



GAINES & ASSOCIATES

GOVERNMENT RELATIONS

SPECIAL REPORT

CALIFORNIA STATE LEGISLATURE

2018 SUMMER RECESS UPDATE

JULY 7, 2018

After months of non-stop activity at our Capitol, the State Legislature broke for Summer Recess yesterday. The Legislature will not reconvene at our State Capitol until Monday, August 6th – giving us a full month to prepare for what is sure to be an intense final four weeks of activity under the Dome. The 2018 State Legislative Session will come to a final close upon adjournment on Friday, August 31st, with September 30th being the last day for the Governor to sign or veto bills that have been placed on his desk.

With numerous bills of concern still at play, this *Gaines & Associates “California State Legislature – 2018 Summer Recess Update”* will provide a summary and up to the moment status of all legislation of interest to California’s wildlife and conservation community.

Bills are placed in numerical order, not in order of priority or interest. The latest status and information available for each bill is shown in italics. Red text denotes the location and time of hearings for those bills that have been set to be heard in committee.

Gaines & Associates recognizes that our Special 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 extensive list of bills covered is to ensure that all our clients get the sufficient detail they need on the legislation that is of greatest importance to them.

This Gaines & Associates “California State Legislature – 2018 Summer Recess 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

2018 State Legislative Session

- **[AB 3 \(Bonta\)](#) – Firearms: Age Restrictions**

As amended March 7, 2018, AB 3 – legislation by Assembly Member Bob Bonta (D/18-Alameda) – would prohibit the sale or transfer of any firearm by a licensed dealer to any person under 21 years of age. AB 3 would also raise the legal age to purchase any ammunition to 21 years of age. Under existing law, a person must be 18 years of age to purchase a long gun and/or long gun ammunition and must be 21 years of age to purchase a handgun or handgun ammunition.

Prior to being gutted and amended in March, the subject of AB 3 was repeat offenders and recidivism reduction. AB 3, as previously written, had passed through the Assembly and over to the Senate last summer.

AB 3 passed out of the Senate Public Safety Committee on a party-line vote in mid-June and over to the Senate Appropriations Committee. The bill was briefly brought up in Senate Appropriations Committee on July 2nd and promptly placed on the suspense file. AB 3 must be pulled of suspense, heard and passed out of Senate Appropriations Committee by August 17th to meet legislative deadline. AB 3 has not yet been set to be heard in Senate Appropriations Committee.

The Department of Justice (DOJ) estimates one-time costs of about \$350,000 to modify the various firearm databases impacted by this measure, with minor and absorbable ongoing costs thereafter. The Bureau of Firearms within DOJ also estimates an anticipated decrease in revenue of about \$200,000 annually in the Dealer Record of Sale (DROS) Account and an estimated loss of revenue of approximately \$350,000 annually to the Firearms Safety and Enforcement Fund due to the higher age restriction on long gun purchases. In addition, there would be an unknown, potentially-significant loss of sales tax revenue due to an expansion of the purchase age restriction for long guns.

To view Senate Public Safety Committee and Senate Appropriations analyses of AB 3, click [AB 3 Senate Analyses](#)

To view all the information currently available on AB 3, click [AB 3 Detail](#)

- **[AB 986 \(Gallagher\)](#) – Hunting and Sport Fishing Licenses: Sport Fishing License Duration/Reduced License Fees for Veterans**

As amended June 13, 2018, AB 986 – legislation by Assembly Member James Gallagher (R/03-Yuba City) – would provide California's veterans with a well-deserved reduction in the cost of their hunting and fishing licenses and offer all of California's anglers the option of a "12 months from date of purchase" fishing license.

AB 986 would reduce the fee required to obtain an annual or lifetime hunting or fishing license by 25% for residents of California who are veterans of our Armed Forces and who have been honorably discharged. In addition, the measure would reduce the price of a sport fishing report card, validation or other entitlement by 25% for California's honorably discharged veterans, and by 50% for those who have a 50% or greater service-connected disability.

AB 986 would also give all Californians the option of purchasing a license valid for “12 consecutive months from date of purchase” at 130% the cost of the traditional license. The bill would call for the “12 consecutive month sport fishing license” to be available January 1, 2020, and sunset the new license on January 1, 2023.

AB 986 would require the Fish and Game Commission (Commission) to adjust the fees as necessary to fully recover, but not exceed, all reasonable administrative and implementation costs of the Department of Fish and Wildlife (DFW) and the Commission associated with establishing and enforcing these licenses. The bill would also require DFW to collect all relevant data necessary to justify the amount of the fees assessed pursuant to AB 986 and to submit a written report on the implementation of the provisions of the bill to the Legislature by December 1, 2021.

AB 986, as amended January 22, 2018, passed off the Assembly Floor via a unanimous vote on January 29th and over to the Senate.

Once on the Senate side, AB 986 was “double-referred” to two committees – the Senate Natural Resources and Water Committee and the Senate Committee on Veterans Affairs. The measure passed out of Senate Natural Resources and Water Committee via a unanimous vote in mid-June and Senate Committee on Veterans Affairs by another unanimous vote in late June.

AB 986 must next be heard in Senate Appropriations Committee, where it is set to be heard on Monday, August 6th. The hearing will be held in the John L. Burton Hearing Room, State Capitol Room 4203, and begin at 10:00 AM.

The Assembly Appropriations Committee analysis of AB 986 states that, according to DFW, implementation of the bill would result in annual significant revenue losses estimated to be between \$4.2 and \$15.6 million, based on 2016 license revenues and assuming veterans represent 6.15% of the California population. In addition, the analysis estimates onetime increased expenditures of \$866,000 for development and implementation, and \$221,000 for increased DFW program staff.

To view the available Assembly and Senate analyses of SB 986, click [AB 986 Analyses](#)

To view all the information currently available on AB 986, click [AB 986 Detail](#)

To view the general coalition letter in support of AB 986, click [AB 986 Coalition Support Ltr](#)

To view the coalition letter to Senate Natural Resources and Water Committee in support of AB 986, click and [AB 986 SNRW Coalition Ltr](#)

- [AB 2151 \(Gray\)](#) – **Hunting: Antelope, Elk, Bear, and Bighorn Ram Tags: Resident Apprentice Tag Fees**

As amended June 14, 2018, AB 2151 – legislation authored by Assembly Member Adam Gray (D/21-Merced) – would, beginning July 1, 2019, and until July 1, 2025, reduce the fee required to obtain an apprentice (youth) antelope, elk, bear, and bighorn sheep tag to \$20 for a person who is a resident of the state and who possesses a junior hunting license. The bill would allow the fee to be adjusted pursuant to the same index as other big game tags. AB 2151 would also require DFW to prepare a report to the Legislature no later than July 1, 2024, on the effect of these reduced-price licenses on rates of participation by junior hunters, the Big Game Management Account and

the Fish and Game Preservation Fund. AB 2151 would not make any changes to the cost of an apprentice deer tag.

Current law does not distinguish between the cost of an adult or youth big game tag. For comparison purposes, the 2017 fees for the impacted youth/adult resident big game tags are as follows: antelope tag \$149.86; elk tag \$446.40; bear tag \$45.62; and bighorn sheep tag \$408.50. By providing California families a substantial cost break on the cost of many apprentice big game tags, AB 2151 would make hunting more accessible to our youth and play a big role in the recruitment of young new hunters.

AB 2151 passed out of the Assembly Water, Parks and Wildlife Committee in March, out of the Assembly Appropriations Committee in April, and off the Assembly Floor in May by a 53 to 1 vote.

Once on the Senate side, the bill was first heard in the Senate Natural Resources and Water Committee in mid-June passing out on a bi-partisan 6 to 0 tally, with three Members not voting. Although SB 2151 is keyed fiscal, the bill has bypassed being heard in Senate Appropriations Committee via Senate Rule 28.8 and is now on the Senate Floor. (Senate Rule 28.8 allows for any bill referred to the Senate Appropriations Committee that does not appropriate money to avoid hearing and, along with any nonsubstantive amendments, go straight to the Senate Floor – if the chair of the Committee determines that: (a) any additional state costs are not significant and do not/will not require the appropriation of additional state funds, and; (b) the bill will cause no significant reduction in revenues.) AB 2151 will be brought up for a vote on the Senate Floor in August.

To view the available Assembly and Senate analyses of AB 2151, click [AB 2151 Analyses](#)

To view all the information currently available on AB 2151, click [AB 2151 Detail](#)

To view the coalition letter to Assembly Water, Parks and Wildlife Committee in support of AB 2151, click [AB 2151 Coalition AWPW Support Ltr](#)

To view the coalition letter to Senate Natural Resources and Water Committee in support of AB 2151, click [AB 2151 Coalition SNRW Support Ltr](#)

- [AB 2348 \(Cooper\)](#) – **California Waterfowl Habitat Program: Winter-Flooded Rice Lands**
As amended June 18, 2018, AB 2348 – legislation authored by Assembly Member Aguiar-Curry (D/04-Winters) – would authorize agricultural rice lands that are winter-flooded and deemed to be important for waterfowl to qualify for incentive payments from the California Waterfowl Habitat Program.

In response to the substantial loss of wetland habitats in California, Senator Robert Presley worked with the *California Waterfowl Association* to author and pass the California Waterfowl Habitat Preservation Act in 1987. The Act established the California Waterfowl Habitat Program (a.k.a. the “Presley Program”) – a multi-faceted incentive program designed to improve and enhance habitats for waterfowl, shorebirds and other wetland-dependent species on private lands. Administered by DFW, the program started in 1993 with an original enrollment of 6,500 acres in the Sacramento and San Joaquin Valleys. Since that time, enrollment has steadily grown to include habitat for wintering and breeding waterfowl in the Tulare Basin, Grasslands, Suisun

Marsh and Sacramento Valley. Over the past 25 years, the Presley Program has enrolled 29,295 acres of habitat on 126 properties throughout the Central Valley.

Throughout its entire history, the Presley Program has been underfunded and oversubscribed with a lengthy list of private wetlands patiently waiting to enroll. To address this concern, throughout this period, *California Waterfowl Association* and *Gaines & Associates* have sought additional funding for the program via Bond Acts and other means and have also gone to battle many times to protect the program's modest existing funding base.

The California Waterfowl Habitat Program was specifically created to enhance the waterfowl values of our state's private wetland habitats. Authorizing winter-flooded rice lands to also have access to the limited funding available to a Presley Program that is already heavily back-logged with a waiting list of private wetlands would draw critically needed resources away from higher priority private wetland habitats and result in a net reduction in the program's waterfowl benefits.

To address this serious concern, *Gaines & Associates* is working with a coalition of waterfowl interest groups in seeking amendments to the bill which would create a new account other than the Presley account to fund the winter-flooded rice incentive program or create a "firewall" within the Presley Program account which would preclude competition for funds earmarked for wetlands.

AB 2348 passed out of the Assembly Water, Parks and Wildlife Committee in April, and out of the Assembly Appropriations Committee and off the Assembly Floor in May – all by unanimous votes. Once on the Senate side, the bill was first heard in the Senate Natural Resources and Water Committee in late June passing out on yet another unanimous vote.

AB 2348 must next be heard in Senate Appropriations Committee, where it is set to be heard on Monday, August 6th. The hearing will be held in the John L. Burton Hearing Room, State Capitol Room 4203, and begin at 10:00 AM.

The Assembly Appropriations Committee analysis estimated the cost of DFW implementing AB 2348 at \$257,000 for the first year, with ongoing annual costs to DFW of \$209,000.

To view the available Assembly and Senate analyses of AB 2348, click [AB 2348 Analyses](#)

To view all the information currently available on AB 2348, click [AB 2348 Detail](#)

To view the coalition letter to the *Senate Natural Resources and Water Committee* seeking amendments to AB 2348, click [AB 2348 Coalition SNRW Ltr](#)

- [AB 2497 \(Cooper\)](#) – **Firearms: School Gun Violence Prevention**

As amended April 23, 2018, AB 2497 – legislation authored by Assembly Member Jim Cooper (D/09-Elk Grove) – would have imposed a yet to be defined tax on the gross receipts of firearm and ammunition retailers, and a comparable excise tax on the purchase of firearms and ammunition. AB 2497 would have required that revenues collected from the sales of firearms be deposited in the School Gun Violence Protection Fund, which the bill proposed to create. The bill also would have required that the revenues in that fund be appropriated to the Department of Justice (DOJ) to provide grants to schools to fund the placement of police officers on high school campuses. In addition, AB 2497 would have required that revenues collected from the sales of

ammunition be deposited in the School Gun Violence Prevention Fund, which the bill would have also created. The moneys in that fund would have been appropriated to DOJ to fund the placement of counselors on middle school and junior high school campuses. AB 2497, which would have also required some other changes in the schools that would have taken effect on January 1, 2019.

Implementing successful programs for addressing gun violence in the schools is something that all Californians support and would benefit from. As such, all of California should equally help to fund their implementation. However, under AB 2497, only legally licensed and permitted firearm and ammunition retailers would have been paying the tax on their gross receipts, and only those who legally purchase their guns and munitions from them charged the additional excise tax. As such, AB 2497 would have inappropriately placed the entire onus of funding the school protection programs the bill proposed on the backs of law-abiding hunters and shooters who have no more to do with firearm violence in the schools than any other law-abiding Californian.

Prior to being gutted and amended on March 19th, AB 2497 was introduced on February 14th with the subject being “California Agriculture Day”.

AB 2497 was “double-referred” to the Assembly Revenue and Taxation Committee and the Assembly Public Safety Committee. AB 2497 was first heard in the Assembly Revenue and Taxation Committee on April 16th, passing out on a 6 to 4 vote with Assembly Member Adam Gray (D/21-Merced) being the lone Democrat to vote against the bill’s passage. However, because the bill failed to be brought up for hearing in the Assembly Public Safety Committee before the April 27th legislative deadline for policy committees to hear and report to fiscal committee fiscal bills introduced in their house, AB 2497 is dead.

To view the Assembly Revenue and Taxation Committee analysis of AB 2497, click [AB 2497 Assy R&T Analysis](#)

To view the full text of AB 2497, and all the information currently available on the bill, click [AB 2497 Detail](#)

- **[AB 2670 \(Kiley\) – Free Hunting Days](#)**

As amended March 15, 2018, AB 2670, legislation authored by Assembly Member Kevin Kiley (R/06-Granite Bay), would have required the Director of DFW to designate two days per year as “Free Hunting Days” – with one free hunting day in the fall hunting season and the other free hunting day during the spring hunting season. The bill would have required 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 2670 would have also required 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.

AB 2670 would have required 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. The bill would have also required the unlicensed hunter to remain in close visual and verbal contact with the licensed hunter at all times so the licensed hunter can provide adequate direction and immediately assume control of a firearm from the unlicensed hunter at any time, if necessary. AB 2670 would not have allowed unlicensed hunters participating in free hunting days to take

any species that requires a draw or lottery to obtain a tag. AB 2670 would have taken effect on July 1, 2019.

AB 2670 passed out of the Assembly Water, Parks and Wildlife Committee on an 11 to 2 bipartisan vote in April.

However, AB 2670 died in Assembly Appropriations Committee in late May – despite of the fact that DFW had estimated the cost of implementation at less than \$100,000 for department staff, \$15,000 in vendor fees for program changes to the Automated License Date System, and a Committee analysis which stated that the bill may even financially benefit DFW via new hunters purchasing hunting licenses, stamps and tags.

To view the Assembly Water, Parks and Wildlife Committee and Assembly Appropriations Committee analyses of AB 2670, click [AB 2670 Assy Analyses](#)

To view all the information currently available on AB 2670, click [AB 2670 Detail](#)

To view the coalition letter in support of AB 2670, click [AB 2670 Coalition Support Ltr](#)

- [AB 2697 \(Gallagher\)](#) – **Wildlife, Bird and Waterfowl Habitat: Idled Agricultural Lands**
As amended June 18, 2018, AB 2697 – legislation by Assembly Member James Gallagher (R/03-Yuba City) – would require the Wildlife Conservation Board (WCB) to establish a program which would encourage private landowners to cultivate or retain cover crops or other upland vegetation on idled lands to provide waterfowl, upland game bird, and other wildlife habitat. AB 2697 would also authorize DFW to provide incentives pursuant to the program for landowners to create and/or enhance waterfowl brood habitat. In addition, the bill would require WCB to consult with DFW, the U.S. Fish and Wildlife Service, the Natural Resources Conservation Service, and nonprofit waterfowl and upland gamebird organizations before implementing the program to determine the optimal ways of increasing and enhancing wildlife habitat on idled lands. As most recently amended, AB 2697 would be implemented only if the Water Supply and Water Quality Act of 2018 is approved by the voters at the November 6, 2018, general election or a sufficient amount of federal grants or other funds are secured for the purposes of the bill.

AB 2697 passed out of the Assembly Water, Parks and Wildlife Committee in April, then out of Assembly Appropriations and off the Assembly Floor in May on unanimous votes. Once on the Senate side, the bill quickly passed out of the Senate Natural Resources and Water Committee on another unanimous vote.

AB 2697 is currently scheduled to be heard in Senate Appropriations Committee on Monday, August 6th. The hearing will be held in the John L. Burton Hearing Room, State Capitol Room 4203, and begin at 10:00 AM. However, with the bill, as amended June 18th, requiring bond monies, federal grants or other non-state funds for implementation, the bill may be a good candidate to bypass Senate Appropriations Committee and go straight to the Floor pursuant to Senate Rule 28.8.

To view the available Assembly and Senate Committee analyses of AB 2697, click [AB 2697 Analyses](#)

To view all the information currently available on AB 2697, click [AB 2697 Detail](#)

To view the coalition letter to Assembly Water, Parks and Wildlife Committee in support of AB 2697, click [AB 2697 AWPW Support Ltr](#)

To view the coalition letter to Assembly Appropriations Committee in support of AB 2697, click [AB 2697 Assy Approps Support Ltr](#)

To view the coalition letter to Senate Natural Resources and Water Committee in support of AB 2697, click [AB 2697 SNRW Support Ltr](#)

- **[AB 2787 \(Quirk\)](#) – **Lead Fishing Weights and Sinkers****

As amended July 5, 2018, AB 2787 – legislation authored by Assembly Member Bill Quirk (D/20-Hayward) – now deals with the procurement of long duration energy storage projects.

Prior to being gutted and amended on Thursday, AB 2787 dove into the issue of lead fishing weights and sinkers. Prior to taking on these most recent sweeping amendments, AB 2787 would have required DFW to review existing research and data on the impacts of lead fishing tackle on the environment, including wildlife, rivers, lakes, streams, and potential drinking water sources, and review efforts in other jurisdictions to regulate the use of lead fishing tackle. The bill would have required DFW to submit a report on the findings of the study to the Governor and the Legislature by March 1, 2020.

As originally introduced, AB 2787 would have prohibited the manufacture, sale, or purchase of fishing weights and sinkers that have no cross section greater than or equal to two centimeters in length, are under 50 grams in mass, and which contain more than 0.1% lead by weight.

AB 2787 was heard in the Assembly Committee on Environmental Safety and Toxic Materials in April, passing out of committee after agreeing to reduce the bill from a ban to a study. The bill then passed out of the Assembly Appropriations Committee, and off the Assembly Floor in late May after agreeing to take on some additional amendments which changed the study to a review.

To view the Assembly Committee analyses of AB 2787, click [AB 2787 Assy Analyses](#)

To view all the information available on AB 2787, as introduced, click [AB 2787 Detail](#)

- **[AB 2805 \(Bigelow\)](#) – **Depredation: Wild Pigs****

AB 2805 by Assembly Member Frank Bigelow (R/05-O’Neals) deals with the state’s management of wild pigs. As amended June 28, 2018, this high-profile legislation, among many other things, would: a) eliminate all required permits when pigs are taken by landowners/tenants for depredation purposes; b) eliminate the need to purchase a pig tag for every pig taken, instead simply requiring the purchase of an annual validation (similar to a duck stamp) at the cost of \$15 which would allow for the harvest of multiple pigs; c) ensure that all revenues from the sale of wild pig validations are deposited in the Big Game Management Account (BGMA), and; d) remove wild pigs from the “game mammal” designation and place them under the “exotic game mammal” designation that the bill would create.

As currently written, AB 2805 would promote enhanced hunting opportunity for wild pigs and endorses public hunting as a management tool for controlling depredating pigs on private lands.

The bill clarifies that, in terms of wild pigs, BGMA revenues shall only be expended to promote hunting as a wild pig management tool, and to expand public hunting opportunities. AB 2805 would not allow these funds to be used to develop or facilitate the killing of pigs on any scale or in any manner by property owners other than hunting by licensed hunters.

Contrary to some reports, AB 2805 would not provide landowners with an enhanced ability to kill depredating pigs. Under current law, landowners can already take pigs “on sight” that are destroying their property prior to obtaining a depredation permit. AB 2805 would only eliminate the need for landowners to obtain a depredation permit prior to the take of depredating pigs. AB 2805 would not, in any way, increase the landowner’s ability to take wild pigs. Also, contrary to some reports, AB 2805 would not allow for the use of poisons, or any other “new” methods of killing pigs that are not already available to landowners under existing law.

Most recently, opposition from some of the hunting community has surfaced due to a provision in the bill which would prohibit the operation of a “contained hunting preserve” of wild pig, feral pig, European wild boar, or domestic swine. The legislation defines a contained hunting preserve as any tract of land on which a fence or other apparatus is used to prevent the free roaming of swine that are to be hunted and not used solely for domestic swine production. Those who oppose this provision of the bill argue that these contained areas often provide the only hunting experience available to many of the disabled community, wounded warriors and others who may not be able to physically handle an open range hunt. *Gaines & Associates* is currently working with the author’s office and interested parties in an effort to try to address these concerns.

AB 2805 is Assembly Member Frank Bigelow’s latest effort to craft a bill which facilitates the ability of landowners to control wild exotic pigs and the extensive damage they do to public and private lands. After a few recent previous attempts to pass similar legislation, Assembly Member Bigelow jump started this effort nearly two years ago by reaching out to the Fish and Game Commission with the request that they work with DFW and interested stakeholders to draft some recommended bill language. After numerous months of effort, the suggested language was approved by the Commission and forwarded to Assembly Member Bigelow for his consideration late last year.

On behalf of our clients, *Gaines & Associates* has been heavily involved throughout this lengthy process to ensure three primary objectives are included in the proposal: 1) to enhance wild pig hunting opportunity on both public and private lands; 2) to increase the use of hunting as a landowner management tool for controlling wild pig populations, and: 3) to maintain the roughly \$1.2 million per year currently generated by the sale of pig tags which is deposited into the BGMA which benefits bighorn sheep, bear, deer, elk and pronghorn antelope.

AB 2805 was heard in the Assembly Water, Parks and Wildlife Committee in April, passing out on a unanimous vote. The bill then easily moved through the Assembly Appropriations Committee and off the Assembly Floor in May.

Once on the Senate side, AB 2805 passed out of the Senate Natural Resources and Water Committee in late June by yet another unanimous vote.

AB 2805 must next be heard in Senate Appropriations Committee, where it is set to be heard on Monday, August 6th. The hearing will be held in the John L. Burton Hearing Room, State Capitol Room 4203, and begin at 10:00 AM.

Note that with the cost of the wild pig validation currently set at \$15, DFW estimates the reduction in revenue to the BGMA to be roughly \$400,000 annually. Viewing this as an unacceptable hit to the BGMA, Gaines & Associates is working with the author's office to eliminate this annual shortfall by amending the bill to increase the cost of the annual validation to roughly the current cost of single pig tag.

For more detail on the Fish and Game Commission's efforts to work with stakeholders to draft recommended bill language, view *Gaines & Associates "California Fish and Game Commission Update/Wildlife Resources Committee/September 13, 2017 Meeting Summary – September 19, 2017"* by clicking [FGC WRC – 9 2017 Mtg Brief](#) and *Gaines & Associates "California Fish and Game Commission Update – October 9, 2017"* by clicking [FGC - 10 2017 Mtg](#)

To view the available Assembly and Senate analyses of AB 2805, click [AB 2805 Analyses](#)

To view all the information currently available on AB 2805, click [AB 2805 Detail](#)

To view the coalition letter to the Assembly Water, Parks and Wildlife Committee in support of AB 2805, click [AB 2805 AWPW Support Ltr](#)

To view the coalition letter to the Assembly Appropriations Committee in support of AB 2805, click [AB 2805 Assy Approps Support Ltr](#)

To view the coalition letter to the Senate Natural Resources and Water Committee in support of AB 2805, click [AB 2805 SNRW Support Ltr](#)

- [AB 3117 \(Mathis/Dahle\) – Hunting: Nonlead Ammunition: Temporary Suspension: Criteria](#)
As amended April 9, 2018, AB 3117 – legislation co-authored by Assembly Members Devon Mathis (R/26-Visalia) and Brian Dahle (R/01-Bieber) – would have ensured that hunters can stay in the field, and farmers and ranchers could have continued to protect their property and livestock, as California works to fully phase-in the requirement to use nonlead ammunition when hunting and managing wildlife statewide.

AB 3117 was sponsored by the *Rocky Mountain Elk Foundation, California Deer Association, California Chapter of the Wild Sheep Foundation* and the *California Houndsmen for Conservation* with the assistance of *Gaines & Associates*.

On July 1, 2019, California will become the only state in the Nation to require the use of nontoxic loads for the taking of any wildlife, statewide, for any purpose. In addition, California is now the only state which prohibits the direct internet/mail order of ammunition, and substantially restricts the over-the-counter/out-of-state purchase of ammunition by California residents.

With California only representing a small market share of ammunition demand nationwide, the production of non-toxic loads – even in the most common calibers – will be understandably limited by manufacturers, and likely non-existent in many others. Should the required nonlead loads be unavailable for purchase, California's ranchers and farmers will be unable to address depredation concerns, and hunters will be kept out of the field. Although the intent of the ban on lead ammunition and subsequent prohibitions on out-of-state ammo acquisition may not have been to keep law-abiding hunters out of the field or farmers and ranchers from protecting their property and livestock, the result may be just that.

As amended April 9, 2018, AB 3117 would have helped address this concern by giving the Fish and Game Commission the authority to “temporarily suspend” the prohibition on the use of lead ammunition for a specific hunting season and/or caliber, if the Commission found that nonlead ammunition of a specific caliber was not available for any reason. The bill, as amended, also would have required the Commission’s Wildlife Resources Committee to provide recommendations to the Commission on the criteria used to determine when nonlead ammunition is not available and which calibers should be considered for temporary suspension.

As amended, the bill would also have required that the WRC recommendations be submitted to the full Commission by January 1, 2020, and that the Commission adopt the criteria by July 1, 2020.

AB 3117 would have prohibited any suspension from remaining in effect for longer than three years.

AB 3117 was heard in the Assembly Water, Parks and Wildlife Committee on April 24th, failing passage on a vote of 9 “noes” and 6 “ayes”. Gaines & Associates was pleased to partner with the California Deer Association in providing lead testimony on this legislation in Committee.

We knew this would be a very difficult bill to pass in California's State Legislature – especially when many of the Legislators that (only five years ago) voted to support AB 711 (the bill that put the lead ban in motion) are still seated in the Legislature today.

Well aware of the need for this bill, Assembly Members Mathis and Dahle are committed to its passage, and plan to reintroduce the measure next year. In the meantime, we will continue our efforts to educate Legislators on the need for the legislation.

To view the Assembly Water, Parks and Wildlife Committee analysis of AB 3117, click [AB 3117 Assy WPW Analysis](#)

To view all the information available on AB 3117, as introduced, click [AB 3117 Detail](#)

To view the coalition letter to the Assembly Water, Parks and Wildlife Committee in support of AB 3117, click [AB 3117 Coalition AWPW Support Ltr](#)

To view the co-sponsor support letter to the Assembly Water, Parks and Wildlife Committee for AB 3117, click [AB 3117 Co-Sponsor AWPW Ltr](#)

- [AB 3199 \(Holden\)](#) – **Charitable Raffles: Firearms**

As amended April 5, 2018, AB 3199 – legislation by Assembly Member Chris R. Holden (D/41-Pasadena) – would have repealed antiquated exemptions in state law which address the use of firearms in charitable auctions and would have instead authorized a charitable organization to conduct no more than 3 auctions, raffles, or similar events per year in which firearms, other than handguns, may be auctioned, raffled, or otherwise sold. The bill, as amended, would have also reiterated the requirement that those firearms to be transferred to the winner via a licensed dealer to process the transfer pursuant to all legal requirements, including a background check and waiting period.

As previously amended on March 20th, AB 3199 would have prohibited the use of firearms as a prize in raffles conducted by organizations for beneficial or charitable purposes. A “gut and amend”, AB 3199, as introduced on February 16th, dealt with CalWORKs sanctions.

When AB 3199, as amended March 20th, surfaced on March 21st, *Gaines & Associates* met that same day with Assembly Member Holden’s office to discuss our very serious concerns with the bill, the devastation impact it would have upon the fundraising efforts of nearly every conservation organization, and to explain that those that win firearms at non-profit fundraising events are subject to all of the same legal requirements – including background check and 10 day waiting period – that they would be had they purchased the same firearm from a firearm dealer. Over the following weeks, *Gaines & Associates* was pleased to partner with other organizations in numerous meetings and other efforts which helped lead to the bill being amended to be less threatening, and then eventually defeated altogether.

AB 3199 was originally slated to first be heard in the Assembly Committee on Governmental Organization. Working with the office of the Chair of that committee – Assembly Member Adam C. Gray (D/21-Merced), a Legislator who is very supportive of our conservation community – the bill was held and never set for hearing. Failing to meet the April 27th legislative deadline for policy committees to hear and report to fiscal committee fiscal bills introduced in their house, AB 3199 is dead.

The Assembly Committee on Governmental Organization analysis on AB 3199 was never released.

To view all the information available on AB 3199, click [AB 3199 Detail](#)

- **[SB 518 \(Berryhill\)](#) – **Sport Fishing Licenses: 12 Consecutive Month Licenses****
As amended June 6, 2018, SB 518 – legislation by Senator Tom Berryhill (R/08-Modesto) – would establish the option to purchase a fishing license that is valid for a period of 12 consecutive months from date of purchase at the cost of 130% of the traditional sportfishing license fee for that year. The bill would require the Commission to adjust the amount of the fees as necessary to recover the administrative and implementation costs to DFW and the Commission relating to these licenses. The bill would also require DFW to provide those who apply for the 12 month from date of purchase license 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 license. SB 518 would also require DFW to collect all relevant data necessary to justify the amount of the fees, and to submit to the Legislature a written report on the implementation of these provisions on or before December 1, 2023.

SB 518 would go into effect beginning January 1, 2020, and sunset on January 1, 2025.

SB 518 is a “gut and amend” of legislation originally introduced on another topic in the 2017 Session by Senator Kevin de León (D/24-Los Angeles).

SB 518 was heard in the Assembly Water, Parks and Wildlife Committee in mid-June, passing out on a 15 – 0 vote. The bill now sits in Assembly Appropriations Committee where it has been placed on suspense. To remain viable, SB 518 must be pulled from suspense, heard and passed out of Assembly Appropriations Committee by August 17th.

The Assembly Appropriations Committee analysis of SB 518 states that the fiscal impacts to the state are unknown and estimated by DFW to be between \$530,000 in losses to \$1.1 million in gains, depending on the amount of license sales and renewals.

To view the Assembly Committee analyses of SB 518, click [SB 518 Assy Analyses](#)

To view all the information currently available on SB 518, click [SB 518 Detail](#)

- **[SB 1020 \(Berryhill\)](#) – Sport Fishing: Daily Bag Limit: Possession**

Introduced February 7, 2018, SB 1020 – legislation by Senator Tom Berryhill (R/08-Modesto) – was a “spot bill” dealing with sport fishing daily bag and possession limits. SB 1020 was to serve as a placeholder for future legislation in the field of fish and game.

SB 1020 was never amended or set for hearing in committee. Failing to meet the April 27th legislative deadline for policy committees to hear and report to fiscal committee fiscal bills introduced in their house, SB 1020 is dead.

To view all the information available on SB 1020, as introduced, click [SB 1020 Detail](#)

- **[SB 1092 \(Anderson\)](#) – Firearms: Silencers**

As amended March 22, 2018, SB 1092 – legislation by Senator Joel Anderson (R/38-Alpine) – would have legalized ownership of suppressors on long guns in California and allowed for their use for hunting. It is currently legal for a citizen to own a suppressor in 42 states, and they are legal for hunting in 40 states.

Current California law prohibits the possession of any “silencer”. SB 1092, as amended, would have made it illegal only to possess a “silencer” that is attached to a firearm with an overall length of less than 16 inches in length. The bill would have also made it legal to hunt with a suppressor attached to a firearm with an overall length of 16 inches or more.

Also known as silencers, suppressors are the hearing protection of the 21st century sportsman and shooter. The benefits of shooters and hunters being able to use suppressors in California are extensive, and include:

a) *Hearing Protection*

Noise induced hearing loss and tinnitus are two of the most common afflictions for recreational shooters and hunters. Everyone knows that gunfire is loud, but very few people understand the repercussions that shooting can have on their hearing until it’s too late. Suppressors reduce the noise of a gunshot by an average of 20 – 35 dB, which is roughly the same as earplugs or earmuffs. By decreasing the overall sound signature, suppressors help to preserve the hearing of recreational shooters, hunters, and hunting dogs around the world.

b) *Safer Hunting*

Most hunters do not wear hearing protection in the field because they want to hear their surroundings. The trouble is, exposure to even a single unsuppressed gunshot can lead to permanent hearing damage. Suppressors allow hunters to maintain full situational awareness, while protecting their hearing. The result is a safer hunting experience for the hunter, and for those nearby.

c) Noise Complaints

As urban development advances further into California's once rural areas, shooting ranges and hunting preserves across the state are being threatened by, or closed due to noise complaints. Although it can still be heard, suppressed gunfire helps mitigate noise complaints from those who live near shooting ranges and hunting land.

d) Accuracy

One of the most common problems for shooters is decreased accuracy caused by flinching in anticipation of the firearm's recoil. By containing the explosion of the gunpowder at the muzzle, suppressors reduce recoil, and help decrease muzzle flinch. These benefits lead to improved accuracy, better shot placement, and more humane hunts.

Finally, it is worth noting that none of the states that have recently legalized citizen ownership of suppressors and/or authorized them for hunting have experienced any increase in violent crime or poaching as a result.

With the overwhelming opposition to firearms at our State Capitol, passing any legislation that proposes to legalize any firearm component that is currently illegal in our state is nearly impossible. Legalizing the ownership and use of suppressors on long guns in California would certainly be no exception – especially due to the inaccurate perception of them created by Hollywood. Knowing that, for nearly two years, *Gaines & Associates* has worked closely with Senator Anderson's office, the *American Suppressor Association* and others to educate Legislators, enforcement agencies and other interests about the realities of suppressors – including their substantial health and other benefits, and documented proof that they do not increase violent crime and/or poaching. These efforts include continually meeting with key Capitol offices and, thus far, three live range demonstrations.

SB 1092 was sponsored by the *American Suppressor Association* with the assistance of *Gaines & Associates*.

Because it dealt with both firearms and hunting, SB 1092 was double-referred to the Senate Public Safety Committee and the Senate Natural Resources and Water Committee. The bill was heard in the Senate Public Safety Committee in April, failing passage on a 2 – 2 vote, with three members not voting. Gaines & Associates is committed to continuing to work with the American Suppressor Association in our effort to pass this common-sense legislation in California.

To view the Senate Public Safety Committee analysis of SB 1092, click [SB1092 Senate PS Analysis](#)

To view all the information available on SB 1092, as introduced, click [SB 1092 Detail](#)

To view the coalition letter to the Senate Public Safety Committee in support of SB 1092, click [SB 1092 Coalition SNRW Ltr](#)

- **[SB 1100 \(Portantino\) – Firearms: Transfers](#)**

As amended June 28, 2018, SB 1100 – legislation by Senator Anthony J. Portantino (D/25-Glendale) – would raise the age to legally purchase a long gun in California from 18 to 21 years of age. SB 1100 would exempt from these provisions the purchase of a long gun by an individual 18 years or older who possesses a valid hunting license, and those who are on active duty or who

have been honorably discharged from the United States Armed Forces, the National Guard, the Air National Guard, or the active reserve components of the United States.

Current law prohibits the sale or transfer of a handgun to any person below the age of 21, and the sale of a long gun to any person below the age of 18 years.

SB 1100 passed out of the Senate Public Safety Committee in April on a party-line vote.

SB 1100 then passed out of Senate Appropriations Committee and off of the Senate Floor in late May by party-line votes. Once on the Assembly side, SB 1100 passed out of the Assembly Public Safety Committee on yet another party-line vote in mid-June. The bill will next be heard in Assembly Appropriations Committee but is not yet set. To remain viable, SB 1100 must be heard and passed out of Assembly Appropriations Committee by August 17th.

The Senate Appropriations Committee analysis of SB 1100 estimates one-time costs of about \$350,000 to modify the various firearm databases impacted by this measure. In addition, the Bureau of Firearms within DOJ estimates an anticipated decrease in revenue of about \$2.2 million annually resulting from a reduction in Dealer Record of Sale (DROS) submissions because of the limitation on long gun purchases per month.

To view the available Senate and Assembly analyses of SB 1100, click [SB 1100 Analyses](#)

To view all the information available on SB 1100, as amended, click [SB 1100 Detail](#)

- **[SB 1311 \(Berryhill\)](#) – **Fishing and Hunting: Annual Sportsman’s Licenses****

As amended June 27, 2018, SB 1311 – legislation by Senator Tom Berryhill (R/08-Modesto) – would create an annual combined hunting and fishing license that provides the same privileges as traditional annual hunting and fishing licenses, but that is valid for a term of one year from July 1st to June 30th. SB 1311 would limit the issuance of these licenses to California residents and require DFW to issue the licenses from January 1, 2020, to January 1, 2026 for the base fee of \$85. The bill would require the fee to be adjusted annually pursuant to an index. The bill would also require DFW to collect all relevant, appropriate, and sufficient data necessary to evaluate the benefit of the annual combined hunting and fishing license and to justify the amount of the fees. The bill would require DFW to submit a report to the Legislature evaluating the annual sportsman’s license on or before December 1, 2024.

SB 1311 passed out of the Senate Natural Resources and Water Committee in April, and out of Senate Appropriations Committee and off of the Senate Floor in May on unanimous votes.

Now on the Assembly side, SB 1311 passed out of the Assembly Water, Parks and Wildlife Committee in June on another unanimous vote. SB 1311 will next be heard in Assembly Appropriations Committee but is not yet set. To remain viable, SB 1311 must be heard and passed out of Assembly Appropriations Committee by August 17th.

The Senate Appropriations Committee analysis of SB 1311 estimates one-time costs of under \$150,000 to make changes to the licensing system, adopt regulations, and conduct outreach. The fiscal impact to DFW of the combined hunting and fishing license at the fee of \$85 has not yet been evaluated.

To view the available Senate and Assembly analyses of SB 1311, click

[SB 1311 Senate Analyses](#)

To view all the information available on SB 1311, as introduced, click [SB 1311 Detail](#)

- **[SB 1487 \(Stern\)](#) – **Iconic African Species Protection Act****

As amended July 2, 2018, SB 1487 – 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, offspring, or dead body of African elephant, African lion, leopard, black rhinoceros, white rhinoceros, giraffe, Jentink’s duiker, plains zebra, mountain zebra, hippopotamus, and/or striped hyena.

Among other things, SB 1487 would “grandfather” in articles possessed for noncommercial purposes in California before January 1, 2019. The bill would also exempt articles used for educational or scientific purposes by a bona fide educational or scientific institutions, or those distributed directly to a legal beneficiary of a trust or to a legal heir, provided that the article was possessed by the decedent before the enactment of SB 1487.

In the Senate, SB 1487 was double-referred to the Senate Natural Resources and Water Committee and the Senate Public Safety Committee – passing out of both committees in April on party-line votes. The bill then passed out of Senate Appropriations Committee in May on another party-line vote, despite a DFW estimate of enforcing the ban placed at \$4.5 million in 2019/20 and \$2.8 million annually thereafter. Having somehow cleared fiscal committee, SB 1487 passed off the Senate Floor in late May on yet another party-line vote.

On the Assembly side, SB 1487 was again double-referred, with the bill quickly set to be heard in Assembly Water, Parks and Wildlife Committee on Tuesday, June 26th, and Assembly Judiciary Committee on Thursday, June 28th, in an effort to move the bill out of policy committee and to fiscal committee before the June 29th legislative deadline.

In preparation for the late June heavy activity on SB 1487 in the Assembly, *Gaines & Associates* teamed up with renowned conservation attorney *John J. Jackson III*, President of the *Conservation Force* -- the most active and effective NGO working on behalf of hunters to protect and promote the important role of hunters and hunting in the conservation of wildlife in Africa. Aware of the significant negative ramifications this bill would have, Mr. Jackson planned to travel to Sacramento from his office in Louisiana to work with *Gaines & Associates* in an effort to help defeat the bill.

Regardless of our round the clock efforts at the State Capitol, numerous face-to-face meetings with all the offices of Members on the Assembly Water, Parks and Wildlife Committee, providing 40 pages of documentation to educate them on the critical benefits only hunting can provide to the conservation of the "iconic" species called out in the bill and other efforts, SB 1487 easily passed out of the Assembly Water, Parks and Wildlife Committee on a party-line vote.

Following the Assembly Water, Parks and Wildlife Committee hearing, we re-tailored our arguments for the legal aspects that the Assembly Judiciary Committee would focus on two days later and traveled back into the depths of our State Capitol to meet with the necessary offices. In the meantime, with the primary argument of the proponents of the bill being that there is no need for legal hunting of these species, as ecotourism would surely fully fund these conservation efforts, deter poaching and provide necessary benefits to the local communities in place of hunting, Mr. Jackson reached out to his contacts in Africa asking them to also weigh in on the

bill. In a little over 24 hours, letters had been received from the United Republic of Tanzania Wildlife Management Authority; the Zimbabwe Ministry for Environment, Water & Climate; the Republic of Namibia Ministry of Environment and Tourism; the Namibian Association of Community-Based Natural Resource Management Support Organizations; and the Republic of South Africa Department of Environmental Affairs stating their strong opposition to the bill due to the importance of hunting to the conservation of wildlife and the benefits it provides rural communities in their countries.

Despite meeting with all the offices of the Legislators who sit on the Assembly Judiciary Committee multiple times to deliver the letters from the African countries and to discuss our concerns, the bill easily passed out of Assembly Judiciary Committee on an 8 to 2 vote.

SB 1487 will next be heard in Assembly Appropriations Committee but is not yet set. To remain viable, SB 1487 must be heard and passed out of Assembly Appropriations Committee by August 17th.

The Senate Appropriations Committee analysis of SB 1487 states that the costs to the state of implementing the bill are unknown, but that there could be potentially-significant workload cost pressures to the court to adjudicate lawsuits filed pursuant to this bill. While the superior courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources.

Gaines & Associates and the Conservation Force will continue to work together to do all possible to kill this legislation.

To view the available Senate and Assembly analyses of SB 1487, click [SB 1487 Analyses](#)

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

To view the letter from the Tanzania Wildlife Management Authority, click [Tanzania Ltr](#)

To view the letter from the Zimbabwe Ministry for Environment, click [Zimbabwe Ltr](#)

To view the letter from the Namibia Permanent Secretary for Ministry and Environment, click [Namibia Ltr](#)

To view the letter from the Republic of South Africa Department of Environmental Affairs, click [South Africa Ltr](#)

To view the letter from the Namibian Association of Community-Based Natural Resource Management Support Organizations, click [NASCO Ltr](#)

To view the letter from the Conservation Force to the Assembly Judiciary Committee, click [CF Assy Judic Ltr](#)

To view the letter from the Conservation Force to the Assembly Water, Parks and Wildlife Committee, click [CF AWPW Ltr](#)

To view the letter our coalition letter to the Assembly Water, Parks and Wildlife Committee, click [SB 1487 AWPW Coalition Ltr](#)

To view the letter from the Conservation Force to the Assembly Judiciary Committee, click [SB 1487 Assy Judic Coalition Ltr](#)

CALIFORNIA LEGISLATURE OUTDOOR SPORTING CAUCUS

In our continuing effort to build stronger support for hunting, fishing and shooting at our State Capitol, *Gaines & Associates* will again play an important role in implementing and strengthening the *California Legislature Outdoor Sporting Caucus* during the 2018 Legislative Session. The *California Legislature Outdoor Sporting Caucus* is a bipartisan, bicameral assemblage of State Legislators who support policy decisions which embrace and promote California's outdoor traditions.

In close coordination with our clients and partner organizations, *Gaines & Associates* will again work with Caucus leadership 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 2018, *California Legislature Outdoor Sporting Caucus* will include the following annual events:

- 1) *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 2018 Caucus Shoot was held the evening of Tuesday, May 22nd, at the Cordova Shooting Center.

A very special thank you to the *National Wild Turkey Federation, Congressional Sportsmen's Foundation, California Waterfowl Association, Ducks Unlimited, Monterey County Fish & Game Commission, California Bowmen Hunters/State Archery Association, California Deer Association, Tulare Basin Wetlands Association, Rocky Mountain Elk Foundation, Black Brant Group, California Houndsmen for Conservation and California Rifle and Pistol Association* – all of who joined *Gaines & Associates* in helping to sponsor this event.

- 2) *California Legislature Outdoor Sporting Caucus - State Capitol Hunter Education Course*: Each year, *Gaines & Associates* is pleased to coordinate with Caucus leadership and the Department of Fish and Wildlife 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 2018 State Capitol Hunter Education Course is yet to be scheduled.

- 3) *California Legislature Outdoor Sporting Caucus Social* – This annual event 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 2018 Caucus Social has yet to be scheduled.

The *California Legislature Outdoor Sporting Caucus* was created by *California Waterfowl Association* and *Gaines & Associates* staff sixteen years ago. The *California Legislature Outdoor Sporting Caucus* is one of the largest caucuses at our State Capitol.

For more information on the *California Legislature Outdoor Sporting Caucus*, click [Outdoor Sporting Caucus](#)

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