



# ***GAINES & ASSOCIATES***

## ***SPECIAL REPORT***

### **CALIFORNIA STATE LEGISLATURE**

#### ***2016 SESSION UPDATE***

**MAY 20, 2016**

In the wake of the San Bernardino shooting in early December, the 2016 Session of the California State Legislature has largely been dominated by firearms related bills since it began in January. However, in the past couple of weeks, the ante on gun control proposals has been significantly increased – within the Halls of the State Capitol and beyond.

In late April, with numerous gun-related measures already brewing at the State Capitol, Lt. Governor Gavin Newsom announced that he had collected the signatures of 600,000 California voters – far more than the 365,880 necessary – to qualify his highly aggressive ["Safety for All Act of 2016"](#) gun control initiative for the November 2016 statewide ballot. Newsom's announcement not only ignited yet another major fire for the hunting and shooting community to fight, it also fanned the flames of a developing rift between anti-gun State Legislators and Newsom over who was in the lead on gun control in our state – launching a second wave of anti-gun bills at our State Capitol.

This *Gaines & Associates "California State Legislature – 2016 Session Update"* will provide a brief rundown on the numerous gun-control proposals pending in our state, as well as the status of all other legislation of interest to California's wildlife conservation and sport shooting community during the 2016 Legislative Session.

This *"California State Legislature – 2016 Session Kick-Off Report"* is provided as a service to clients of *Gaines & Associates*.

*Note that firearms related proposals are addressed first, followed by other bills of interest. In each case, bills are placed in order of bill number. To view the most current*

text and/or associated information of any of the bills below, simply click on the bill number and author in [blue text](#).

***Due to the unbelievably large number of gun bills now pending, all firearms related bills could not be listed. The bills presented below are those which would have the greatest impact on sporting arms and the hunting community.***

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

## **Firearms-Related Proposals**

### **“Safety for All Act of 2016” Initiative**

Lt. Governor Gavin Newsom’s “Safety for All Act of 2016” – a.k.a. “The Newsom Initiative” – is easily the most aggressive single gun control package ever brought forward in California or beyond. Among other things, this vicious initiative, which reportedly will be brought before all California voters on the November 2016 ballot, would:

- ✓ Ban all on-line and mail order sales of ammunition;
- ✓ Require all who purchase ammo to apply for a “firearms purchaser certificate” which would cost up to \$50, take up to a month to obtain, and have to be renewed every 2 years;
- ✓ Require ammunition buyers to undergo a background check before they purchase any ammunition.
- ✓ Require the tracking of what type of ammunition you buy;
- ✓ Require all who sell more than 500 rounds in a year to register with the California Department of Justice;
- ✓ Ban possession of, and confiscate lawfully purchased magazines capable of holding more than 10 rounds - regardless of when you purchased them;
- ✓ Ban all private transfer of ammunition - including, for example, giving youth any ammunition in the field, during hunter education courses or at the range;
- ✓ Prohibit bringing ammunition purchased out of state back into California;
- ✓ Prohibit any ammunition purchased at a range from leaving the range; and

Although many of the above “gun control” tactics have been proposed in some form or another in the California State Legislature in the past, *never* have they all been rolled up into one omnibus proposal, *nor* put to a statewide vote. In fact, this proposal is *so aggressive* that it has ignited a feud between Newsom and anti-gun Legislators at our State Capitol who believe it goes so far that, it could not only fail, but also could derail the more much calculated attack on firearms well underway at the State Capitol.

In response to the Lt. Governor’s announcement that his initiative had made the ballot, anti-gun Legislators at the State Capitol – in an effort to beat Newsom to the “gun control punch” – gutted and amended several bills to ensure that virtually every provision of

Newsom's massive proposal was covered, piecemeal, in one or more bills pending at our State Capitol.

To view the entire text of this massive attack on our Second Amendment rights, click ["Safety for All Act of 2016"](#)

## **2016 State Legislative Session**

### **Firearms-Related State Legislation**

In early May, liberal Legislators further stepped up their aggressive efforts to pass gun control legislation by deleting all of the previous contents of several pending bills that had nothing to do with firearms and replacing the language with new proposed gun control provisions (a.k.a. "gut and amend").

- **[AB 156 \(McCarty/De Leon\)](#) – Ammunition – **OPPOSE****
- As originally introduced, AB 156 dealt with global warming. But, early this month, the bill was gutted and amended by Assembly Member Kevin McCarty (D/07-Sacramento) and Senator Kevin de Leon (D/24-Los Angeles) to create a strict regulatory framework for the sale and purchase of ammunition in California. Among many other things, the bill, as now written, would require all ammunition vendors to obtain an ammunition vendor license and require the Department of Justice (DOJ) to maintain a detailed database on vendors. The measure would also require DOJ to establish a similar database on those who purchase ammunition including their name; date of birth; address; driver's license number; and brand, type, amount and date of sale of ammunition purchased. In addition, the bill would require DOJ to electronically approve the purchase or transfer of ammunition to the buyer by cross-referencing their information with data maintained in the Automated Firearms System (AFS). The bill would also require ammunition to be purchased "face-to-face" with few exceptions – thus largely prohibiting all internet and mail order purchases unless done through a licensed dealer. The bill would also limit the transfer of ammunition between hunting or shooting partners, and even family.

*Gutted and amended to attack ammunition purchases on May 4<sup>th</sup>, AB 156 was quickly brought up for hearing in Senate Public Safety Committee on May 10<sup>th</sup>, passing out on a 5-2 party line vote. Less than a week later, on May 16<sup>th</sup>, the bill passed out of Senate Appropriations Committee on a similar 5-2 vote.*

*Yesterday, May 19<sup>th</sup>, AB 156 was brought up on the Senate Floor, passing out on a 24 to 15 largely party line vote, with Democrat Senators Richard Roth (D/31-Riverside) and Cathleen Galgiani (D/05-Modesto) voting against. AB 156 is now in the Assembly.*

To view the Senate Public Safety Committee analysis on AB 156, click [AB 156 - Senate PS Committee Analysis](#)

To view the Senate Appropriations Committee analysis on AB 156, click [AB 156 - Senate Approps Committee Analysis](#)

To view the Senate Floor analysis on AB 156, click [AB 156 - Senate Floor Analysis](#)

- **[AB 1135 \(Levine/Ting\)](#) – Assault Weapons – **OPPOSE****  
Until recently, AB 1135 would have formed the Kings River East Groundwater Sustainability Agency. Gutted and amended earlier this month by Assembly Members Marc Levine (D/10-San Rafael) and Philip Y. Ting (D/19-San Francisco), the bill now would reclassify some semi-automatic firearms as assault weapons. Specifically, as now written, AB 1135 would amend the definition of assault weapon to refer to a firearm that has one of several specified features and does not have a "fixed magazine", rather than a firearm with one of those features and the "capacity to accept a detachable magazine." This bill would exempt firearms legally possessed prior to January 1, 2017, but would require any person who – from January 1, 2001, to December 31, 2016 – lawfully possessed an assault weapon that does not have a fixed magazine, including those firearms with an ammunition feeding device that can be removed with a tool, to register the firearm before January 1, 2018.

*As with AB 156, AB 1135 was gutted and amended to its current provisions on May 4<sup>th</sup>, and quickly brought up for hearing in Senate Public Safety Committee on May 10<sup>th</sup>, passing out on a 5-2 party line vote. Less than a week later, on May 16<sup>th</sup>, the bill passed out of Senate Appropriations Committee on a similar 5-2 vote.*

*Yesterday, May 19<sup>th</sup>, AB 1135 was brought up on the Senate Floor, passing out on a 24 to 14 largely party line vote, with Democrat Senators Richard Roth (D/31-Riverside) and Cathleen Galgiani (D/05-Modesto) voting against. AB 1135 is now in the Assembly.*

To view the Senate Public Safety Committee analysis on AB 1135, click [AB 1135 - Senate PS Committee Analysis](#)

To view the Senate Appropriations Committee analysis on AB 1135, click [AB - 1135 Senate Approps Committee Analysis](#)

To view the Senate Floor analysis on AB 1135, click [AB 1135 - Senate Floor Analysis](#)

- **[AB 1511 \(Sanitago/Chiu\)](#) – Firearms: Lending – **OPPOSE**  
As originally introduced in May of 2015, AB 1511 had to do with energy. As gutted and amended earlier this month by Assembly Members Miguel Santiago (D/53-Los Angeles) and David Chiu (D/17-San Francisco), AB 1511 now would require the loan of a firearm to anyone – except a spouse or registered domestic partner, or to a parent, child, sibling, grandparent, or grandchild – to be conducted through a licensed firearms dealer. Further, the bill would require any handgun loaned to be registered to the person loaning the handgun.**

Currently, law allows for the loan of a firearm between persons who are personally known to each other, if the loan is infrequent and does not exceed 30 days in duration.

*AB 1511, as amended, was heard in Senate Public Safety Committee on May 10th, passing out on a 5-2 party line vote. Less than a week later, on May 16th, the bill passed out of Senate Appropriations Committee on a similar 5-2 vote.*

*Yesterday, May 19th, AB 1511 was brought up on the Senate Floor, passing out on a 22 to 15 largely party line vote, with Democrat Senators Richard Roth (D/31-Riverside) and Connie Leyva (D/20-San Bernardino) voting against. AB 1511 is now in the Assembly.*

To view the Senate Public Safety Committee analysis on AB 1511, click [AB 1511 - Senate PS Committee Analysis](#)

To view the Senate Appropriations Committee analysis on AB 1511, click [AB - 1511 Senate Approps Committee Analysis](#)

To view the Senate Floor analysis on AB 1511, click [AB 1511 - Senate Floor Analysis](#)

- **[AB 1663 \(Chiu\)](#) – Assault Weapons – **OPPOSE**  
AB 1663, introduced by Assembly Member David Chiu (D/17-San Francisco), would classify semi-automatic centerfire rifles that do not have a fixed magazine with the capacity to accept no more than 10 rounds as assault weapons. Said differently, AB 1663 would prohibit all firearms that provide the ability to detach a magazine and rapidly reload. In short, AB 1663 would prohibit the future sale, purchase, manufacture, importation, or transfer in California of *all* semi-automatic rifles that can accept detachable magazines. Further, the bill would require those who lawfully possessed an assault weapon that does not have a fixed magazine between January 1, 2001, and December 31, 2016, inclusive, to register the firearm by July 1, 2018.**

AB 1663 was heard in Assembly Public Safety Committee on March 1<sup>st</sup>, passing out on a 5 to 2 party-line vote.

*The bill was heard briefly in the Assembly Appropriations Committee on April 13<sup>th</sup>, and promptly placed in the “suspense file” due to its substantial projected costs to DOJ of \$1.8M in 2016/17, \$2.7M in 2017/18 and \$1.3M annually thereafter. In order to remain viable, AB 1663 must be pulled from suspense, heard and passed out of Assembly Appropriations Committee by May 27<sup>th</sup>.*

To view the Assembly Public Safety Committee analysis of AB 1663, click [AB 1663 - Assy PS Committee Analysis](#)

To view the Assembly Appropriations Committee analysis of AB 1663, click [AB 1663 – Assy Approps Committee Analysis](#)

- **[AB 1664 \(Levine/Ting\)](#) – Assault Weapons – **OPPOSE****  
AB 1664, introduced by Assembly Members Marc Levine (D/10-San Rafael) and Philip Y. Ting (D/19-San Francisco), would close the “[bullet button](#)” loop hole by expanding the legal definition of “detachable magazine” to mean an ammunition feeding device that can be easily removed from the firearm without disassembly of the firearm action, or with the use of a tool. AB 1664 would leave the current requirement in the code that, to qualify as an assault weapon, a centerfire rifle must have the capacity to accept a detachable magazine *and* any one of several other specified attributes – including a thumbhole stock or forward pistol grip.

AB 1664 would also require those who lawfully possessed an assault weapon that does not have a fixed magazine between January 1, 2001, and December 31, 2016, inclusive, to register the firearm by July 1, 2018.

AB 1664 was also heard in Assembly Public Safety Committee on March 1<sup>st</sup>, where it also passed out on a 5 to 2 party-line vote.

*As with AB 1663, AB 1664 was also heard briefly in the Assembly Appropriations Committee on April 13<sup>th</sup>, and promptly placed in the suspense file due to its projected costs to DOJ of \$1.0M in 2016/17, \$1.5M in 2017/18 and \$700,000 annually thereafter. In order to remain viable, AB 1664 must also be pulled from suspense, heard and passed out of Assembly Appropriations Committee by May 27<sup>th</sup>.*

To view the Assembly Public Safety Committee analysis of AB 1664, click [AB 1664 - Assy PS Committee Analysis](#)

To view the Assembly Appropriations Committee analysis of AB 1664, click [AB 1664 – Assy Approps Committee Analysis](#)

- **[AB 1674 \(Santiago\)](#) – Firearm Transfers – **OPPOSE****  
AB 1674 by Assembly Member Miguel Santiago (D/53-Los Angeles) would extend the law which currently prohibits an individual from making more than one application to purchase a handgun within any 30-day period to *all* firearms.

The bill would also eliminate the provision that currently exempts from that prohibition private party transactions that are completed through a dealer.

As with AB 1663 and AB 1664, AB 1674 was heard in Assembly Public Safety Committee on March 1<sup>st</sup>, where it too passed out on a 5 to 2 party-line vote.

*As with AB 1663 and AB 1664, AB 1674 was heard briefly in the Assembly Appropriations Committee on April 13<sup>th</sup>, and promptly placed in the suspense file. The projected cost to DOJ of implementing AB 1674 is a one-time expense of \$350,000 to analyze and modify the various databases impacted by the bill. As with the other bills, AB 1664 must also be pulled from suspense, heard and passed out of Assembly Appropriations Committee by May 27<sup>th</sup> to remain viable.*

To view the Assembly Public Safety Committee analysis of AB 1674, click [AB 1674 - Assy PS Committee Analysis](#)

To view the Assembly Appropriations Committee analysis of AB 1674, click [AB 1674 – Assy Approps Committee Analysis](#)

- **[AB 1695 \(Bonta\)](#) – False Reports of Stolen Firearms – **OPPOSE****  
AB 1695 by Assembly Member Rob Bonta (D/18-Oakland) would make it a misdemeanor to falsely report to law enforcement that a firearm has been lost or stolen and preclude any person convicted of violating the provision from owning a firearm for 10 years. AB 1695 would set poor precedent in that, historically, misdemeanors that carry a 10 year prohibition on the possession of firearms have been limited to violent crimes.

AB 1695 was also heard in Assembly Public Safety Committee on March 1<sup>st</sup>, where it also passed out on a 5 to 2 party-line vote.

*AB 1674 was then heard briefly in Assembly Appropriations Committee on April 6<sup>th</sup> and quickly placed in the suspense file. Projections are that AB 1674 will have a significant ongoing cost to DOJ in the range of \$420,000 to \$520,000 per year. AB 1674 must also be pulled from suspense, heard and passed out of Assembly Appropriations Committee by May 27<sup>th</sup> to remain viable.*

To view the Assembly Public Safety Committee analysis of AB 1695, click [AB 1695 - Assy PS Committee Analysis](#)

To view the Assembly Appropriations Committee analysis of AB 1695, click [AB 1695 - Assy Approps Committee Analysis](#)

- **[AB 2229 \(Grove\)](#) – Ten Day Waiting Period – **SUPPORT****  
Existing law imposes a 10 day waiting period for delivery of any firearm, during which time a background check is conducted by DOJ to determine if the purchaser of the firearm is prohibited from owning or possessing a firearm. As

amended in mid-March, AB 2229 by Assembly Member Shannon Grove (R/34-Bakersfield) would eliminate this 10 day waiting period for a recipient who is not prohibited from possessing or purchasing a firearm, if the person is authorized to carry a concealed firearm, possesses a valid Certificate of Eligibility, or already owns a firearm registered with the AFS or any DOJ database.

*AB 2229 was heard in Assembly Public Safety on April 12<sup>th</sup>, failed passage and was granted reconsideration. The bill was heard again in Assembly Public Safety on April 20<sup>th</sup> and failed again. AB 2229 is dead.*

To view the Assembly Public Safety Committee analysis of AB 2229, click [AB 2229 - Assy PS Committee Analysis](#)

- **[SB 880 \(Hall/Glazer\)](#) – Assault Weapons – **OPPOSE****  
Similar to AB 1135, AB 1663, and AB 1664, SB 880 – legislation by Senators Isadore Hall (D/35-San Pedro) and Steven Glazer (D/07-Walnut Creek) – would recast the definition of an “assault weapon” to possibly include some hunting rifles. Specifically, SB 880 would revise the definition of assault weapon to mean a semi-automatic centerfire rifle, or a semi-automatic pistol that does not have a fixed magazine, but rather has the capacity to accept a detachable magazine, *and* also has any one of the following: a) a pistol grip; b) a thumbhole stock; c) a folding or telescoping stock; d) a grenade launcher or flare launcher; e) a flash suppressor; or f) a forward pistol grip.

SB 880 also would define “fixed magazine” to mean an ammunition feeding device contained in, or permanently attached to, the firearm in such a manner that the device cannot be removed without disassembly of the firearm action. As such, a semi-automatic rifle could have a detachable magazine, as long as it does not also have any of the above noted features, or it could have one or more of the features as long as it has a fixed magazine. The intent of this change is to clarify that equipping a weapon with a "bullet button" magazine release does not take that weapon outside the definition of an assault weapon.

Finally, the bill would require any person who lawfully has possessed an assault weapon from January 1, 2001 to December 31, 2016 that does not have a fixed magazine, as defined, including those with a "bullet button" magazine release, to register the firearm before January 1, 2018.

*SB 880 was heard in Senate Public Safety Committee on April 19<sup>th</sup>, passing out on a 5 to 2 party-line vote. The bill was then heard in Senate Appropriations Committee on May 16<sup>th</sup>, passing out on a 5 to 2 party line vote – regardless of DOJ estimated costs of \$1.7M in 2016/17, \$1.5M in 2017/18, and \$37,000 annually thereafter.*

*Yesterday, May 19<sup>th</sup>, SB 880 was brought up on the Senate Floor, passing out on a 24 to 15 largely party line vote, with Democrat Senators Richard Roth (D/31-*

*Riverside) and Cathleen Galgiani (D/05-Modesto) voting against. SB 880 is now in the Assembly.*

To view the Senate Public Safety Committee analysis of SB 880, click [SB 880 – Senate PS Committee Analysis](#)

To view the Senate Appropriations Committee analysis of SB 880, click [SB 880 – Senate Approps Committee Analysis](#)

To view the Senate Floor analysis of SB 880, click [SB 880 – Senate Floor Analysis](#)

- **[SB 890 \(Gaines\)](#) – Sales/Use Tax – No Tax Weekends – Firearms, Ammo and Hunting Supplies – **SUPPORT****

SB 890, legislation by Senator Ted Gaines (R/01-El Dorado Hills), would exempt the gross receipts from the sale of, and the storage, use, or other consumption in California of firearms, ammunition, and hunting supplies purchased in the two-day period beginning at 12:01 a.m. on the first Saturday in September and ending at midnight the next day, and the two-day period beginning at 12:01 a.m. on the first Saturday in October and ending at midnight the next day.

By exempting sales and use tax preceding the start of two popular hunting seasons, the intent of SB 890 is to encourage existing hunters to purchase more, while drawing new hunters to the activity, bring more tourism to rural areas hit hard by the recent recession, and generate more state revenue from the sale of hunting licenses, stamps and tags.

The legislation specifically states that the definition of “hunting supplies” includes – among many other items – archery equipment; off-road vehicles, including all-terrain vehicles designed and intended primarily for hunting; vessels designed and intended for hunting, such as airboats and pirogues; hunting apparel, including safety gear, camouflage clothing, jackets, hats, gloves, mittens, face masks, and even thermal underwear marketed primarily for use while hunting; binoculars; hunting knives, decoys, and tree stands.

*SB 890 was heard in the Senate Governance and Finance Committee on April 27<sup>th</sup>, but failed passage on a 2 to 2 vote. The bill was granted reconsideration and set for a second hearing on May 4<sup>th</sup>, but was pulled from agenda by the author. Failing to meet legislative deadlines, SB 890 is dead.*

To view the Senate Governance and Finance Committee analysis on SB 890, click [SB 890 – Senate GF Committee Analysis](#)

- **[SB 894 \(Jackson\)](#) – Lost or Stolen Firearm: Reporting – **OPPOSE****  
SB 894, legislation by Senator Hannah-Beth Jackson (D/19-Santa Barbara), would require every person to report the theft or loss of a firearm they own or

possess to a local law enforcement agency within 5 days of the time they knew or reasonably should have known that the firearm had been stolen or lost. The bill also requires every person who has reported a firearm lost or stolen to notify the local law enforcement agency within 48 hours if the firearm is subsequently recovered. By making it a crime if legal firearm owners don't report their firearms as lost or stolen by a time certain, SB 894 would make criminals out of law-abiding victims.

*SB 894 was heard in Senate Public Safety Committee on April 19<sup>th</sup>, passing out on a 5 to 2 party-line vote. The bill was then heard in Senate Appropriations Committee on May 16<sup>th</sup>, passing out on another 5 to 2 party line vote.*

*Yesterday, May 19<sup>th</sup>, SB 894 was brought up on the Senate Floor, passing out on a 24 to 15 largely party line vote, with Democrat Senators Richard Roth (D/31-Riverside) and Cathleen Galgiani (D/05-Modesto) voting against. SB 894 is now in the Assembly.*

To view the Senate Public Safety Committee analysis of SB 894, click [SB 894 – Senate PS Committee Analysis](#)

To view the Senate Appropriations Committee analysis of SB 894, click [SB 894 – Senate Approps Committee Analysis](#)

To view the Senate Floor analysis of SB 894, click [SB 894 – Senate Floor Analysis](#)

- **[SB 1235 \(de Leon\)](#) – Ammunition – **OPPOSE****  
As originally introduced in February, SB 1235, authored by Senator Kevin de Leon (D/24-Los Angeles), was a “spot bill” which dealt with public employees’ retirement. On April 13<sup>th</sup>, the legislation was gutted and language added which dealt with the definition of “ammunition”. Earlier this month, the bill was amended again to – similar to AB 156 (see above) – establish an overwhelmingly strict regulatory framework for the sale and purchase of ammunition in California. As currently written, SB 1235 would, among many other things, require all ammunition vendors to obtain an ammunition vendor license and require the DOJ to maintain a detailed database on vendors; require DOJ to establish a database on those who purchase ammunition including their name; date of birth; address; driver’s license number; and brand, type, amount and date of sale of ammunition purchased; require DOJ to electronically approve the purchase or transfer of ammunition to the buyer by cross-referencing their information with data maintained in the Automated Firearms System; and require ammunition to be purchased “face-to-face” with few exceptions – thus prohibiting all internet and mail order purchases unless done through a licensed dealer.

The stripped down version of SB 1235, as amended on April 13<sup>th</sup>, was very quickly brought up for hearing in Senate Public Safety Committee on April 19<sup>th</sup>, passing out on the typical 5-2 party line vote.

*On May 16<sup>th</sup>, a more robust version of the bill passed out of Senate Appropriations Committee on a similar 5 to 2 vote – regardless of the major projected one-time cost to the state of \$25M or more to develop the system, and substantial recurring costs.*

*Yesterday, May 19<sup>th</sup>, SB 1235 was brought up on the Senate Floor, passing out on a 24 to 15 largely party line vote, with Democrat Senators Richard Roth (D/31-Riverside) and Cathleen Galgiani (D/05-Modesto) voting against. SB 1235 is now in the Assembly.*

To view the Senate Public Safety Committee analysis on SB 1235, click [SB 1235 - Senate PS Committee Analysis](#)

To view the Senate Appropriations Committee analysis on SB 1235, click [SB 1235 - Senate Approps Committee Analysis](#)

To view the Senate Floor analysis on SB 1235, click [SB 1235 - Senate Floor Analysis](#)

### **Other State Legislation**

- [AB 499 \(Cooley\)](#) – **Archery Hunting: Concealed Firearms**  
Current law prohibits an individual who is archery hunting for deer from carrying a firearm, with the exception of an active or retired peace officer. AB 499, introduced by Assembly Member Ken Cooley (D/08-Rancho Cordova) last year, would authorize a person with a conceal carry permit to carry a firearm while archery hunting deer, as long as they do not attempt to take deer with the firearm. The measure does not try to address restrictions on conceal carry while hunting other game species because those prohibitions are contained in regulation, not statute in the Fish and Game Code.

AB 499 moved quickly through the Assembly in 2015, passing off of the Assembly Floor by early May. Once on the Senate side, AB 499 was referred to the Senate Natural Resources and Water Committee where it was to be heard in June, but the hearing was cancelled at the author's request in order to provide time to build a stronger support net for the legislation.

*Since it is already passed out of its "house of origin", AB 499 has until July 1<sup>st</sup> to be heard and pass out of the Senate Natural Resources and Water Committee.*

To view the Assembly Water, Parks and Wildlife Committee analysis of AB 499, click [AB 499 - AWPW Committee Analysis](#)

To view the Senate Natural Resources and Water Committee analysis of AB 499, click [AB 499 - SNRW Committee Analysis](#)

- **[AB 665 \(Frazier\)](#) – Local Regulation of Hunting and Fishing**  
AB 665 by Assembly Member Jim Frazier (D/11-Oakley) would provide that the California Fish and Game Commission and Department of Fish and Wildlife (DFW) are the only entities that may adopt regulations regarding the taking or possession of fish and game on any land or water within the state. This legislation would not preclude public or private landowners from prohibiting hunting or fishing on their land.

*This bill is technically still viable and still pending hearing in Assembly Appropriations Committee, although as the 2016 Session progresses, it is increasingly unlikely it will be brought up for hearing.*

To view the Assembly Floor analysis of AB 665, click [AB 665 - Assembly Floor Analysis](#)

To view the Assembly Appropriations Committee analysis of AB 665, click [AB 665 - Assembly Appropriations Committee Analysis](#)

To view the Senate Floor analysis of AB 665, click [AB 665 - Senate Floor Analysis](#)

- **[AB 1792 \(Wood\)](#) – Elk Tags: Federally Recognized Tribes - **OPPOSE****  
As amended in late March, AB 1792 by Assembly Member Jim Wood (D/02-Healdsburg) would require the California Fish and Game Commission, if requested, to engage in consultation with individual federally recognized Indian tribes in California regarding elk management issues. The bill would authorize the Commission to allocate elk tags to tribes for the purpose of harvesting elk for purposes of subsistence, cultural or religious ceremonies, or tribal celebrations. AB 1792 would also require the Department of Fish and Wildlife – prior to the allocation of any elk tags to a tribe – to work with that tribe on the development of a science-based elk management strategy that includes tribal harvest for cultural, ceremonial, and subsistence purposes.

AB 1792 was heard in Assembly Water, Parks and Wildlife Committee on March 29<sup>th</sup>, passing out on a 10 to 5 partisan vote.

*The bill was then heard briefly in Assembly Appropriations Committee on April 20<sup>th</sup>, but promptly sent to the suspense file. Projections are that the initial costs to implement AB 1792 is \$458,000 (out of the Fish and Game Preservation Fund, FGPF) for DFW for staff and one-time equipment costs, followed by recurring annual costs to DFW of \$359,000 from the FGPF. AB 1792 must be pulled from*

*suspense, heard and passed out of Assembly Appropriations Committee by May 27<sup>th</sup> to remain viable.*

To view the Assembly Water, Parks and Wildlife Committee analysis of AB 1792, click [AB 1792 – AWPW Committee Analysis](#)

To view the Assembly Appropriations Committee analysis of AB 1792, click [AB 1792 – Assy Approps Committee Analysis](#)

- **[AB 1844 \(Gallagher\)](#) – Reduced Veterans Hunting/Fishing License Fees – **SUPPORT****

AB 1844 by Assembly Member James Gallagher (R/03-Yuba City) would require DFW to reduce the fee required to obtain an annual or lifetime hunting or fishing licenses by 25% for a person who is a veteran of the Armed Forces of the United States, was honorably discharged, and is a resident of California. The bill would also require DFW to reduce the fee required to obtain a sport fishing report card, validation, or other entitlement by 25% for a person who is a veteran of the Armed Forces of the United States, was honorably discharged, and is a resident of California, and by 50% for a person who also has a 50% or greater service-connected disability.

AB 1844 was “double-referred” to the Assembly Water, Parks and Wildlife Committee and the Assembly Veterans Affairs Committee. The measure was first heard in Assembly Water, Parks and Wildlife Committee on March 29<sup>th</sup>, passing out on a 11 to 2 bipartisan vote. The bill was then heard on April 12<sup>th</sup> in the Assembly Veterans Affairs Committee, passing out on a 9 to 0 unanimous tally and was forwarded to Assembly Appropriations Committee.

*AB 1844 was briefly heard in Assembly Appropriations Committee on April 27<sup>th</sup>, and promptly sent to the suspense file. Fiscal analysis of the proposal notes that it would result in “unknown”, but “significant revenue loss” to DFW. AB 1844 must be pulled from suspense, heard and passed out of Assembly Appropriations Committee by May 27<sup>th</sup> to remain viable.*

To view the Assembly Water, Parks and Wildlife Committee analysis of AB 1844, click [AB 1844 – AWPW Committee Analysis](#)

To view the Assembly Veterans Affairs Committee analysis of AB 1844, click [AB 1844 – Assy VA Committee Analysis](#)

To view the Assembly Appropriations Committee analysis of AB 1844, click [AB 1844 – Assy Approps Committee Analysis](#)

- **[AB 2148 \(Holden\)](#) – Drone Regulation – **WATCH****

AB 2148, legislation by Assembly Member Chris Holden (D/41-Pasadena), would require DFW and the Department of Parks and Recreation to develop

regulations governing the launching, landing, or ground-based operation of unmanned aircraft systems (a.k.a. drones) over public lands and waters under their management. The bill would require the regulations proposed by these agencies to, among other things, protect wildlife from unnecessary harassment or disturbance – including during the nesting, breeding, gestation, and migration seasons.

The bill would not apply to the operation of a drone by a person authorized by the Federal Aviation Administration to operate a remote piloted aircraft for a commercial purpose and who operates it in a manner that complies with that authorization.

Recognizing the possible benefits of this legislation to the promotion and protection of wildlife on these public lands and waters, *Gaines & Associates* has been working with the bill’s sponsor in an effort to ensure language of the bill results in regulations drafted by the agencies that appropriately allow agency use of drones for necessary wildlife research, while ensuring protections remain in place which fully prohibit their use by others for scouting, herding or other purposes which do not embrace the fair chase ethic.

AB 2148 was “double-referred” to the Assembly Water, Parks and Wildlife Committee and the Assembly Committee on Privacy and Consumer Protection. The bill was first heard in the Assembly Committee on Privacy and Consumer Protection on April 5<sup>th</sup>, passing out on a unanimous 10-0 vote. The bill was then heard in the Assembly Water, Park and Wildlife Committee on April 19<sup>th</sup>, passing out on a 10-3 vote.

*The bill was then brought before the Assembly Appropriations Committee on May 11<sup>th</sup>, passing out on a 15-5 vote, and sending the bill to the Assembly Floor where it could be taken up at any time.*

To view the Assembly Privacy and Consumer Protection Committee analysis, click [AB 2148 – Assembly PCP Committee Analysis](#)

To view the Assembly Water, Parks and Wildlife Committee analysis, click [AB 2148 – AWPW Committee Analysis](#)

To view the Assembly Appropriations Committee analysis of AB 2148, click [AB 2148 – Assy Approps Committee Analysis](#)

To view the Assembly Floor analysis of 2148, click [AB 2148 – Assembly Floor Analysis](#)

- **[SB 345 \(Berryhill\)](#) – The Sport Fishing Stimulus Act of 2015**  
Coined the “Sport Fishing Stimulus Act of 2015”, the intent of SB 345 by Senator Tom Berryhill (R/08-Oakdale) is to encourage more individuals to get involved in

sport fishing in California. As originally amended in April 2015, this measure included four objectives:

- 1) Transition from a calendar year annual sport fishing license to a license valid for twelve months from the date of purchase.
- 2) Create a “junior sport fishing license” at a reduced rate to any resident or non-resident that is either sixteen or seventeen years of age at the time of purchase. The license would also be good for twelve consecutive months from the date of purchase, as long as the purchaser was under 18 at time of purchase.
- 3) Direct the Fish and Game Commission to develop regulations clarifying when fish that had been lawfully taken and then processed (e.g., filleted, frozen, smoked) no longer violated the possession limit.
- 4) Exempt charitable organizations and donor intermediaries from the possession limit for fish taken under a sports fishing license, as long as those organizations or individuals had a record of who lawfully caught and donated the fish.

The bill was heard in Senate Natural Resources and Water Committee in April 2015, passing out on a unanimous vote. SB 345 was then heard in Senate Appropriations Committee in May 2015, passing out on another unanimous vote – but only after the author had to agree to strip out the most important component of the bill – the provision that would have transitioned fishing licenses from calendar-based to an annual license valid for twelve months from the date of purchase. In June 2015, the bill, as amended, passed off the Senate Floor on a unanimous vote.

*Once on the Assembly side, SB 345 was set to be heard in Assembly Water, Parks and Wildlife Committee in June 2015. However, with the meat of the bill having been stripped out, Senator Berryhill pulled the measure from the agenda. Out of its house of origin, the bill must pass out of Assembly Water, Parks and Wildlife Committee by July 1<sup>st</sup> to remain viable in 2016.*

To view the Senate Natural Resources and Water Committee analysis of SB 345, click [SB 345 - SNRW Committee Analysis](#)

To view the Senate Appropriations Committee analysis of SB 345, click [SB 345 - Senate Approps Committee Analysis](#)

To view the Senate Floor analysis of SB 345, click [SB 345 - Senate Floor Analysis](#)

- [SB 868 \(Jackson\)](#) – Drones – **WATCH**  
SB 868, legislation by Senator Hannah-Beth Jackson (D/19-Santa Barbara), would enact the State Remote Piloted Aircraft Act which, among many other things, would prohibit the operation of a remote piloted aircraft within the

airspace overlying a state park, or land or waters managed by DFW without a permit, or regulations authorizing the use.

SB 868 was “double referred” to the Senate Transportation and Housing Committee and the Senate Public Safety Committee. The bill was first heard in the Senate Transportation and Housing Committee in early April, passing out on a 7 to 2 vote. The measure was then heard in the Senate Public Safety Committee on April 19<sup>th</sup>, passing out on a 5 to 2 vote.

*SB 868 was also heard briefly in the Senate Appropriations Committee on May 16<sup>th</sup>, and promptly placed in the suspense file due to its estimated Caltrans costs in the range of \$150,000 to \$200,000 to develop and adopt rules and regulations governing the operation of drones in California, and estimated ongoing costs, potentially in the range of \$300,000 to \$500,000, for additional staff to administer and oversee the ongoing effort which would be required by the Act.*

*SB 868 must be pulled from suspense, heard and passed out of Senate Appropriations Committee by May 27<sup>th</sup>.*

To view the Senate Transportation and Housing Committee analysis of SB 868, click [SB 868 – Senate TH Committee Analysis](#)

To view the Senate Public Safety Committee analysis of SB 868, click [SB 868 – Senate PS Committee Analysis](#)

To view the Senate Appropriations Committee analysis of SB 868, click [SB 868 – Senate Approps Committee Analysis](#)

- **[SB 1191 \(Berryhill\)](#) – Fish and Wildlife Management Plans – WATCH**  
SB 1191 by Senator Berryhill (R/08-Oakdale) would require DFW to submit to the Fish and Game Commission for approval, a wildlife resources master plan, and provide for the preparation and approval of science-based wildlife management plans that would form the primary foundation for managing California’s wildlife resources. The bill recognizes that sustainable hunting and fishing programs are important to our wildlife resources and the habitats they depend upon, and also provide economic, recreational, ecological, cultural, and social benefits they provide to all of California’s public.

The bill would require DFW to submit the master plan to the Commission on or before September 1, 2018.

SB 1191 is sponsored by the *California Waterfowl Association*.

*SB 1191 was scheduled to be heard in Senate Natural Resources and Water Committee in early April, but the bill was pulled by the author. Failing to meet legislative deadline, SB 1191 is now dead.*

- **[SB 1243 \(Berryhill\)](#) – Sport Fishing Licenses – **WATCH**  
SB 1243 remains a “spot bill” introduced by Senator Tom Berryhill (R/08-Oakdale) which taps into the portion of the Fish and Game Code which deals with sport fishing licenses. Among other things, this bill could have possibly served as a vehicle for picking up where Senator Berryhill’s SB 345 (See “2015 Legislative Session” below) left off in regards to a transitioning from a calendar year annual sport fishing license to a license valid for twelve months from the date of purchase.**

*SB 1243 would have been first heard in Senate Natural Resources and Water Committee, but the bill was held and never assigned to the Committee. Failing to meet legislative deadline, SB 1243 is dead.*

### **Contact Your Legislator – Let Your Voice Be Heard!**

*Gaines & Associates* strongly urges you to contact your State Senate and Assembly representatives on any of the legislation listed above. Let your voice be heard. *Gaines & Associates* will keep you apprised of any notable further developments as we continue to move through the 2016 State Legislative Session.

Don’t know who your Senator Assembly Member is? Find out by clicking [Who’s my Legislator?](#)

### **CALIFORNIA LEGISLATURE OUTDOOR SPORTING CAUCUS**

*Gaines & Associates* continues to work closely with our clients/partners in conservation to help strengthen the positive role at our State Capitol of the *California Legislature Outdoor Sporting Caucus* – a bipartisan, bicameral assemblage of State Legislators who support policy decisions which embrace and promote California’s outdoor traditions.

In close coordination with, and the financial support of our client/partner organizations, *Gaines & Associates* is working with Caucus members to hold events and forums which educate, focus and coordinate the State Legislature’s support of California’s wildlife and fishery resources, and the outdoor-related activities that depend upon them.

In 2016, *California Legislature Outdoor Sporting Caucus* will include the following annual events:

- **California Legislature Outdoor Sporting Caucus Trap Shoot**  
The *California Legislature Outdoor Sporting Caucus Trap Shoot* is intended to safely introduce California lawmakers to our time-honored shooting and archery traditions, while helping to build the size and breadth of the *California Legislature Outdoor Sporting Caucus*. Under the close guidance of experienced shooting and archery instructors, this important and highly popular event puts firearms safely in the hands of those who are tasked with defining firearm policy for the state – often for the first

time. This critical annual event has proven to make a positive difference on the outcome of gun control legislation brought forward for consideration at our State Capitol. The *2016 Caucus Shoot* is scheduled for June 22<sup>nd</sup> in Rancho Cordova.

- ***State Capitol Hunter Education Course***

Each year, *Gaines & Associates* is pleased to coordinate with Caucus leadership on hosting our annual *State Capitol Hunter Education Course – “Under the Capitol Dome”* for State Legislators and their staff. In addition to providing attendees with their Hunter Education Certificate, the intent of this course is to serve as a powerful educational tool regarding the conservation ethic of the hunting community and the integral role hunting plays in our North American Wildlife Conservation Model. The positive message about hunters and hunting that decision-makers receive from taking the course pays dividends on tough anti-hunting legislation we often see introduced at our State Capitol. The *State Capitol Hunter Education Course* will be held at the State Capitol later this Session. Final date still pending.

- ***Annual California Legislature Outdoor Sporting Caucus Social***

Fully sponsored by the *California Waterfowl Association*, the *Annual California Legislature Outdoor Sporting Caucus Social* provides a fun and low-key forum for conservation organizations and interests to meet with State Legislators and other policy-makers to discuss issues of importance to the future of hunting and wildlife conservation in California. The *2016 Caucus Social* was held the evening of April 26<sup>th</sup> in Sacramento.

The *California Legislature Outdoor Sporting Caucus* was created by *California Waterfowl Association* and *Gaines & Associates* staff over ten years ago. The *California Legislature Outdoor Sporting Caucus* currently consists of 32 members of California's State Legislature – making it one of the largest caucuses at our State Capitol.

For more information on the *California Legislature Outdoor Sporting Caucus*, visit the Senate website by clicking [Outdoor Sporting Caucus](#)

*This Gaines & Association “Special Report” provides the current status of bills of greatest interest to our clients. For full detail on any other piece of legislation or any other issue of concern, please contact us at [info@gainesandassociates.net](mailto:info@gainesandassociates.net)*

***If you would like to unsubscribe to Gaines & Associates “Special Reports”, just let us know at [info@gainesandassociates.net](mailto:info@gainesandassociates.net)***