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# SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Henry Stern, Chair

2021 - 2022 Regular

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<b>Bill No:</b>	SB 470	<b>Hearing Date:</b>	April 15, 2021
<b>Author:</b>	Jones		
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<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Katharine Moore		

**Subject:** Fishing and hunting: annual combined hunting and fishing licenses

## BACKGROUND AND EXISTING LAW

Existing law declares the legislative intent that the costs of hunting and sport fishing programs shall be provided out of hunting and sport fishing revenues and reimbursements and federal funds received for hunting and sport fishing programs, and other funds appropriated by the Legislature for this purpose, as specified.

Existing law requires every person 16 years of age or older who takes any fish, reptile or amphibian for any purpose other than profit to first obtain a sport fishing license for that purposes, with specified exceptions, and to have that license on his or her person or in his or her immediate possession when engaged in carrying out any activity authorized by the license.

Existing law requires a resident or a nonresident, 16 years of age or older, upon payment of a specified fee, to be issued a sport fishing license for the period of a calendar year, or, if issued after the beginning of the year, for the remainder thereof. Sport fishing licenses for shorter periods (e.g. 1 and 2 days, among others) are also available. The fee for an annual resident sport fishing license in 2021 is \$48.75.

Under existing law, a hunting license grants the privilege to take birds and mammals. Existing law requires the Department of Fish and Wildlife (department) to issue an annual hunting license to a resident or nonresident upon payment of the applicable fee. Under existing law, the annual hunting license is valid for a term of one year from July 1 to June 30, inclusive, or, if issued after the beginning of the term, for the remainder of the term. One and two day hunting licenses are also available. The fee for an annual resident hunting license in the 2020/2021 season is \$47.25.

Existing law requires the purchase of certain sport fishing validations, stamps and cards for specified areas and circumstances which are only good for a calendar year. These include, for example, an ocean enhancement validation. In addition, certain bag limits, are reported annually. Most, but not all, recreational fisheries are open year round. Similarly, the purchase of tags, stamps and validation to take particular game animals in season or to participate in certain hunts is also required.

In the last 40 plus years through 2019, there has been a steady decline in annual sport fishing license sales. In the 1970s and into the early 1980s, the number of resident annual sport fishing license sales averaged about 2.1 – 2.2 million. In 2019, the number sold was about half of that at just over 1 million. Hunting has also declined similarly over the same time period from roughly 600,000 purchases of annual resident licenses

in 1970 to about 220,000 in 2019. These declines occurred at the same time as California's population approximately doubled. California is not unique in this regard, as hunting and angling participation has also declined nationally overall during this time period.

The COVID-19 pandemic spurred increased interest in sport fishing and hunting. Overall hunting license sales increased 8% in 2020 compared to 2019 and annual resident hunting license sales increased 10%. Similarly total fishing license sales increased about 19% in 2020 compared to 2019. Annual resident fishing license sales increased 18% and one day sport fishing licenses increased over 31%. Sales of many required stamps, validations and tags also increased. It is not yet clear if these license sales increases will continue after the pandemic. The department has made a concerted effort in the last few years to develop so-called "R3" efforts (for recruitment, retention, and reactivation) to increase public interest in hunting and angling.

The R3 efforts are described in more detail below, and include considerations of different ways to package and market licenses.

### **PROPOSED LAW**

This bill would establish a combined annual hunting and fishing license valid for one year. Specifically, this bill would:

- 1) Require the department, starting January 1, 2023, to issue a combined annual hunting and fishing license.
- 2) The combined annual hunting and fishing license authorizes the take of birds, mammals, fish, reptiles, or amphibians, as specified, and grants the same privileges that are granted under a valid sport fishing license and valid hunting license, as provided. The combined annual hunting and fishing license is not transferable.
- 3) Provide that the combined annual hunting and fishing license does not include any special tags, stamps, or other entitlements.
- 4) Provide that the combined annual hunting and fishing license is valid for a term of one year from the date specified on the license, unless revoked for a violation, as provided.
- 5) Require the department to issue the combined annual hunting and fishing license for a base fee of \$100.
  - a) The base fee is applicable commencing on January 1, 2023 and shall be adjusted annually thereafter, as specified.
- 6) Require the Fish and Game Commission (commission) to adjust the amount of the fee as necessary to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and commission related to the license.
- 7) Require the department to offer the option of auto-renewal for the combined annual hunting and fishing license and provide a 5% discount for a purchaser who does.

- 8) Require the department and the commission to revise applicable sport fishing regulations, as needed, to conform to the valid time period for the combined annual hunting and fishing license.

### **ARGUMENTS IN SUPPORT**

According to the author, “[D]espite the recent increase in outdoor recreation during the COVID pandemic, California hunting and fishing license sales have declined for decades. According to the Department of Fish and Wildlife, hunting and fishing license sales are down 10% and 9%, respectively, from 2010-19. This decline particularly impacts the amount of funding available for wildlife conservation activities, most notably for fish and wildlife enforcement purposes.”

“While there are many factors that have contributed to the decline in license sales, California’s hunting and fishing licensing options available for the consumer to purchase have remained relatively unchanged in the last 20 years. Compared to other states, California provides little consumer choice in the types of hunting and fishing licenses it offers, while the state’s licenses have remained among the most expensive of any state.”

“During the Department of Fish and Wildlife’s Hunting and Fishing Recruitment, Retention, and Reactivation (“R3”) public input process, the stakeholder advisory committee that focused on licensing specifically recommended the creation of a combination hunting and fishing license.”

“SB 470 would create a combination hunting and fishing license, which 40 other states already offer their own residents. In addition, this bill would make the combination license valid 365 days from the date of purchase to allow outdoor enthusiasts to maximize the use of their license. The combination license also would provide a 5% discount for purchasers that agree to automatically renew their license each year. For those who do not choose automatic renewal, the cost of the combination license would be about 3% less than purchasing each hunting and fishing license separately, which aligns with most other states who offer combination licenses at discount.”

### **ARGUMENTS IN OPPOSITION**

None received

### **COMMENTS**

More than half of those who purchase an annual resident hunting license already purchase an annual resident fishing license. Every person who purchases a hunting, angling or related license from the department has a unique identification tag. In response to an inquiry, the department provided information showing that over half of those who purchased a 2020 annual resident hunting license had also purchased a 2020 annual fishing license. There may be merit in offering a combined annual hunting and fishing license, but, as proposed, it is clear there would be a price break for those who would purchase these licenses anyway. It is less clear that this proposal would necessarily generate any additional interest in the purchase of hunting or sport fishing licenses. It is not clear that the proposed structure provides a particular incentive to a first-time or intermittent license purchaser. License purchases increased during the pandemic regardless of the current license fee structure.

Further, department funding remains inadequate to meet its “mission” service level. The “Public Use & Enjoyment” program – where most of the tasks associated with hunting and fishing are located – only has about 1/3 of the mission service level resources. The department did not propose a long-term funding solution as called for when it submitted its “final” service-based budgeting report earlier this year to the Legislature. It remains unclear whether or not existing license fees for hunting and sport fishing are appropriately set. At the same time, it also remains unclear that hunting and sport fishing related revenues to the department are being used appropriately. The department has made a concerted effort to develop and start the implementation of an ongoing service-based budgeting effort. It would be a missed opportunity if this effort to address long-standing funding issues does not help to provide clarity to these open questions and stakeholder concerns.

In addition, a related long-standing concern with a switch from annual licenses set on fixed schedules (be it calendar year, or July 1 through June 30) is the risk of potential overall revenue loss to the department. A handful of states who switched to 12-consecutive-month licensing, subsequently returned to calendar year licensing due to loss of revenue.

To address these issues, the Committee may wish to require the following modifications to the bill:

- Delay the effective date for one year to provide time for the department to perform a study to evaluate the appropriate license fee, and time for the commission to set the license fee.
- Authorize the combined annual hunting and sport fishing license until January 1, 2030, and require a legislative report prior to the sunset providing information useful to legislative review of the new license.
- Provide additional clarifying and technical changes.

The Committee amendments are consistent with those required for previous bills that sought to provide some form of annual hunting or sport fishing license on a one year from date of purchase standard in place of on a calendar year or other standardized year, as well as those for previous efforts to reduce license fees. [Amendment #1]

R3. In January 2019, the department released its California Hunting and Fishing Recruitment, Retention and Reactivation Action Plan. This was followed in December 2019 by its Statewide R3 Implementation Strategy. These represent a concerted department effort to expand participation in hunting and fishing state-wide, and build upon existing programs such as the Fishing in the City and the Vamos A Pescar community grants. The Action Plan lays out a strategy to promote engagement with non-traditional hunters and anglers, and the Implementation Plan provides a series of specific steps to be undertaken by the department and stakeholder groups. Categories include Marketing and Outreach, Programs and Education, Modernization and Technology, and Evaluation and Metrics. While implementation has been understandably delayed by the COVID-19 pandemic, new approaches, such as the “Harvest Huddle Hour” – a series of webcasts exploring various aspects of hunting,

fishing and the state's natural resources, are underway. Committee staff have thus far not succeeded in obtaining pine nuts from pine cones, however.

Recent related legislation

AB 817 (Wood, 2021) would provide for a 12 consecutive month from date of purchase sport fishing license. (*This bill is pending before the Assembly Water, Parks, and Wildlife Committee.*)

AB 1387 (Wood, 2019) would have provided for a 12 consecutive month from date of purchase sport fishing license. (*This bill was not moved due to the COVID-19 pandemic, and was held in this Committee.*)

SB 1311 (Berryhill, 2018) would have authorized a combined annual hunting and fishing license. (*This bill was held on the Assembly Appropriations Committee suspense file.*)

SB 511 (Berryhill, 2018) would have authorized a 12 consecutive month from date of purchase sport fishing license. (*This bill died on the Assembly floor inactive file.*)

SB 187 (Berryhill, 2017) would have authorized a 12 consecutive month from date of purchase sport fishing license. (*This bill was held on the Assembly Appropriations Committee suspense file.*)

## SUGGESTED AMENDMENTS

### AMENDMENT 1

Revise Section 1 as follows:

**714.** (a) In addition to Section 3031, 3031.2, 7149.05, or 7149.2, the department shall, beginning ~~January 1, 2023~~ January 1, 2024, issue annual combined hunting and fishing licenses pursuant to this section.

(b) (1) An annual combined hunting and fishing license authorizes the taking of birds, mammals, fish, reptiles, or amphibians anywhere in this state in accordance with law for purposes other than profit.

(2) A valid annual combined hunting and fishing license grants the person holding the license the same privileges that are granted under a valid sport fishing license and a valid hunting license. This section does not exempt an applicant for a license from meeting other qualifications or requirements otherwise established by law for the privilege of ~~sport~~ hunting or sport fishing.

(3) An annual combined hunting and fishing license does not include any special tags, stamps, or other entitlements.

(4) An annual combined hunting and fishing license is not transferable.

(5) The annual combined hunting and fishing license may be issued pursuant to this section to residents and non-residents.

(c) An annual combined hunting and fishing license is valid for a term of one year beginning on the date of purchase of ~~specified on~~ the license, unless revoked for a violation of this code or regulations adopted pursuant to this code.

~~(d) (1) The department shall issue an annual combined hunting and fishing license to a resident of this state, upon the payment of a base fee of one hundred dollars (\$100).~~

(d) By July 1, 2023, the department shall prepare a report and submit it the Legislature with the following information related to determining the license fee for the annual combined hunting and fishing license authorized by this section. The department shall do the following in preparing the report:

(1) Conservatively estimate how many combined annual hunting and fishing licenses are likely to be purchased.

(2) Conservatively estimate the initial license fee for the combined annual hunting and fishing license fee necessary to fully recover the cost of developing, implementing, and administering the combined annual hunting and fishing license and associated enforcement activities.

(3) Estimates in the report shall incorporate, be consistent with, and be supported by available data, including historic hunting and fishing license sales, and mission and service task data generated through the service-based budget review conducted pursuant to section 712.1 of this code. The data utilized shall be made publicly available with the report.

~~(2) The base fee specified in this section is applicable commencing January 1, 2023, and shall be adjusted annually thereafter pursuant to Section 713.~~

(e) The commission shall determine the initial license fee for the combined annual hunting and fishing license based upon the information in the report required pursuant to subdivision (d), and shall adjust the amount of the fee specified annually thereafter pursuant to Section 713,  
~~in subdivision (d), as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses.~~

(f) The department shall provide an applicant for an annual combined hunting and fishing license issued pursuant to this section the option to sign up for automatic renewal of the license. If an applicant selects this option, the fee for the license in that year and in any subsequent year the license is automatically renewed shall be 5 percent less than the cost of an annual combined hunting and fishing license in the applicable year.

(g) The department and the commission shall revise applicable sport fishing regulations, as needed, to conform to the valid time period for the annual combined hunting and fishing license issued pursuant to this section.

(h) On or before July 1, 2028, the department shall submit to the legislature a written report evaluating the annual combined hunting and fishing license issued pursuant to this section including sales information, the costs of administering and implementing the license to the department and commission, and evidence

of any changes in the number of hunting and sport fishing participants due to the license. The department shall collect all relevant, appropriate and sufficient data necessary to evaluate the the annual combined hunting and fishing license issued pursuant to this section and to justify the amount of the license fees assess pursuant to this section, including information about data collection, and enforcement costs. Data collection efforts pursuant to this subdivision shall avoid duplication, and use data collected for other purposes, as feasible.

(i) This section shall sunset on January 1, 2030.

### **SUPPORT**

California Waterfowl Association (sponsor)  
American Sportfishing Association  
Backcountry Hunters and Anglers  
California Bowmen Hunters/State Archery Association  
California Deer Association  
California Rifle and Pistol Association  
Coastal Conservation Association California  
Congressional Sportsmen's Foundation  
National Marine Manufacturers Association  
National Rifle Association Institute for Legislative Action  
National Shooting Sports Association  
NorCal Guides Association  
Oceanside Senior Anglers  
Outdoor Sportsmen's Coalition of California  
Recreational Boaters of California  
Rocky Mountain Elk Foundation  
San Diego County Wildlife Federation  
Safari Club International California Coalition  
Suisun Resource Conservation District  
Teddy Roosevelt Conservation Partnership  
The Black Brant Group  
The California Sportsman's Lobby, Inc.

### **OPPOSITION**

None Received

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