

STAFF SUMMARY FOR FEBRUARY 6, 2019

- *AB 202 (Mathis) Endangered species: conservation: California State Safe Harbor Agreement Program Act.* Introduced: 1/14/2019. Status: 1/15/19: From printer. May be heard in committee February 14. Summary: Would extend the operation of the California State Safe Harbor Agreement Program Act through January 1, 2024. Because submission of false, inaccurate, or misleading information on an application for a state safe harbor agreement under the act would be a crime, this bill would extend the application of a crime, thus imposing a state-mandated local program.
- *AB 273 (Gonzalez) Fur-bearing and nongame mammals: recreational and commercial fur trapping: prohibition.* Introduced: 1/24/2019. Status: 1/24/19: Read first time. To print. Summary: Would prohibit the trapping of any fur-bearing mammal or nongame mammal for purposes of recreation or commerce in fur and would prohibit the sale of the raw fur of any fur-bearing mammal or nongame mammal otherwise lawfully taken pursuant to the Fish and Game Code or regulations adopted pursuant to that code. Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program. The bill would also make other conforming changes. This bill would eliminate fur dealer and fur agent licenses. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.
- *SB 1 (Atkins, Portantino and Stern) California Environmental, Public Health, and Workers Defense Act of 2019.* Introduced: 12/3/2018. Status: 1/16/19: Referred to Coms. on EQ., N.R. & W., and JUD. Summary: Would require specified agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species, as specified. By imposing new duties on local agencies, this bill would impose a state-mandated local program. This bill would authorize a person acting in the public interest to bring an action to enforce certain federal standards and requirements incorporated into certain of the above-mentioned state laws if specified conditions are satisfied. This bill would require specified agencies to take prescribed actions regarding certain requirements and standards pertaining to worker's rights and worker safety. The bill would authorize a person acting in the public interest to enforce standards and requirements related to worker's rights and worker safety, as provided. This bill would make its provisions inoperative as of January 20, 2025, and would repeal them as of January 1, 2026. This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason. With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.
- *SB 61 (Portantino, Glazer, Wiener and Bonta) Firearms: transfers.* Introduced: 1/3/2019. Status: 1/16/19: Referred to Com. on PUB. S. Summary: Would make the 30-day prohibition and the dealer delivery prohibition described in the bill applicable to all types of firearms. The bill would also exempt from that prohibition the purchase of a firearm, other than a handgun, by a person who possesses a valid, unexpired hunting license issued by the state, and the acquisition of a firearm, other than a handgun, at specified charity fundraising events. By expanding the scope of existing crimes, this bill would impose a

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state-mandated local program. This bill would provide that no reimbursement is required by this act for a specified reason.

- *SB 62 (Dodd) Endangered species: accidental take associated with routine and ongoing agricultural activities.* Introduced: 1/3/2019. Status: 1/16/19: Referred to Com on NRW. Summary: Would make permanent that the accidental take of candidate, threatened, or endangered species resulting from acts that occur on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the act.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [DFW legislative report, dated Jan 25, 2019](#)

Motion/Direction (N/A)



Department of Fish & Wildlife Legislative Report

January 2019
(as of January 25, 2019)

- [AB 19](#)** **([Waldron R](#)) Forestry and fire protection: burning of vegetation.**
Introduced: 12/3/2018
Status: 12/4/2018-From printer. May be heard in committee January 3.
Location: 12/3/2018-A. PRINT
Summary: Under current law, the Department of Forestry and Fire Protection is required to develop, implement, and administer various forest improvement and fire prevention programs in the state. Current law provides that the burning of growing, dead, or downed vegetation is for a public purpose if the department has determined that the burning of that vegetation is necessary for the prevention or suppression of forest fires. This bill would make a nonsubstantive change in that provision relating to the burning of vegetation.
- [AB 44](#)** **([Friedman D](#)) Fur products: prohibition.**
Introduced: 12/3/2018
Status: 1/17/2019-Referred to Coms. on W., P., & W. and JUD.
Location: 1/17/2019-A. W.,P. & W.
Summary: Would make it unlawful to sell, offer for sale, display for sale, trade, give, donate, or otherwise distribute a fur product, as defined, in the state. The bill would also make it unlawful to manufacture a fur product in the state. The bill would exempt from these prohibitions certain fur products, including, among others, a fur product made from a fur-bearing mammal or nongame mammal taken pursuant to a specified-described trapping license. The bill would require a person that sells or trades any fur product exempt from this prohibition to maintain records of each sale or trade of an exempt fur product for at least one year.
- [AB 137](#)** **([Cooper D](#)) Public safety officers: investigations and interviews.**
Introduced: 12/7/2018
Status: 1/24/2019-Referred to Com. on PUB. S.
Location: 1/24/2019-A. PUB. S.
Summary: The bill would specify information an agency may provide if it is investigating voluminous complaints, as defined, regarding the violation of the same rule or policy. The bill would specify, among other things, that the provisions regarding investigations and interrogations, as described above, do not preclude eliminating or adding other policy or rule citations as warranted by the discovery of new information or evidence in the course of an investigation. This bill contains other related provisions.
- [AB 202](#)** **([Mathis R](#)) Endangered species: conservation: California State Safe Harbor Agreement Program Act.**
Introduced: 1/14/2019
Status: 1/15/2019-From printer. May be heard in committee February 14.
Location: 1/14/2019-A. PRINT

Summary: Would extend the operation of the California State Safe Harbor Agreement Program Act through January 1, 2024. Because submission of false, inaccurate, or misleading information on an application for a state safe harbor agreement under the act would be a crime, this bill would extend the application of a crime, thus imposing a state-mandated local program.

[AB 231](#)

(Mathis R) California Environmental Quality Act: exemption: recycled water.

Introduced: 1/17/2019

Status: 1/18/2019-From printer. May be heard in committee February 17.

Location: 1/17/2019-A. PRINT

Summary: Would exempt from CEQA a project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions for which a state of emergency was proclaimed by the Governor if the project meets specified criteria. Because a lead agency would be required to determine if a project qualifies for this exemption, this bill would impose a state-mandated local program. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.

[AB 243](#)

(Kamlager-Dove D) Implicit bias.

Introduced: 1/18/2019

Status: 1/22/2019-From printer. May be heard in committee February 21.

Location: 1/18/2019-A. PRINT

Summary: Would declare the intent of the Legislature to enact legislation that would address implicit bias in law enforcement.

[AB 255](#)

(Limón D) Coastal resources: oil spills: grants.

Introduced: 1/23/2019

Status: 1/24/2019-From printer. May be heard in committee February 23.

Location: 1/23/2019-A. PRINT

Summary: The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act authorizes the administrator for oil spill response to offer grants to a local government with jurisdiction over or directly adjacent to waters of the state to provide oil spill response equipment to be deployed by a certified local spill response manager, as provided. This bill would provide that Native American tribes and other public entities are also eligible to receive those grants.

[AB 273](#)

(Gonzalez D) Fur-bearing and nongame mammals: recreational and commercial fur trapping: prohibition.

Introduced: 1/24/2019

Status: 1/24/2019-Read first time. To print.

Location: 1/24/2019-A. PRINT

Summary: Would prohibit the trapping of any fur-bearing mammal or nongame mammal for purposes of recreation or commerce in fur and would prohibit the sale of the raw fur of any fur-bearing mammal or nongame mammal otherwise lawfully taken pursuant to the Fish and Game Code or regulations adopted pursuant to that code. Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program. The bill would also make other conforming changes.

[SB 1](#)

(Atkins D) California Environmental, Public Health, and Workers Defense Act of 2019.

Introduced: 12/3/2018

Status: 1/16/2019-Referred to Coms. on EQ., N.R. & W., and JUD.

Location: 1/16/2019-S. E.Q.

Summary: Current state law regulates the discharge of air pollutants into the atmosphere. The Porter-Cologne Water Quality Control Act regulates the discharge of pollutants into the waters of the state. The California Safe Drinking Water Act establishes standards for drinking water and regulates drinking water systems. The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species, and generally prohibits the taking of those species. This bill would require specified agencies to take prescribed actions regarding

certain federal requirements and standards pertaining to air, water, and protected species, as specified.

SB 19 **(Dodd D) Water resources: stream gages.**

Introduced: 12/3/2018

Status: 1/16/2019-Referred to Com. on N.R. & W.

Location: 1/16/2019-S. N.R. & W.

Summary: Would require the Department of Water Resources and the State Water Resources Control Board, upon an appropriation of funds by the Legislature, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying new gages, as specified. The bill would require the department and the board, in consultation with the Department of Fish and Wildlife, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species.

SB 34 **(Wiener D) Cannabis: donations.**

Introduced: 12/3/2018

Status: 1/16/2019-Referred to Coms. on GOV. & F. and B., P. & E.D.

Location: 1/16/2019-S. GOV. & F.

Summary: Current administrative law prohibits a retailer licensee from providing free cannabis goods to any person or allowing individuals who are not employed by the retailer to provide free cannabis goods to any person on the licensed premises. Current administrative law provides an exception to this prohibition for specified medicinal retailer and microbusiness licensees to provide access to medicinal cannabis patients who have difficulty accessing medicinal cannabis goods, as specified. This bill would similarly authorize those specified licensees to provide free cannabis or cannabis products to a medicinal cannabis patient if specified requirements are met, including that the cannabis or cannabis products otherwise meet specified requirements of MAUCRSA.

SB 62 **(Dodd D) Endangered species: accidental take associated with routine and ongoing agricultural activities.**

Introduced: 1/3/2019

Status: 1/16/2019-Referred to Com. on N.R. & W.

Location: 1/16/2019-S. N.R. & W.

Summary: Under the California Endangered Species Act, the Department of Fish and Wildlife may authorize the take of listed species pursuant to an incidental take permit if the take is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, and the issuance of the permit would not jeopardize the continued existence of the species. The act requires the department to adopt regulations for the issuance of incidental take permits. The act also provides, until January 1, 2020, that the accidental take of candidate, threatened, or endangered species resulting from acts that occur on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the act. This bill would make this exception permanent.

For more information call:

Susan LaGrande, CDFW Deputy Director at (916) 651-6719

Julie Oltmann, CDFW Legislative Representative at (916) 653-9772

You can also find legislative information on the web at <http://leginfo.legislature.ca.gov/> and follow the prompts from the 'bill information' link.