



GAINES & ASSOCIATES

GOVERNMENT RELATIONS

SPECIAL REPORT

CALIFORNIA STATE LEGISLATURE

2018 SESSION KICK OFF

JANUARY 6, 2018

Earlier this week, on January 3rd, the California State Legislature reconvened for their 2018 Legislative Session – the second year of the two-year 2017/2018 Session.

This *Gaines & Associates* “*California State Legislature – 2018 Session Kick Off*” will provide a summary and status of all legislation of interest to California’s wildlife and conservation community that is still pending from the 2017 Legislative Session, as well as any new bills of interest which have been introduced and/or amended in the past few days.

To set the stage, note that the second year of the two-year California State Legislative Session always starts fast, with legislative deadlines for bills still pending from the first year of the Session coming up very quickly. For the 2018 Session, the last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house in 2017 is next Friday, January 12th. The last day for any committees to hear and report to the Floor bills introduced in their house in 2017 is Friday, January 19th. By Wednesday, January 31st, all bills introduced in 2017 must be passed out of their house of origin.

Of course, new legislation can also be introduced in 2018, with the legislative deadline for the introduction of new bills being Friday, February 16th.

The latest status of each bill is shown in italics, with news of urgent importance in bold red type.

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 Session Kick Off” 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

2018 State Legislative Session

- **[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, 2017, AB 478 – legislation by Assembly Member Marie Waldron (R/75-Escondido) – proposed to 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 have helped get more youth and families involved in fishing by allowing minors to fish for free for an additional two years.

AB 478 passed out of the Assembly Water, Parks and Wildlife Committee in March 2017 on a unanimous vote, but then stalled in Assembly Appropriations Committee in April 2017 due to the bill’s estimated fiscal impact to DFW. The Assembly Appropriations Committee analysis of AB 478 claimed 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 stated 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.

Because AB 478 did not pass out of the Assembly Appropriations Committee by the 2017 Session legislative deadline, it became a “two-year” bill. Although steps could be taken this month to try to keep AB 478 viable in the 2018 Session, Assembly Member Waldron office has informed Gaines & Associates that she has chosen to not pursue the measure this year.

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 573 (Bigelow) – Depredation: Wild Pigs**

Introduced in February 2017, AB 573 – legislation by Assembly Member Frank Bigelow (R/05-O’Neals) – was a “spot bill” intended to provide a vehicle for language developed by the Fish and Game Commission (Commission), with the assistance of its Wildlife Resources Committee (WRC), and in concert with DFW and interested stakeholders. Late last year, the sweeping recommendations were approved by the Commission and forwarded to Assembly Member Bigelow for his consideration.

To provide some background, Assembly Member Frank Bigelow’s primary intent of this effort is to make changes to Fish and Game Code and Title 14 regulations that would facilitate the ability of landowners and the state to control wild exotic pigs and the extensive damage they do to public and private lands. Of primary concern to *Gaines & Associates* has been to maintain and enhance wild pig hunting opportunity, to increase the use of hunting as a landowner management tool for controlling wild pig populations, and to maintain the roughly \$1.2 million per year currently generated by the sale of pig tags which is deposited into the Big Game Management Account which benefits bighorn sheep, bear, deer, elk and pronghorn antelope.

As reported in *Gaines & Associates “California Fish and Game Commission Updates”* for the past year, the Commission, its WRC, *Gaines & Associates* and other stakeholders spent a tremendous amount of time meeting to discuss thoughts and concerns in an effort to piece together recommended language for the Commission to offer Assembly Member Bigelow. Among many other things, some of the changes considered included: changing the designation of wild pigs from a “game mammal” to a new, separate designation which would allow for the defining of the different management objectives wild pigs have, relative to other game and nongame mammals in California. (Note that the new designation could also be used for other non-native game species such as fallow deer, aoudad and mouflon, which are currently designated as “nongame mammals”); eliminating all required permits and reporting for depredation; adding wild pig to the list of birds and mammals where waste of a carcass is prohibited; reducing and simplifying DFW wild pig management plan requirements; and eliminating the need to have a “pig tag per pig”, instead requiring the purchase of a single annual validation. Note that AB 573, as amended, proposed to set the initial cost of a resident wild pig validation at \$15, but would allow the Commission to change the fee, as necessary, to maintain annual wild pig revenue streams to the Big Game Management Account.

This past Wednesday, on January 3rd, 2018, much of the language suggested to Assembly Member Bigelow by the Commission was amended into AB 573 and the bill was referred to the Assembly Water, Parks and Wildlife Committee, where it would have to be heard on the Committee’s January 9th meeting agenda in order to meet next Friday’s legislative deadline for bills introduced in 2017. However, lingering concerns of some interests with the new amended bill language has prompted Assembly Member Bigelow to pull AB 573, as amended, from being heard next week to allow more time to consider remaining stakeholder concerns – in effect, killing AB 573.

To keep this lengthy effort going, Assembly Member Bigelow will introduce a new bill prior to the mid-February deadline for introducing new legislation in 2018. The new bill will include the language recently amended into AB 573, and any agreed-to changes that come out of discussions with stakeholders in the coming days.

For more detail on the Fish and Game Commission WRC's activity on AB 573, 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](#)

For more detail on the full Fish and Game Commission's activity on AB 573, view *Gaines & Associates "California Fish and Game Commission Update – October 9, 2017"* by clicking [FGC - 10 2017 Mtg](#)

The new legislation will first be heard in the Assembly Water, Parks and Wildlife Committee later this spring.

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

- [AB 907 \(Garcia\)](#) – **Office of Outdoor Recreation and Public Lands Enhancement**
As amended March 14, 2017, 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, 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 currently fails to list hunting.

AB 907 passed out of the Assembly Water, Parks and Wildlife Committee in early April 2017, and then was briefly heard in Assembly Appropriations Committee later that same month. But, with the Assembly Appropriations Committee analysis estimating the annual ongoing costs of the proposal at \$720,000, the bill stalled in Assembly Appropriations Committee and became a "two-year" bill.

To remain viable in 2018, AB 907 must be heard and pass out of Assembly Appropriations Committee to the Floor by January 19th. Although AB 907 is technically still alive, earlier this week Assembly Member Eduardo Garcia's office told Gaines & Associates that instead of pursuing passage of AB 907 this year, they are likely to reintroduce similar legislation next year to buy more time to build greater outdoor industry support of the proposal. Either way, Gaines & Associates will continue to work

with the author's office and others in the State Legislature to ensure that hunting and hunting opportunity is fully included in the bill language, should this bill become 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 21, 2017, 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, as amended in March 2017, the bill would 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 passed out of the Assembly Water, Parks and Wildlife Committee in March 2017 on a unanimous vote, and was then briefly heard in Assembly Appropriations Committee in April 2017. 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, the bill stalled in Assembly Appropriations Committee and became a “two-year” bill.

To remain viable in 2018, AB 907 must be heard and pass out of Assembly Appropriations Committee to the Floor by January 19th. This week, Assembly Member Gallagher's office told Gaines & Associates that they fully intend to pursue AB 986 this Session, and plan to amend the bill to improve its chance of passage. In the next few days, AB 986 will be amended to allow for the option of purchasing the traditional calendar year fishing license at the normal price, or the “12 month from date of purchase” fishing license at an additional cost of 30% over the cost of a traditional calendar year license.

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 currently available on AB 986, click [AB 986 Detail](#)

- **AB 1077 (O'Donnell) – Off Highway Vehicles**

As amended on April 5, 2017, AB 1077 – legislation authored by Assembly Member Patrick O'Donnell (D/70-Long Beach) – proposed to extend “The Off-Highway Motor Vehicle Recreation Act of 2003” until January 1, 2019, if a report required by the Act was received by the Legislature by January 1, 2018. If the report was not received by the Legislature by January 1, 2018, AB 1077 would have 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 for the issuance or renewal of an identification plate or device. 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 and Assembly Water, Parks and Wildlife Committee last spring, passing out of both Committees on unanimous votes. Like many other bills, AB 1077 then stalled in Assembly Appropriations Committee in May and became a “two-year” bill.

In the meantime, somewhat similar legislation, SB 159 by Senator Benjamin Allen (D/26-Redondo Beach), was signed into law by Governor Brown in October 2017. SB 197 extended indefinitely the \$7 fee for issuance or renewal of identification of off-highway motor vehicles, as well as the special fee of \$33 for the issuance or renewal of an identification plate or device. SB 197 also extended the requirement that all revenues received pursuant to the special fee of \$33 – as well as all day use, overnight use, or annual or biennial use fees for state vehicular recreation areas received by the Department of Parks and Recreation – be deposited in the Off-Highway Vehicle Trust Fund. Due to the passage of SB 159, Assembly Member O'Donnell's office has informed Gaines & Associates that they do not intend to pursue passage of AB 1077 in 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 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, with last year's approval of measures governing ammunition banning internet/mail order purchase of ammunition as of January 1, 2018, and a prohibition against California residents bringing ammunition purchased out of state into the state without going through a licensed ammunition dealer as of July 1, 2019 – out-of-state purchase is no longer a reasonable option. 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 28, 2017, 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 last February, *Gaines & Associates* has worked 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. Late last spring, with additional work remaining to be done to secure the necessary votes to pass the measure, we chose to make AB 1544 a "two-year" bill to allow these efforts to continue through 2017.

To remain viable in 2018, AB 1544 would have to be heard in the Assembly Water, Parks and Wildlife Committee by the January 9, 2018 legislative deadline for policy committees to hear and report to fiscal committees fiscal bills introduced in their house in 2017. Surprisingly, we were just recently informed by the Assembly Water, Parks and Wildlife Committee that AB 1544 will not be placed on agenda to be heard at the Committee's January 9th hearing. Undaunted, Gaines & Associates is working with the author's offices to soon reintroduce similar legislation during the 2018 Session intended to address this very real concern.

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 estimated annual operating shortfall of \$20 million in its Fish and Game Preservation Fund non-dedicated account. As amended May 15, 2017, AB 1617 – legislation authored by Assembly Member Richard Bloom (D/50-Santa Monica) – 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, 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 passed through the Assembly and off the Assembly Floor by late May 2017. The bill was then set to be heard in Senate Natural Resources and Water Committee in July, but pulled off agenda at the request of the author – making AB 1617 a “two-year” bill. Because AB 1617 has already passed out of its house of origin, the measure has until this summer to be heard and pass out of the Natural Resources and Water Committee.

In the meantime, during the interim break, DFW leadership has been actively meeting with Gaines & Associates and other stakeholders in a joint effort to do much of what AB 1617 would require. Gaines & Associates has been extremely active in this process, with the general goal being to ensure that an appropriate portion of any new funding streams developed: go towards programs that improve the health and habitats of the wildlife and fisheries that we care about; enhance hunting and fishing programs; provide greater fishing and hunting opportunity; return any hunting and fishing revenues that are currently being “borrowed” for other nongame related purposes to their appropriate use; and, that none of the new funds come out of the pockets of the hunters and anglers that already pay far more than their fair share towards Department activities.

Assembly Member Richard Bloom is well aware of these Department/stakeholder efforts to address the very same DFW funding shortfall targeted by AB 1617. In addition, with the Governor’s FY 2018/2019 Budget proposal set to be released next Wednesday, January 10th, much can change on this important front in the coming weeks and months. With further activity on AB 1617 not required until this summer, next steps for the bill – if any – are unknown at this time.

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

As amended May 3, 2017, SB 187 – legislation by Senator Tom Berryhill (R/08-Modesto) – proposed to 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 have charged 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 have also required 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 have gone into effect on January 1, 2020.

SB 187 quickly passed through the Senate and over to the Assembly last spring. Once on the Assembly side, the bill promptly passed through the Assembly Water, Parks and Wildlife Committee, but then stalled in Assembly Appropriations Committee last July, 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.

Because SB 187 did not pass out of the Assembly Appropriations Committee by the September 2017 legislative deadline it became a “two-year” bill. Senator Berryhill’s office has informed Gaines & Associates that they have chosen to not pursue passage of SB 187 during the 2018 Session. Rather, the Senator plans to pursue establishing a 12-month fishing license in the form of SB 518, see below.

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 21, 2017, SB 234 – legislation by Senator Tom Berryhill (R/08-Modesto) – would have required 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 quickly passed through the Senate and off the Senate Floor last year with sweeping unanimous votes by mid-May 2017. The bill kept up the momentum by passing through the Assembly Water, Parks and Wildlife Committee by another unanimous vote in late June, but then stalled in Assembly Appropriations Committee in July 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.

Because SB 234 did not pass out of the Assembly Appropriations Committee by the September legislative deadline it became a “two-year” bill. Although, with some effort, SB 234 could be kept alive in the 2018 Session, Senator Berryhill’s office has informed

Gaines & Associates that they do not intend to pursue passage of the bill this year. Senator Berryhill's office did state that they may reintroduce a similar bill in 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 459 \(Portantino\)](#) – **Firearms: Dealer Inspections****

Current law authorizes the licensing authority of a city, county, or a city and county to grant licenses to sell firearms at retail within their boundaries, and requires the Department of Justice (DOJ) to maintain a list of licensed firearms dealers. Existing law authorizes the DOJ to inspect those dealers to ensure compliance with firearms law, and to assess an annual fee to cover the costs of maintaining the dealer list and conducting inspections. Finally, current law exempts a dealer located in a jurisdiction that has adopted an inspection program from that portion of the DOJ fee that relates to the cost of inspections.

SB 459 – legislation gutted and amended by Senator Anthony J. Portantino (D/25-Glendale) on January 3rd, 2018 – would require DOJ to conduct inspections of dealers at least every 2 years, with the exception of a dealer whose place of business is located in a jurisdiction that has adopted an inspection program. However, the bill would authorize DOJ to also inspect a dealer who is located in a jurisdiction with an adopted inspection program.

Because SB 459, as amended, would substantially increase the frequency of firearm dealer inspections and their associated fees, as well as also authorize DOJ inspections of dealers located in jurisdictions with adopted inspection programs, it would not only put significant additional strain on the already considerable DOJ workload backlog, but also result in an unacceptable additional financial hit to dealers.

Introduced just Wednesday of this week, SB 459 is already set to be heard in Senate Public Safety Committee next Tuesday, January 9, 2018. The hearing will be held in State Capitol Room 3191, and will begin at 9:30 AM.

The Senate Public Safety Committee analysis of SB 459, as amended, is not yet available.

To view all the information currently available on SB 459, click [SB 459 Detail](#)

- **[SB 518 \(Berryhill\)](#) – **Sport Fishing Licenses: 12 Consecutive Month Licenses****

As amended September 15, 2017, SB 518 – legislation now by Senator Tom Berryhill (R/08-Modesto) – would, in addition to traditional calendar year sport fishing licenses, 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 of the Department and the Commission relating to these licenses. The bill would also require the Department to submit to the Legislature a written report on the implementation of these provisions. SB 518 would go into effect beginning January 1, 2020, until January 1, 2025.

Because SB 518 is a “gut and amend” of legislation originally introduced on another topic in 2017 by Senate President pro Tempore Kevin de León (D/24-Los Angeles), the bill has already passed through the Senate and is already in the Assembly waiting to be set for hearing in the Assembly Natural Resources Committee. However, having already passed out of its house of origin, the bill does not have to be heard until early this summer.

Assembly Committee analyses of SB 518 are not yet available.

To view all the information currently available on SB 518, click [SB 518 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 would have to do our best to try to eliminate the misconceptions about suppressors, early last year, Senator Anderson and the bill's sponsor decided to make SB 710 a “two-year” bill.

Over the course of the last several months, *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 included continually meeting with key Capitol offices and two live range demonstrations.

SB 710 is set to be heard in Senate Public Safety Committee next Tuesday, January 9, 2018. The hearing will be held in State Capitol Room 3191, and will begin at 9:30 AM. It is critical that we show Capitol decision-makers that legalization of suppressors in California has sweeping support. We urge all hunting and shooting interests to attend this hearing and voice your support for this bill.

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 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 is yet to be scheduled, but will likely be held in June.

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 annually join *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 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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