



GAINES & ASSOCIATES

GOVERNMENT RELATIONS

SPECIAL REPORT

CALIFORNIA STATE LEGISLATURE

2017 SESSION WRAP-UP

SEPTEMBER 21, 2017

The California State Legislature completed their 2017 Session – the first year of the two-year 2017/2018 Session – this past Friday, September 15th, with some bills passing on to the Governor’s desk, some failing, while further consideration of others was pushed back to 2018. Governor Jerry Brown has until Sunday, October 15th, to act on bills placed on his desk by the Legislature.

Lawmakers will reconvene on Wednesday, January 3, 2018, for the 2018 Legislative Session.

This *Gaines & Associates “California State Legislature – 2017 Session Wrap Up”* will provide a summary and the status of all legislation of interest to California’s wildlife and conservation community. Any activity taking place on legislation since our last *Gaines & Associates “California State Legislature Special Report”*, is noted in italics.

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 – 2017 Session Wrap Up” is client privileged and provided as a service to Gaines & Associates clients.

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

For more information on any of the below bills, please contact Gaines & Associates at info@gainesandassociates.net

2017/2018 State Legislative Session

- [AB 7 \(Gipson\)](#) – **Open Carry of Long Guns**

Current law prohibits, with some exceptions, openly carrying a handgun or a long gun outside a vehicle while in a public place or on a public street of an “incorporated” city or city and county, or while in an “prohibited area” where it is unlawful to discharge a firearm. As amended on September 7th, AB 7 – legislation by Assembly Member Mike Gipson (D/64-Carson) – would extend that law to also make it illegal to carry an unloaded long gun in a public place or on a public street within a prohibited area located within the “unincorporated” area of a county.

AB 1527 (Portantino), which passed in 2012, banned openly carrying long guns in incorporated areas – but the legislation did not include unincorporated areas because it was known that people were more likely to be carrying long guns in those areas for sporting or ranching purposes. Proponents of AB 7 argue there are areas within urban areas which are unincorporated – including large unincorporated areas of Los Angeles County that are surrounded by incorporated areas. The intent of AB 7 is to also ban long guns in these areas, referred to as "doughnut holes".

AB 7 passed through the Assembly early this year, and off the Assembly Floor in April. In July, the Senate Appropriations Committee placed the bill in the suspense file due to its potentially significant cost to the state to adjudicate charges brought against defendants who carry unloaded long guns as proscribed by this measure, as well as the unknown potential increase in local enforcement and incarceration costs for those charged with and found guilty of carrying a firearm as proscribed by this bill. On September 1st, AB 7 was pulled from suspense by the Senate Appropriations Committee and passed out to the Senate Floor by a party-line vote.

On September 12th, AB 7 passed off the Senate Floor on a 24 to 14 vote. The bill then was sent back to the Assembly for concurrence with amendments taken in the Senate. The Assembly concurred with the amendments on September 13th, passing AB 7 to the Governor’s desk for his consideration. The Governor has until October 15th to sign or veto AB 7. If the Governor does not act on the bill, the bill will become law. There is no “pocket veto” in California.

Gaines & Associates is scheduling to meet with the Governor’s office to discuss AB 7 and its impact to the hunting community and to strongly urge he veto AB 7. Gaines & Associates will also work with our clients on letters to the Governor calling for a veto on the bill.

To view the bill analyses of AB 7, click [AB 7 Analyses](#)

To view all the other information available on AB 7, click [AB 7 Gipson](#)

- **[AB 8 \(Bloom\)](#) – Depredation Permits: Mountain Lions**

Proposition 117, approved by the California public on June 1990 ballot, enacted “The California Wildlife Protection Act of 1990”, which established that the mountain lion as a specially protected species. Although the Act made it illegal to hunt mountain lions, it did authorize a person whose livestock or property is being damaged or destroyed by a lion to request a depredation permit from the Department of Fish and Wildlife (DFW). Further, the Act requires that DFW issue the permit if the reported damage is confirmed. As introduced, AB 8 – legislation by Assembly Member Richard Bloom (D/50-Santa Monica) – would change the language of the Act to simply “authorize” DFW to issue the permit, rather than “require” them to.

“The California Wildlife Protection Act of 1990” prohibits the Legislature from changing the language the Act except by a 4/5 vote of the membership of both the Assembly and the Senate.

The bill was set for its first hearing in the Assembly Water, Parks and Wildlife Committee in late March, but the hearing was canceled at the request of the author. The bill was then reset to be heard in Committee in late April, but was again pulled from agenda by the author. Assembly Member Bloom is now trying to address his concerns by working with the Department of Fish and Wildlife (DFW) and stakeholders to discuss possible administrative solutions.

On August 28th, *Gaines & Associates* was invited to attend the first of what will be several meetings with DFW leadership regarding possible administrative options to AB 8. *Gaines & Associates* will continue to hold firm during these discussions on the need to ensure that ranchers, farmers and all public have the absolute unabated ability to protect their personal safety, property or investments.

To view the Assembly Water, Parks and Wildlife Committee analysis of AB 8, click [AB 8 Assy WPW Analysis](#)

To view all the information available on AB 8, click [AB 8 Detail](#)

- **[AB 472 \(Frazier\)](#) – Water Transfers: Idled Ag Land/Waterfowl Habitat**

On September 7th, waterfowl friendly language in AB 472 – legislation authored by Assembly Member Jim Frazier (D/11-Oakley) – was completely removed from the bill and replaced with language dealing with employer liability for small and microbusinesses.

Prior to taking on these sweeping amendments, AB 472 would have promoted wildlife habitat and waterfowl nesting cover on fallowed agricultural lands by strengthening current state policy to encourage non-irrigated cover crops and other natural vegetation on fallowed lands involved with water transfers, so long as the water transfer requirements are met. AB 472 was sponsored by the *California Waterfowl Association*.

Currently, regardless of existing state policy to encourage non-irrigated crops or vegetation on idled lands to provide wildlife habitat, landowners are under pressure from the Department of Water Resources (DWR) to remove all non-irrigated vegetative cover on lands involved with water transfers in order to not impact water available for transfer. AB 472 proposed to help ensure that any requirement by DWR to remove or manipulate that cover is based on scientific data, and accomplished in a way that minimizes impacts to wildlife.

As previously written, AB 472 would have also required the Wildlife Conservation Board to establish an incentive program for landowners who voluntarily maintain wildlife cover to provide waterfowl, upland game bird, and other wildlife habitat on idled agricultural lands, including those involved with a water transfer. The program would have been able to provide direct payments to private landowners using available federal funds, state or federal grants, and/or private grants and donations.

Prior to being substantially amended in September, AB 472 worked its way through the Assembly without a single “no” vote, passing off the Assembly Floor in late May. Once on the Senate side, however, it didn’t take long for the bill to run into trouble – failing passage in the Senate Natural Resources and Water Committee in July. In August, the Committee voted to grant AB 472 reconsideration – meaning that the bill could be brought up again for hearing in that Committee in January 2018.

To view the Assembly Water, Parks and Wildlife Committee, Assembly Appropriations Committee, Assembly Floor or Senate Natural Resources and Water Analysis analyses of AB 472, click [AB 472 Assy Analyses](#)

To view all the information available on AB 472, click [AB 472 Detail](#)

To view the coalition letter in support of AB 472, click [AB 472 Coalition Support](#)

- **[AB 478 \(Waldron\)](#) – Sport Fishing Licenses: Age Requirement**

Current law requires every person 16 years of age or older who takes any fish, reptile, or amphibian to obtain a sport fishing license. As amended March 21st, AB 478 – legislation by Assembly Member Marie Waldron (R/75-Escondido) – would raise the age at which a person is required to purchase a sport fishing license from 16 to 18 years of age or older.

California has suffered a significant decline in the sale of recreational fishing licenses. Part of the decline is attributed to fewer youth choosing to fish as a form of outdoor recreation due to the high cost of licenses. By raising the age requirement for fishing licenses to 18 years old, AB 478 would help get more youth and families involved in fishing by allowing minors to fish for free for an additional two years.

AB 478 was heard in Assembly Water, Parks and Wildlife Committee in March, passing out on a unanimous vote. The bill was then brought up briefly in Assembly Appropriations Committee in April, and immediately placed in the “suspense” file due to

the bill's possible fiscal impact to DFW. Because the bill was not pulled off suspense and heard in Assembly Appropriations Committee by the legislative deadline, AB 478 is a "two-year" bill and cannot be heard until January 2018.

The Assembly Appropriations Committee analysis of AB 478 claims that raising the age at which a person is required to purchase a fishing license from 16 to 18 years old would reduce revenues to the DFW Fish and Game Preservation Fund by \$1.55 million annually. In addition, the analysis states that the reduction in license sale revenue could also result in a reduction in future federal revenue to California from the Sport Fish Restoration Act. In 2016, California received \$18,053,855 in federal Sport Fish Restoration Act funds, the maximum 5% allowed.

To view the Assembly Water, Parks and Wildlife Committee and the Assembly Appropriations Committee analyses of AB 478, click [AB 478 Assy Analyses](#)

To view all the information available on AB 478, click [AB 478 Detail](#)

- **[AB 521 \(Frazier\)](#) – Elk Tags: Fees for Residents**

Currently, the cost of an elk tag in California is \$445 for both youth and adult residents. As amended June 26th, AB 521 – legislation authored by Assembly Member Jim Frazier (D/11-Oakley) – proposed to reduce the fee for a California resident elk tag to \$100, and allow it to be adjusted only pursuant to Fish and Game Code Section 713 (g) which states "The department and the commission, at least every five years, shall analyze all fees for licenses, stamps, permits, tags, and other entitlements issued by it to ensure the appropriate fee amount is charged. Where appropriate, the department shall recommend to the Legislature or the commission that fees established by the commission or the Legislature be adjusted to ensure that those fees are appropriate."

As amended June 26th, the bill would have also set the cost of an apprentice (youth) elk tag at \$20, and prohibit the cost from being adjusted pursuant to Fish and Game Code Section 713 (g). The bill would have, however, sunsetted that provision in January 2024 – meaning that follow-on legislation would have to be passed to continue to provide DFW with the authorization to allocate apprentice tags at a price lower than the regular price of a resident elk tag.

Earlier this year, AB 521 quickly worked its way through the Assembly, passing off the Assembly Floor in late May on a unanimous 76 to 0 vote. But the bill quickly ran into problems on the Senate side, where it failed passage in the Senate Natural Resources and Water Committee in July. The bill was not granted reconsideration by the Committee, and is dead.

To view the Assembly Water, Parks and Wildlife Committee, Assembly Appropriations Committee, Assembly Floor or Senate Natural Resources and Water Analysis analyses of AB 521, click [AB 521 Assy Analyses](#)

To view all the information available on AB 521, click [AB 521 Detail](#)

- **[AB 573 \(Bigelow\)](#) – Depredation: Wild Pigs**

As amended on March 23rd, AB 573 – legislation by Assembly Member Frank Bigelow (R/05-O’Neals) – remains a “spot bill” introduced to provide a vehicle for language currently being developed by the Fish and Game Commission Wildlife Resources Committee (WRC), in concert with DFW and interested stakeholders. The overall intent of the bill is to make it easier for landowners and the state to control wild exotic pigs and the extensive damage they do to public and private lands.

Similar legislation introduced in the past by Assembly Member Bigelow has considered such things as eliminating the need for landowners to obtain a depredation permit to take pigs doing damage to their property, eliminating the one tag/pig requirement and replacing it with a single pig validation stamp, making them a nongame animal, night hunting, and other concepts.

Gaines & Associates has been involved in all the discussions on similar legislation in the past, and is working closely with Commission staff and the WRC again this year to ensure that, among other things, hunting opportunity for pigs is maintained and enhanced, and that the annual revenues of over \$1 million to the Big Game Management Account from the sale of pig tags are protected.

For the absolute latest status of the Fish and Game Commission Wildlife Resources Committee’s efforts to craft language for AB 573, click [FGC WRC – 9 2017 Mtg Brief](#) to view the “Gaines & Associates – Special Report – California Fish and Game Commission Wildlife Resources Committee – September 13, 2017 Meeting Summary”.

AB 573 will first be heard in the Assembly Water, Parks and Wildlife Committee in January 2018.

To view all the information available on AB 573, click [AB 573 Detail](#)

- **[AB 718 \(Frazier\)](#) – Mosquito Abatement Fees: Exemptions**

As amended September 8th, AB 718 – legislation authored by Assembly Member Jim Frazier (D/11-Oakley) – is intended to reduce or eliminate charges currently imposed by mosquito abatement districts for mosquito control on private property managed as wetland habitat. As currently amended, AB 718 would authorize a private wetland landowner to enter into a memorandum of understanding with their local mosquito abatement and vector control district to establish a process to implement best management practices on their managed wetlands which provide for the ecological control of mosquitoes. The bill would also authorize the Central Valley Joint Venture, in consultation with mosquito abatement and vector control districts, DFW, and the State Department of Public Health, to periodically modify those best management practices.

AB 718 passed through the Assembly and off the Assembly Floor with a unanimous vote in late May.

The bill then moved swiftly through the Senate, passing off the Senate Floor with another unanimous vote on September 14th. The bill then was sent back to the Assembly for concurrence with amendments taken in the Senate, with the Assembly concurring with the amendments later the same day. AB 718 is now on the Governor's desk for his consideration. The Governor has until October 15th to act on the proposal.

To view all the bill analyses of AB 718, click [AB 718 Analyses](#)

To view all the information available on AB 718, click [AB 718 Detail](#)

To view the coalition letter in support of AB 718, click [AB 718 Coalition Support Ltr](#)

- [AB 907 \(Garcia\)](#) – **Office of Outdoor Recreation and Public Lands Enhancement**
As amended March 14th, AB 907 – legislation by Assembly Member Eduardo Garcia (D/56-Coachella) – would establish the Office of Outdoor Recreation and Public Lands Enhancement in the Governor's Office of Business and Economic Development. This bill is intended to get California's public more actively engaged in outdoor recreation, more involved on stewardship of our natural resource issues, and to connect more people of color to the outdoors. The bill would require the Office of Outdoor Recreation and Public Lands Enhancement to create an advisory group to offer advice, expertise, support, and service.

As amended March 14th, AB 907 expressly defines “outdoor recreation” as a pursuit that occurs in a natural environment or physical landscape, including various active and passive sports and activities. Although the bill's text lists numerous outdoor pursuits as examples – including fishing – it fails to list hunting.

AB 907 passed out of the Assembly Water, Parks and Wildlife Committee in early April. The bill was then briefly heard in Assembly Appropriations Committee in late April, but with the committee analysis estimating the annual ongoing costs of the proposal at \$720,000, it was quickly placed in the suspense file. The bill was not pulled off suspense and heard in Assembly Appropriations Committee by the May 26th legislative deadline. AB 907 is now a “two-year” bill and cannot be heard until January 2018.

Regardless of the likelihood of the bill's passage, *Gaines & Associates* will work with the author's office and others in the State Legislature to ensure that hunting and hunting opportunity is included in the language and positively promoted to the California public because of this measure – should it ultimately be passed into law.

To view the Assembly Water, Parks and Wildlife Committee and the Assembly Appropriations Committee analyses of AB 907, click [AB 907 Assy Analyses](#)

To view all the information available on AB 907, click [AB 907 Detail](#)

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

As amended March 21st, AB 986 – legislation by Assembly Member James Gallagher (R/03-Yuba City) – proposes a variety of changes to California’s hunting and sport fishing licenses.

To begin, AB 986 would change the term of a fishing license from the calendar year to the period of 12 consecutive months beginning on the date of purchase.

AB 986 would also reduce the fee required to obtain an annual or lifetime hunting or fishing license 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.

Further, the bill would also reduce the cost of 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 meets those requirements and who also has a 50% or greater service-connected disability.

AB 986 was heard in Assembly Water, Parks and Wildlife Committee in March, passing out on a unanimous vote. The bill was then briefly heard in Assembly Appropriations Committee in late April, but with DFW estimating annual revenue losses between \$4.2 and \$15.6 million, along with one-time costs of \$866,000 for development and implementation and \$221,000 for increased program staff, the bill was promptly placed in the suspense file. The bill was not pulled off suspense and heard in Assembly Appropriations Committee by the May 26th legislative deadline. AB 986 is now a “two-year” bill and cannot be heard until January 2018.

To view the Assembly Water, Parks and Wildlife Committee and the Assembly Appropriations Committee analyses of AB 986, click [AB 986 Assy Analyses](#)

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

- [AB 1077 \(O’Donnell\)](#) – **Off Highway Vehicles**

As amended on April 5th, AB 1077 – legislation authored by Assembly Member Patrick O’Donnell (D/70-Long Beach) – would extend “The Off-Highway Motor Vehicle Recreation Act of 2003” until January 1, 2019, if a report required by the Act is received by the Legislature by January 1, 2018. If the report is not received by the Legislature by January 1, 2018, AB 1077 would sunset the Act on July 1, 2018.

“The Off-Highway Motor Vehicle Recreation Act of 2003” provides for the acquisition, operation, and funding of state off-highway vehicle recreation areas and trails; established the Off-Highway Motor Vehicle Recreation Commission and the Division of Off-Highway Motor Vehicle Recreation within the Department of Motor Vehicles; and provided a grant program for, among other things, acquisition, administration,

maintenance, and operation of areas and facilities associated with the use of off-highway motor vehicles.

The Act also imposes a service fee of \$7 for the issuance or renewal of identification of off-highway motor vehicles that are subject to identification, along with a special fee of \$33 paid at the time of payment of the service fee. These revenues, along with use fees for state vehicular recreation areas and other specified funds, are deposited in the Off-Highway Vehicle Trust Fund and allocated for purposes related to off-highway recreation.

Further, the Act requires revenues from gasoline taxes related to off-highway motor vehicles and off-highway vehicle activities to be transferred monthly from the Motor Vehicle Account to the OHV Trust Fund, according to a calculation performed by the Department of Transportation (DOT), in cooperation with the Department of Parks and Recreation (DPR) and the Department of Motor Vehicles (DMV). The Act requires DOT to evaluate and revise the estimate of the amount of taxes placed upon the sale of motor vehicle fuel that is used in the operation of off highway vehicles and to provide a report to the Legislature by no later than January 1, 2018.

AB 1077 was heard in the Assembly Rules Committee in March, then heard in the Assembly Water, Parks and Wildlife Committee in early April – passing out of both Committees on unanimous votes. AB 1077 was then heard in Assembly Appropriations Committee in early May, but was placed in the suspense file due to potential transfer of tens of millions of dollars from the OHV Trust Fund to the General Fund if the report is not released, as well as increased unknown significant impacts on other DPR funds to maintain existing properties. The bill was not pulled off suspense and heard in Assembly Appropriations Committee by the May 26th legislative deadline. AB 1077 is now a “two-year” bill and cannot be heard until January 2018.

To view the Assembly Water, Parks and Wildlife Committee and the Assembly Appropriations Committee analyses of AB 1077, click [AB 1077 Assy Analyses](#)

To view all the information available on AB 1077, click [AB 1077 Detail](#)

- [AB 1337 \(Patterson/Cooley\)](#) – **Fish & Game Commission: Meetings and Hearings/Live Broadcast**

As introduced, AB 1337 – legislation co-authored by Assembly Members Jim Patterson (R/23-Fresno) and Ken Cooley (D/08-Rancho Cordova) – would require the Fish and Game Commission to provide a live internet video broadcast of every Commission meeting or hearing that is open to the public, as well as every subcommittee meeting of the Marine Resources Committee, Wildlife Resources Committee, or Tribal Committee that is open to the public.

AB 1337 easily passed through the Assembly earlier this year and off the Assembly Floor on consent in May. The bill then moved equally quickly through the Senate, passing out of the Senate Appropriations Committee on consent in July – regardless of its estimated

increased annual costs of approximately \$120,000 to the DFW Fish and Game Preservation Fund (FGPF).

AB 1337 was held on the Senate Floor and ordered to the inactive file. AB 1337 can be brought back up for consideration on the Senate Floor during the 2018 Session.

To view the Assembly Water, Parks and Wildlife Committee, Assembly Appropriations Committee, Senate Natural Resources and Water Committee, Senate Appropriations and Senate Floor analyses of AB 1337, click [AB 1337 Analyses](#)

To view all the information available on AB 1337, click [AB 1337 Detail](#)

- [AB 1544 \(Dahle/Mathis\)](#) – **Hunting/Depredation: Nonlead Ammunition Relief**

AB 1544, legislation co-authored by Assembly Members Brian Dahle (R/01-Bieber) and Devon Mathis (R/26/Visalia), would ensure that hunters can stay in the field and farmers and ranchers can continue 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 1544 is co-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*.

AB 711, legislation passed in 2013, will require the use of nonlead ammunition for the take of all wildlife species statewide as of July 1, 2019. With nonlead ammunition not required for the take of any wildlife (except waterfowl) in any other state except California, the manufacture and availability of nonlead ammunition is currently highly limited in many calibers, and non-existent in others. With demand low due to nonlead ammunition not currently required for most species, nonlead loads in some common calibers can now be found at some California sporting goods retailers. However, when the ban on lead ammunition goes into full effect statewide in July 2019, California's retailers will have difficulty acquiring adequate supply of nonlead ammunition necessary to meet skyrocketing demand.

Until recently, California's hunters and ranchers could look to out-of-state retailers to help fill the expected substantial increase in demand for nonlead munitions. However, last year's approval of proposals governing ammunition sales and purchase will ban internet and mail order purchase of ammunition without the cost-prohibitive step of going through a local retailer as of January 1, 2018, and prohibit most California residents from bringing ammunition purchased out of state into the state without going through a licensed ammunition dealer as of July 1, 2019. Although the intent of AB 711 may or may not have been to keep law-abiding hunters out of the field, or farmers and ranchers from protecting their property and livestock – when combined with the passage of subsequent proposals which restrict ammunition purchase – AB 711 will do just that.

As amended on March 28th, AB 1544 would 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 caliber, if the Commission finds that

nonlead ammunition of a specific caliber is not available for any reason. The bill also would require the Fish and Game Commission to adopt criteria by January 1, 2019 to determine when nonlead ammunition is considered not available, and would require those criteria to include regional availability and the cost of nonlead ammunition. AB 1544 would prohibit any suspension from remaining in effect for longer than three years.

Although AB 1544 has sweeping support from wildlife conservation groups, as well as the *California Farm Bureau Federation*, *California Cattlemen's Association*, and the *California Wool Growers Association*, the bill will face a tough battle at the Capitol.

Since the bill's introduction in late February, *Gaines & Associates* has been working closely with Assembly Members Dahle and Mathis and their staff, the bill's sponsor organizations, and other partners in conservation to educate Legislators on the critical need for the bill and to build support for its passage. With additional work remaining to be done to secure the necessary votes, we have chosen to make AB 1544 a "two-year" bill to allow these efforts to continue through 2017.

AB 1544 will be first heard in the Assembly Water, Parks and Wildlife Committee in January 2018.

To view all the information available on AB 1544, click [AB 1544 Detail](#)

To view the coalition letter in support of AB 1544, click [AB 1544 Coalition Support Ltr](#)

- **[AB 1617 \(Bloom\)](#) – Department of Fish and Wildlife: Funding**

The Department of Fish and Wildlife is currently suffering from a funding shortfall due to, among other things, increasing responsibilities and associated staff costs, combined with declining fishing and hunting license, stamp and tag sale revenues. Historically, the recreational and hunting and sport fishing communities, and to some extent the commercial fishing industry and the General Fund, have funded most of DFW's fisheries and wildlife management activities. However, as the state's population continues to grow, and loss of habitat puts greater stress on all our fishery and wildlife species, more and more of the Department's activities are directed towards protecting fish and wildlife for the general benefit of the people of the state.

Currently, DFW has an annual operating shortfall of \$20 million in its Fish and Game Preservation Fund non-dedicated account. In his January 2017 budget proposal for FY 2017/2018, the Governor proposed to address the annual operating shortfall primarily through increased commercial fishing landing fees, and from a one-time shift of funds from a trust account funded by lifetime hunting and sport fishing licenses.

As amended May 15th, AB 1617 – legislation authored by Assembly Member Richard Bloom (D/50-Santa Monica) – also attempts to take steps towards addressing this funding shortfall. To begin, AB 1617 would require DFW – in cooperation with the Legislature, recreational users, conservation organizations, the commercial fishing industry, and other

interested parties – to identify and propose new sources of revenue to fund DFW’s efforts. But the proposal doesn’t stop there.

Current law required the Secretary of the Natural Resources Agency to establish a committee to develop and submit to the Governor and Legislature by July 2012 a “Strategic Vision” for DFW and the Fish and Game Commission for fish and wildlife resource management. In addition, current law required the Governor or that committee to appoint a “blue ribbon” citizen commission or task force, a stakeholder advisory group, and any other group deemed necessary to assist in developing that Strategic Vision. As amended May 15th, AB 1617 would also require the Secretary of the Natural Resources Agency to appoint a stakeholder advisory group to report to the Governor and Legislature – before July 1, 2018 – on the progress made toward the implementation of that Strategic Vision. AB 1617 would also require the Secretary of the Natural Resources Agency to direct DFW to evaluate and implement program efficiencies as part of its strategic planning effort, and to establish a high-level task force that reviews and makes recommendations regarding Fish and Game Commission and DFW mandates, efficiencies and funding, as called out in the recommendations contained in the Strategic Vision.

AB 1617 moved through the Assembly earlier this year, passing off the Assembly Floor in late May by a 56 to 20 vote. On the Senate side, the bill was first set to be heard in Senate Natural Resources and Water Committee in July, but was pulled off agenda at the request of the author. Having missed the July 21st deadline to pass out of Policy Committee, AB 1617 is now a “two-year” bill and cannot be heard in Senate Natural Resources and Water Committee until January 2018.

To view the Assembly Water, Parks and Wildlife, Assembly Appropriations and Assembly Floor analyses of AB 1617, click [AB 1617 Assy Analyses](#)

To view all the information available on AB 1617, click [AB 1617 Detail](#)

- [SB 144 \(McGuire and Nielsen\)](#) – **Steelhead Trout: Fishing Report-Restoration Card**
Current law requires a person taking steelhead trout in inland waters to have a steelhead trout fishing report-restoration card, in addition to their California sport fishing license and any applicable sport license stamp. Existing law also requires fishing report-restoration card revenues be deposited in the DFW Fish and Game Preservation Fund and made available for the monitoring, restoration, and/or enhancement of steelhead trout resources. Further, the law required DFW to report to the Legislature on or before July 1, 2016, regarding the projects undertaken with fishing report-restoration card revenues, the benefits derived, and any recommendations DFW may have for revising the fishing report-restoration card requirement. The law calls for these provisions to become inoperative as of July 1, 2017, and to be repealed as of January 1, 2018.

As amended March 15th, SB 144 – legislation co-authored by Senator Mike McGuire (D/02-Healdsburg) and Senator Jim Nielsen (R/04-Gerber) – would extend the operation of the above provisions to July 1, 2022. SB 144 would also require DFW to report to the

Legislature regarding the fishing report-restoration card program's projects on or before July 1, 2021.

SB 144 moved through the Senate earlier this year, passing off the Senate Floor with a unanimous vote in late May. The bill moved equally swiftly through the Assembly, passing off the Assembly Floor in early September by yet another unanimous vote. The bill is now on the Governor's desk for his consideration. The Governor has until October 15th to sign or veto SB 144.

To view the Senate Natural Resources and Water Committee, Senate Appropriations Committee, Senate Floor, the Assembly Water, Parks and Wildlife Committee, Assembly Appropriations Committee, or Assembly Floor analyses of SB 144, click [SB 144 Analyses](#)

To view all the information available on SB 144, click [SB 144 Detail](#)

- **[SB 187 \(Berryhill\)](#) – Sport Fishing License: Duration**

As amended May 3rd, SB 187 – legislation by Senator Tom Berryhill (R/08-Modesto) – would change the term of a fishing license from the calendar year to the period of 12 consecutive months beginning on the date of purchase. The bill would charge the Fish and Game Commission with adjusting the cost of the license to fully recover all administrative and implementation costs of DFW and the Commission relating to the license. SB 187 would also require DFW to submit a report to the Legislature by December 1, 2023, regarding the implementation of the new licensing periods and fees. The legislation would go into effect on January 1, 2020.

SB 187 moved through the Senate this spring, passing off the Senate Floor on a unanimous vote in late May. On the Assembly side, SB 187 was heard in the Assembly Water, Parks and Wildlife Committee in June, passing out on another unanimous vote. SB 187 was then heard briefly in Assembly Appropriations Committee in July, but quickly placed in the suspense file due to its estimated annual cost to the DFW FGPF of \$3.4 to \$14.8 million (with some of these costs “potentially offset” by increases in the sale of fishing licenses) as well as a one-time expense of up to \$166,000 to update the license system, regulations and other materials. SB 187 did not pass out of the Assembly Appropriations Committee by the September 1st legislative deadline for bills to pass out of their “second-house” fiscal committee. SB 187 is now a “two-year” bill, and will not be heard until January 2018.

To view the Senate Natural Resources and Water Committee, Senate Appropriations Committee, Senate Floor, Assembly Water, Parks and Wildlife Committee or Assembly Appropriations Committee analyses of SB 187, click [SB 187 Analyses](#)

To view all the information available on SB 187, click [SB 187 Detail](#)

- **[SB 234 \(Berryhill\)](#) – Fishing: Local Regulation: Report**

As amended March 21st, SB 234 – legislation by Senator Tom Berryhill (R/08-Modesto) – would require the Fish and Game Commission to undertake a survey and evaluation of local ordinances that regulate fishing and to submit the survey and evaluation to the Legislature in a report by December 31, 2018.

SB 234 moved quickly through the Senate earlier this year, passing off the Senate Floor on a unanimous vote in May. On the Assembly side, the bill passed out of the Assembly Water, Parks and Wildlife Committee in June on another unanimous vote. The bill was then heard briefly in Assembly Appropriations Committee in July, but quickly placed in the suspense file due to estimated one-time cost to the DFW FGPF of up to \$100,000 for staff to research local ordinances, assess legality, and develop the report for the Legislature. SB 234 did not pass out of the Assembly Appropriations Committee by the September 1st legislative deadline for bills to pass out of their “second-house” fiscal committee. SB 234 is now a “two-year” bill, and will not be heard until January 2018.

To view the Senate Natural Resources and Water Committee, Senate Appropriations Committee, Senate Floor, Assembly Water, Parks and Wildlife Committee or Assembly Appropriations Committee analyses of SB 234, click [SB 234 Analyses](#)

To view all the information available on SB 234, click [SB 234 Detail](#)

[SB 464 \(Hill\)](#) – Firearms Dealers: Storage and Security

Existing law requires firearms dealers to store all inventory firearms at a licensed location when not open for business, and for each firearm to be secured by: a) storing the firearm in a secure facility that is all or part of the firearms dealer’s business premises; b) securing the firearm with a steel rod or cable with specified features; or c) storing the firearm in a locked fireproof safe or vault in the business premises.

As amended July 10th, SB 464 – legislation by Senator Jerry Hill (D/13-San Mateo) – would require dealers who sell firearms at a street level location, and who secure firearms at their location with the steel rod or cable method, to install concrete or hardened steel bollards or other devices with a similar structural integrity to protect the location’s front entrance, any floor-to-ceiling windows, and any other doors that could be breached by a vehicle.

If a safe or vault method is used, SB 464 would require the safe to meet specified safety standards established by the Attorney General relating to risk reduction of firearm-related injuries to children 17 years of age and younger. The bill would also authorize the dealer to secure the firearms by storing them in a shatter-proof display case, in a windowless room without a door accessing the outside of the building, or by use of a steel roll-down door or security gate or in a locked gun rack. Finally, the bill would also require the dealer to install steel roll-down doors on perimeter doors and floor-to-ceiling windows, if the other securing methods described above are not used.

SB 464 passed through Senate Committees earlier this year and off the Senate Floor in late May on party-line votes. On the Assembly side, SB 464 again passed through on party-line votes – clearing the Assembly Floor in late August. The bill then was sent back to the Senate for concurrence with amendments taken in the Assembly, with the Senate concurring with the amendments on another party-line vote in early September. SB 464 is now headed to the Governor’s desk for his consideration. The Governor has until October 15th to sign or veto SB 464.

Gaines & Associates is scheduling to meet with the Governor’s office to discuss SB 464 and its impact to the hunting community and to strongly urge he veto the proposal. Gaines & Associates will also work with our clients on letters to the Governor calling for a veto on the bill.

To view the Senate Natural Resources and Water Committee, Senate Appropriations Committee, Senate Floor, Assembly Public Safety Committee, Assembly Appropriations Committee, or Assembly Floor analyses of SB 464, click [SB 464 Senate Analyses](#)

To view all the information available on SB 464, click [SB 464 Detail](#)

- **[SB 497 \(Portantino\) – Firearms: Transfers](#)**

As amended September 5th, SB 497 – legislation by Senator Anthony J. Portantino (D/25-Glendale) – would permit a peace officer, as defined, to store a handgun in the locked center utility console of a vehicle that does not have a trunk, under specified circumstances.

Prior to being amended, SB 497 proposed to prohibit a person from making more than one application to purchase a long gun within any 30-day period. The bill would have, however, exempted from that prohibition the purchase of a long gun by a person who possesses a valid hunting license, and/or the acquisition of a long gun at an auction or similar event conducted by a non-profit organization.

SB 497 worked its way through the Senate earlier this year on straight party-line votes – passing off the Senate Floor in late May.

In the Assembly, the bill continued to move, eventually passing off the Assembly Floor, as newly amended, on September 13th. From there, SB 497 was required to go back to Senate Public Safety Committee, passing out on a 7 to 0 vote on September 14th. The bill then passed off the Senate Floor on September 15th by a 33 to 4 vote. SB 497, as amended September 5th, is now on the Governor’s desk for his consideration. The Governor has until October 15th to act on the proposal.

To view the Senate Natural Resources and Water Committee, Senate Appropriations Committee, Senate Floor, Assembly Public Safety Committee, and/or Assembly Appropriations Committee of SB 497, click [SB 497 Senate Analyses](#)

To view all the information available on SB 497, click [SB 497 Detail](#)

- **SB 710 (Anderson) – Suppressors**

Existing law makes it a felony to possess a suppressor in California, punishable by imprisonment in county jail or by a fine not to exceed \$10,000 or both. As introduced, SB 710 – legislation by Senator Joel Anderson (R/38-Alpine) – would legalize suppressor ownership in our state, and allow 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. SB 710 is sponsored by the *American Suppressor Association*, with the assistance of *Gaines & Associates*.

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 certainly 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 in California will certainly be no exception – especially due to the inaccurate perception of them created by Hollywood. Knowing that to pass this bill we must eliminate the misconceptions about suppressors, Senator Anderson and the bill’s sponsor have decided to make SB 710 a “two-year” bill. By doing so, *Gaines & Associates* can work with Senator Anderson’s office, the *American Suppressor Association* and others throughout 2017 to educate Legislators, enforcement agencies and other interests about the realities of suppressors and their substantial health and other benefits. These efforts will include holding an interim hearing at the State Capitol where questions can be asked and facts can be delivered by suppressor experts, and demonstrations at the range which can exhibit the true reduction in gunfire sound signature they provide for a variety of firearms.

SB 710 has been “double-referred”, and must be heard by two policy committees on the Senate side – Senate Public Safety Committee and the Senate Natural Resources and Water Committee. The bill will not be heard until January 2018.

To view the American Suppressor Association’s support letter for SB 710, click [ASA Support](#)

To view the American Suppressor Association’s media release on SB 710, click [ASA Release](#)

To view all the information available on SB 710, click [SB 710 Detail](#)

CALIFORNIA LEGISLATURE OUTDOOR SPORTING CAUCUS

In the 2017/2018 Legislative Session, *Gaines & Associates* is again playing an important role in implementing and strengthening 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 our clients and partner organizations, *Gaines & Associates* is working 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 2017, *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 2017 Caucus Shoot was held on Wednesday, August 30th, at the Cordova Shooting Center in Rancho Cordova. The event was again a huge success, filling the range with well over 100 attendees. This year's event boasted the largest crowd of Legislators ever, with over 20 Members RSVPed to join us for the evening.

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, Butte County Fish & Game Commission, California Bowmen Hunters/State Archery Association, California Deer Association, Tulare Basin Wetlands Association, Rocky Mountain Elk Foundation, California Houndsmen for Conservation and the San Francisco Bay Area Chapter of Safari Club International* – who all joined *Gaines & Associates* in helping to sponsor the 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 2017 State Capitol Hunter Education Course is sponsored by the *Black Brant Group* and will be held at the State Capitol on September 26th

The *California Legislature Outdoor Sporting Caucus* was created by *California Waterfowl Association* and *Gaines & Associates* staff fifteen 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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