



# **GAINES & ASSOCIATES**

## **GOVERNMENT RELATIONS**

### **“GAINES REPORT”**

## **CALIFORNIA STATE LEGISLATURE**

### **2021 SESSION UPDATE**

**MAY 4, 2021**

As we approach mid-May, action at the California State Capitol is going full tilt. This *Gaines & Associates “California State Legislature – 2021 Session Update”* will provide you with a summary and the latest status of all legislation of interest and concern to our wildlife and conservation clients.

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

*The latest activity on each bill is shown in italics.*

*This Gaines & Associates “California State Legislature – 2021 Session Update” is client privileged and provided as a service to Gaines & Associates clients.*

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

### **2021 State Legislative Session**

- **AB 311 (Ward) – Firearms: Gun Shows**

AB 311 by Assembly Member [Christopher M. Ward](#) (D/78-San Diego) would prohibit a vendor at a gun show or event from possessing, displaying, offering to sell, selling, or transferring any firearm precursor parts. Among other things, the bill would make a violation of these provisions a misdemeanor and prohibit a vendor who has been convicted of violating these provisions from participating in any gun show or event in California for one year after the date of the conviction.

AB 311 is yet another attempt to take firearms out of the hands of law-abiding citizens by making firearm parts more difficult and expensive to obtain. Further, not only would AB 311 dump additional duties on an already overloaded Department of Justice (DOJ), it would also open the door for government cross-

referencing of parts purchased to what firearms an individual has registered in his/her name – possibly making innocent law-biding gunowners victims of senseless criminal investigations.

*AB 311 was heard in the Assembly Public Safety Committee on April 6<sup>th</sup>, passing out on a party-line vote. AB 311 must now go to the Assembly Appropriations Committee but has not yet been set to be heard. AB 311 must be heard in Assembly Appropriations Committee and passed out to the Assembly Floor by Friday, May 21<sup>st</sup> to meet deadline.*

To view all the information currently available on AB 311, click [AB 311 Detail](#)

- [AB 564 \(Gonzalez\)](#) – **Biodiversity Protection and Restoration Act**

AB 564 by Assembly Member [Lorena Gonzalez](#) (D/80-San Diego) would establish the “Biodiversity Protection and Restoration Act” and require all state agencies, boards, and commissions to consider and prioritize the protection of biodiversity in carrying out their statutory mandates. The bill would require strategies related to the goal of the state to conserve at least 30% of California’s land and coastal waters by 2030 to be made available to the public and provided to certain legislative committees by no later than June 30, 2022.

*AB 564 was not heard in Assembly policy committee prior to the April 30<sup>th</sup> legislative deadline. AB 564 is now a “two-year bill” and cannot be heard until January 2022.*

Throughout the 2020 State Legislative Session, we actively opposed AB 3030 – similar legislation which also would have declared it to be goals of the state to protect at least 30% of California’s land and waters by the year 2030. Our opposition to AB 3030 was not to the proposal to protect more of California’s lands and waters, but rather to the details of how it would be done. To address our concerns, we aggressively called for multiple amendments to the bill. Although some of the amendments we pushed for were ultimately amended into the legislation, our two primary concerns were left unaddressed. As such, we continued to actively oppose the bill and successfully defeated the proposal when it failed to pass out of Senate fiscal committee in the final days of Session.

The two primary concerns that the bill’s sponsors refused to address in the language of AB 3030 were:

- *The bill did not expressly define what the legislation meant by the word “protect” – allowing for the “protections” it called for to also result in sweeping closures to public access and hunting and fishing opportunity on much of California’s lands and waters*
- *Although the bill called out goals for the total percentage of our lands and waters that should be “protected”, its language failed to identify the extent of existing protections already in place (i.e., the baseline).*

In October 2020, following the defeat of AB 3030, Governor Newsom signed [Executive Order N-82-20](#) (EO N-82-20) which establishes a goal of the state to conserve at least 30 percent of California’s land and coastal waters by 2030. Although we joined many lawmakers and others in frustration over the Governor sidestepping the State Legislature and appropriate public input and vetting by signing EO N-82-20, it is worth noting that the Governor’s EO did address our remaining concerns that the sponsors of AB 3030 refused to address.

EO N-82-20 expressly states the need for lands protected under the directive to “support our outdoor heritage” and pledges “to expand equitable outdoor access and recreation for all Californians”, and that state agencies shall collaborate with, among others, “outdoor recreation and access groups and fishing and hunting organizations” in achieving these goals. Further, EO N-82-20 also addresses our concern with AB 3030 that California “establish a baseline assessment of California’s biodiversity”. Although our vigorous efforts to secure these conditions in AB 3030 were not heard by the sponsors, they were heard in the Governor’s office.

Although we were not pleased with this policy being established via EO, to ensure the long-term health of the wildlife and habitats we care deeply about, and to protect and expand the hunting and other recreational opportunity these lands provide, it is imperative that our community seized upon this opportunity to be at the table and actively engaged with state resource agencies and others in constructing how California will implement this order. To that end, last October we submitted a statement of response to the Governor’s signing of EO N-82-20 which expressed our concerns, yet which affirmed our commitment to work with the California Natural Resources Agency (CNRA), other agencies and other stakeholders to ensure the proper design and implementation of this order, and the healthy wildlife populations and ample hunting opportunity this EO – properly executed – will provide for generations to come. To view a copy of this statement of response, click [EO N-82-20 Statement](#)

Fast forward to today and California has begun implementation of EO N-82-20 via CNRA hosting a series of regional virtual stakeholder meetings to help shape the approach. Some of the meetings have been already held, but two remain. The remaining regional virtual meeting dates and registration links are provided below:

[May 5th - Los Angeles Region](#)

[May 6th - Inland Desert Region](#)

\*Both meeting times are 4-6 p.m.

The stakeholder engagement process called for in Governor’s EO will conclude with a final report to state leadership in February 2022. To further ensure that hunters and anglers are fully at the table and our concerns are recognized during this process we recently submitted a second statement to CNRA leadership which reaffirms our commitment to work with agencies and other stakeholders to ensure the proper design and implementation of the EO, and which reiterates that this process must fully recognize the lead role hunters and anglers play in conservation and embrace maximum access and hunting and fishing opportunity on lands and waters protected via this process. To view a copy of this second statement, click [Statement to CNRA](#)

For additional information on the 30x30 effort visit CNRA’s new website at [www.CaliforniaNature.ca.gov](http://www.CaliforniaNature.ca.gov) to view additional resources. CNRA encourages participants to complete a brief online Input Questionnaire to understand opportunities and challenges for communities and partners toward these efforts. To sign-up for email updates, email [CaliforniaNature@resources.ca.gov](mailto:CaliforniaNature@resources.ca.gov) with “NBS” in the subject line.

According to the author’s office, the intent of AB 564 is to codify the biodiversity protection provisions of EO N-82-20 by requiring that all state agencies, boards, and commissions utilize their authority in advancement of the purposes and goals laid out in the executive order. While Section 2 of EO N-82-20 directs the CNRA and others to develop a report on strategies to conserve at least 30 percent of California’s land and coastal waters by 2030, AB 564 would also provide additional accountability by

requiring this report to be submitted to the Assembly Committee on Water, Parks and Wildlife and the Senate Committee on Natural Resources no later than June 30, 2022.

It remains to be seen if AB 564 will be amended in the future to take steps that go above and beyond what is called out in EO N-82-20.

To view the author's Fact Sheet on AB 564, click [AB 564 Fact Sheet](#)

To view all the information currently available on AB 564, click [AB 564 Detail](#)

- [AB 614 \(Aguiar-Curry\)](#) – **Wildlife Habitat: Birds**

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

AB 614 by Assembly Member [Cecilia M. Aguiar-Curry](#) (D/4-Davis) would help generate the funding necessary to implement the NBHIP by raising the California Upland Game Bird Stamp and the State Duck Stamp by \$5 each. AB 614 would create the Nesting Bird Habitat Incentive Program Account within the Fish and Game Preservation Fund and require the incremental revenue generated to be deposited in that Account and available upon appropriation to DFW for the NBHIP.

Among other things, AB 614 would authorize DFW to enter into grants or contracts directly with landowners, public and private entities – including nonprofit organizations – and California Native American tribes to help implement the program. AB 614 would also provide greater accountability and transparency over the spending of funds collected via the Upland Game Bird Stamp by ensuring that the Upland Game Bird Advisory Committee meets at least once per year and requiring that non-habitat project expenditures (e.g., for administration and enforcement) are reviewed by the committee and posted on DFW's website.

*AB 614 was heard in the Assembly Water, Parks and Wildlife Committee on April 8<sup>th</sup>, passing out on a 13 – 1 vote. AB 614 must now go to the Assembly Appropriations Committee, where it is set to be heard tomorrow, May 5<sup>th</sup>. To view the hearing agenda and/or for information on how you can provide remote testimony or watch the livestream of the event, visit the committee website at <https://apro.assembly.ca.gov/committeehome>*

To view our coalition letter in support of AB 614, click [AB 614 Coalition Support Ltr](#)

To view all the information currently available on AB 614, click [AB 614 Detail](#)

- [AB 645 \(Gallagher\)](#) – **Fish and Wildlife: Poaching Violations – Probation**

In an effort to curb poaching, over the course of the last several years *Gaines & Associates* staff has worked to help craft and pass two important bills to increase penalties for the most egregious offenses – including legislation which significantly increased fines for possessing more than three times the daily bag limit and for the illegal take of wildlife for profit or personal gain, and legislation which increased penalties for the illegal take of trophy-class animals. Unfortunately, these positive efforts took a step back last year when the State Legislature passed legislation that reduced maximum probation from three

years to one year for all misdemeanor violations whose provisions do not call out a specific probation length. Because current law does not specify maximum probation periods for any poaching crimes, the effect of this legislation was to limit probation for even the most serious misdemeanor poaching violations to one year.

Said differently, prior to passage of last year's legislation, a judge could sentence individuals convicted of serious poaching crimes to probation that would prohibit them from hunting for up to three years. The option of a longer probationary period also helped to ensure that penalty assessments could be collected.

To address this serious concern, *Gaines & Associates* is pleased to be working with Assembly Member [James Gallagher](#) (R/3-Yuba City) on AB 645 – legislation which, as amended March 11, 2021, would reinstate a maximum 3-year probation for the following serious violations of the Fish and Game Code:

- §12012 – *The illegal take of wildlife for profit or personal gain*
- §12013 – *The illegal take or possession in the field of more than three times the daily bag limit*
- §12013.3 – *The illegal take of trophy deer, elk, antelope, bighorn sheep or wild turkey*
- §12002.3(b) - *The illegal sale purchase of abalone*

*AB 645 was heard in the Assembly Water, Parks and Wildlife Committee on April 8<sup>th</sup>, passing out on a unanimous vote. AB 645 must now go to the Assembly Appropriations Committee but has not yet been set to be heard. AB 645 must be heard in Assembly Appropriations Committee and passed out to the Assembly Floor by Friday, May 21<sup>st</sup> to meet deadline.*

To view our coalition letter in support of AB 645, click [AB 645 Coalition Support Ltr](#)

To view the author's Fact Sheet on AB 645, click [AB 645 Fact Sheet](#)

To view all the information currently available on AB 645, click [AB 645 Detail](#)

- [AB 702 \(Santiago\)](#) – **Cat and Dog Breeding: Permits**

As amended April 19, 2021, AB 702 by Assembly Member [Miguel Santiago](#) (D/53-Los Angeles) would prohibit a person from keeping any cat or dog for breeding purposes, or breeding any cat or dog unless they first obtained a breeder permit from a city, county, or city and county. Making this unnecessary and overreaching legislation even worse is the fact that AB 702 would deem breeding to have occurred upon the production of offspring, whether the offspring result from sexual activity or artificial insemination, and whether the sexual activity was intentional or the result of “improper confinement” – language which would make unintentional criminals out of many law-abiding citizens.

In addition, among many other things, AB 702 would require a city, county, or city and county to issue a breeder permit only if the applicant provides sufficient proof that they have met extensive living conditions and agree to breed only one litter per year, per cat or dog per household to be queened or whelped. Further, because AB 702 would not allocate any funding to local jurisdictions for implementing or enforcing this mandate, these jurisdictions would be forced to charge a fee obtaining a permit.

Although the author's office stated to us that the intent of the bill was to target “problem breeders”, AB 702 would go much farther by placing significant unnecessary additional restrictions and expense on

legitimate breeders who breed dogs used for hunting and other sporting purposes – causing some breeders to close entirely and those that can remain open to substantially raise the price of their dogs. It is also worth noting that the sponsor of this bill is [Social Compassion in Legislation](#) – arguably the most active and dangerous anti-hunting group working our State Capitol.

*AB 702 was referred to the Assembly Business and Professions Committee and set to be heard on April 27<sup>th</sup> but was pulled from consideration at the last minute by the author. Because AB 702 was not heard in Assembly policy committee prior to the April 30<sup>th</sup> legislative deadline, AB 702 is now a “two-year bill” and cannot be heard until January 2022.*

*Gaines & Associates* has been closely coordinating with a team of lobbyists representing a variety of conservation and other organizations in opposition to this terrible proposal. Our coalition includes representatives with the [American Kennel Club](#), [CalAnimals](#), the [National Animal Interest Alliance](#) and numerous other state and national organizations.

In the weeks, days and hours leading up to the April 27<sup>th</sup> hearing, our coalition collectively met with the office of every member of the Assembly Business and Professions Committee, and with committee staff several times to express our very serious concerns over this poorly thought-out legislation. Continuing to work AB 702 up to the last minute, our final meeting was with Assembly Member Heath Flora, Assembly Business and Professions Committee Vice-Chair, just a few hours before the bill was pulled from consideration.

To view the author’s Fact Sheet on AB 702, click [AB 702 Fact Sheet](#)

To view our conservation coalition letter in opposition to AB 702, click [AB 702 Coalition Oppose Ltr](#)

To view all the information currently available on AB 702, click [AB 702 Detail](#)

- [AB 804 \(Dahle\)](#) – **Free Hunting Days**

Over the past few decades California has suffered a steady decline in hunting license sales and an associated reduction in critically needed funding for wildlife conservation. This decline in license sales has not only cut deep into the size and breadth of our hunting community, but also the annual revenue generated via the sales of licenses, stamps, tags, and associated federal Pittman-Robertson dollars made available to DFW to carry out its wildlife research, management, enforcement, and outdoor recreation mandates.

To help address this serious concern, Assemblywoman [Megan Dahle](#) (R/1-Redding) has graciously agreed to author AB 804 – legislation which would take a big step towards addressing this problem by requiring the Director of DFW to designate two days each year as “free hunting days”, one in the spring and one in the fall. The bill stipulates that to take part in a free hunting day, an unlicensed hunter must have completed the Hunter Safety Course and must be accompanied by a licensed hunter, 21 years or older, who has held a valid hunting license for at least the last three consecutive years. To ensure safety in the field, AB 804 would restrict mentors to only accompanying one unlicensed hunter at a time and require the unlicensed hunter to always remain within close visual and verbal contact. The bill would preclude those participating in the free hunting day from taking any species that would require a draw or a lottery to obtain a tag. AB 804 is sponsored by the *California Houndsmen for Conservation* with the assistance of *Gaines & Associates*.

*Moving quickly, AB 804 was first heard in the Assembly Water, Parks and Wildlife Committee on April 8<sup>th</sup>, passing out on a unanimous vote. AB 645 was then heard in Assembly Appropriations Committee on April 21<sup>st</sup>, passing out and to the Assembly Floor on a 12 – 2 vote. AB 804 was brought up for a vote on the Assembly Floor on April 29<sup>th</sup>, passing out and over to the Senate on a 58 – 11 vote.*

*Now in the Senate, AB 804 is pending referral to Senate Policy Committee.*

To view the author’s Fact Sheet on AB 804, click [AB 804 Fact Sheet](#)

To view the wildlife conservation coalition letter to the author in support of AB 804, click [AB 804 Coalition Support Ltr](#)

To view the wildlife conservation coalition letter to Assembly Appropriations Committee in support of AB 804, click [AB 804 Coalition Support Ltr – Assy Approps](#)

To view all the information currently available on AB 804, click [AB 804 Detail](#)

- [AB 1223 \(Levine\)](#) – **Firearms and Ammunition: Excise Tax**

As amended April 29, 2021, AB 1223 by Assembly Member [Marc Levine](#) (D/10-San Rafael) would impose an excise tax in the amount of 10% of the sales price of a handgun and 11% of the sales price of long guns, firearm precursor parts and ammunition. Now coined the “Gun Violence Prevention, Healing, and Recovery Act”, AB 1223 would require that revenues collected be deposited in the Gun Violence Prevention, Healing, and Recovery Fund, which the bill would also create. AB 1223 would continuously appropriate moneys in that Fund to the Board of State and Community Corrections to fund CalVIP programs which remediate the effects the illegal use of firearms has in our state.

Implementing successful programs for addressing gun violence is something that all Californians support and would benefit from. As such, all of California should equally help to fund their implementation. However, under AB 1223, the Gun Violence Prevention, Healing, and Recovery Fund would only be funded by law-abiding citizens who legally purchase firearms and ammunition.

Because AB 1223 would result in a taxpayer paying a higher tax, the bill requires approval of  $\frac{2}{3}$  of the membership of each house of the Legislature.

*AB 1223 was heard in the Assembly Public Safety Committee on April 6<sup>th</sup>, passing out on a party-line vote. AB 1223 was then heard in Assembly Committee on Revenue and Taxation on April 26<sup>th</sup>, passing out on a 6 – 4 vote. AB 1223 must now go to the Assembly Appropriations Committee but has not yet been set to be heard. AB 1223 must be heard in Assembly Appropriations Committee and passed out to the Assembly Floor by Friday, May 21st to meet deadline.*

To view the wildlife conservation coalition letter to Assembly Public Safety Committee in strong opposition to AB 1223, click [AB 1223 Coalition Oppose Ltr – APS](#)

To view the wildlife conservation coalition letter to Assembly Committee on Revenue and Taxation in strong opposition to AB 1223, click [AB 1223 Coalition Oppose Ltr – ART](#)

To view all the information currently available on AB 1223, click [AB 1223 Detail](#)

- [SB 252 \(Wiener\)](#) – **Bears: Take Prohibition**

Introduced late in the evening of January 25<sup>th</sup>, SB 252 by Senator [Scott D. Wiener](#) (D/11-San Francisco) would have made it illegal to hunt, trap, or otherwise take a bear in California, except under depredation permit.

Like all anti-hunting legislation, SB 252 was void of any science and based strictly on emotional considerations. But what separated SB 252 from all the others is the fact that bears are truly the *poster child* for wildlife species that *must* be managed.

In 2009, DFW estimated California's bear population at over 40,000 – the highest population ever on record in California *and ten times* their estimated population of 4,080 in 1984, only 25 years earlier. ([DFW Draft Environmental Document regarding Bear Hunting, February 3, 2011](#)). As their populations continue to grow – while their habitats continue to decline – exploding bears numbers are putting greater pressure on already dwindling deer herds and other prey, increasingly impacting ranchers, timber, and other interests, and regularly threatening public safety as they push into suburban areas and other portions of the state where they have never occurred before.

With limited take via depredation permit as the only other alternative, DFW depends upon annual legal hunter harvest to control bear numbers in our state. Rather than the customary big game harvest management strategy of projected hunter success times the number of tags sold, bears are uniquely managed via an annual statewide harvest quota of 1,700. Prior to 2013, when the use of dogs to pursue bears for sport hunting was still legal, the quota of 1,700 bears was easily hit nearly every year. But even with annual harvest at its regulated maximum, California's bear populations continued to rapidly grow.

Knowing that increased hunter harvest was critical to getting bear numbers under control and back in balance, prior to the prohibition of the use of dogs, DFW went to the Fish and Game Commission multiple times recommending that the annual harvest quota of bears be increased but was repeatedly denied via an onslaught of animal-rights interests and a credulous Commission. Making matters worse, since the prohibition on the use of dogs to pursue bears went into effect in 2013, California has not come close to reaching the annual quota of 1,700 bears – further accelerating our state's burgeoning bear population and the serious problems they bring with them.

Defeating this misguided legislation was not just about maintaining the ability to lawfully hunt bears and hunter harvest as an important management tool. A ban on hunting bears would have had a substantial impact on all big game species and their habitats. In 2020, California sold over 30,000 bear tags, generating nearly \$1.4 million in revenue (second only to deer tag revenue) for DFW's Big Game Management Account for use on programs and projects which benefit big game species.

Even more importantly, given that bears are a truly a case study of the need for science-based wildlife management, SB 252 was a precedent setting challenge of the [North American Model of Wildlife Conservation](#). Had SB 252 passed through our Legislature it would have certainly accelerated future emotion-based proposals targeting bans on the hunting of many other game species, and conceivably put the entire existence of the California Fish and Game Commission and their authority to regulate the take of wildlife, in partnership with DFW based on science, in jeopardy.

Moments after we were made aware of SB 252's impending introduction, *Gaines & Associates* quickly teamed with a bank of experienced lobbyists representing a variety of interests that had a stake in the legislation. Working with our collective organizations and their grassroots membership, the author's office and others in the Legislature were quickly hit hard by reams of opposition letters. Combined with record outcry on social media and a "Change.Org" petition that quickly gathered nearly 28,000 signatures, Senator Wiener pulled SB 252 from consideration on February 1<sup>st</sup> – one long and terribly busy week after the bill's introduction.

With a ban on bear hunting in California remaining a top priority of animal-rights interests, we know are highly likely to see this proposal again soon. As such, *Gaines & Associates* and our partners in conservation are using this brief respite to continue to build the size and scope of our coalition, strengthen our arguments in opposition, further enhance our ability to engage our grassroots, and continue our non-stop effort to educate policymakers of the critical role of hunting in wildlife conservation and the importance of making wildlife management decisions based on science.

On February 25<sup>th</sup>, Senator Wiener gutted SB 252 and amended it to address toxicological testing on dogs and cats.

- **[SB 264 \(Min\)](#) – Firearms: State and County Property**

As amended April 19, 2021, SB 264 by Senator [Dave Min](#) (D/37-Costa Mesa) would prohibit a state or county officer or employee, or operator, lessee, or licensee of any state-owned or county-owned property, from contracting for, authorizing, or allowing the sale of any firearm, firearm precursor part, or ammunition on state or county property.

SB 264 is highly similar to three bills introduced in the past thirteen years – all of which were vetoed – designed to chip away at our Second Amendment rights by eliminating gun shows. Proponents of this legislation would like the Legislature and the general public to believe that there are “gun show loopholes” which allow firearms and ammunition to be freely traded to individuals attending without any background check or ten-day waiting period. In reality, one could argue that gun shows are held to a higher bar than your standard gun store.

Before the gun show even starts, vendors that want to participate may not do so unless all their licenses have been submitted to the DOJ and approved. Once the event begins, all firearm sales are subject to all the same stringent California laws that apply to brick and mortar gun dealers – including background checks and ten-day waiting periods. In addition, contrary to standard gun shops, there is a constant enforcement presence at gun shows.

Finally, it must also be noted that a prohibition of gun shows on state and county property will not only impact those who put them on, vendors that participate and law-abiding citizens who attend, but also many conservation organizations and other non-profits that hold fundraisers on fairgrounds and other county or state properties that “sell” firearms and/or ammunition at auction or via raffle. This legislation, if passed, would also impact the International Sportsmen's Exposition held at Cal Expo – an annual event that many of us enjoy.

*SB 264 was heard in the Senate Public Safety Committee on Tuesday, March 16<sup>th</sup>, passing out on a party-line vote. SB 264 was then heard in Senate Appropriations Committee on May 3<sup>rd</sup> and quickly placed in the suspense file. SB 264 must be pulled from the suspense file, heard, and passed out of Senate Appropriations Committee to the Senate Floor by Friday, May 21<sup>st</sup> to meet deadline.*

To view the wildlife conservation coalition letter in strong opposition to SB 264, click [SB 264 Coalition Oppose Ltr](#)

To view all the information currently available on SB 264, click [SB 264 Detail](#)

- [SB 370 \(Dodd\)](#) – **Big Game Management Account: Uses**

As amended April 28, 2021, SB 370 by Senator [Bill Dodd](#) (D/3-Napa) would authorize DFW to make grants to, reimburse, or enter into contracts or other agreements with public and private entities, including nonprofit organizations, and federally recognized Indian tribes for the use of the funds from the Big Game Management Account (BGMA) to carry out their big game program. SB 370 is sponsored by the *California Deer Association* and the *California Chapter of the Wild Sheep Foundation* with the assistance of *Gaines & Associates*.

The BGMA was established in [Fish and Game Code §3953](#) via the passage of SB 1058 (Harman) – legislation sponsored by conservation organizations in 2010. The intent of our legislation was to ensure that revenues generated via the sale of antelope, elk, deer, wild pig, bear, and sheep tags were separately accounted for in the BGMA and specifically dedicated to land acquisition, projects and programs which benefit those big game species, and expand public hunting opportunity and related public outreach.

Knowing that DFW already had the authority to partner with other types of entities to advance their big game program, we inserted §3953(d) into the language to ensure that DFW could *also* partner with non-profit organizations. There was never any intent to preclude DFW from using BGMA funds for contracting with for-profits, research institutions or other entities whose partnership effort could benefit the big game species.

For the past 10 years, DFW has, in fact, used BGMA funds to enter into agreements with for-profits, non-profits and all types of entities to help implement big game programs and projects. However, a 2020 audit of the BGMA by the DFW Audit Branch determined that §3953(d) *only* allows DFW to enter into contracts or agreements with non-profits.

The ability of DFW to also enter into agreements with public and private entities and federally recognized Indian tribes to implement necessary programs and projects is essential to the successful management and health of California's big game species. As just a few examples, important big game related efforts performed by for-profits that are now precluded by the audit's determination include helicopter surveys and captures of big game; research and analyses performed by universities which are not non-profits; and laboratory tooth analyses necessary to determine the age structures and health of big game populations.

By restoring the ability of DFW to also enter into agreements with public and private entities and federally recognized Indian tribes, SB 370 will insure DFW has all the tools necessary to implement all the programs and projects that are essential to the successful management of their big game program.

*SB 370 was heard in the Senate Natural Resources and Water Committee on April 27<sup>th</sup>, passing out on unanimous vote. SB 370 must now go to the Senate Appropriations Committee but has not yet been set to be heard. SB 370 must be heard in Senate Appropriations Committee and passed out to the Senate Floor by Friday, May 21st to meet deadline.*

To view the author's Fact Sheet on SB 370, click [SB 370 Fact Sheet](#)

To view the wildlife conservation coalition letter in strong support of SB 370, click [SB 370 Coalition Support Ltr](#)

To view the author's press release on SB 370 passing out of Senate Natural Resources and Water Committee, click [Dodd Release - SB 370](#)

To view all the information currently available on SB 370, click [SB 370 Detail](#)

- [SB 470 \(Jones\)](#) – **Fishing and Hunting: Annual Combined Hunting and Fishing Licenses**

As amended April 20, 2021, SB 470 by Senator [Brian W. Jones](#) (R/38-Santee) would require DFW to offer an annual combined hunting and fishing license beginning January 1, 2023. The bill would set the base fee of the combined license at \$100, adjusted annually for inflation, and require the license to be valid for one year from date specified on the license. SB 470 would also provide for those who agree to automatic renewal of the license to receive a 5% discount on the cost.

Hunting and fishing license sales in California have been on the decline for decades. Not only does that mean fewer individuals are taking part in these time-honored pastimes, but also a reduction in the critical annual revenues available to DFW for important wildlife management, habitat, enforcement, and other efforts. The sale of hunting and fishing licenses, stamps tags, and validations currently generates well over \$100 million annually for DFW conservation efforts, while the associated federal Pittman-Robertson and Dingell-Johnson Acts kick in an additional \$45 million to California.

SB 470 would help boost annual license sales by providing both anglers and hunters the benefit of another option when renewing their licenses each year. In addition, as there are substantially more fishing licenses sold in California than hunting licenses, another benefit of SB 470 would be to sell more hunting licenses by encouraging anglers to also purchase a hunting license.

*SB 470 was heard in the Senate Natural Resources and Water Committee on April 15<sup>th</sup>, passing out on unanimous vote. SB 470 must now go to the Senate Appropriations Committee and has been set to be heard on May 10<sup>th</sup>. SB 470 must be heard and passed out of Senate Appropriations Committee to the Senate Floor by Friday, May 21<sup>st</sup> to meet deadline.*

To view the author's Fact Sheet on SB 470, click [SB 470 Fact Sheet](#)

To view the wildlife conservation coalition letter in strong support of SB 470, click [SB 470 Coalition Support Ltr](#)

To view all the information currently available on SB 470, click [SB 470 Detail](#)

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