



Legislative Report

2017



THE APEX GROUP
ADVOCACY & GOVERNMENT RELATIONS & PROCUREMENT



Clearly for the boating and marine community, the biggest news from 2017 is the comprehensive transportation package that was passed by the Legislature, which increases funding by billions of dollars for streets and road, and had a direct bearing on boating programs. Running a close second is the recently released “Transition Plan” that outlines some changes to the Division of Boating and Waterways (DBW). 2017 was clearly a year of big issues. It is fair to say that in politics, no two years are alike! Below I report on these critical issues and provide brief comments on our priority legislation.

State Parks Transformation – Transition Plan

Over two years ago, the Department of Parks and Recreation (DPR) embarked on a process to evaluate park operations with the goal of bringing them into the “21st century.” In February of 2015 they released a report entitled “A New Vision for California State Parks.” In that report they make a passing reference to the need to further consolidate the DBW into the DPR operations. This, obviously, is of concern to our members that value the independence of the DBW.

A little background is in order: The DPR is a very old department that has expanded and had pieces added onto it over the decades, including the addition of the “Department” of Boating and Waterways to become the “Division” of Boating and Waterways in 2012. This extensive process of modernization is probably necessary, but we were very concerned that the value and identity of DBW would be lost in the process.

Since the early 1990s the boating community, and our firm, The Apex Group, have worked to protect the DBW and its programs from countless attacks. The DBW is funded with boaters’ dollars through the Harbors and Watercraft Revolving Fund (HWRF), and when the State runs low on cash they look to this fund for help. They have gone directly after the money and attempted to eliminate the DBW to sweep the money on many occasions.

It has been a constant effort for decades and finally in 2012 they were successful with merging the DBW into Parks, making it a division. The fear at the time of the merger was that once the DBW is under the control of the DPR we would start to see DBW “disappear” into the DPR. It is for that reason that, at the time of the merger, we fought very hard to keep it a division rather than see the individual programs absorbed. We did this because we knew the more independent the DBW remained, the more the boating expertise would stay intact, and the harder it would be to get at the money.

Our fear of losing the DBW resurfaced when the transformation report suggested “reorganizing” the DBW. However, because there were no details in that report, we have been waiting for months in expectation of the “Transition Plan” that would include the specifics of the changes the DPR would be making to the DBW.

I am glad to report that Parks has recently released the plan and the DBW will remain intact. This is extremely good news as it was “touch and go” for some time. The plan is several months late and the “rumor mill” was that DPR was going eliminate the DBW entirely. There will be some minor changes, however. Specifically, the grant program will be altered. The DBW will still process applications and award the grants, but tracking and compliance will now be completed by a new consolidated office providing the same functions for all DPR grants. The only real function that will be lost will be

“communications and marketing.” That will now be part of a consolidated DPR office as well. There will also be some “enhanced coordination” among other functions, such as law enforcement, natural resources programs, and education programs. It is not exactly clear, however, what that coordination will look like. We will, of course, keep our eyes on developments.

I am also pleased to report that the DBW-specific section of the plan makes several references to the concerns and perspectives shared by our members that we communicated to the DPR. It is clear the DPR was listening and that attention was much appreciated.

This has been a project all year and will continue to be a priority as the plan is implemented. I would like to thank the members of the various associations we represent for all their help. While I spend my time advocating in Sacramento, your members provide me with excellent input and have always been willing to come to meetings in Sacramento to “fly the flag,” and those efforts are critical if we are to be successful.

Legislation

This year, we have taken support positions on fourteen bills and we were opposed to three. I am happy to report that all the bills we opposed never reached the Governor’s desk. From the list of bills we supported, several bills are pending on the Governor’s desk for possible signature.

Below is a summary of our priority bills. The complete summary of each bill we either supported, opposed or tracked is at the end of this report.

AB 71 (Chiu): Eliminated the Interest Deduction on Vessels that Qualify as a “Second” Home:

Died on the Assembly Floor: Under existing law, there is a tax deduction for the interest paid on qualifying second homes. This bill proposed to eliminate this deduction and use the savings for low income housing programs. Some vessels can be included in the definition of a “second home,” if it meets certain criteria. Because of the high cost of purchasing a boat, the tax implications can be a deciding factor for potential buyer considering a vessel purchase. Eliminating this deduction would have not only impacted the sales of new and used vessels, but the loss of those sales would also impact the businesses that would have otherwise serviced those vessels. After taking an initial position of “oppose,” we changed our position to priority “watch” when it looked like the powerful Realtors Association was going to kill the bill. Sometimes the best approach in politics is to be strategic by letting others take the black eye for opposing low-income housing.

SB 1 (Beall) and AB 1 (Frazier) Transportation Funding / Harbors and Watercraft Revolving Fund:

At the beginning of the year, SB 1 (Beall) and AB 1 (Frazier) were introduced to address the funding crisis for our streets and roads, namely in the form of an increase of the gas tax. **So why do we care about this?** Well, the gas tax paid by boaters is the primary funding source for the HWRF, which is the funding source for the vast majority of boating programs. It was our position that if the gas tax was going to be raised, which means gas tax paid by boaters would also go up, then the HWRF should get its fair share of the increase. Unfortunately, the Chairman of the Transportation Committee, the author of the bill, did not think we should get the increase, but rather this new money should be “redirected” to fund more street and road repair. We, of course, think if we are going to pay we should get the benefit.

At the end of the debate, SB 1 (Beall) was passed and signed into law, resulting in the most comprehensive tax increase for transportation funding in decades. This new legislation will result in about \$5 billion annually for transportation infrastructure. For many years, it has been known that the cost to maintain our streets and roads has outstripped the revenue coming in from the gas tax and other sources. For the last couple years, there has been a major effort to get a funding plan passed through the Legislature. This year they were finally successful. Passing tax increases is always a challenge, but this issue is particularly thorny because of its complexity and the various political dynamics affecting legislative districts across the state. I won't bore you with the details, but it was a herculean effort by the interest groups, the Senate and Assembly leadership, and the Governor to get this done.

As noted before, this was a complex debate with a lot of moving parts, but in the end, we were able to get the bill amended to protect our new money. We would have preferred that it was fully protected, but the compromise outcome was that our proportional increase in the gas tax would go to the DPR to be used for "parks, boating or off-highway vehicle (OHV) programs." The OHV language was included because OHV also gets money for the gas tax and were due an increase.

Under this arrangement, the DPR will have discretion that may be good for us in some years, and not-so-good in others, but the great news is we protected this new money from disappearing forever into the abyss of the Department of Transportation. If we can demonstrate a need for the funding, we have a chance at getting it in the future.

Given the challenges of this issue and the "big" politics involved, I count this a huge victory, and at the end of the day there are tens of millions of new dollars that are up for grabs!

AB 478 (Waldron), AB 986 (Gallagher), SB 187 (Berryhill), SB 234 (Berryhill), SB 518 (Berryhill): Promotes Recreational Fishing

Recreational fishing is a significant aspect of our heritage, as well as important contributor to the economic health of our state. Because recreational fishing is such an integral part of the boating lifestyle, we are making a concerted effort to support those bills that enhance recreational fishing. Each of the bills listed improve fishing in some manner, from extending the life of fishing licenses to a full 12 months to preventing over regulation of fishing. **We supported all of these bills, all these bills died, except SB 518, which remains active.** SB 518 is attempting to change the law to make a fishing license good for a full 12 months, rather than expire at the end of each calendar year. The proponents are in negotiations to make changes to keep it alive and avoid the fate of the other fishing bills.

AB 975 (Friedman) – Wild and Scenic Rivers: Oppose: Failed Passage

This bill would have revised the policy of the State to specify that certain rivers that possess scenic, recreational, fishery, wildlife, historical, cultural, geological, ecological, hydrological, botanical, or other values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state, and would revise the definition of "immediate environments," and define the term "extraordinary value" for purposes of that policy. Bills such of these are always of concern as a policy change that enhances protections often do so at the expense of recreation.

AB 1228 (Bloom) – Experimental Fishing Permits: Support: To Enrollment

This bill would authorize the Fish and Game Commission to approve experimental fishing permits to be issued by the department that would authorize commercial or recreational marine fishing activity otherwise prohibited by the Fish and Game Code or regulations adopted pursuant to that code. The goal of this bill is to allow fishing that would otherwise be prohibited to facilitate such activity as research and experimentation.

SB 367 (Bates) – Tidelands and Submerged Lands: County of Orange: Support: To enrollment

This bill would extend to 66 years the maximum period for which the county may grant franchises or leases for the use of those tidelands and submerged lands. We obviously agree that the longer the lease term, the more economically stable the business operation.

SB 704 (Galgiani) – Division of Boating and Waterways: Invasive Aquatic Species: Support: Chaptered

This bill requires the Division of Boating and Waterways, to the extent feasible, to collaborate with the California Conservation Corps and use members of the corps in implementing its invasive aquatic plants control programs. Our position: the more help the better!

State Budget

Each January, the Governor releases a proposed budget for the Legislature to consider. This year it is fair to say it was a “status quo” budget for DBW. Each May the Governor revises his budget in response to tax receipts received during the April tax session. The one issue of interest to us in the “May Revise” is an increase of \$1 million for the abandoned vessel program. That brings the total this year to \$2.75 million. This is good news as abandoned vessels are a danger to navigation and cause environmental damage.

\$51 Million in loans from the Harbors and Watercraft Revolving Fund Repaid

During the “Great Recession,” the State of California took several loans from the HWRF to prop up the struggling state budget. I was skeptical that these loans would ever be repaid, given the State’s track record, but the money has been placed back in the account!

California Boating Congress

Next year will be the third-annual California Boating Congress (CBC). We are in the planning stages for the 2018 CBC and we are confident this is going to be another successful year! It is our plan to continue to conduct this conference every year with the goal of it to become the premier event for the boating and marine community to advocate for our interests in Sacramento. If you did not attend the first two events, please plan on attending next year. I don’t think you will be disappointed!

Bill Summary

The following section is a summary of all the bills we tracked or engaged on in 2017.

Two-Year Bills

Two Year Bills are those bills that did not complete the process and will have another opportunity to be considered in the second year of the two-year session.

AB 1 Frazier D Transportation funding.

Current Text: Introduced: 12/5/2016 Introduced: 12/5/2016

Last Amend:

Status: 1/19/2017-Referred to Coms. on TRANS. and NAT. RES.

Location: 1/19/2017-A. TRANS.

Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.

Position: Support

AB 18 Garcia, Eduardo D California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Current Text: Amended: 8/30/2017 Introduced: 12/5/2016

Last Amend: 8/30/2017

Status: 9/1/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (August 31). Re-referred to Com. on APPR.

Location: 9/1/2017-S. APPR.

Under current law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities. This bill would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,470,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, coastal protection, and outdoor access for all program.

Position: Watch

AB 71 Chiu D Income taxes: credits: low-income housing: farmworker housing.

Current Text: Amended: 5/18/2017 Introduced: 12/16/2016

Last Amend: 5/18/2017

Status: 5/30/2017-Read second time. Ordered to third reading.

Location: 5/30/2017-A. THIRD READING

Would, under the law governing the taxation of insurers, the Personal Income Tax Law, and the Corporation Tax Law, for calendar years beginning in 2018, would increase the aggregate housing credit dollar amount that may be allocated among low-income housing projects by an additional \$300,000,000, as specified, and would allocate to farmworker housing projects \$25,000,000 per year of that amount.

Position: Watch A

AB 108 Committee on Budget Public resources.

Current Text: Amended: 6/12/2017 Introduced: 1/10/2017

Last Amend: 6/12/2017

Status: 7/20/2017-Ordered to inactive file at the request of Senator Mitchell.

Location: 7/20/2017-S. INACTIVE FILE

Current law regulating commercial fishing imposes, or authorizes the imposition of, various license, permit, and registration fees. Existing law requires specified persons to pay commercial fishing fees, referred to as a "landing tax," calculated on the total weight of fish delivered, based on a rate-per-pound schedule applicable to specified aquatic species. This bill would rename the "landing tax" as a "landing fee" and would revise the rate schedule by increasing certain fees while decreasing other fees to specified amounts. The bill would make conforming and other related changes.

Position: Watch A

AB 478 Waldron R Sport fishing licenses: age requirement.

Current Text: Introduced: 2/13/2017 Introduced: 2/13/2017

Last Amend:

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/26/2017) (May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Current law requires every person 16 years of age or older who takes any fish, reptile, or amphibian for any purpose other than profit to first obtain a sport fishing license for that purpose, with specified

exceptions, and to have that license on his or her person or in his or her immediate possession when engaged in carrying out any activity authorized by the license. This bill would raise the age at which a person is required to obtain a sport fishing license to 18 years of age or older and would make other conforming changes.

Position: Support

AB 498 Harper R Fire rings: beaches.

Current Text: Introduced: 2/13/2017 Introduced: 2/13/2017

Last Amend:

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/13/2017) (May be acted upon Jan 2018)

Location: 5/12/2017-A. 2 YEAR

Would state the intent of the Legislature to enact legislation related to fire rings at state and local beaches.

Position: Watch

AB 663 Bloom D Coastal resources: low- and moderate-income housing.

Current Text: Amended: 5/30/2017 Introduced: 2/14/2017

Last Amend: 5/30/2017

Status: 6/2/2017-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/1/2017) (May be acted upon Jan 2018)

Location: 6/2/2017-A. 2 YEAR

The California Coastal Act of 1976 requires any person wishing to perform or undertake any development in the coastal zone, as defined, to obtain a coastal development permit, except as provided. The act requires that lower cost visitor and recreational facilities be protected, encouraged, and, where feasible, provided. This bill would, until January 1, 2023, also require housing opportunities for persons of low and moderate income in the coastal zone to be protected, encouraged, and, where feasible, provided. This bill contains other related provisions and other existing laws.

Position: Watch A

AB 684 Stone, Mark D California Coastal Commission: ex parte communications: database.

Current Text: Amended: 7/18/2017 Introduced: 2/15/2017

Last Amend: 7/18/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2017) (May be acted upon Jan 2018)

Location: 9/1/2017-S. 2 YEAR

The California Coastal Act of 1976 prohibits a commission member and an interested person from conducting an ex parte communication unless the member fully discloses and makes public the ex parte communication by providing a full report of the communication to the executive director of the commission within 7 days after the communication or, if the communication occurs within 7 days of the next commission hearing, to the commission on the record of the proceeding at that hearing. This bill would, as of July 1, 2018, delete the requirement that the commission member provide a full report of the communication to the executive director of the commission within 7 days after the communication or, if the communication occurs within 7 days of the next commission hearing, to the commission on the record of the proceeding at that hearing.

Position: Watch A

AB 793 Frazier D Sacramento-San Joaquin Delta: financing.

Current Text: Amended: 3/27/ Introduced: 2/15/2017

Last Amend: 3/27/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was W.,P. & W. on 3/2/2017) (May be acted upon Jan 2018)

Location: 5/12/2017-A. 2 YEAR

Would declare it to be state policy that the existing state of the Sacramento-San Joaquin Delta is recognized and defined as an integral component of California's water infrastructure. The bill would state that the maintenance and repair of the Delta are eligible for the same forms of financing as other water collection and treatment infrastructure and would specify the maintenance and repair activities that are eligible are limited to certain cleanup and abatement-related restoration and conservation activities.

Position: Watch

AB 907 Garcia, Eduardo D Office of Outdoor Recreation and Public Lands Enhancement.

Current Text: Amended: 3/14/2017 Introduced: 2/16/2017

Last Amend: 3/14/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/26/2017) (May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Would establish the Office of Outdoor Recreation and Public Lands Enhancement in the Governor's Office of Business and Economic Development for specified purposes, including promoting active healthy lifestyles and improving the quality of life for all Californians, and would require the director of the Governor's Office of Business and Economic Development to administer the Office of Outdoor Recreation and Public Lands Enhancement. 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 to it, without compensation.

Position: Watch

AB 947 Gallagher R Department of Fish and Wildlife: lake or streambed alteration agreements: definitions.

Current Text: Amended: 4/17/2017 Introduced: 2/16/2017

Last Amend: 4/17/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/3/2017) (May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or from depositing certain material where it may pass into any river, stream, or lake, without first notifying the Department of Fish and Wildlife of that activity, and entering into a lake or streambed alteration agreement if required by the department to protect fish and wildlife resources. This bill would define "river" and "stream" for purposes of these provisions.

Position: Watch

AB 962 Allen, Travis R State infrastructure financing for seaports.

Current Text: Amended: 3/28/2017 Introduced: 2/16/2017

Last Amend: 3/28/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/27/2017) (May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

Would require the bank, after consulting with appropriate state and local agencies, to establish criteria, priorities, and guidelines for the selection of infrastructure development and equipment purchase projects submitted by harbor agencies, as defined, for assistance from the bank, as specified. The bill would require the harbor agency to adopt a resolution that includes specified information, including,

among other information, the state fiscal and economic impacts estimated to result from the proposed infrastructure development or equipment purchase project.

Position: Support

AB 975 Friedman D Natural resources: wild and scenic rivers.

Current Text: Amended: 5/4/2017 Introduced: 2/16/2017

Last Amend: 5/4/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was INACTIVE FILE on 6/5/2017) (May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

Current law establishes that it is the policy of the state that certain rivers that possess extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state. This bill would revise that policy to specify that certain rivers that possess scenic, recreational, fishery, wildlife, historical, cultural, geological, or other similar values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state, and would revise the definition of "immediate environments," and define the term "extraordinary value" for purposes of that policy.

Position: Oppose

AB 986 Gallagher R Hunting and sport fishing licenses: sport fishing license duration: reduction in license fees for veterans.

Current Text: Introduced: 2/16/2017 Introduced: 2/16/2017

Last Amend:

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 3/21/2017) (May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Current law requires a resident or a nonresident, 16 years of age or older, upon payment of a specified fee, to be issued a sport fishing license for the period of a calendar year, or, if issued after the beginning of the year, for the remainder thereof. This bill would instead require a resident or a nonresident, 16 years of age or older, upon payment of the fee, to be issued a sport fishing license for the period of 12 consecutive months beginning on the date of issuance.

Position: Support

AB 988 Brough R California Coastal Commission.

Current Text: Introduced: 2/16/2017 Introduced: 2/16/2017

Last Amend:

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2017)
(May be acted upon Jan 2018)

Location: 5/12/2017-A. 2 YEAR

The California Coastal Act of 1976 establishes the California Coastal Commission and prescribes the membership, functions, and duties of the commission with regard to the administration and implementation of the act. This bill would make nonsubstantive changes in those provisions prescribing the membership of the commission.

Position: Watch

AB 1050 Allen, Travis R California Endangered Species Act: Delta smelt.

Current Text: Amended: 3/28/2017 Introduced: 2/16/2017

Last Amend: 3/28/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/27/2017) (May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

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 requires the commission to add or remove species from either list if it finds, upon the receipt of sufficient scientific information, that the action is warranted. The act prohibits the taking of an endangered or threatened species, except as specified. This bill would require the commission to remove the Delta smelt from the endangered species list.

Position: Watch

AB 1097 Levine D Department of Fish and Wildlife: Significant Natural Areas Program.

Current Text: Introduced: 2/17/2017 Introduced: 2/17/2017

Last Amend:

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/6/2017)
(May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

Current law requires the Department of Fish and Wildlife to administer the Significant Natural Areas Program, and requires the department, as part of its administration of the program, to maintain,

expand, and keep current a data management system, designated the California Natural Diversity Database. Current law requires that data to be made available to interested parties on request. This bill would instead require that data to be made available on the department's Internet Web site.

Position: Watch

AB 1129 Stone, Mark D Coastal resources: structures: beach access and protection.

Current Text: Amended: 4/26/2017 Introduced: 2/17/2017

Last Amend: 4/26/2017

Status: 6/2/2017-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/1/2017) (May be acted upon Jan 2018)

Location: 6/2/2017-A. 2 YEAR

The California Coastal Act of 1976 requires the permitting of revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. This bill would also require that the permitted construction of those structures be consistent with the policies of the act, including policies regarding protection of public access, shoreline ecology, natural landforms, and other impacts on coastal resources, and would define the term "existing structure" for the purposes of those provisions.

Position: Watch

AB 1151 Gloria D Vaquita-friendly fish and fish products.

Current Text: Amended: 5/30/2017 Introduced: 2/17/2017

Last Amend: 5/30/2017

Status: 9/12/2017-Ordered to inactive file at the request of Senator Allen.

Location: 9/12/2017-S. INACTIVE FILE

Current law makes it unlawful for any person to possess, sell, offer for sale, trade, or distribute a shark fin, as defined. Current law generally makes violations of provisions relating to fish and wildlife a crime. This bill would, commencing January 1, 2019, make it unlawful to sell, offer for sale, trade, or distribute fish and fish products that are not vaquita-friendly, as defined. The bill would require the Department of Fish and Wildlife to adopt regulations on or before January 1, 2019, to enforce this prohibition and would prohibit the department from enforcing the prohibition until July 1, 2019.

Position: Watch

AB 1281 Limón D State parks: climate change: study.

Current Text: Amended: 3/30/2017 Introduced: 2/17/2017

Last Amend: 3/30/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/3/2017) (May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Current law vests with the Department of Parks and Recreation control over the state park system, and requires the department to take various actions to develop, operate, and maintain units of the state park system. Current law requires specified state agencies to implement policies and measures to address the effects of climate change and facilitate the reduction of greenhouse gas emissions in the state. This bill would require the department, by July 1, 2018, to complete a study that includes recommendations for further action that may be necessary to address the impacts of climate change at units of the state parks system, containing specified information.

Position: Watch

AB 1319 Jones-Sawyer D Sales and Use Tax Law.

Current Text: Introduced: 2/17/2017 pdf html

Introduced: 2/17/2017

Last Amend:

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2017) (May be acted upon Jan 2018)

Location: 5/12/2017-A. 2 YEAR

The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state and impose the use tax on a lessee's possession of tangible personal property in this state. This bill would make nonsubstantive changes to these provisions.

Position: Watch

AB 1337 Patterson R Fish and Game Commission: meetings and hearings: live broadcast.

Current Text: Introduced: 2/17/2017 Introduced: 2/17/2017

Last Amend:

Status: 9/16/2017-Ordered to inactive file at the request of Senator McGuire.

Location: 9/16/2017-S. INACTIVE FILE

Would require the Fish and Game Commission to provide a live video broadcast on its Internet Web site of every commission meeting or hearing that is open and public and every meeting or hearing conducted by the marine resources committee, wildlife resources committee, or tribal committee that is open and public.

Position: Support

AB 1555 Baker R State Lands Commission.

Current Text: Introduced: 2/17/2017 Introduced: 2/17/2017

Last Amend:

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2017)
(May be acted upon Jan 2018)

Location: 5/12/2017-A. 2 YEAR

Current law establishes the State Lands Commission in the Natural Resources Agency and specifies that the commission is the successor to, and is vested with all the powers, duties, purposes, responsibilities, and jurisdiction formerly vested in, the Department of Finance as successor to the Surveyor General, Register of the State Land Office, State Land Office, and the Division of State Lands. This bill would make nonsubstantive changes to this law.

Position: Watch

AB 1561 Quirk-Silva D Inland Port Development and Management Act.

Current Text: Amended: 9/11/2017 Introduced: 2/17/2017

Last Amend: 9/11/2017

Status: 9/12/2017-Re-referred to Com. on L. GOV.

Location: 9/11/2017-A. L. GOV.

Current law authorizes 2 or more harbor agencies to establish an authority under the joint powers law, with various powers and duties, for the purpose of establishing an infrastructure fund and financing port or harbor infrastructure, as specified. This bill would authorize 2 or more local agencies to establish an authority under the joint powers law for the purpose of establishing an infrastructure fund and financing inland port infrastructure.

Position: Support

AB 1587 Levine D Invasive species: dreissenid mussels.

Current Text: Amended: 6/29/2017 Introduced: 2/17/2017

Last Amend: 6/29/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/21/2017) (May be acted upon Jan 2018)

Location: 9/1/2017-S. 2 YEAR

Current law, until January 1, 2020, generally prohibits a person from possessing, importing, shipping, or transporting in the state, or from placing, planting, or causing to be placed or planted in any water within the state, dreissenid mussels, and authorizes the Director of Fish and Wildlife or his or her designee to engage in various enforcement activities with regard to dreissenid mussels. Current law authorizes the director to conduct inspections of waters of the state and facilities located within waters of the state that may contain dreissenid mussels and, if those mussels are detected or may be present, order the closure of the waters or facilities to conveyances or otherwise restrict access to the waters or facilities, with the concurrence of the Secretary of the Natural Resources Agency. This bill would also authorize a peace officer to engage in certain of these enforcement activities, as prescribed, and would extend to January 1, 2023, the repeal date of those provisions.

Position: Watch A

AB 1594 Bloom D Ocean protection: plastic pollution.

Current Text: Amended: 6/26/2017 Introduced: 2/17/2017

Last Amend: 6/26/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 7/6/2017) (May be acted upon Jan 2018)

Location: 7/14/2017-S. 2 YEAR

Current law provides that any action to increase recycling taken by the Division of Recycling in the Department of Resources Recycling and Recovery, or by any person or entity, affecting, among other things, the method of invoicing the sale of beverages as provided is not a violation of specified laws relating to business practices. This bill would provide that any action to increase recycling taken by the Division of Recycling in the Department of Resources Recycling and Recovery, or by any person or entity, affecting, among other things, the method of invoicing the sale of any food or drinks for the purposes of increasing food and drink packaging recycling is not a violation of specified laws relating to business practices.

Position: Watch

AB 1617 Bloom D Department of Fish and Wildlife: Fish and Game Commission: funding: strategic vision.

Current Text: Amended: 5/15/2017 Introduced: 2/17/2017

Last Amend: 5/15/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/14/2017) (May be acted upon Jan 2018)

Location: 7/14/2017-S. 2 YEAR

Current law requires the Secretary of the Natural Resources Agency to convene a committee to develop and submit to the Governor and Legislature, before July 1, 2012, a strategic vision for the Department of Fish and Wildlife and the Fish and Game Commission that addresses specified matters relating to state fish and wildlife resource management. This bill would require the Department of Fish and Wildlife, in cooperation with the above-mentioned parties and additional specified parties, to identify and propose new sources of revenue to fund the department's necessary wildlife, land, and marine conservation, restoration, and resources management and protection responsibilities.

Position: Watch

AB 1642 Caballero D California Coastal Commission: ex parte communications: disclosure.

Current Text: Introduced: 2/17/2017 Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/16/2017) (May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

The California Coastal Act of 1976 prohibits a commission member or an interested person, as defined, from conducting an ex parte communication unless the commission member fully discloses and makes public that communication within 7 days after the communication or, if the communication occurs within 7 days of the next commission hearing, to the commission on the record of the proceeding at that hearing. The act requires the executive director of the commission to place in the public record any report of an ex parte communication. This bill would require that the executive director place on the commission's Internet Web site and in the official public record any written report of an ex parte communication.

Position: Oppose

SB 187 Berryhill R Sport fishing licenses: duration.

Current Text: Amended: 5/3/2017 Introduced: 1/25/2017

Last Amend: 5/3/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 7/19/2017) (May be acted upon Jan 2018)

Location: 9/1/2017-A. 2 YEAR

Would require a resident or a nonresident, 16 years of age or older, upon payment of a specified fee, to be issued a sport fishing license for the period of 12 consecutive months beginning on the date specified on the license, instead of for the period of a calendar year, or the remainder thereof. The bill would require the commission to include, among the costs required to be recovered by an adjustment of the fee amount, transition costs related to the new licensing period.

Position: Support

SB 234 Berryhill R Fishing: local regulation: report.

Current Text: Amended: 3/21/2017 Introduced: 2/6/2017

Last Amend: 3/21/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 7/19/2017) (May be acted upon Jan 2018)

Location: 9/1/2017-A. 2 YEAR

Would require the Fish and Game Commission to undertake a survey and evaluation of local ordinances that regulate fishing and to submit the survey and evaluation to the Legislature in a report by December 31, 2018.

Position: Support

SB 269 McGuire D Ocean resources: Ocean Protection Council: sustainable seafood.

Current Text: Introduced: 2/8/2017 Introduced: 2/8/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/12/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

The California Ocean Protection Act requires the Ocean Protection Council to develop and implement a voluntary sustainable seafood promotion program for the state, consisting of specified components relating to marketing assistance and assisting eligible entities in the fishing industry to meet specified internationally accepted standards for sustainable seafood. This bill would require that the program also include a promotion and direct sales enhancement component designed to increase direct sales of sustainable seafood by California fisheries, including the provision of certain information to consumers about sustainable seafood caught in the state.

Position: Watch

SB 402 Allen D Marine fisheries: state policy.

Current Text: Amended: 5/2/2017 Introduced: 2/15/2017

Last Amend: 5/2/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017) (May be acted upon Jan 2018)

Location: 5/26/2017-S. 2 YEAR

Would declare that it is the policy of the state to robustly protect and enhance the significant economic, environmental, recreational, aesthetic, and educational values provided by the Pacific fisheries and would require the Department of Fish and Wildlife and Fish and Game Commission to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of marine fisheries. The bill would require the department and commission, to the extent feasible, to attempt to work collaboratively with the federal government and all fisheries stakeholders in furtherance of this policy.

Position: Watch

SB 518 Berryhill R Sport fishing licenses: 12 consecutive month licenses.

Current Text: Amended: 9/15/2017 Introduced: 2/16/2017

Last Amend: 9/15/2017

Status: 9/15/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES.

Location: 9/15/2017-A. NAT. RES.

This bill, in addition to sport fishing licenses for the periods specified above, would require a sport fishing license to be issued to a resident or nonresident for the period of 12 consecutive months, upon payment of a fee that is equal to 130% of the fees for issuance of resident or nonresident calendar-year licenses, as applicable.

Position: Support

SB 588 Hertzberg D Marine resources and preservation.

Current Text: Amended: 6/19/2017 Introduced: 2/17/2017

Last Amend: 6/19/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a) (10). (Last location was NAT. RES. on 6/27/2017) (May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

Would revise and recast the California Marine Resources Legacy Act to establish a similar program to allow, 2 years after the payment of startup costs, a prospective transferor, as defined, to offer and the department to accept title to an artificial reef converted from a decommissioned oil and gas platform for incorporation into the California Artificial Reef Program if similar conditions to as specified are met, except if the platform is required to be fully removed by conditions in a lease issued by the State Lands Commission. As part of the implementation of the program, the bill would require the department to revise the Artificial Reef Plan prepared pursuant to the California Artificial Reef Program.

Position: Watch

Chaptered Bills

Chaptered bills are those bills that have been signed into law by the Governor.

AB 78 Cooper D Vessels: operation and equipment: blue lights.

Current Text: Chaptered: 7/25/2017 Introduced: 1/4/2017

Last Amend: 3/13/2017

Status: 7/24/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 103, Statutes of 2017.

Location: 7/24/2017-A. CHAPTERED

Current law reserves the use of a distinctive blue light to law enforcement vessels. This bill would reserve the use of this distinctive blue light to public safety vessels, defined to include law enforcement, fire department, or fire protection district vessels, that are engaged in direct law enforcement activities, or public safety activities conducted by a fire department or fire protection district, as provided. By expanding the law to cover fire department and fire protection district vessels, the bill would expand the scope of a crime, thereby creating a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch A

AB 798 Garcia, Eduardo D Local government: counties: consolidation of offices.

Current Text: Chaptered: 9/30/2017 Introduced: 2/15/2017

Last Amend: 7/10/2017

Status: 9/30/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 383, Statutes of 2017.

Location: 9/30/2017-A. CHAPTERED

Current law authorizes the boards of supervisors of specified counties to provide, by ordinance, that the public administrator be appointed by the board. Current law also authorizes the boards of supervisors of specified counties, by ordinance, to appoint the same person to the offices of public administrator and public guardian, as specified. This bill would apply these provisions to Imperial County.

Position: Support

AB 1148 Steinorth R Commercial property: disclosures: disability access.

Current Text: Chaptered: 7/21/2017 Introduced: 2/17/2017

Last Amend: 6/13/2017

Status: 7/21/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 87, Statutes of 2017.

Location: 7/21/2017-A. CHAPTERED

Current law requires the State Architect to establish a program for the voluntary certification by the state of any person who meets criteria as a Certified Access Specialist (CAS). Current law also requires a commercial property owner or lessor to state on every lease form or rental agreement executed on or after January 1, 2017, whether or not the premises have undergone inspection by a CAS. This bill would define commercial property for the purposes of that provision as property that is offered for rent or lease to persons operating, or intending to operate, a place of public accommodation, as specified, or a facility to which the general public is invited at those premises.

Position: Support

AB 1504 Cooley D State parks: concessions: contracts.

Current Text: Chaptered: 9/12/2017 Introduced: 2/17/2017

Last Amend: 7/3/2017

Status: 9/11/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 230, Statutes of 2017.

Location: 9/11/2017-A. CHAPTERED

Current law authorizes the Director of Parks and Recreation to negotiate or renegotiate a concession contract within state parks if specified conditions exist, including, among others, whenever the concession has been severely and adversely impacted through no fault of the concessionaire by an unanticipated calamity, park closure, major construction, or other harmful event or action. This bill would add drought, restricted access, and fires to that list of events or actions.

Position: Watch

SB 1 Beall D Transportation funding.

Current Text: Chaptered: 4/30/2017 pdf html

Introduced: 12/5/2016

Last Amend: 4/3/2017

Status: 4/28/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 5, Statutes of 2017.

Location: 4/28/2017-S. CHAPTERED

Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.

Position: Support

SB 367 Bates R Tidelands and submerged lands: County of Orange.

Current Text: Chaptered: 9/27/2017 pdf html

Introduced: 2/14/2017

Last Amend: 8/28/2017

Status: 9/27/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 332, Statutes of 2017.

Location: 9/27/2017-S. CHAPTERED

Current law grants to the County of Orange and its successors the right, title, and interest of the state in and to certain tidelands and submerged lands in trust for certain purposes relating to commerce, navigation, public access, and recreation. Current law requires that the county, and its successors, only use those granted lands for those trust purposes and prohibits the county from granting franchises or leases for those tidelands and submerged lands, as authorized, for periods that exceed 50 years. This bill would extend to 66 years the maximum period for which the county may grant franchises or leases for the use of those tidelands and submerged lands.

Position: Support

SB 704 Galgiani D Division of Boating and Waterways: invasive aquatic plants control programs.

Current Text: Chaptered: 9/12/2017 Introduced: 2/17/2017

Last Amend: 5/2/2017

Status: 9/11/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 247, Statutes of 2017.

Location: 9/11/2017-S. CHAPTERED

Would require that the Division of Boating and Waterways, to the extent feasible, to collaborate with the California Conservation Corps and use members of the corps in implementing its invasive aquatic plants control programs, as provided.

Position: Support

Pending on the Governor's Desk

Bills pending on the Governor's desk are those bills that have reach the Governor's desk, but are awaiting his signature or possible veto.

AB 250 Gonzalez Fletcher D State Coastal Conservancy: Lower Cost Coastal Accommodations Program.

Current Text: Enrolled: 9/15/2017 Introduced: 1/30/2017

Last Amend: 7/5/2017

Status: 9/20/2017-Enrolled and presented to the Governor at 4:30 p.m.

Location: 9/20/2017-A. ENROLLED

Would require the State Coastal Conservancy to develop and implement a specified Lower Cost Coastal Accommodations Program intended to facilitate improvement of existing, and development of new, lower cost accommodations within 11/2 miles of the coast. The bill would require the conservancy to take specified actions to develop and implement the program, as prescribed. The bill would require the conservancy to prepare a lower cost coastal accommodations assessment containing specified information relating to specific opportunities to improve existing, and generate new, lower cost coastal accommodations, and to update the assessment not less than every 5 years.

Position: Watch A

AB 725 Levine D State beaches and parks: smoking ban.

Current Text: Enrolled: 9/15/ Introduced: 2/15/2017

Last Amend: 9/1/2017

Status: 9/20/2017-Enrolled and presented to the Governor at 4:30 p.m.

Location: 9/20/2017-A. ENROLLED

Would make it an infraction for a person to smoke, as defined, on a state coastal beach or in a unit of the state park system or to dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system, with certain exceptions, as specifically provided. The bill would establish a state-mandated local program by creating a new crime.

Position: Watch

AB 1197 **Limón D** **Oil spill contingency plans: spill management teams.**

Current Text: Enrolled: 9/13/2017 Introduced: 2/17/2017

Last Amend: 8/21/2017

Status: 9/19/2017-Enrolled and presented to the Governor at 3 p.m.

Location: 9/19/2017-A. ENROLLED

Current law provides for the rating of oil spill response organizations (OSROs) by the administrator pursuant to specified provisions and requires an oil spill contingency plan to identify at least one rated OSRO for each rating level established pursuant to those provisions. This bill would no longer require an oil spill contingency plan to identify at least one rated OSRO for each rating level and would instead require the plan to identify at least one OSRO rated pursuant to those provisions, and would authorize an owner or operator to rely on its own response equipment and personnel, if they have been rated by the administrator, as specified.

Position: Watch

AB 1228 **Bloom D** **Marine fisheries: experimental fishing permits.**

Current Text: Enrolled: 9/15/2017 Introduced: 2/17/2017

Last Amend: 7/17/2017

Status: 9/25/2017-Enrolled and presented to the Governor at 12 p.m.

Location: 9/25/2017-A. ENROLLED

Would authorize the Fish and Game Commission to approve experimental fishing permits to be issued by the Department of Fish and Wildlife for specified purposes that would authorize commercial or recreational marine fishing activity otherwise prohibited by the Fish and Game Code or regulations adopted pursuant to that code, subject to certain requirements, including a requirement that activities conducted under the permit be consistent with specified policies enacted as part of the Marine Life Management Act of 1998 and any applicable fishery management plan and a requirement that the permit be subject to certain commission conditions.

Position: Support

AB 1317 Gray D Carl Moyer Memorial Air Quality Standards Attainment Program.

Current Text: Enrolled: 9/7/2017 Introduced: 2/17/2017

Last Amend: 4/17/2017

Status: 9/13/2017-Enrolled and presented to the Governor at 4 p.m.

Location: 9/13/2017-A. ENROLLED

Current law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program, which is administered by the State Air Resources Board, to provide grants to offset the incremental cost of eligible projects that reduce emissions of air pollutants from covered sources. Current law defines the term “covered source” for purposes of the program. This bill would revise the definition of “covered source” to include stationary irrigation or water conveyance engines.

Position: Watch

SB 5 De León D California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Current Text: Enrolled: 9/19/2017 Introduced: 12/5/2016

Last Amend: 9/10/2017

Status: 9/21/2017-Enrolled and presented to the Governor at 5:30 p.m.

Location: 9/21/2017-S. ENROLLED

Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. The bill, upon voter approval, would reallocate \$100,000,000 of the unissued bonds authorized for the purposes of Propositions 1, 40, and 84 to finance the purposes of a drought, water, parks, climate, coastal protection, and outdoor access for all program.

Position: Watch

Vetoed

Vetoed bills are those bills rejected by the Governor.

**SB 506 Nielsen R Department of Fish and Wildlife: lake or streambed alteration agreements:
Internet Web site.**

Current Text: Vetoed: 7/21/2017 Introduced: 2/16/2017

Last Amend: 6/5/2017

Status: 7/21/2017-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Location: 7/21/2017-S. VETOED

Would require the Department of Fish and Wildlife, on or before December 31, 2018, and periodically thereafter, to upgrade the information on its Internet Web site regarding lake or streambed alteration agreements, to update its "Frequently Asked Questions" document and other appropriate sources of information regarding the lake and streambed alteration program, and to provide guidance on its Internet Web site to facilitate members of the public in obtaining individualized guidance regarding the lake and streambed alteration program, as specified.

Position: Support

SB 644 Stone R Vessels: impoundment.

Current Text: Vetoed: 7/25/2017 Introduced: 2/17/2017

Last Amend: 6/15/2017

Status: 7/24/2017-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Location: 7/25/2017-S. VETOED

Would authorize a court to order the impoundment of a vessel, as defined, for a period of not less than one nor more than 30 days, if the registered owner is convicted of a specified crime involving the operation of a vessel while under the influence of an alcoholic beverage, any drug, or the combined influence of an alcoholic beverage and any drug and the conduct resulted in the unlawful killing of a person. The bill would authorize a court to consider certain factors in the interest of justice when determining whether a vessel used in the commission of such a crime shall be impounded pursuant to those provisions.

Position: Watch A