

## 2009 State Legislative Session

With the State Legislative Session finally wrapped up, below is a summary of some of the many bills that the California Outdoor Heritage Alliance (COHA) actively worked on in the past year. For additional information, please visit our website at [www.outdoorheritage.org](http://www.outdoorheritage.org).

### **2009 COHA-Sponsored Legislation**

During the 2009 Session of the California State Legislature, COHA was pleased to sponsor three bills which directly promote wildlife conservation and our hunting heritage. We are proud to say that two (AB 1423, SB 589) reached the Governor's desk.

#### **AB 1423 (Berryhill) Hunt Club, SHARE & Hunter Harassment – SUPPORT**

Governor Arnold Schwarzenegger signed COHA-sponsored Assembly Bill 1423 (Berryhill) that reduces and provides exemptions from existing commercial hunting club license fees; formally establishes the "public access to private lands" hunting program (SHARE); and expands and increase penalties for willfully interfering with hunting, fishing and recreational shooting activities.

#### **SB 589 (Harman) Hunting License Stamp/Tag Fiscal Oversight – SUPPORT**

Unfortunately, Governor Schwarzenegger vetoed SB 589 (Harman) a COHA-sponsored measure that would help protect hunting license tag and stamp revenues from being inappropriately expended by DFG for non-game or non-hunting purposes. Among other things, SB 589 would ensure that big game upland game bird tag and stamp revenues are expended only on projects and programs which directly benefit big game and upland game bird species or that provide related public hunting opportunities.

#### **AB 979 (Berryhill) Ban on Local Govt. Interfering With Hunting/Fishing – SUPPORT**

AB 979 (Berryhill) would help keep cities and counties from interfering with hunting and fishing activities. The bill is being sponsored by COHA in response to increasing efforts by urban cities and counties to arbitrarily restrict hunting activities within their jurisdictions, mostly due to local anti-hunting sentiment. This has occurred most recently with the Cities of Hercules and Mountain View in the Bay Area, as well as with the City of Morro Bay in San Luis Obispo County.

AB 979 is currently on the Senate Floor.

### **Other Bills of Interest**

#### **AB 94 (Evans) Conservation Tax Credit – SUPPORT**

AB 94 would extend the Natural Heritage Preservation Tax Credit Act for five years and delete the monetary limit on the award of tax credits pursuant to the Act.

This bill maintains important financial incentives offered through the Act for property owners to voluntarily contribute lands to the State of California, local government or nonprofits at a reduced cost to the public. Such lands not only have significant wildlife conservation and open space values, but may also provide much-needed recreational opportunities for the public, including for hunting purposes.

AB 94 was signed by the Governor.

#### **AB 708 (Huffman) Enhanced Penalties for Poaching – SUPPORT**

COHA staff worked closely with Assembly Member Huffman, his staff, the Department of Fish and Game, and other conservation partners to craft a bill that narrowly targets illegal commercialization and egregious poaching of California's fish and game resources.

AB 708 establishes mandatory minimum fines and jail time for violators who are convicted of illegally selling, purchasing, or trading any amphibian, bird, fish, mammal, or reptile, or part thereof, for profit or personal gain. Additionally, AB 708 increases the fine and jail time for those who egregiously violate the daily bag limit or possession limit of fish, reptiles, birds, amphibians or mammals.

AB 708 also clarifies that an individual may possess unlabeled migratory birds, such as waterfowl, dove and band-tailed pigeons, as authorized by federal waterfowl regulations. Additionally, AB 708 does not impact a person's ability to gift a possession limit of fish or game to another person, regardless of whether or not both parties reside in the same dwelling.

AB 708 was signed by the Governor.

#### **AB 1442 (Committee on W, P, & W) Omnibus Committee Bill – SUPPORT**

COHA was recently successful in inserting amendments into AB 1442, a Fish and Game Code cleanup bill authored by the Assembly Water, Parks and Wildlife Committee. Our amendments do the following: 1) encourage the Wildlife Conservation Board (WCB) to acquire voluntary easements on private land to create public access for recreational activities, such as hunting

and fishing opportunities; 2) require WCB, in acquiring land for hunting and fishing purposes, to consider those areas of the state in which public access for those activities is most needed; 3) make technical changes to provisions of law relating to shooting near roads and other ways open to the public to ensure that hunting can continue to safely occur in those areas; 4) make it a crime to remove the collar of a hunting dog without the written permission of the owner; and 5) reduce penalties for hunters who have forgotten their hunting license in the field but can produce the license in court.

A separate provision of AB 1442 that was supported by COHA creates a voluntary stamp that may be purchased at DFG License and Revenue offices, with revenues directly benefitting California's game wardens.

AB 1442 was signed by the Governor.

### **SB 250 (Florez) - Spay/Neuter Mandates for Dogs - OPPOSE**

SB 250 (Florez) would: (1) prohibit anyone from owning an unaltered or unspayed dog without a securing an unaltered dog license; (2) require the owner of an unaltered dog for sale to meet certain requirements; and (3) require the spaying/neutering of a dog if it is impounded or if its owner is cited for various other violations.

COHA believes SB 250 would negatively impact both the quality and quantity of dogs available for hunting, field trialing and related sporting purposes. Many small-scale breeders who produce the majority of hunting dogs available for sale would curtail or stop their breeding efforts altogether because of licensing, fees and other requirements related to this bill. Because some dog owners could even be forced to spay or neuter a highly valued, pedigreed hunting dog for any number of possible violations, important canine breeding genetics could also be lost.

SB 250 is currently located on the Assembly Floor where it failed on its first vote due to opposition from COHA and other groups.

### **SB 448 (Pavley) - Safe Harbor Agreements for Landowners - SUPPORT**

SB 448 would create the California Safe Harbor Agreement Program Act to encourage landowners to voluntarily manage their property for the benefit of threatened and endangered species without being subject to additional regulatory restrictions.

SB 448 creates a voluntary, incentive-based program to encourage private landowners to conserve at-risk species found on their property. By ensuring that the program creates a "net conservation benefit" without jeopardizing the continued existence of a particular species or creating new regulatory hurdles, we believe the bill would improve land management practices for the benefit of a variety of species in a landowner-friendly manner.

SB 448 was signed by the Governor.