

Department of Finance		Fund: 0200
STATE OF CALIFORNIA MANUAL OF STATE FUNDS		PAGE 1 Renumbered From:
<u>Legal Title</u> Fish and Game Preservation Fund		
<u>Legal Citation/Authority</u> Chapter 256, Statutes of 1909 Fish and Game Code sections 13000-13005		
<u>Fund Classification</u> <u>GAAP Basis</u> Governmental/Special Revenue Funds	<u>Fund Classification</u> <u>Legal Basis</u> Governmental/Other Governmental Cost Funds	
<u>Purpose</u> The fund is used to pay the expenses of the department in carrying out the provisions of the code. Certain revenues or receipts are restricted to use for specific purposes.		
<u>Administering Agency/Organization Code</u> Department of Fish and Game/Org 3600		
<u>Major Revenue Source</u> Licenses, permits, service fees and privilege taxes.		
<u>Disposition of Fund (upon abolishment)</u> Pursuant to Government Code section 16346, in the absence of language that identifies a successor fund, any balance remaining in this fund upon abolishment, shall be transferred to the General Fund.		
<u>Appropriation Authority</u> The money in this fund is available upon appropriation by the Legislature.		
<u>State Appropriations Limit</u> Excluded -- Revenues in this fund are not proceeds of taxes, however, when transferred, may become proceeds of taxes. These revenues are used to regulate the activities engaged in by the payers.		
<u>Comments/Historical Information</u> This fund was created by Chapter 256, Statutes of 1909, and continued in existence by Section 13000 of the Fish and Game Code. All money collected under the provisions of this code and of any other law relating to the protection and preservation of birds, mammals, fish, reptiles or amphibian are credited to the Fish and Game Preservation Fund. Chapter 855, Statutes of 1978 specifically provided that the cost of hunting and sport fishing programs are to be financed out of hunting and sport fishing revenues. The costs of commercial fishing programs are to be paid solely out of revenues from commercial fishing taxes, license fees, and receipts from other sources for such purposes. This chapter also provided that the Department of Finance shall include in the Governor's Budget sufficient moneys from the General Fund to pay for the cost of the Department of Fish and Game's nongame programs necessary for the protection and enhancement of California's nongame fish and wildlife and their habitat.		

Under the previous laws, the department is required to issue free fishing licenses to persons over 62 year of age who meet certain income and residency requirements, recipients of aid to the aged, disabled veterans, blind persons, and resident Indians. Chapter 1259, Statutes of 1978 requires that the Fish and Game Preservation Fund be reimbursed from the General Fund for the amount that would have been collected for licenses and stamps issue to such persons were it not for this free license provision. This appropriation is to be included in the budget bill and the amount of the appropriation is to be based on the revenue loss for the previous calendar year.

Article XVI, Section 99 of the Constitution provides that "Money collected under any state law relating to the protection or propagation of fish and game shall be used for activities relating thereto."

Chapter 1058, Statutes of 1983 created the Endangered and Rare Fish, Wildlife and Plant Species Conservation and Enhancement Account within the Fish and Game Preservation Fund.

Chapter 10, Statutes of 2011 authorized the Department to design and implement the impacts of the take of endangered, threatened, or candidate species for proposed wind and geothermal powerplants in the planning area subject to the Desert Renewable Energy Conservation Plan.