

AMENDED IN SENATE MARCH 26, 1998

SENATE BILL

No. 1475

Introduced by Senator Thompson

February 3, 1998

An act to amend ~~Section 7153~~ *Sections 8496 and 8837* of the Fish and Game Code, relating to fishing.

LEGISLATIVE COUNSEL'S DIGEST

SB 1475, as amended, M. Thompson. Fishing: *trawl nets*.

~~Existing law requires every person over the age of 16 years who takes any fish, reptile, or amphibia for any purpose other than for profit to first obtain a sport fishing license, as specified. Existing law excepts from that requirement, the taking of fish, as specified, by means of angling from a public pier in the ocean waters of this state, as defined.~~

~~This bill would make a technical, nonsubstantive change to that exception.~~

(1) Existing law designates specified ocean waters as the California halibut trawl grounds and regulates the taking of halibut and other fish species in those waters with the use of trawl nets. Among other things, under existing law, not more than 500 pounds of fish other than California halibut may be possessed within the California halibut trawl grounds, except that any amount of sea cucumbers, sharks, skates, or rays may be taken or possessed.

This bill would specify that any amount of sea cucumbers may be possessed within the halibut trawl grounds by a person who holds a valid sea cucumber permit and would limit the taking and possession of sharks, skates, or rays in the halibut

trawl grounds to those that are not federal groundfish species and for which the take or possession of that species is not otherwise prohibited. The bill would further specify that no groundfish species may be possessed. The bill would authorize single bags and cod-ends or double bags and cod-ends, of a specified size, to be used within the halibut trawl grounds while a vessel is in transit directly to the halibut trawl grounds or returning directly to port.

Because existing law makes a violation of the provisions in the bill a crime, the bill would impose a state-mandated local program.

(2) 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.

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 7153 of the Fish and Game Code
 2 SECTION 1. Section 8496 of the Fish and Game Code
 3 is amended to read:
 4 8496. Within the California halibut trawl grounds the
 5 following requirements shall apply to the use of trawl
 6 nets:
 7 (a) Open season shall be June 16 ~~through~~ to March 14,
 8 inclusive.
 9 (b) California halibut shall only be taken pursuant to
 10 Section 8392.
 11 (c) Not more than 500 pounds of fish other than
 12 California halibut may be possessed, except that any
 13 amount of *sea cucumbers may be possessed by a person*
 14 *who holds a valid sea cucumber permit and any amount*
 15 *of sharks, skates, ~~sea cucumbers,~~ or rays that are not*
 16 *federal groundfish species and for which the take or*
 17 *possession of that species is not otherwise prohibited by*



1 *this code, may be taken or possessed. No groundfish*
2 *species may be possessed.*

3 (d) It is unlawful to operate a trawl net in a way that
4 damages or destroys other types of fishing gear which is
5 buoyed or otherwise visibly marked.

6 (e) Sections 8833 and 8836 do not apply to trawl nets
7 when used or possessed on California halibut trawl
8 grounds.

9 (f) *Trawl nets described in Section 8843 shall only be*
10 *used within the halibut trawl grounds.*

11 (g) *Single bags and cod-ends or double bags and*
12 *cod-ends may be used within the halibut trawl grounds*
13 *and may be possessed while a vessel is in transit directly*
14 *to the halibut trawl grounds or returning directly to port.*
15 *Double bags shall be hung and tied to each rib line so that*
16 *the knots of each layer coincide, knot for knot, for the full*
17 *length of the double layers. The double mesh section shall*
18 *not measure over 25 meshes or 12 feet in length,*
19 *whichever is greater. The individual meshes in the*
20 *double section shall measure not less than 7¹/₂ inches in*
21 *length.*

22 (h) *No net, whose cod-end meshes are less than*
23 *prescribed in this section, may be possessed on any vessel*
24 *that is operating under the authority of this section.*

25 SEC. 2. *Section 8837 of the Fish and Game Code is*
26 *amended to read:*

27 8837. It is unlawful to use or possess any trawl net
28 which includes any bag or cod-end or modification
29 thereof, other than a bag or cod-end of a single layer of
30 webbing, *except as authorized by Section 8496.*

31 SEC. 3. *No reimbursement is required by this act*
32 *pursuant to Section 6 of Article XIII B of the California*
33 *Constitution because the only costs that may be incurred*
34 *by a local agency or school district will be incurred*
35 *because this act creates a new crime or infraction,*
36 *eliminates a crime or infraction, or changes the penalty*
37 *for a crime or infraction, within the meaning of Section*
38 *17556 of the Government Code, or changes the definition*
39 *of a crime within the meaning of Section 6 of Article*
40 *XIII B of the California Constitution.*



1 *Notwithstanding Section 17580 of the Government*
2 *Code, unless otherwise specified, the provisions of this act*
3 *shall become operative on the same date that the act*
4 *takes effect pursuant to the California Constitution.*

5 ~~is amended to read:~~

6 ~~7153. (a) A sport fishing license is not required to~~
7 ~~take fish for any purpose other than profit by means of~~
8 ~~angling from a public pier in the ocean waters of the state.~~

9 ~~(b) For purposes of this section, "ocean waters"~~
10 ~~include, but are not limited to, the open waters adjacent~~
11 ~~to the ocean and any island; the waters of any open or~~
12 ~~enclosed bay contiguous to the ocean; the San Francisco~~
13 ~~and San Pablo Bays, with any tidal bay belonging thereto;~~
14 ~~and any slough or estuary, if found between the Golden~~
15 ~~Gate Bridge and the Benicia-Martinez Bridge.~~

