



California Edition: May 2011

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LEAD AMMUNITION BAN UPDATE

The movement to ban the use of lead ammunition in California, statewide, is increasing in intensity.

Two new studies, conducted by the University of California at Davis have recently been released, both of which conclude that it is lead from hunters' bullets that is causing increased blood lead levels in California Turkey Vultures, Golden Eagles, and other avian scavengers and birds of prey.

The studies, "[Impact of the California Lead Ammunition Ban on Reducing Lead Exposure in Golden Eagles and Turkey Vultures](http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0017656)" and "[Lead Exposure in Free-Flying Turkey Vultures Is Associated with Big Game Hunting in California](http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0015350)", were funded by the California Department of Fish and Game at the request of the Fish and Game Commission. The first study can be accessed on the internet using the following link: <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0017656> and the second study can be accessed using this link: <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0015350>.

Below is an excerpt from the conclusion of one of the reports (both reports reached similar conclusions):

“Our findings provide direct evidence that regulating the use of lead ammunition for hunting can reduce lead exposure in predatory and scavenging birds. Since the initiation of the ban in 2008, ammunition manufacturers have increased their production of non-lead ammunition in response to demand, and numerous non-lead ammunition alternatives are now available for hunting both small and large game and non-game species. Replacement of lead ammunition with non-lead alternatives will greatly reduce the risk of

lead poisoning and associated mortality in predatory and scavenging birds, and may benefit the conservation of these species.”

FISH AND GAME DIRECTOR APPOINTMENT STATUS

The Governor is still considering candidates for appointment as Director of Fish and Game. In the meantime, the previous administration’s Acting Director, John McCamman, is continuing to serve as Acting Director under Governor Brown. McCamman is a candidate for appointment as permanent Director and has strong support from prominent pro-hunting Fish and Game Commissioner, Jim Kellogg, Fish and Game Department employees, and some sportsmen’s organizations.

Environmentalist organizations are backing candidates who are generally anti-hunting.

The Governor has given no indication when he will make the appointment.

FISH AND GAME COMMISSION EXECUTIVE DIRECTOR POSITION

The Fish and Game and Commission has extended the time for applying to fill the [job of Commission Executive Director](#) until June 2011. For more information regarding this position, please refer to the following website:

<http://www.fgc.ca.gov/public/notices/jobs.asp>

BIG GAME ADVISORY COMMITTEE

Last year, the Legislature passed SB 1058 which required the Department of Fish and Game to set up a new Big Game Account and Upland Game Account under the Fish and Game Preservation Fund with the intended objective of establishing better accountability relative to how hunter’s license, tag, stamp and other hunter generated funds are spent.

The Department has established Advisory Committees for both of the new accounts and has asked Dwight Ortmann and SCI’s California lobbyist, Kathy Lynch, to represent SCI on the committees.

The next Advisory Committees meeting will be held on May 3, 2011. Major big game topics of discussion on the agenda are Big Game Funding in Regional Allotments and Discussion of Advisory Committee Input on Projects. This is the second meeting of the committees since their formation.

FISH AND GAME COMMISSION

The State Fish and Game Commission will be meeting on May 4-5, 2011, at the Doubletree Hotel Ontario Airport.

On the agenda of significant interest to SCI members are 1) Possible final certification of environmental documents, adoption of findings and proposed projects (or alternatives) for bear and/or bighorn sheep (Action only; no further public comments will be accepted.); and 2) Possible adoption of mammal hunting tag quota changes, clarifications and urgency revisions for the 2011-2012 mammal hunting regulations. The season tag quota for bears may be increased from 1,700 to 2,000. The tag quota for other species may be adjusted in accordance with the Departments annual population surveys. The Commission may postpone some actions to a future meeting.

2011 LEGISLATIVE SESSION

The 2011 portion of the new two year session of the State Legislature is now underway and the deadline for bill introductions has passed. For a list of bills and their descriptions that are of significant interest to SCI members, please refer to the regular SCI Legislative Report.

LEGISLATIVE ALERT!!!

The following are action alerts for major bills of opposition that have begun moving through the legislative process.

Please contact your local legislators, members of the corresponding committees listed below, and senators in opposition to these bills. It is critical that members of the legislature hear from you so that they will know the importance of voting “no”. Many are newly elected to the legislature and need the guidance of their constituents and other members of the public.

AB 809 (Feuer) Firearms - Would require the registration with the Department of Justice of rifle and shotgun sales, and other transfers, making the Departments’ registry of information about rifles and shotguns, and their owners, the same as for handguns.
Position: Oppose. Location: Assembly Appropriations Committee Suspense File.

SB 124 (De León) Ammunition – Would redefine the term “handgun ammunition” to mean any ammunition “capable” of being used in a handgun. Accordingly, all rifle ammunition cartridges than can be fired in a handgun, such as the Thompson Contender, would be classified as handgun ammunition.

Handgun ammunition “designed” to penetrate metal or armor would be redefined to mean any ammunition, except a shotgun shell, that is designed to penetrate a body vest or body shield when discharged from a handgun and which, by virtue of its shape, cross-sectional density, or any coating applied thereto, is manufactured or designed to breach or penetrate a body vest or body shield (armor piercing). This definition is imperfect and would require interpretation, likely by the Department of Justice or the courts.

Depending upon how the term is interpreted, SB 124 could make it a felony to possess most popular California big game hunting ammunition, as virtually all can be discharged in at least one model of hunting or competition pistol, and all are designed with an aerodynamic shape and cross sectional density sufficient for hunting, and other lawful purposes, that would facilitate the penetration of a body vest or body shield.

When combined with other provisions of existing law, SB 124 would result in any rifle cartridge that can be used in a handgun also being subject to the handgun ammunition buyer registration provisions. The registration law was declared in court to be unconstitutional as written, but SB 124 would re-write the unconstitutional provisions in a manner to make it operational.

Thus, if SB 124 is passed and becomes law, a hunter or other rifle ammunition buyer would be required to register at the time of purchase his or her thumbprint and personal information in order to buy either handgun or rifle ammunition that can be used in a handgun (providing SB 124 is later amended so that rifle ammunition is defined not to be armor piercing and thus not a felony to possess). ***Position: Oppose. Location: Senate Appropriations Committee Suspense File.***

SB 427 (De León) Ammunition –This bill is an attempt to help resolve the unconstitutionally vague provisions of the current handgun ammunition buyer registration law and to add new provisions affecting hunters and other purchasers of handgun ammunition.

It would require handgun ammunition buyer registration information to be legibly written or electronically recorded. The intent is to later require the electronic transmission of a thumbprint and personal information pertaining to all handgun ammunition sales, and ammunition purchasers, to law enforcement agencies for their review and records.

This bill would also provide that loaded handgun ammunition and reloading supplies may be purchased over the internet, or through other means of remote ordering, only if a handgun ammunition vendor in California initially receives the ammunition or reloading supplies, processes the transfer to the buyer, and complies with the handgun ammunition buyer registration requirements. ***Position: Oppose. Location: Senate Appropriations Committee.***

SB 798 (De León) Firearms: BB devices: imitation firearms – Would require that BB guns, pellet guns, and airsoft guns which appear to be real handguns to have the entire exterior surface brightly colored or be constructed of transparent or translucent materials

that permit unmistakable observation of the device's complete contents. This is the same coloration currently required for toy guns.

The stated purpose is to make it easier for law enforcement to know whether someone has a toy or a real gun. However, the above mentioned guns are real guns (airguns) and they can seriously injure or kill someone if not properly used. They must be treated like real firearms for purposes of safety. SB 798 would treat them like toys, and put law enforcement in greater danger because they would assume that an airgun is a toy rather than the real gun that it is. While AB 798 might prevent an officer from accidentally shooting someone, it would place the officer in greater danger of being shot with an airgun that potentially can cause serious injury.

From the standpoint of those who hunt with an air pistol, a brightly colored exterior service would be undesirable. *Position: Oppose. Location: Pending in second house (Assembly).*

SB 819 (Leno) Firearms – Would allow the firearm's buyer's background check money (DROS Fee) to be used to fund the Department of Justice's firearms-related regulatory and enforcement activities dealing with the possession of firearms by persons not lawfully eligible to possess them. *Position: Oppose. Location: Senate Appropriations Committee Suspense File.*

LEGISLATIVE CONTACT INFORMATION

CONTACT IN OPPOSITION TO AB 809:

1. Author: Assemblymember Mike Feuer, State Capitol, Room 2013, Sacramento, Ca. 95814; (916) 319-2042.

2. Assembly Committee on Appropriations.*

CONTACT IN OPPOSITION TO SB 124:

1. Author: Senator Kevin De Leon, State Capitol, Room 5108, Sacramento, Ca. 95814; (916) 651-4022.

2. Senate Committee on Appropriations.**

CONTACT IN OPPOSITION TO SB 427:

1. Author: Senator Kevin De Leon, State Capitol, Room 5108, Sacramento, Ca. 95814; (916) 651-4022.

2. Senate Committee on Appropriations.**

CONTACT IN OPPOSITION TO SB 798:

1. Author: Senator Kevin De Leon, State Capitol, Room 5108, Sacramento, Ca. 95814; (916) 651-4022.

2. Assembly Committee on Public Safety. ***

CONTACT IN OPPOSITION TO SB 819:

1. Author: Senator Mark Leno, State Capitol, Room 5100, Sacramento, Ca. 95814; (916) 651-4003.

2. Senate Committee on Appropriations. **

***ASSEMBLY COMMITTEE ON APPROPRIATIONS MEMBERS:**

Assemblymembers: Felipe Fuentes (Chair), Diane Harkey (Vice Chair), Robert Blumenfield, Steven Bradford, Charles Calderon, Nora Campos, Mike Davis, Tim Donnelly, Mike Gatto, Isadore Hall, Jerry Hill, Ricardo Lara, Holly Mitchell, Jim Nielsen, Chris Norby, Jose Solorio, and Donald Wagner. State Capitol, Room 2114, Sacramento, Ca. 95814; (916) 319-2081.

WEBSITE FOR ASSEMBLYMEMBER'S CONTACT INFORMATION:

<http://www.leginfo.ca.gov/asm-addresses.html>

****SENATE COMMITTEE ON APPROPRIATIONS MEMBERS:**

Senators: Christine Kehoe (Chair), Mimi Walters (Vice Chair), Elaine Alquist, Kevin De Leon, Bill Emmerson, Fran Pavley, Curren Price, Darrell Steinberg, and Mark Wyland. Committee office: State Capitol, Room 2206, Sacramento, Ca. 95814; (916) 651-4101.

WEBSITE FOR SENATORS' CONTACT INFORMATION:

<http://www.leginfo.ca.gov/sen-addresses.html>

*****ASSEMBLY COMMITTEE ON PUBLIC SAFETY:**

Assemblymembers: Tom Ammiano (Chair), Stephen Knight (Vice Chair), Gil Cedillo, Curt Hagman, Jerry Hill, Holly Mitchell, and Nancy Skinner. Committee office: 1020 N Street, Room 111, Sacramento, Ca. 95814; (916) 319-3744.

WEBSITE FOR ASSEMBLYMEMBER'S CONTACT INFORMATION:

<http://www.leginfo.ca.gov/asm-addresses.html>