

**Introduced by Senators Wolk and Nielsen**

(Principal coauthors: Assembly Members Frazier, Harkey, Logue, and Yamada)

**(Coauthors: Senators Berryhill, Cannella, Gaines, and Galgiani)**

(Coauthors: Assembly Members Achadjian, Bigelow, Chesbro, Dahle, Gray, Levine, Nestande, Olsen, Patterson, and Waldron)

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An act to amend Section 1504 of the Fish and Game Code, relating to fish and wildlife, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1410, as introduced, Wolk. Wildlife management areas: payments.

Existing law requires the Department of Fish and Wildlife, when income is derived directly from real property acquired and operated by the state as a wildlife management area, as defined, to pay annually to the county in which the property is located an amount equal to the county taxes levied upon the property at the time title to the property was transferred to the state, and any assessments levied upon the property by any irrigation, drainage, or reclamation district.

This bill would appropriate \$19,000,000 from the General Fund to the department to make payments to counties for outstanding obligations under these provisions. The bill would also appropriate \$2,000,000 annually, beginning with the 2014–15 fiscal year, from the General Fund to the department to make payments to counties for obligations incurred under these provisions.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Section 1504 of the Fish and Game Code requires that  
4 payments be made to counties equal to the property taxes  
5 previously levied on property held by the Department of Fish and  
6 Wildlife pursuant to that section.

7 (b) No payments have been made to counties pursuant to Section  
8 1504 of the Fish and Game Code since the 2001–02 fiscal year  
9 when a partial payment was made.

10 (c) Counties are now owed approximately \$19,000,000 for the  
11 unpaid payments.

12 (d) If this property were owned by a private party, a county  
13 could sell the property to recoup unpaid property taxes.

14 (e) Because the sale of this state-owned property is not an option  
15 for a county, the state should fulfill its statutory obligation and pay  
16 the current and owed moneys.

17 (f) To that end, an appropriation is needed to meet the  
18 obligations of the Department of Fish and Wildlife incurred  
19 pursuant to Section 1504 of the Fish and Game Code since the  
20 2001–02 fiscal year.

21 SEC. 2. The sum of nineteen million dollars (\$19,000,000) is  
22 hereby appropriated from the General Fund to the Department of  
23 Fish and Wildlife, to make payments to counties for the obligations  
24 incurred pursuant to Section 1504 of the Fish and Game Code.

25 SEC. 3. Section 1504 of the Fish and Game Code is amended  
26 to read:

27 1504. (a) When income is derived directly from real property  
28 acquired and operated by the state as wildlife management areas,  
29 and regardless of whether income is derived from property acquired  
30 after October 1, 1949, the department shall pay annually to the  
31 county in which the property is located an amount equal to the  
32 county taxes levied upon the property at the time title to the  
33 property was transferred to the state. The department shall also  
34 pay the assessments levied upon the property by any irrigation,  
35 drainage, or reclamation district.

36 (b) Any delinquent penalties or interest applicable to any such  
37 assessments made prior to September 9, 1953, are hereby canceled  
38 and shall be waived.

1 ~~(e) Payments provided by this section shall be from funds~~  
2 ~~available to the department.~~

3 *(c) Notwithstanding Section 13340 of the Government Code,*  
4 *the sum of two million dollars (\$2,000,000) is hereby appropriated*  
5 *annually, beginning with the 2014–15 fiscal year, from the General*  
6 *Fund to the department to make the payments to counties provided*  
7 *by this section.*

8 (d) As used in this section, the term “wildlife management area”  
9 includes waterfowl management areas, deer ranges, upland game  
10 bird management areas, and public shooting grounds.

11 (e) Payments under this section shall be made on or before  
12 December 10 of each year, excepting newly acquired property for  
13 which payments shall be made pursuant to subdivision (f).

14 (f) Payments for the purposes of this section shall be made  
15 within one year of the date title to the property was transferred to  
16 the state, or within 90 days from the date of designation as a  
17 wildlife management area, whichever occurs first, prorated for the  
18 balance of the year from the date of designation as a wildlife  
19 management area to the 30th day of June following the date of  
20 designation as a wildlife management area, and, thereafter,  
21 payments shall be made on or before December 10 of each year.