6 do not apply to the purchase of
34 a commemorative license. A commemorative license shall not
35 qualify as evidence required in subdivision (a) of Section 3050.

36 (b) All funds derived from the sale of commemorative licenses
37 shall be deposited in the Fish and Game Preservation Fund.

38 SEC. 4. Section 1053 of the Fish and Game Code is repealed.

39 ~~1053. (a) A person shall not obtain more than one license,
40 permit, reservation, or other entitlement of the same class, or more~~

1 than the number of tags authorized by statute or regulation for the
2 same license year, except under one of the following conditions:

3 (1) ~~Nonresident hunting licenses issued pursuant to paragraphs~~
4 ~~(4) and (5) of subdivision (a) of Section 3031, and short-term sport~~
5 ~~fishing licenses issued pursuant to paragraphs (3), (4), and (5) of~~
6 ~~subdivision (a) of Section 7149, and paragraphs (3), (4), and (5)~~
7 ~~of subdivision (a) of Section 7149.05.~~

8 (2) ~~The loss or destruction of an unexpired license, tag, permit,~~
9 ~~reservation, or other entitlement, except a stamp or endorsement,~~
10 ~~as certified by the applicant's signed affidavit and proof, as~~
11 ~~determined by the department, that the original license, tag, permit,~~
12 ~~reservation, or other entitlement was issued, and payment of a base~~
13 ~~fee of five dollars (\$5). The base fee shall be adjusted annually~~
14 ~~pursuant to Section 713, not to exceed the fee for the original~~
15 ~~entitlement, as follows:~~

16 (A) ~~The adjustment shall apply to the hunting license years~~
17 ~~commencing on or after July 1, 1996.~~

18 (B) ~~The adjustment shall apply to the fishing license years~~
19 ~~commencing on or after January 1, 1996.~~

20 (b) ~~This section does not apply to licenses, permits, reservations,~~
21 ~~tags, or other entitlements issued through the Automated License~~
22 ~~Data System.~~

23 SEC. 5. Section 1053.5 of the Fish and Game Code is amended
24 to read:

25 1053.5. Applicants for hunting licenses pursuant to subdivision
26 (a) of Section ~~1053~~ *1053.1* shall first satisfactorily complete a
27 hunter education equivalency examination and obtain a certificate
28 of equivalency as provided by regulations adopted by the
29 commission, or show proof of completion of a hunter education
30 training course, or show a previous year's hunting license.

31 SEC. 6. Section 1055 of the Fish and Game Code is repealed.

32 ~~1055. (a) Any person, except a commissioner, officer, or~~
33 ~~employee of the department, may submit an application to the~~
34 ~~department, to be a license agent to issue licenses, permits,~~
35 ~~reservations, tags, and other entitlements.~~

36 (b) ~~A person shall only be authorized to be a license agent to~~
37 ~~issue licenses, permits, reservations, tags, and other entitlements,~~
38 ~~upon the written approval of the department.~~

39 (c) ~~The department may consign licenses, permits, reservations,~~
40 ~~tags, and other entitlements to authorized license agents.~~

1 ~~(d) The department may provide licenses, permits, reservations,~~
2 ~~tags, or other entitlements to authorized license agents and shall~~
3 ~~collect prior to delivery an amount equal to the fees for all licenses,~~
4 ~~permits, reservations, tags, and other entitlements that are provided.~~
5 ~~Any license agent who pays the fees prior to delivery for licenses,~~
6 ~~permits, reservations, tags, or other entitlements is exempt from~~
7 ~~subdivisions (a) and (d) of Section 1055.5 and Sections 1056,~~
8 ~~1057, and 1059. Any licenses, permits, reservations, tags, or other~~
9 ~~entitlements provided pursuant to this subdivision that remain~~
10 ~~unissued at the end of the license year may be returned to the~~
11 ~~department for refund or credit, or a combination thereof within~~
12 ~~six months of the item expiration date. No credit may be allowed~~
13 ~~after six months following the last day of the license year.~~

14 ~~(e) Licenses, permits, reservations, tags, and other entitlements~~
15 ~~may only be provided to authorized license agents that are in~~
16 ~~compliance with all laws, regulations, and policies governing the~~
17 ~~sale and reporting of licenses, permits, reservations, tags, and other~~
18 ~~entitlements.~~

19 ~~(f) Authorized license agents shall add a handling charge to the~~
20 ~~fees prescribed in this code or in regulations adopted pursuant to~~
21 ~~this code for licenses, permits, reservations, tags, and other~~
22 ~~entitlements issued by the license agent in an amount that is 5~~
23 ~~percent of the face value of the item rounded to the nearest five~~
24 ~~cents (\$0.05).~~

25 ~~(g) The handling charge added pursuant to subdivision (f) shall~~
26 ~~be incorporated into the total amount collected for issuing any~~
27 ~~license, permit, reservation, tag, and other entitlement, but the~~
28 ~~handling charge may not be included when determining license~~
29 ~~fees in accordance with Section 713. License agents may issue~~
30 ~~any license, permit, reservation, tag, and other entitlement for any~~
31 ~~amount up to 10 percent less than the fee prescribed in this code~~
32 ~~or in regulations adopted pursuant to this code. The license agent~~
33 ~~shall remit to the department the full amount of the fees as~~
34 ~~prescribed in this code or in regulations adopted pursuant to this~~
35 ~~code for all licenses, permits, reservations, tags, and other~~
36 ~~entitlements issued.~~

37 ~~(h) The handling charge in subdivision (f) is the license agent's~~
38 ~~only compensation for services. The license agent shall not be~~
39 ~~entitled to any other additional fee or charge for issuing licenses,~~

1 ~~permits, reservations, tags, and other entitlements authorized~~
2 ~~pursuant to this section.~~

3 ~~(i) The department may designate a nonprofit organization,~~
4 ~~organized pursuant to the laws of this state, or the California~~
5 ~~chapter of a nonprofit organization, organized pursuant to the laws~~
6 ~~of another state, as a license agent for the sale of lifetime licenses~~
7 ~~issued pursuant to Sections 714, 3031.2, and 7149.2. These licenses~~
8 ~~may be sold by auction or by other methods and are not subject to~~
9 ~~the fee limitations prescribed in this code. An agent authorized to~~
10 ~~issue lifetime sport fishing licenses, lifetime hunting licenses, and~~
11 ~~lifetime sportsman's licenses under this subdivision is exempt~~
12 ~~from subdivisions (f) and (h). The license agent shall remit to the~~
13 ~~department the fees from the sale of lifetime licenses, as defined~~
14 ~~in Sections 714, 3031.2, and 7149.2.~~

15 ~~(j) At any single business location, a license agent shall issue~~
16 ~~all items from a single book before commencing to issue licenses,~~
17 ~~permits, reservations, tags, or other entitlements of the same series~~
18 ~~from another book.~~

19 ~~(k) License agents that receive licenses, permits, reservations,~~
20 ~~tags, and other entitlements pursuant to subdivision (c) shall return~~
21 ~~all unissued and expired licenses, permits, reservations, tags, and~~
22 ~~other entitlements to the department within 20 days following the~~
23 ~~last day of the license year. Any unissued and expired license,~~
24 ~~permit, reservation, tag, or other entitlement that is not returned~~
25 ~~within 60 days following the last day of the license year shall be~~
26 ~~billed to the license agent. Licenses, permits, reservations, tags,~~
27 ~~and other entitlements may be returned for credit after the 60 days;~~
28 ~~however, the license agent shall pay interest and penalties on any~~
29 ~~sold licenses, permits, reservations, tags, and other entitlements~~
30 ~~as prescribed in subdivision (b) of Section 1059. No credit may~~
31 ~~be allowed after six months following the last day of the license~~
32 ~~year.~~

33 ~~(l) This section does not apply to licenses, permits, reservations,~~
34 ~~tags, or other entitlements issued through the Automated License~~
35 ~~Data System.~~

36 SEC. 7. Section 1055.1 of the Fish and Game Code is amended
37 to read:

38 1055.1. (a) Any person, except a commissioner, officer, or
39 employee of the department, may submit an application to the

1 department to be a license agent to issue licenses, permits,
2 reservations, tags, or other entitlements.

3 (b) A person shall only be authorized to be a license agent to
4 issue licenses, permits, reservations, tags, and other entitlements,
5 upon the written approval of the department.

6 (c) The department may provide licenses, permits, reservations,
7 tags, or other entitlements to authorized license agents and shall
8 collect, prior to delivery, an amount equal to the fees for all
9 licenses, permits, reservations, tags and other entitlements
10 provided. Any license agent who pays the fees prior to delivery
11 for licenses, permits, reservations, tags, or other entitlements is
12 exempt from ~~subdivisions (a) and (c) of Section 1055.5 and~~
13 Sections 1056, 1057, and 1059. Any licenses, permits, reservations,
14 tags, or other entitlements provided pursuant to this subdivision
15 that remain unissued at the end of the license year may be returned
16 to the department for refund or credit, or a combination thereof,
17 within six months of the item expiration date. No credit may be
18 allowed after six months following the last day of the license year.

19 (d) Authorized license agents shall add a handling charge to the
20 fees prescribed in this code or in regulations adopted pursuant to
21 this code for any license, permit, reservation, tag, and other
22 entitlement issued by the license agent in an amount that is 5
23 percent of the face value of the item rounded to the nearest five
24 cents (\$0.05).

25 (e) The handling charge added pursuant to subdivision (d) shall
26 be incorporated into the total amount collected for issuing the
27 license, permit, reservation, tag, and other entitlement, but the
28 handling charge shall not be included when determining license
29 fees in accordance with Section 713. A license agent may issue
30 any license, permit, reservation, tag, or other entitlement for any
31 amount up to 10 percent less than the fee prescribed in this code
32 or in regulations adopted pursuant to this code. The license agent
33 shall remit to the department the full amount of the fees as
34 prescribed in this code or in regulations adopted pursuant to this
35 code for all licenses, permits, reservations, tags, and other
36 entitlements issued.

37 (f) The handling charge required by subdivision (d) is the license
38 agent's only compensation for services. The license agent shall
39 not be entitled to any other additional fee or charge for issuing any

1 license, permit, reservation, tag, or other entitlement authorized
2 pursuant to this section.

3 (g) The department may designate a nonprofit organization,
4 organized pursuant to the laws of this state, or the California
5 chapter of a nonprofit organization, organized pursuant to the laws
6 of another state, as a license agent for the sale of lifetime licenses
7 issued pursuant to Sections 714, 3031.2, and 7149.2. These licenses
8 may be sold by auction or by other methods and are not subject to
9 the fee limitations prescribed in this code. An agent authorized to
10 issue lifetime sport fishing licenses, lifetime hunting licenses, and
11 lifetime sportsman's licenses under this subdivision is exempt
12 from subdivisions (d) and (f). The license agent shall remit to the
13 department the fees from the sale of lifetime licenses as defined
14 in Sections 714, 3031.2, and 7149.2.

15 (h) This section applies only to licenses, permits, reservations,
16 tags, and other entitlements issued through the Automated License
17 Data System.

18 SEC. 8. Section 1055.4 of the Fish and Game Code is repealed.

19 ~~1055.4. Any person authorized pursuant to Section 1055 who~~
20 ~~submits a check or money order for payment of licenses, permits,~~
21 ~~reservations, tags, and other entitlements that is returned unpaid~~
22 ~~by the bank or financial institution it was drawn upon shall be~~
23 ~~required to pay a fee of thirty dollars (\$30), plus any penalty and~~
24 ~~interest charges, as defined in Section 1059.~~

25 SEC. 9. Section 1055.5 of the Fish and Game Code is repealed.

26 ~~1055.5. (a) Except as provided in subdivision (b) or (c), each~~
27 ~~authorized license agent who receives licenses, permits,~~
28 ~~reservations, tags, and other entitlements, pursuant to subdivision~~
29 ~~(e) of Section 1055, shall remit to the department the fees~~
30 ~~prescribed in this code or in regulations adopted pursuant to this~~
31 ~~code for all licenses, permits, reservations, tags, and other~~
32 ~~entitlements issued in each calendar month not later than 20 days~~
33 ~~following the last day of that calendar month. The transmittal of~~
34 ~~the fees to the department shall be accompanied with an accounting~~
35 ~~report on forms provided by the department of all licenses, permits,~~
36 ~~reservations, tags, and other entitlements issued during the~~
37 ~~preceding month.~~

38 ~~(b) A license agent is not required to remit the fees for a book~~
39 ~~of licenses, permits, reservations, tags, or other entitlements in any~~
40 ~~month if, on the last day of the preceding month, all items in that~~

1 single book provided for issuance at a single business location are
2 not issued or expired. If, however, all items in that book are issued
3 or expired, the license agent shall remit the fees for that book and
4 transmit the accounting report in accordance with the requirements
5 of this section.

6 ~~(e) The license agent may retain not more than fifteen cents~~
7 ~~(\$0.15) of the fee received for each Colorado River special use~~
8 ~~stamp issued pursuant to Section 7180 as compensation for~~
9 ~~services. The license agent shall remit to the department the fees~~
10 ~~prescribed by Section 7180, less any amounts retained under this~~
11 ~~subdivision, for all Colorado River special use stamps issued. The~~
12 ~~license agent shall remit the net fees with an accounting report as~~
13 ~~prescribed in subdivision (a).~~

14 ~~(d) Except as provided in subdivision (c), any fee remittance~~
15 ~~and accounting report not transmitted to the department within 30~~
16 ~~days following the last day of each calendar month is delinquent,~~
17 ~~and fees due are subject to interest and penalties prescribed in~~
18 ~~subdivision (b) of Section 1059. Interest and penalties shall be~~
19 ~~computed beginning 21 days following the last day of the calendar~~
20 ~~month in which the fees were collected.~~

21 ~~(e) This section does not apply to licenses, permits, reservations,~~
22 ~~tags, or other entitlements issued through the Automated License~~
23 ~~Data System.~~

24 SEC. 10. Section 1056 of the Fish and Game Code is amended
25 to read:

26 ~~1056. (a) Authorized license agents who receive licenses,~~
27 ~~permits, reservations, tags, and other entitlements pursuant to~~
28 ~~subdivision (c) of Section 1055 may be required to execute, in~~
29 ~~favor of the department, a bond, payable to the department, in a~~
30 ~~sum determined by the department. The bond shall secure the~~
31 ~~accurate accounting and payment to the department of the funds~~
32 ~~collected and the performance of the duties imposed upon the~~
33 ~~license agent by this article.~~

34 ~~(b) Any~~
35 ~~1056. A license agent who fails to transmit the fees or~~
36 ~~accounting reports required by Section 1055.5 or 1055.6 not later~~
37 ~~than 60 days following the due date as specified by the department~~
38 ~~may be required to provide a bond pursuant to subdivision (a) in~~
39 ~~order to continue as a license agent. *execute, in favor of the*~~
40 ~~*department, a bond, payable to the department, in a sum*~~

1 *determined by the department in order to continue as a license*
2 *agent. The bond shall secure the accurate accounting and payment*
3 *to the department of the funds collected and the performance of*
4 *the duties imposed upon the license agent by this article.*

5 SEC. 11. Section 1059 of the Fish and Game Code is amended
6 to read:

7 1059. (a) The failure or refusal of any license agent to account
8 for licenses, permits, reservations, tags, and other entitlements, or
9 any fees received from their issuance as required by Section ~~1055.5~~
10 ~~or~~ 1055.6 or upon demand by an authorized representative of the
11 department is a misdemeanor.

12 (b) In addition to subdivision (a), any license agent who fails
13 to remit fees to the department on or before the date required by
14 Section ~~1055.5~~ or 1055.6 shall pay interest and penalties prescribed
15 for sales and use taxes and, except as otherwise provided in this
16 code, the department shall collect amounts owing under the
17 procedures prescribed for sales and use taxes provided in Chapter
18 5 (commencing with Section 6451) and Chapter 6 (commencing
19 with Section 6701) of Part 1 of Division 2 of the Revenue and
20 Taxation Code, insofar as they may be applicable, and for those
21 purposes, “board” means the department.

22 SEC. 12. Section 1060 of the Fish and Game Code is repealed.

23 ~~1060. (a) The department may accept from any authorized~~
24 ~~license agent an affidavit for settlement on its account in lieu of~~
25 ~~licenses, permits, reservations, tags, and other entitlements that~~
26 ~~have been lost or destroyed if the license agent meets the following~~
27 ~~criteria:~~

28 ~~(1) Reports any losses of licenses, permits, reservations, tags,~~
29 ~~or other entitlements to the department on or before the end of the~~
30 ~~next business day of the department.~~

31 ~~(2) Submits the following items to the department not more than~~
32 ~~20 days following the last day of the calendar month in which the~~
33 ~~items were lost or destroyed:~~

34 ~~(A) An accounting report listing all licenses, permits,~~
35 ~~reservations, tags, and other entitlements that were lost or~~
36 ~~destroyed.~~

37 ~~(B) A signed and notarized affidavit that shows the value and~~
38 ~~type of the licenses, permits, reservations, tags, and other~~
39 ~~entitlements, their serial numbers, and the causes of loss or~~
40 ~~destruction.~~

1 ~~(b) This section does not apply to licenses, permits, reservations,~~
2 ~~tags, or other entitlements that are issued through the Automated~~
3 ~~License Data System.~~

4 SEC. 13. Section 1070 of the Fish and Game Code is repealed.

5 ~~1070. The department shall transmit monthly to the Department~~
6 ~~of Finance, for review, a summary report of the fee remittances~~
7 ~~and accounting reports received under Section 1055.5 and a~~
8 ~~delinquency report containing the name and address of any person~~
9 ~~who failed or refused to fully comply with Section 1055.5. The~~
10 ~~summary fee remittance and accounting report and the delinquency~~
11 ~~report shall be transmitted to the Department of Finance not later~~
12 ~~than 45 days following the last day of the calendar month for which~~
13 ~~the fee remittances and accounting reports were due under Section~~
14 ~~1055.5.~~

15 SEC. 14. Section 1764 of the Fish and Game Code is amended
16 to read:

17 1764. (a) The director shall designate those particular areas
18 of land managed by the department at which possession of a valid
19 annual wildlife pass or day use pass shall be required. No
20 designation shall be effective until a management plan for the area
21 has been presented at a public meeting and the plan has been
22 approved by the director.

23 (b) No person shall enter the designated area unless that person
24 possesses an annual wildlife area pass or a day use pass issued
25 pursuant to Section 1765, a valid hunting license issued pursuant
26 to Section 3031, a valid trapping license issued pursuant to Section
27 4006, or a valid sportfishing license issued pursuant to Section
28 ~~7149, 7149.1, 7149.05~~, 7150, or 7151, or that person is a member
29 of a tour by an organized youth or school group ~~which~~ *that* has
30 been issued a day use pass.

31 (c) Notwithstanding subdivision (b), possession of a license or
32 pass shall not be required of any person who:

33 (1) Is passing through the area on a public right-of-way.

34 (2) Possesses authorization by the commission or the department
35 to conduct scientific or educational research.

36 (3) Is discharging duties in the course of employment, as
37 specified by the department.

38 (4) Possesses written authorization from the department to enter
39 the area for a specific purpose.

1 SEC. 15. Section 3050 of the Fish and Game Code is amended
2 to read:

3 3050. (a) No hunting license may be issued to any person
4 unless he or she presents to the person authorized to issue that
5 license any of the following:

6 (1) Evidence that he or she has held a hunting license issued by
7 this state in a prior year.

8 (2) Evidence that he or she holds a current hunting license, or
9 a hunting license issued in either of the two previous hunting years
10 by another state or province.

11 (3) A certificate of completion of a course in hunter education,
12 principles of conservation, and sportsmanship, as provided in this
13 article. A hunter education instruction validation stamp shall be
14 permanently affixed to certificates of completion that have been
15 issued before January 1, 2008.

16 (4) A certificate of successful completion of a hunter education
17 course in another state or province.

18 (5) Evidence of completion of a course in hunter education,
19 principles of conservation, and sportsmanship, which the
20 commission may, by regulation, require.

21 (b) The evidence required in subdivision (a) shall be forwarded
22 to the department with the license agent's report of hunting license
23 sales as required pursuant to Section 1055.5: *department*.

24 (c) Subdivision (a) does not apply to any person purchasing a
25 hunting license under paragraph (5) of subdivision (a) of Section
26 3031. However, that license shall not qualify as evidence required
27 in subdivision (a) of this section.

28 SEC. 16. Section 3682 of the Fish and Game Code is repealed.

29 ~~3682. (a) It is unlawful for any person, except a person licensed
30 pursuant to paragraph (2) of subdivision (a) of Section 3031, to
31 take any upland game bird species without first procuring an upland
32 game bird stamp, and having the stamp permanently affixed to his
33 or her valid hunting license.~~

34 ~~(b) Upland game bird stamps may be obtained from the
35 department, or a licensed agent authorized pursuant to Section
36 1055, for a fee of six dollars and twenty-five cents (\$6.25), adjusted
37 pursuant to Section 713.~~

38 ~~(c) This section does not apply to licenses, permits, reservations,
39 tags, or other entitlements issued through the Automated License
40 Data System.~~

1 SEC. 17. Section 3700 of the Fish and Game Code is repealed.

2 3700. ~~(a) It is unlawful for any person, except a person licensed~~
3 ~~pursuant to paragraph (2) of subdivision (a) of Section 3031, to~~
4 ~~take any migratory game bird, except jacksnipe, coots, gallinules,~~
5 ~~western mourning doves, white-winged doves, and band-tailed~~
6 ~~pigeons, without first procuring either an open edition or a~~
7 ~~Governor's edition state duck stamp, as provided in subdivisions~~
8 ~~(b) and (c), and having the state duck stamp in his or her possession~~
9 ~~while taking those birds.~~

10 ~~(b) State duck stamps, open edition, shall be sold for a fee of~~
11 ~~ten dollars (\$10) by the department and by license agents, who are~~
12 ~~authorized by the department pursuant to Section 1055, in the same~~
13 ~~manner as hunting licenses.~~

14 ~~(c) State duck stamps, Governor's edition, may be printed and~~
15 ~~sold on a bid basis, beginning at a minimum bid, as determined~~
16 ~~by the department or its representative.~~

17 ~~(d) The commission shall determine the form of the state duck~~
18 ~~stamp.~~

19 ~~(e) The department may prepare and sell artwork, posters, and~~
20 ~~other promotional materials related to the sale of duck stamps or~~
21 ~~waterfowl hunting and conservation.~~

22 ~~(f) This section does not apply to licenses, permits, reservations,~~
23 ~~tags, or other entitlements issued through the Automated License~~
24 ~~Data System.~~

25 SEC. 18. Section 6596 of the Fish and Game Code is repealed.

26 6596. ~~(a) In addition to a valid California sport fishing license~~
27 ~~and any other applicable license stamp issued pursuant to this code,~~
28 ~~a person taking fish from ocean waters south of a line extending~~
29 ~~due west from Point Arguello for purposes other than for profit~~
30 ~~shall have a valid sport fishing ocean enhancement stamp~~
31 ~~permanently affixed to his or her fishing license. A sport fishing~~
32 ~~ocean enhancement stamp shall be issued upon payment of a base~~
33 ~~fee of three dollars and fifty cents (\$3.50). A sport fishing license~~
34 ~~issued pursuant to paragraph (4) or (5) of subdivision (a) of Section~~
35 ~~7149 is not subject to this subdivision.~~

36 ~~(b) In addition to a valid California commercial passenger~~
37 ~~fishing boat license issued pursuant to Section 7920, the owner of~~
38 ~~any boat or vessel who, for profit, permits any person to fish~~
39 ~~therefrom, south of a line extending due west from Point Arguello,~~

1 shall have a valid commercial fishing ocean enhancement stamp
2 issued for that vessel that has not been suspended or revoked.

3 (e) Any person who takes, possesses aboard a boat, or lands any
4 white sea bass for commercial purposes, south of a line extending
5 due west from Point Arguello, shall have a valid commercial
6 fishing ocean enhancement stamp issued to that person that has
7 not been suspended or revoked.

8 (d) The base fee for a commercial fishing ocean enhancement
9 stamp is thirty-five dollars (\$35).

10 (e) This section does not apply to licenses, permits, reservations,
11 tags, or other entitlements issued through the Automated License
12 Data System.

13 (f) The base fees specified in this section are applicable to the
14 2004 license year, and shall be adjusted annually thereafter
15 pursuant to Section 713.

16 (g) The commission shall adjust the amount of the fees specified
17 in subdivision (f), as necessary, to fully recover, but not exceed,
18 all reasonable administrative and implementation costs of the
19 department and the commission relating to those licenses.

20 SEC. 19. Section 7149 of the Fish and Game Code is repealed.

21 7149. (a) A sport fishing license granting the privilege to take
22 any fish, reptile, or amphibia anywhere in this state for purposes
23 other than profit shall be issued to any of the following:

24 (1) A resident, 16 years of age or older, for the period of a
25 calendar year, or, if issued after the beginning of the year, for the
26 remainder thereof, upon payment of a base fee of thirty-one dollars
27 and twenty-five cents (\$31.25).

28 (2) A nonresident, 16 years of age or older, for the period of a
29 calendar year, or, if issued after the beginning of the year, for the
30 remainder thereof, upon payment of a base fee of eighty-four
31 dollars (\$84).

32 (3) A nonresident, 16 years of age or older, for the period of 10
33 consecutive days beginning on the date specified on the license
34 upon payment of the fee set forth in paragraph (1).

35 (4) A resident or nonresident, 16 years of age or older, for two
36 consecutive designated calendar days, upon payment of one-half
37 of the fee set forth in paragraph (1). Notwithstanding Section 1053,
38 more than one two-day license issued for different two-day periods
39 may be issued to, or possessed by, a person at one time.

1 ~~(5) A resident or nonresident, 16 years of age or older, for one~~
2 ~~designated day, upon payment of a base fee of ten dollars (\$10).~~

3 ~~(b) California sport fishing license stamps shall be issued by~~
4 ~~authorized license agents in the same manner as sport fishing~~
5 ~~licenses, and no compensation may be paid to the authorized~~
6 ~~license agent for issuing the stamps except as provided in Section~~
7 ~~1055.~~

8 ~~(c) This section does not apply to licenses, permits, reservations,~~
9 ~~tags, or other entitlements issued through the Automated License~~
10 ~~Data System.~~

11 ~~(d) The base fees specified in this section are applicable to the~~
12 ~~2004 license year, and shall be adjusted annually thereafter~~
13 ~~pursuant to Section 713.~~

14 ~~(e) The commission shall adjust the amount of the fees specified~~
15 ~~in subdivision (d), as necessary, to fully recover, but not exceed,~~
16 ~~all reasonable administrative and implementation costs of the~~
17 ~~department and the commission relating to those licenses.~~

18 SEC. 20. Section 7149.2 of the Fish and Game Code is
19 amended to read:

20 7149.2. (a) In addition to Sections ~~714, 7149, 714~~ and 7149.05,
21 the department shall issue a lifetime sport fishing license under
22 this section. A lifetime sport fishing license authorizes the taking
23 of fish, amphibians, or reptiles anywhere in this state in accordance
24 with the law for purposes other than profit for the life of the person
25 to whom issued unless revoked for a violation of this code or
26 regulations adopted under this code. A lifetime sport fishing license
27 is not transferable. A lifetime sport fishing license does not include
28 any special tags, stamps, or fees.

29 (b) A lifetime sport fishing license may be issued to residents
30 of this state, as follows:

31 (1) To a person 62 years of age or over, upon payment of a base
32 fee of three hundred sixty-five dollars (\$365).

33 (2) To a person 40 years of age or over and less than 62 years
34 of age, upon payment of a base fee of five hundred forty dollars
35 (\$540).

36 (3) To a person 10 years of age or over and less than 40 years
37 of age upon payment of a base fee of six hundred dollars (\$600).

38 (4) To a person less than 10 years of age upon payment of a
39 base fee of three hundred sixty-five dollars (\$365).

1 (c) Nothing in this section requires a person less than 16 years
2 of age to obtain a license to take fish, amphibians, or reptiles for
3 purposes other than profit.

4 (d) Nothing in this section exempts a license applicant from
5 meeting other qualifications or requirements otherwise established
6 by law for the privilege of sport fishing.

7 (e) Upon payment of a base fee of two hundred forty-five dollars
8 (\$245), a person holding a lifetime sport fishing license or lifetime
9 sportsman's license shall be entitled annually to the privileges
10 afforded to a person holding a second-rod stamp or validation
11 issued pursuant to Section ~~7149.4~~ or 7149.45, a sport fishing ocean
12 enhancement stamp or validation issued pursuant to paragraph (1)
13 of subdivision (a) of Section ~~6596~~ or 6596.1, one steelhead trout
14 report restoration card issued pursuant to Section 7380, a Bay-Delta
15 sport fishing enhancement stamp or validation issued pursuant to
16 Section ~~7360~~ or 7360.1, and one salmon punchcard issued pursuant
17 to regulations adopted by the commission. Lifetime privileges
18 issued pursuant to this subdivision are not transferable.

19 (f) The base fees specified in this section are applicable
20 commencing January 1, 2004, and shall be adjusted annually
21 thereafter pursuant to Section 713.

22 SEC. 21. Section 7149.3 of the Fish and Game Code is
23 amended to read:

24 7149.3. Notwithstanding Section ~~7149~~, 7149.05, a sport fishing
25 license is not required for ~~any~~ a resident to take ~~any~~ a rattlesnake
26 (genus *Crotalus* or *Sistrurus*).

27 SEC. 22. Section 7149.4 of the Fish and Game Code is
28 repealed.

29 ~~7149.4. (a) It is unlawful for any person to fish with two rods~~
30 ~~without first obtaining a second-rod sport fishing stamp, in addition~~
31 ~~to a valid California sport fishing license and any applicable stamp~~
32 ~~issued pursuant to subdivision (a) of Section 7149, and having that~~
33 ~~stamp affixed to his or her valid sport fishing license. Any person~~
34 ~~who has a valid second-rod sport fishing stamp affixed to his or~~
35 ~~her valid sport fishing license may fish with two rods in inland~~
36 ~~waters in any sport fishery in which the regulations of the~~
37 ~~commission provide for the taking of fish by angling, except those~~
38 ~~waters in which only artificial lures or barbless hooks may be used.~~

39 ~~(b) The department or an authorized license agent shall issue a~~
40 ~~second-rod sport fishing stamp upon payment of a base fee of~~

1 ~~seven dollars and fifty cents (\$7.50) during the 1995 calendar year~~
2 ~~and subsequent years, as adjusted under Section 713.~~

3 ~~(e) This section does not apply to licenses, permits, reservations,~~
4 ~~tags, or other entitlements issued through the Automated License~~
5 ~~Data System.~~

6 SEC. 23. Section 7150 of the Fish and Game Code is amended
7 to read:

8 7150. (a) Upon application to the department's headquarters
9 office in Sacramento and payment of a base fee of four dollars
10 (\$4), as adjusted pursuant to Section 713, the following persons,
11 who have not been convicted of any violation of this code, shall
12 be issued a reduced fee sport fishing license that is valid for one
13 year as specified in paragraphs ~~(1) and (2) of subdivision (a) of~~
14 ~~Section 7149 or paragraphs (1) and (2) of subdivision (a) of Section~~
15 7149.05 and that authorizes the licensee to take any fish, reptile,
16 or amphibians anywhere in this state as otherwise authorized
17 pursuant to this code and regulations adopted pursuant thereto for
18 purposes other than profit:

19 (1) A disabled veteran having a 50 percent or greater
20 service-connected disability upon presentation of proof of an
21 honorable discharge from military service and proof of the
22 disability. Proof of the disability shall be by certification from the
23 United States Veterans Administration or by presentation of a
24 license issued pursuant to this paragraph in the preceding license
25 year.

26 (2) A member of the military who is a "recovering service
27 member" pursuant to Section 1602(7) of the federal National
28 Defense Authorization Act for Fiscal Year 2008 (Public Law
29 110-181). A person shall be eligible for a reduced fee sport fishing
30 license pursuant to this paragraph upon the submission of a letter,
31 online or in hardcopy, to the department from that person's
32 commanding officer or from a military medical doctor stating that
33 the person is a recovering service member.

34 (3) A person over 65 years of age who is a resident of this state
35 and whose total monthly income from all sources, including any
36 old age assistance payments, does not exceed the amount in effect
37 on September 1 of each year contained in subdivision (c) of Section
38 12200 of the Welfare and Institutions Code for single persons or
39 subdivision (d) of Section 12200 of the Welfare and Institutions
40 Code combined income for married persons, as adjusted pursuant

1 to that section. The amount in effect on September 1 of each year
2 shall be the amount used to determine eligibility for a reduced fee
3 license during the following calendar year.

4 (b) A person applying for a reduced fee sport fishing license
5 shall submit adequate documentation for the department to
6 determine whether the applicant is, in fact, eligible for a reduced
7 fee sport fishing license. The documentation shall be in the form
8 of a letter or other document, as specified by the department, from
9 a public agency, except as provided in paragraphs (1) and (2) of
10 subdivision (a). The department shall not issue a reduced fee sport
11 fishing license to any person unless it is satisfied that the applicant
12 has provided adequate documentation of eligibility for that license.

13 (c) The adjustment of the base fee pursuant to Section 713
14 specified in subdivision (a) shall be applicable to the fishing license
15 years beginning on or after January 1, 1996.

16 SEC. 24. Section 7181 of the Fish and Game Code is repealed.

17 ~~7181. (a) A person fishing from the shore in the waters of the
18 Colorado River located in Arizona or California shall have in his
19 or her possession a valid sportfishing license issued by the state
20 that has jurisdiction over that shore. That shoreline fishing does
21 not require a Colorado River special use stamp as long as the
22 fisherman remains on the shore and does not embark on the water.
23 Any person, however, having in his or her possession a valid
24 Arizona sportfishing license and a California special use stamp
25 may fish from the shore in the waters of the Colorado River, or
26 adjacent waters, except canals, drains, and ditches used to transport
27 water used for irrigation or domestic purposes, located in
28 California, without a sportfishing license issued by the State of
29 California.~~

30 ~~(b) This section does not apply to licenses, permits, reservations,
31 tags, or other entitlements issued through the Automated License
32 Data System.~~

33 SEC. 25. Section 7182 of the Fish and Game Code is repealed.

34 ~~7182. (a) Arizona Colorado River special use stamps shall be
35 issued by California authorized license agents under the supervision
36 of the department in the same manner as sportfishing licenses are
37 issued, and California sportfishing licenses and California Colorado
38 River special use stamps shall be issued by Arizona license dealers
39 under the supervision of the Arizona Game and Fish Commission.~~

1 ~~(b) This section does not apply to licenses, permits, reservations,~~
2 ~~tags, or other entitlements issued through the Automated License~~
3 ~~Data System.~~

4 SEC. 26. Section 7183 of the Fish and Game Code is repealed.

5 ~~7183. (a) The Arizona Game and Fish Commission shall~~
6 ~~handle California sportfishing licenses and California special use~~
7 ~~stamps and issue them to Arizona license dealers. Prior to August~~
8 ~~31 of each year, that commission shall make an audit report and~~
9 ~~send a remittance for those sales to the California Department of~~
10 ~~Fish and Game.~~

11 ~~(b) The California Department of Fish and Game shall handle~~
12 ~~Arizona special use stamps and issue them to California license~~
13 ~~dealers. Prior to August 31 of each year, that department shall~~
14 ~~make an audit report and send a remittance for those sales to the~~
15 ~~Arizona Game and Fish Commission.~~

16 ~~(c) This section does not apply to licenses, permits, reservations,~~
17 ~~tags, or other entitlements issued through the Automated License~~
18 ~~Data System.~~

19 SEC. 27. Section 7184 of the Fish and Game Code is repealed.

20 ~~7184. (a) An Arizona special use stamp is valid from January~~
21 ~~1 to December 31, inclusive, of each year, to coincide with the~~
22 ~~period for which a California sportfishing license is issued.~~

23 ~~(b) A California special use stamp is valid for one year to~~
24 ~~coincide with the period for which an Arizona fishing license is~~
25 ~~issued.~~

26 ~~(c) This section does not apply to licenses, permits, reservations,~~
27 ~~tags, or other entitlements issued through the Automated License~~
28 ~~Data System.~~

29 SEC. 28. Section 7186 of the Fish and Game Code is repealed.

30 ~~7186. (a) When the director determines from the Secretary of~~
31 ~~State that copies of the law of the State of Arizona have been~~
32 ~~received by the Secretary of State which provides for an Arizona~~
33 ~~resident sportfishing license valid for a period of less than one~~
34 ~~year, a California special use stamp valid for the same period as~~
35 ~~the Arizona resident sportfishing license may be issued for a fee~~
36 ~~of one dollar (\$1).~~

37 ~~(b) If Arizona issues a resident sportfishing license for a term~~
38 ~~less than one year for the purpose of changing to a calendar year~~
39 ~~license from a fiscal year license, that license shall be deemed to~~
40 ~~be a license upon substantially the same terms and conditions as~~

1 are provided for the issuance of California licenses to licensees of
2 the State of Arizona for the purposes of Section 7185.

3 ~~(e) This section does not apply to licenses, permits, reservations,~~
4 ~~tags, or other entitlements issued through the Automated License~~
5 ~~Data System.~~

6 SEC. 29. Section 7860 of the Fish and Game Code is amended
7 to read:

8 7860. (a) Except as provided in subdivision (f) or (g), no
9 person who is 18 years of age or more and less than 70 years of
10 age, on or before April 1 of the current license year, shall take
11 salmon for commercial purposes or be on board a vessel on which
12 salmon are taken for commercial purposes while salmon are being
13 taken or transported unless that person has a commercial fishing
14 salmon stamp issued pursuant to this section affixed to his or her
15 commercial fishing license.

16 (b) Except as provided in subdivision (f) or (g), the operator of
17 a vessel on which salmon are taken for commercial purposes shall
18 not permit a person on board that vessel while salmon are being
19 taken or transported unless that person was less than 18 years of
20 age or 70 years of age or more on April 1 of the current license
21 year or that person has a commercial fishing salmon stamp affixed
22 to the person's commercial fishing license.

23 (c) Except as provided in this subdivision, the department shall
24 issue a commercial fishing salmon stamp upon application therefor
25 and payment of the fee of eighty-five dollars (\$85). For any
26 commercial salmon season preceded by a commercial salmon
27 season in which the commercial troll salmon landings in this state
28 equal or exceed 3,000,000 pounds dressed weight, as determined
29 by the department, the fee shall be increased by twelve dollars and
30 fifty cents (\$12.50) for every 250,000 pounds over 3,000,000
31 pounds of dressed weight landings, except that the total fees as
32 adjusted shall not exceed two hundred sixty dollars (\$260).

33 (d) A commercial fishing salmon stamp is valid during the
34 commercial salmon season of the year in which it was issued.

35 ~~(e) Notwithstanding Section 1053, upon~~ *Upon* application and
36 payment of an additional fee equal to that prescribed in subdivision
37 (c), the department may issue an additional commercial fishing
38 salmon stamp for a crewmember to the owner or operator of a
39 vessel who holds a commercial fishing salmon stamp.

1 (f) Notwithstanding subdivision (a), one crewmember of a vessel
2 for which a commercial fishing salmon stamp is issued pursuant
3 to subdivision (e) may be aboard that vessel and take salmon for
4 commercial purposes as a crewmember on that vessel without
5 obtaining a commercial fishing salmon stamp under the following
6 conditions:

7 (1) The crewmember is designated by name and commercial
8 fishing license number on a form furnished by the department
9 before salmon are taken on the vessel when that crewmember is
10 aboard.

11 (2) The crewmember has a valid commercial fishing license
12 issued under Section 7850.

13 (3) The commercial fishing salmon stamp for the crewmember
14 is affixed to the form prescribed in paragraph (1) on which the
15 vessel registration number of the vessel is entered and on which
16 the crewmember who is exempted by this subdivision is designated
17 by the last entered name and commercial fishing license number.

18 (g) Persons who are exempt from the license requirements, or
19 who are not required to be licensed, pursuant to Section 7850, are
20 exempt from the requirements of this section.

21 SEC. 30. Section 12002.2.1 of the Fish and Game Code is
22 amended to read:

23 12002.2.1. (a) Notwithstanding any other provision of law, a
24 violation of any of the following is an infraction, punishable by a
25 fine of not less than fifty dollars (\$50), or more than two hundred
26 fifty dollars (\$250), for a first offense:

27 ~~(1) Subdivision (a) of Section 6596.~~

28 ~~(2)~~

29 (1) Subdivision (a) of Section 6596.1.

30 ~~(3) Subdivision (a) of Section 7149.4.~~

31 ~~(4)~~

32 (2) Subdivision (a) of Section 7149.45.

33 ~~(5)~~

34 (3) Subdivision (b) of Section 7180.

35 ~~(6)~~

36 (4) Subdivision (b) of Section 7180.1.

37 ~~(7) Subdivision (a) of Section 7360.~~

38 ~~(8)~~

39 (5) Section 1.18 of Title 14 of the California Code of
40 Regulations.

1 (b) If a person is convicted of a violation of any of the sections
 2 listed in subdivision (a) within five years of a separate offense
 3 resulting in a conviction of a violation of any of those sections,
 4 that person shall be punished by a fine of not less than one hundred
 5 dollars (\$100) or more than five hundred dollars (\$500).

6 (c) If a person convicted of a violation of any of the sections
 7 listed in subdivision (a) produces in court the applicable sport
 8 fishing ocean enhancement stamp, sport fishing ocean enhancement
 9 validation, second rod sport fishing stamp, second rod sport fishing
 10 validation, Colorado River special use stamp, Colorado River
 11 special use validation, Bay-Delta Sport Fishing Enhancement
 12 Stamp or Bay-Delta Sport Fishing Enhancement validation issued
 13 pursuant to this code and valid at the time of the person’s arrest,
 14 and if the taking was otherwise lawful with respect to season, limit,
 15 time, and area, the court may reduce the fine imposed for the
 16 violation to twenty-five dollars (\$25).

17 SEC. 31. Section 12153 of the Fish and Game Code is amended
 18 to read:

19 12153. ~~Any~~A commercial fishing license is forfeited for the
 20 violation of ~~any of the provisions of Sections 1050 1050.1 to 1060,~~
 21 ~~inclusive, or 2012 of this code,~~ *Section 2012*, or of any of the
 22 provisions of this code relating to the use of nets.

23 SEC. 32. Section 13005 of the Fish and Game Code is amended
 24 to read:

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

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

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

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

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

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

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

14 (3) Nine dollars and twenty-five cents (\$9.25) for one second-rod
15 stamp or validation issued pursuant to ~~Section 7149.4~~ or Section
16 7149.45.

17 (4) Two dollars and fifty cents (\$2.50) for one sport fishing
18 ocean enhancement stamp or validation issued pursuant to
19 subdivision (a) of Section 6596 or subdivision (a) of Section
20 6596.1.

21 (5) Three dollars and fifty cents (\$3.50) for one Bay-Delta sport
22 fishing enhancement stamp or validation issued pursuant to ~~Section~~
23 ~~7360~~ or Section 7360.1.

24 (6) Three dollars and seventy-five cents (\$3.75) for one steelhead
25 trout catch report-restoration card issued pursuant to Section 7380.

26 (7) One dollar (\$1) for one salmon punchcard issued pursuant
27 to regulations adopted by the commission.

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

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

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

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

37 SEC. 33. Section 113 of the Government Code is amended to
38 read:

39 113. ~~The Legislature of California~~ *Legislature, acting through*
40 *the State Lands Commission*, hereby consents to the retrocession

1 of jurisdiction by the United States ~~of~~ *over* land within this state
2 upon and subject to each and all of the following express
3 conditions:

4 (a) The United States must in writing have requested state
5 acceptance of *the* retrocession, and unless there is an officer of the
6 United States empowered by a United States statute to ~~cede~~
7 *retrocede* jurisdiction, the request shall be by the act of Congress.
8 The retrocession may return all jurisdiction to the state or may
9 provide for concurrent jurisdiction.

10 ~~(b) When the conditions of subdivision (a) have been found and~~
11 ~~declared to have occurred and to exist, by the State Lands~~
12 ~~Commission, the commission shall hold a hearing to determine~~
13 ~~whether acceptance of the retrocession is in the best interests of~~
14 ~~the state. Notice of the hearing shall be published pursuant to~~
15 ~~Section 6061 in each county in which the land or any part of the~~
16 ~~land is situated and a copy of the notice shall be personally served~~
17 ~~upon the clerk of the board of supervisors of each such county.~~
18 ~~The State Lands Commission shall make rules and regulations~~
19 ~~governing the conditions and procedure of the hearings.~~

20 *(b) The proposed retrocession is in the best interest of the state.*

21 *(c) A notice of the proposed retrocession has been given to the*
22 *clerk for the board of supervisors of each county in which the*
23 *federal lands are located at least 15 days before the proposed*
24 *retrocession is considered by the State Lands Commission.*

25 *(d) The United States has agreed to bear all costs and expenses*
26 *incurred by the State Lands Commission in making the*
27 *retrocession.*

28 ~~(e) The~~

29 *(e) The acceptance of the retrocession shall be made at a*
30 *publicly noticed meeting of the State Lands Commission. The*
31 *determination of the State Lands Commission shall be final and*
32 *the retrocession of jurisdiction accepted shall become effective*
33 *when certified copies of its orders or resolutions have been*
34 *recorded in the office of the county recorder of each county in*
35 *which any part of the land is situated. The State Lands Commission*
36 *shall keep copies of its orders or resolutions and make them*
37 *available to the public upon request.*

38 SEC. 34. Section 741 of the Public Resources Code is amended
39 to read:

1 741. (a) The board shall appoint a Range Management
2 Advisory Committee and shall consult with the advisory committee
3 on rangeland resource issues under consideration by the board.

4 (b) The advisory committee shall consist of 11 members, who
5 shall be selected as follows:

6 (1) ~~Two~~ *Three* members of the general public, who have an
7 interest and background in the conservation of range resources or
8 special knowledge in the protection of range and brushland soils
9 and watersheds.

10 ~~(2) One member nominated by the Watershed Fire Council of~~
11 ~~Southern California.~~

12 ~~(3)~~

13 (2) One member nominated by the California Association of
14 Resource Conservation Districts.

15 ~~(4)~~

16 (3) Seven members nominated by organizations representing
17 owners of range and brushlands.

18 (c) Members of the advisory committee shall serve without
19 compensation.

20 (d) The Secretary of the *Natural* Resources Agency, the
21 Secretary for Environmental Protection, and the Secretary of Food
22 and Agriculture shall notify the advisory committee of, and are
23 encouraged to consult with the advisory committee on, rangeland
24 resource issues that are under consideration by the *Natural*
25 Resources Agency, the California Environmental Protection
26 Agency, and the Department of Food and Agriculture, respectively.

27 SEC. 35. Section 8301 of the Public Resources Code is
28 amended to read:

29 8301. The Governor, on application therefor by a duly
30 authorized agent, may convey to the United States ~~any~~ a tract of
31 land ~~not exceeding that does not exceed~~ 10 acres, belonging to the
32 State ~~state~~ and covered by navigable waters, for the site of a
33 lighthouse, beacon, or other aid to navigation. ~~After conveyance,~~
34 ~~the United States shall have jurisdiction over the tract, subject to~~
35 ~~the right of the State to have concurrent jurisdiction so far that all~~
36 ~~process, civil or criminal, issued under authority of the State may~~
37 ~~be executed by the proper officers thereof within the tract, upon~~
38 ~~any person amenable thereto, in like manner and with like effect~~
39 ~~as if the conveyance had not been made.~~

1 SEC. 36. Section 30310.5 of the Public Resources Code is
2 repealed.

3 ~~30310.5. This division or any other law, including any doctrine~~
4 ~~of common law, shall not preclude or prevent the appointment, as~~
5 ~~a public member, to the commission of a person who is not a~~
6 ~~locally elected official.~~

7 SEC. 37. Section 30315 of the Public Resources Code is
8 amended to read:

9 30315. (a) The commission shall meet at least ~~once a month~~
10 *10 times annually* at a place convenient to the public. All meetings
11 of the commission shall be open to the public.

12 ~~A~~
13 (b) A majority of the total appointed membership of the
14 commission shall constitute a quorum. ~~Any~~ *An* action taken by the
15 commission under this division requires a majority vote of the
16 members present at the meeting of the commission, with a quorum
17 being present, unless otherwise specifically provided for in this
18 division.