



January 22, 2016

**REFERENDUM TO CONSIDER IMPLEMENTATION OF
AMENDMENTS TO THE CALIFORNIA SALMON COUNCIL LAW**

To the California Salmon Handler Addressed:

Legislation enacted in 2015 amends the California Salmon Council Law to require salmon handlers to pay assessments to the California Salmon Council (CSC) at the same rate as commercial salmon vessel operators (CSVOs). The amendments also expand the CSC Board of Directors to provide for additional handler representation. Before these amendments can be implemented, California salmon handlers must vote to approve implementation.

Currently, only CSVOs are required to pay the CSC assessment of \$0.05 per pound of salmon landed. Should the referendum pass, handlers would also be required to pay the assessment. Additionally, there would be changes to the number of handler members/alternates serving on the CSC. Currently, there are five CSVOs and three handlers. Should the referendum pass, the number of handlers serving on the CSC would change from three to five, making the number of positions equal between CSVOs and handlers.

Shown below in *blue italics* are the amendments to the Salmon Council Law that will be implemented if handlers vote to support them:

**EXTRACTS FROM CALIFORNIA SALMON COUNCIL LAW
Chapter 16, Part 2, Division 22 of the California Food & Agricultural Code**

Section 76701 (a) The voting members of the council shall be appointed by the secretary, after consultation with the Director of Fish and Wildlife, giving due consideration to proper geographic distribution.

(b) The nine members shall include:

- (1) Five commercial salmon vessel operators or their representatives, and their alternates.
- (2) Two handlers who are receivers or processors or their representatives, and their alternates.
- (3) One representative of a handler who is an exporter or a wholesaler, and an alternate.
- (4) One public member, and an alternate.

(c) If handlers become subject to this chapter pursuant to Article 9.5 (commencing with Section 76961), the 11 members shall include:

- (1) Five commercial salmon vessel operators or their representatives, and their alternates.*
- (2) Three handlers who are receivers or processors or their representatives, and their alternates.*
- (3) Two representatives of a handler who is an exporter or a wholesaler, and their alternates.*
- (4) One public member, and an alternate.*

Section 76900 Programs and administration of the activities that are conducted pursuant to this chapter shall be funded as follows:

(a) (1) Every fisherman who sells salmon to any person who is required to be licensed as a fish receiver pursuant to Section 8033 of the Fish and Game Code shall pay the fee specified in Sections 76902 and 76905 for each pound, or fraction thereof, of salmon taken and



Referendum Notice

Page Two

sold by the fisherman to the fish receiver. The fee shall be collected from the fisherman and remitted to the secretary by any person licensed to receive fish to whom the salmon are sold.

(2) Every fisherman licensed pursuant to Section 8033.5 of the Fish and Game Code who sells salmon to the ultimate consumer shall pay the fee specified in paragraph (1) and, if handlers have become subject to this chapter pursuant to Article 9.5 (commencing with Section 76961), shall also pay the fee specified in paragraph (1) of subdivision (b) for each pound, or fraction thereof, of salmon taken and sold by the fisherman *to the ultimate consumer*. The fees shall be remitted to the secretary by the fisherman.

(b) (1) Every handler subject to this chapter pursuant to Article 9.5 (commencing with Section 76961) shall pay the fee specified in Sections 76902 and 76905 for each pound, or fraction thereof, of salmon received from a fisherman. The fee shall be remitted to the secretary by the handler.

(2) Every handler subject to this chapter pursuant to Article 9.5 (commencing with Section 76961) shall pay the fee specified in paragraph (1) and shall also pay the fee specified in paragraph (1) of subdivision (a) for each pound, or fraction thereof, of salmon that the handler has caught while conducting the activities of a commercial fisherman for his or her own processing or sale. The fees shall be remitted to the secretary by the handler.

The California Salmon Council Law in its entirety can be accessed at:

<https://www.cdfa.ca.gov/mkt/mkt/pdf/CaliforniaSalmonCouncil.pdf>

The following criteria must be achieved by the California handlers in order for the amendments to become effective:

1. At least 40 percent of the total number of eligible entities on record must submit valid ballots, **and**
2. Of those voting, at least 65 percent by number, representing at least 51 percent of the total voted volume, must vote in favor of implementing the proposed amendments, **or**

Of those voting, at least 51 percent by number, representing at least 65 percent of the total voted volume, must vote in favor of implementing the proposed amendments.

If this referendum fails to meet the above criteria, the amendments will not be implemented.

Enclosed are a referendum ballot and a postage-paid return envelope. Each separate legal entity who currently handles salmon is entitled to receive a ballot and participate in this referendum. If you would like to participate, please complete all applicable sections on the ballot and return it to the CDFA Marketing Branch in the envelope provided. Ballots must be postmarked or otherwise received by this office no later than **February 22, 2016**.

The results of the referendum will be announced following ballot tabulation. Individual votes will be kept confidential. If you have any questions regarding the voting process or the amendments to the Law, please contact Ben Kardokus of this office at (916) 900-5018.

Sincerely,



Robert Maxie, Chief
Marketing Branch

Enclosures