

ASSEMBLY BILL

No. 718

Introduced by Assembly Member Hauser

February 21, 1995

An act to amend Sections 8051.1 and 8051.2 of the Fish and Game Code, relating to commercial fishing, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 718, as introduced, Hauser. Commercial fishing: sea urchins.

(1) Existing law requires the Director of Fish and Game to make a grant in installments to a sea urchin diver's organization for specified purposes. The grant is required to be funded by a special landing tax on sea urchins until March 1, 1996.

This bill would extend that special landing tax to March 1, 1997.

(2) Existing law requires the revenue from those landing taxes to be deposited in the Fish and Game Preservation Fund, which is continuously appropriated to the Department of Fish and Game to carry out the Fish and Game Code.

This bill would make an appropriation by increasing the amount of funds deposited in a continuously appropriated fund.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. Section 8051.1 of the Fish and Game
2 Code is amended to read:

3 8051.1. (a) ~~Commencing January 1, 1992, every~~
4 *Every* person who is required to pay a landing tax for sea
5 urchins pursuant to Sections 8041 and 8042 shall pay, in
6 addition to the landing taxes determined in accordance
7 with the schedule in Section 8051, an additional landing
8 tax of one-half cent (\$0.005) for each pound, or fraction
9 thereof, of sea urchins, determined as provided in Section
10 8042. Those persons shall be responsible for the total
11 amount of taxes payable to the department pursuant to
12 this section and shall remit that amount to the
13 department with all other taxes due and payable.
14 However, those persons shall deduct an amount equal to
15 one-quarter of one cent (\$0.0025) of the tax payable
16 pursuant to this subdivision for each pound, or fraction
17 thereof, of sea urchins, from payments made to divers for
18 sea urchins, as listed on forms issued pursuant to Section
19 8043.

20 (b) ~~Commencing January 1, 1992, in~~ *In* addition to the
21 additional landing tax authorized pursuant to subdivision
22 (a), every person who is required to pay a landing tax for
23 sea urchins pursuant to Sections 8041 and 8042 shall pay
24 an additional landing tax of one-half cent (\$0.005) for
25 each pound, or fraction thereof, of sea urchins, and shall
26 deduct the amount of that tax from payments made to
27 divers for sea urchins as listed on forms issued pursuant
28 to Section 8043, and shall remit that amount to the
29 department with all other landing taxes due and payable.

30 (c) This section shall become inoperative on March 1,
31 ~~1996~~ 1997, and as of January 1, ~~1997~~ 1998, is repealed,
32 unless a later enacted statute, which becomes effective on
33 or before January 1, ~~1997~~ 1998, deletes or extends the
34 dates on which it becomes inoperative and is repealed.

35 SEC. 2. Section 8051.2 of the Fish and Game Code is
36 amended to read:

37 8051.2. (a) The landing tax collected pursuant to
38 Section 8051.1 shall be deposited in the Fish and Game



1 Preservation Fund and 50 percent of the revenue
2 deposited shall be used solely for the Sea Urchin
3 Resources Enhancement Program in support of the
4 recommendations of the committee established by
5 subdivision (c) and other sea urchin resource
6 enhancement measures as provided in the annual Budget
7 Act. The remaining 50 percent of the revenue shall be
8 used solely for research and management activities to
9 monitor and maintain the sea urchin resource. The
10 department shall maintain internal accountability
11 necessary to ensure that all restrictions on the
12 expenditure of Sea Urchin Resources Enhancement
13 Program funds and research and management funds are
14 met.

15 (b) An amount, not to exceed 15 percent of each of the
16 allocations made pursuant to subdivision (a) from the
17 total annual revenues deposited in the fund pursuant to
18 subdivision (a), may be used by the department for the
19 administration of the Sea Urchin Resources
20 Enhancement Program and the research and
21 management activities, respectively, including any
22 reasonable and necessary expenses.

23 (c) The Commercial Sea Urchin Advisory Committee
24 in existence on October 14, 1991, which consists of 12
25 members selected by the director, shall be continued in
26 existence and renamed the Director's Sea Urchin
27 Advisory Committee. One member shall be chosen from
28 the personnel of the department. Ten members shall be
29 selected, with alternates, from nominations submitted by
30 sea urchin fishermen and processors and by associations
31 representing the commercial sea urchin industry of
32 California. Five of the industry members shall be from
33 northern California, two representing divers and three
34 representing processors. At least one of the northern
35 California processor representatives shall reside in a
36 geographical area other than Fort Bragg. Five of the
37 industry members shall be from southern California,
38 three representing divers and two representing
39 processors. All of the California diver representatives
40 shall reside in different geographical areas of the state.



1 The area marine coordinator from the University of
2 California at Davis shall be the other member.

3 ~~For~~ *From* the money available to the Sea Urchin
4 Resource Enhancement Program, the committee may
5 annually submit to the department proposed projects and
6 a budget for the program. The department, after
7 conducting a public review and discussion, shall
8 incorporate all or part of the proposed projects and
9 budget recommendations in its submittal to the
10 Governor's Budget.

11 (d) This section shall remain in effect only until
12 January 1, ~~1997~~ 1998, and as of that date is repealed, unless
13 a later enacted statute, which is enacted before January
14 1, ~~1997~~ 1998, deletes or extends that date.

