



# **GAINES & ASSOCIATES**

## **GOVERNMENT RELATIONS**

### **“GAINES REPORT”**

## **CALIFORNIA STATE LEGISLATURE**

### *2020 SESSION UPDATE*

**FEBRUARY 27, 2020**

The 2020 Session of the California State Legislature – the second year of the two-year 2019/2020 Legislative Session – is nearing the end of its second month and activity at our State Capitol is hectic. With the fate of “two-year” bills lingering from the 2019 Session being determined, and the dust from last Friday’s deadline for the introduction of new bills now settling, the challenges the conservation community will face this year are coming into focus.

This *Gaines Report “California State Legislature – 2020 Session Update”* will provide a summary and status of all legislation of interest to California’s wildlife and conservation community pending from the 2019 Legislative Session, as well a summary of new bills of interest and concern in the 2020 Legislative Session.

*Bills are placed in numerical order by Session, not in order of priority or interest.*

*Gaines & Associates* recognizes that our *Gaines Reports* can be lengthy and often provide more information on bills than many believe necessary. However, this reporting is done for the sole benefit of our clients who have varying conservation and wildlife interests and concerns. The list of bills covered is to ensure that all our clients get the detail they need on the legislation that is of greatest importance to them.

*This Gaines & Associates “California State Legislature – 2020 Session Update” is client privileged and provided as a service to Gaines & Associates clients.*

*For more information on any of the below bills, please contact Gaines & Associates at [info@gainesandassociates.net](mailto:info@gainesandassociates.net)*

## **2019 State Legislative Session – “Two Year” Bills**

The latest status of legislation of concern still pending from the 2019 Legislative Session is as follows:

- **[AB 18 \(Levine\)](#) – **Firearms and Ammunition: Excise Tax** – **DEAD****

As amended August 26, 2019, AB 18 – legislation by Assembly Member [Mark Levine \(D/10-San Rafael\)](#) – would have imposed an excise tax in the amount of \$25 per firearm on sale of a handgun or semiautomatic rifle or shotgun sold as new, and an excise tax of a “yet to be determined” percentage on the sale of any ammunition. AB 18 would have also established the California Violence Intervention and Prevention (CalVIP) Grant Program, administered by the Board of State and Community Corrections, to award competitive grants for the purpose of violence intervention and prevention. The bill would have required the revenue collected from the tax to be deposited in the CalVIP Firearm and Ammunition Tax Fund, which the bill proposed to also create.

Although all of California’s public benefit from programs which address gun violence prevention and intervention, AB 18 would have placed the entire cost of implementing those programs on law-abiding citizens who legally purchase their firearms and ammunition.

*AB 18 was held in Assembly Appropriations Committee on January 23, 2020 and failed passage. Failing to meet the legislative deadline for any committee to pass bills introduced in 2019 (“two-year” bills) to the floor, AB 18 is dead.*

To view the coalition letter to the author in opposition to AB 18, click

[AB 18 – Coalition Oppose](#)

To view the recent coalition letter to Assembly Appropriations Committee in opposition to AB 18, click

[AB 18 – Coalition Oppose – 1/21/2020](#)

To view the coalition letter to the Assembly Appropriations Committee in opposition to AB 18, click

[AB 18 – Assy Approps Coalition Oppose Ltr](#)

To view all the Assembly Committee analyses available on AB 18, click [AB 18 Assy Analyses](#)

To view all the information currently available on AB 18, click [AB 18 Detail](#)

- **[AB 688 \(Chu\)](#) – **Firearms: Vehicle Storage** – **DEAD****

Current law requires that a handgun in an unattended vehicle be either locked in the vehicle’s trunk, in a locked container out of plain view, locked in a container that is permanently affixed to the vehicle’s interior and not in plain view, or locked in a toolbox or utility box.

As introduced, AB 688 – legislation by Assembly Member [Kansen Chu \(D/25-Milpitas\)](#) – would have made those requirements also applicable to long guns and would have required them to be secured to the vehicle’s frame using a steel cable lock or chain and padlock, or in a locked container that is secured using a steel cable lock or chain and padlock or that is permanently affixed to the vehicle.

AB 688 would have created significant problems for many law-abiding hunters who are on their way to the field or range with their shotguns or rifles. Among other concerns, the bill’s requirement that long guns be in a locked container and in some way chained to the vehicle frame would have made it very difficult for law-abiding hunters to comply. Further, while it would have been extremely difficult for an individual hunter transporting a single shotgun or rifle to address the provisions of AB 688, it would have

been impossible for hunters “car-pooling” to the field with multiple long-guns, or Hunter Education Instructors, shooting coaches and others who must transport numerous long-guns for use by their students in their vehicle to comply.

*Failing to be heard and passed out of Assembly Appropriations Committee to the Assembly Floor by the legislative deadline, AB 688 is dead.*

To view the coalition letter to the Assembly Appropriations Committee in opposition to AB 688, click [AB 688 – Assy Approps Coalition Oppose Ltr](#)

To view the Assembly Committee analyses on AB 688, click [AB 688 Assy Analyses](#)

To view all the information currently available on AB 688, click [AB 688 Detail](#)

- **[AB 1387 \(Wood\)](#) – Sport Fishing: 12 Consecutive Month Licenses**

As amended May 20, 2019, AB 1387 – legislation by Assembly Member [Jim Wood \(D/02-Eureka\)](#) – would, among many other things, offer California residents a traditional calendar year fishing license, require DFW to offer a license that is valid for 12 consecutive months beginning on the date of purchase upon payment of a fee that is equal to 130% of the cost of the traditional calendar-year sport fishing license. AB 1387 would also require the Department of Fish and Wildlife (DFW) to provide applicants for these licenses the option of signing up for automatic renewal of the license by electronic payment and would set the fee for licenses issued upon automatic renewal at the same price as a calendar-year sport fishing license.

AB 1387 passed through the Assembly, off the Assembly Floor via unanimous vote and over to the Senate before the end of May 2019. Once on the Senate side, AB 1387 was referred to the Senate Natural Resources and Water Committee but has yet to be heard.

The plan is for AB 1387 to be amended to also include sweeping language which would support our collective hunter and angler Recruitment, Retention and Reactivation (R3) effort. DFW has been meeting with stakeholders from the hunting and fishing community for well over a year to identify possible changes in regulation and statute which would help recruit, retain and reactivate hunters and anglers. Based on the result of these meetings, DFW has recently drafted proposed legislative language which includes recommended R3 related changes to the Fish and Game Code. DFW submitted this recommended R3 language to the Governor’s office for consideration and possible approval.

One of the many critical components of this R3 legislation deals with junior hunting license age eligibility. Legislation passed in 2014 which increased junior hunting license age eligibility from 15 to 17 years of age included a “sunset” provision which requires the age eligibility to revert to 15 years on July 1, 2020, unless the provision is extended by subsequent legislation. As a backup, in case the DFW R3 language should not find its way into a bill this Session, *Gaines & Associates* is working with *California Waterfowl* and Assembly Member Jay Obernolte (R/33-Hesperia) on urgency legislation which would, if passed, extend this provision until July 1, 2021 – addressing this concern for the upcoming hunting license year and buying us an additional year to introduce and pass legislation intended to extend the junior hunting license eligibility of 17 years of age indefinitely. (See “AB 3022 (Obernolte)” below)

*Having already passed out of its house of origin, AB 1387 has until June 26, 2020 to meet legislative deadline for being heard and passed out of Senate policy committee.*

To view the coalition letter in support of AB 1387, click [AB 1387 Coalition Support Ltr](#)

To view all the available Committee analyses of AB 1387, click [AB 1387 Analyses](#)

To view all the information currently available on AB 1387, click [AB 1387 Detail](#)

- **[SB 220 \(Hill\)](#) – Firearms Dealers: Storage and Security**

Current law generally requires all inventory firearms of a firearms dealer to be stored in the licensed location when the firearms dealer is not open for business and for the dealer to secure the firearms by either: 1) storing them in a secure facility that is a part of, or that constitutes, the firearms dealer's business premises; 2) securing them with a steel rod or cable with specified features; or 3) storing them in a locked fireproof safe or vault in the business premises.

As introduced, SB 220 – legislation by Senator [Jerry Hill \(D/13-San Mateo\)](#) – would, in addition to the above, place substantial and highly unreasonable additional storage and security requirements on California's firearms dealers. Further, if the firearm dealer's location is at street level, SB 220 would require they install concrete or hardened steel bollards or other barriers capable of stopping a 5,000-pound vehicle traveling at 30 miles per hour to protect the location's front entrance, any floor-to-ceiling windows, and any other doors, that could be breached by the vehicle.

Although some larger firearms dealers may be able to absorb the cost of the significant additional security requirements called out by SB 220, the bill would have a devastating financial impact on most smaller dealers, driving many of them out of business – with the greatest impact felt in rural areas.

Senator Hill authored similar legislation, SB 464, in 2017. That bill was passed by the State Legislature but vetoed by Governor Brown. In his veto message on SB 464, Governor Brown stated “This bill would require additional security enhancements on the premises of all licensed firearms dealers in California. State law already requires that firearms dealers enact security measures to avoid theft. Local jurisdictions can-and have-gone further by adding additional specific requirements. I believe local authorities are in the best position to determine what, if any additional measures are needed in their jurisdictions.”

*SB 220 passed out of the Senate, and through Assembly policy and fiscal committee in 2019. Currently on the Assembly Floor. SB 220 must be brought up for a vote and passed off the Assembly Floor by August 31, 2020 to meet legislative deadline.*

To view the available analyses of SB 220, click [SB 220 Analyses](#)

To view the coalition letter in opposition to SB 220, click [SB 220 Coalition Oppose Ltr](#)

To view all the information currently available on SB 220, click [SB 220 Detail](#)

- **[SB 281 \(Wiener\)](#) – Firearm and Ammunition Sales at the Cow Palace**

As amended January 6, 2020, SB 281 – legislation by Senator [Scott D. Wiener \(D/11-San Francisco\)](#) – would prohibit the sale of firearms and ammunition at the Cow Palace as of January 1, 2021. The bill would exclude from its provisions a gun buy-back event held by a law enforcement agency.

In 2019, SB 281 was referred to three Senate policy committees in 2019, passing through all three committees before the end of last May.

*SB 281 passed out of the Senate Appropriations Committee on January 21, 2020, and then off the Senate Floor on January 27, 2020 by party-line votes. Now in the Assembly, SB 281 must be heard and pass out of Assembly policy committee by April 24, 2020 to meet legislative deadline.*

On a related note, on April 16, 2019, Cow Palace Board of Directors voted to approve a statement that discontinues all future gun shows at the venue beginning January 1, 2020. Historically, the Cow Palace hosted five gun shows a year, including the largest gun show on the West Coast for over 30 years.

To view all available Committee analyses of SB 281, click [SB 281 Analyses](#)

To view all the information currently available on SB 281, click [SB 281 Detail](#)

### **2020 State Legislative Session – New Legislation**

With the bill introduction deadline for the 2020 Session being last Friday, February 21<sup>st</sup>, several new bills of interest and concern have just seen the light of day. Bills are placed in numerical order, not in order of priority or interest.

#### **[AB 2106 \(Aguiar-Curry\)](#) – Wildlife Habitat: Nesting Bird Habitat Incentive Program: Upland Game Bird Stamp/State Duck Stamp**

Legislation passed in 2018 required DFW to establish the “Nesting Bird Habitat Incentive Program” and authorized the Department to make payments or provide other incentives to encourage landowners to voluntarily cultivate or retain upland cover crops or other upland vegetation on their idled lands to provide habitat and nesting cover for waterfowl, upland game birds, and other species.

As introduced, AB 2106 – legislation by Assembly Member [Cecilia M. Aguiar-Curry \(D/4-Davis\)](#) – would help generate the funding necessary to implement the Nesting Bird Habitat Incentive Program by raising the California upland game bird stamp and the state duck stamp by \$5 each. AB 2106 would also create the Nesting Bird Habitat Incentive Subaccount within the California Waterfowl Habitat Preservation Account and require the incremental revenue to be deposited in that Subaccount and available upon appropriation to DFW for the Nesting Bird Habitat Incentive Program.

AB 2106 would also require the Upland Game Bird Account advisory committee to annually review and provide comments to DFW on all proposed projects and other expenditures help ensure that requirements pertaining to that Account have been met. The bill would also require DFW to post budget information and a brief description on its internet website for all projects and other expenditures funded from the Upland Game Bird Account.

AB 2106 has been referred to the Assembly Water, Parks and Wildlife Committee, but has not yet been set for hearing. AB 2106 cannot be heard before March 8<sup>th</sup>.

No committee analysis is currently available for AB 2106.

To view all the information currently available on AB 2106, click [AB 2106 Detail](#)

#### **[AB 2299 \(Gallagher\)](#) – Free Hunting Days**

As introduced, AB 2299 – legislation by Assembly Member [James Gallagher \(R/3-Yuba City\)](#) – would require the Director of the Department of Fish and Wildlife (DFW) to designate two days per year as “Free Hunting Days” – with one free hunting day in the fall hunting season and the other day during

the spring hunting season. The bill would require the individual taking advantage of the free hunting day to be accompanied by a licensed hunter who has held a valid hunting license for at least the last three consecutive years. AB 2299 would also require the individual who is accompanying the unlicensed hunter to be 21 years of age or older and allow them to only accompany one unlicensed hunter at a time. Among other things, the bill would require the unlicensed hunter to have successfully completed the Hunter Safety Course and to have their hunter safety course certificate in their possession while in the field, along with any required tags or report cards, federal entitlements, or entry permits. AB 2299 would not allow unlicensed hunters participating in free hunting days to take any game species that requires a draw or lottery to obtain a tag.

AB 2299 has been referred to the Assembly Water, Parks and Wildlife Committee, but has not yet been set for hearing. AB 2299 cannot be heard before March 16<sup>th</sup>.

No committee analysis is currently available for AB 2299.

To view all the information currently available on AB 2299, click [AB 2299 Detail](#)

#### **[AB 2429 \(Irwin\)](#) – **Hunting and Fishing Guides****

Current law requires a person who engages in the business of guiding or packing, or who acts as a guide for any consideration or compensation, to first obtain a guide license from DFW. Existing law requires an application for a guide license to contain specified information and requires the applicant to submit proof of having obtained a surety bond in the amount of not less than \$1,000.

As introduced, AB 2429 – legislation by Assembly Member [Jacqui Irwin \(D/44-Camarillo\)](#) – would increase the amount of the surety bond to \$2,500 and would require applicants to, among many other things, submit proof of: a CPR certification that is valid for the term of the license; commercial liability insurance coverage that is valid for the term of the license in the amount of no less than \$1,000,000; and proof of a Department of Justice criminal background check taken within five years from the date of the application.

In addition, in order to aid game wardens in enforcement, AB 2429 would require the Fish and Game Commission to adopt a visual system of guide identification stickers using colors and geometric patterns, and require guides to use the guide identification sticker when providing guiding or packing services to a client.

AB 2429 has not yet been referred to committee. AB 2429 cannot be heard before March 21<sup>st</sup>.

No committee analysis is currently available for AB 2429.

To view all the information currently available on AB 2429, click [AB 2429 Detail](#)

#### **[AB 2502 \(Quirk\)](#) – **Groundwater Sustainability Plans: Impacts on Managed Wetlands****

Existing law, the Sustainable Groundwater Management Act (SGMA), requires groundwater basins designated as high or medium priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans as of January 31, 2020. In addition, SGMA requires other groundwater basins designated as high or medium priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022. Among other things, SGMA requires that groundwater sustainability plans include additional analyses or components, such as control of saline water intrusion, wellhead protection areas and recharge areas, a

well abandonment and well destruction program, well construction policies, and impacts on groundwater dependent ecosystems.

As a result of the significant changes to California's natural hydrology, nearly all our remaining interior wetlands must now be artificially irrigated and intensely managed, year-round, to recreate seasonal wetland values. The availability of a wetland water supply when, where and in the quantity necessary is integral to the ability of public and private land managers to recreate these important habitat benefits. Oftentimes, the availability of groundwater is essential to the landowner's ability to create these wetland habitat values. As such, SGMA generated restrictions placed on the use of groundwater for wetland irrigations in some areas – such as the Tulare Basin in the southern San Joaquin Valley – could have severe impacts on the ability of landowners to manage their lands to provide wetland benefits.

To address this serious concern, as introduced, AB 2502 – legislation by Assembly Member [Bill Quirk \(D/20-Hayward\)](#) – would add impacts on managed wetlands that would lead to a net loss of wetland acreage or habitat to the additional analyses or components that groundwater sustainability plans are required to contain.

AB 2502 has not yet been referred to committee. AB 2502 cannot be heard before March 31<sup>st</sup>.

No committee analysis is currently available for AB 2502.

To view all the information currently available on AB 2502, click [AB 2502 Detail](#)

#### [AB 2523 \(Gray\)](#) – **Fish and Game Commission: Youth Hunting Program: Special Hunting Permits**

As introduced, AB 2523 – legislation by Assembly Member [Adam C. Gray \(D/21-Merced\)](#) – would authorize the Commission to establish a program to increase opportunities to hunt big game, upland game birds and migratory game birds for youth with terminal illnesses or who lost a parent in service to the state or country. Among other things, the bill would authorize the Commission to establish a special hunting permit that authorizes the youth to hunt big game, upland game birds or migratory birds, and to engage in hunting activities otherwise prohibited that are necessary to enable the youth hunter to hunt those species. The bill would require the special hunting permits to be issued free of charge by DFW and would require the applicant for a special hunting permit to hold a valid hunting license.

AB 2523 has not yet been referred to committee. AB 2523 cannot be heard before March 21<sup>st</sup>.

No committee analysis is currently available for AB 2523.

To view all the information currently available on AB 2523, click [AB 2523 Detail](#)

#### [AB 3022 \(Oberholte\)](#) – **Junior Hunting Licenses: Age Eligibility**

Legislation passed in 2014 increased junior hunting license age eligibility from 15 to 17 years of age. However, that bill included a “sunset” provision which requires the age eligibility to revert to 15 years on July 1, 2020, unless the provision is extended by subsequent legislation.

Should the age eligibility revert back to 15 years at the beginning of the next hunting license year (July 1, 2020), it would notably impact our Recruitment, Retention and Reactivation (R3) efforts by, among other things, requiring 16 and 17 year old youth to purchase a significantly more expensive “adult” license, and also forego their opportunity to apply for youth/apprentice hunts provided by DFW and others. Further, it would create substantial problems for DFW in terms of how to handle applications made prior to July 1<sup>st</sup>

for next year's license and implementation of youth hunts this coming fall, as well as cause serious confusion and enforcement concerns in the field.

This predicament was supposed to be addressed in the 2020 Session as a provision in a sweeping R3 related bill sponsored by the state. However, when that legislation failed to be introduced by the recent bill introduction deadline, Assembly Member [Jay Obernolte \(R/33-Hesperia\)](#) agreed to author AB 3022. As introduced, AB 3022 would extend the sunset for one year to July 1, 2021 – addressing this concern for the upcoming hunting license year, and buying us additional time to introduce and pass subsequent legislation which would extend the junior hunting license eligibility of 17 years of age indefinitely.

In order to have this bill take effect by July 1, 2020, AB 3022 includes an urgency statute which states the bill will take effect immediately upon enactment. A Floor vote on the urgency clause must precede a vote on the bill, with 2/3<sup>rd</sup>s vote required for adoption of the clause and for passage of the bill.

AB 3022 has not yet been referred to committee. AB 3022 cannot be heard before March 23<sup>rd</sup>.

No committee analysis is currently available for AB 3022.

To view all the information currently available on AB 3022, click [AB 3022 Detail](#)

#### [AB 3058 \(Chu\)](#) – **Firearms: Vehicle Storage**

Late last month, AB 688 – legislation introduced during the 2019 Session by Assembly Member [Kansen Chu \(D/25-Milpitas\)](#) – failed to pass out of Assembly Appropriations Committee by legislative deadline and died.

Without delay, Assembly Member Chu has introduced AB 3058, legislation almost identical to AB 688 which would, among other things, make vehicle storage requirements currently only applicable to handguns also applicable to long guns. In addition, the bill would require firearms to be secured to the vehicle's frame using a steel cable lock or chain and padlock, or in a locked container that is secured using a steel cable lock or chain and padlock or that is permanently affixed to the vehicle. (See “AB 688 – Firearms: Vehicle Storage” above).

Recognizing that the expense associated with outfitting enforcement vehicles to meet the requirements of AB 688, played a major role in the bill's demise in Assembly fiscal committee, AB 3058 would exempt a peace officer who is on duty or on call from these requirements.

AB 3058 has not yet been referred to committee. AB 3058 cannot be heard before March 23<sup>rd</sup>.

No committee analysis is currently available for AB 3058.

To view all the information currently available on AB 3058, click [AB 3058 Detail](#)

#### [AB 3071 \(Mullin\)](#) – **Lead Ammunition: Shooting Ranges**

As introduced, AB 3071 – legislation by Assembly Member [Kevin Mullin \(D/22-San Mateo\)](#) – would prohibit the use of lead ammunition at a sport shooting range or an indoor shooting range and prohibit those ranges from selling or giving away ammunition unless that ammunition is certified as nonlead ammunition.

AB 3071 has not yet been referred to committee. AB 3071 cannot be heard before March 23<sup>rd</sup>.

No committee analysis is currently available for AB 3071.

To view all the information currently available on AB 3071, click [AB 3071 Detail](#)

**[SB 914 \(Portantino\)](#) – Firearms: Hunting Exemptions**

Existing law prohibits the sale or transfer of a firearm by a licensed firearm dealer to a person under 21 years of age, but exempts from those provisions the sale or transfer of a firearm – other than a handgun or semiautomatic centerfire rifle – to a person 18 years of age or older who possesses a valid, unexpired hunting license.

As introduced, SB 914 – legislation by Senator [Anthony J. Portantino \(D/25-Glendale\)](#) – would require that – for the sale or transfer of a firearm to a person under 21 years of age – the salesperson must visually inspect the hunting license to confirm that it is valid and unexpired, and record the license number, GO ID, and dates valid. The bill would also require the Department of Justice to verify the validity of the purchaser’s hunting license with DFW as part of the background check.

SB 914 has been referred to Senate Public Safety Committee but has yet to be set for hearing. SB 914 cannot be heard before March 5<sup>th</sup>.

No committee analysis is currently available for SB 914.

To view all the information currently available on SB 914, click [SB 914 Detail](#)

**[SB 1080 \(Jones\)](#) – Fishing: Inspection of Fish**

As introduced, SB 1080 – legislation by Senator [Brian W. Jones \(R/38-Escondido\)](#) – would authorize a person to bring ashore a fish taken in a lake, the Sacramento-San Joaquin Delta, or other inland waters pursuant to a sport fishing license in a condition that its size or weight cannot be determined if the fish is cleaned or otherwise cut at the end of a fishing trip on a boat that is temporarily attached to a dock or other permanent structure.

Currently, it is illegal to possess on any boat or to bring ashore any fish upon which a size or weight limit is in a condition that its size or weight cannot be determined.

SB 1080 has not yet been referred to committee. SB 1080 cannot be heard before March 21<sup>st</sup>.

No committee analysis is currently available for SB 1080.

To view all the information currently available on SB 1080, click [SB 1080 Detail](#)

**[SB 1041 \(Hueso\)](#) – Hunting: Use of Dogs to Hunt Deer**

As introduced, SB 1041 – legislation by Senator [Ben Hueso \(D/40-El Centro\)](#) – would prohibit the use of any dog for the purpose of hunting deer at any time. The bill would also authorize DFW to capture or dispatch any dog that is being used to hunt deer and that is inflicting injury or immediately threatening to inflict injury to any deer.

SB 1041 has not yet been referred to committee. SB 1041 cannot be heard before March 20<sup>th</sup>.

No committee analysis is currently available for SB 1041.

To view all the information currently available on SB 1041, click [SB 1041 Detail](#)

**[SB 1175 \(Stern\) – “Iconic African Species Protection Act”](#)**

As introduced, SB 1175 – legislation by Senator [Henry I. Stern \(D/27-Calabasas\)](#) – would enact the “Iconic African Species Protection Act” and would prohibit the possession of any part, product, or the dead body of African elephant, African lion, leopard, black rhinoceros, white rhinoceros, giraffe, Jentink’s duiker, plains zebra, mountain zebra, hippopotamus, and striped hyena.

Among other things, SB 1175 would exempt articles possessed for noncommercial purposes that the owner can demonstrate were in their possession within California before January 1, 2021.

SB 1175 proposes to impose a state civil penalty for activities expressly authorized by the federal Endangered Species Act (ESA) which allows import of listed species when the U.S. Fish and Wildlife Species determines that the activity “enhances the survival of the species.” Not only is what SB 1175 proposes in conflict with the federal ESA, it is also in conflict with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) – an international agreement between governments with the goal of ensuring that international trade in specimens of wild animals and plants does not threaten their survival. Both the federal ESA and CITES wholly preempt state law.

Similar legislation, SB 1487, was introduced by Senator Stern during the 2018 Session. SB 1487 made it to the Governor Brown’s desk but was vetoed. In his veto message, Governor Brown stated:

*“This bill establishes the Iconic African Species Protection Act, prohibiting the possession of dead specimens of several African animal species within California. SB 1487 imposes a state civil penalty for activities expressly authorized by the U.S. Endangered Species Act. Even though I share the sentiments of the author, this bill, if enacted, would be unenforceable.”*

SB 1487 was also actively opposed by the governments of South Africa, Namibia, Zimbabwe, Tanzania and other African interests because the bill would have sharply reduced revenues generated by regulated safari hunters which: provide desperately needed benefits to the economies of substantially impoverished local rural communities; serve as a needed incentive for local community-based habitat and wildlife conservation efforts; and provide critical incentive for local communities to protect those species from local poachers.

SB 1175 would also have an unacceptable and unbudgeted fiscal impact on California. When SB 1487 was being debated in 2018, DFW estimated the bill would require 12.0 PYs, \$3 million to implement in year one, and \$2.8 million annually thereafter to enforce the ban. In doing so, the bill would redirect these critical resources away from protecting California’s wildlife and important on-the-ground wildlife programs throughout our state.

SB 1175 has not yet been referred to committee. SB 1175 cannot be heard before March 22<sup>nd</sup>.

No committee analysis is currently available for SB 1175.

To view all the information currently available on SB 1175, click [SB 1175 Detail](#)

To view all the information available on SB 1487, click [SB 1487 Detail](#)

**[SB 1372 \(Monning\)](#) – Wildlife Corridors and Connectivity**

As introduced, SB 1372 – legislation by Senator [Bill Monning \(D/17-San Luis Obispo\)](#) – would enact the “Wildlife and Biodiversity Protection and Movement Act of 2020”. SB 1372 would require the state to build off existing programs and plans to proactively protect and enhance wildlife corridors and design infrastructure to maximize wildlife connectivity. Among many other things, the bill would require DFW and the Department of Transportation to coordinate on future transportation and water infrastructure planning and design to allow for maximum wildlife passage features.

Recognizing the need to identify the “hot spots” where vehicle/wildlife collisions most frequently occur for both the safety of our public and our wildlife, we sponsored and passed [SB 395, the “Wildlife Traffic Safety Act”](#) in 2019. The data generated from implementation of SB 395 could play a large role in successful implementation of SB 1372, if enacted.

SB 1372 has not yet been referred to committee. SB 1372 cannot be heard before March 25<sup>th</sup>.

No committee analysis is currently available for SB 1372.

To view all the information currently available on SB 1372, click [SB 1372 Detail](#)

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