

CALIFORNIA COASTAL COMMISSION

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March 10, 2010

TO: Coastal Commissioners and Interested Public

FROM: Peter M. Douglas, Executive Director
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SUBJECT: LEGISLATIVE REPORT FOR MARCH 2010

CONTENTS: This report provides summaries and status of bills that affect the Coastal Commission and California's Coastal Program as well as bills that staff has identified as coastal-related legislation.

Note: Information contained in this report is accurate as of 03/03/10. Changes in the status of some bills may have occurred between the date this report was prepared and the presentation date.¹ Current status of any bill may be checked by visiting the California Senate Homepage at www.senate.ca.gov. This report can also be accessed through the Commission's World Wide Web Homepage at www.coastal.ca.gov

2010 Legislative Calendar

Jan 1	Statutes take effect
Jan 4	Legislature reconvenes
Jan 10	Budget must be submitted by Governor
Jan 31	Last day for each house to pass bills introduced in 2009
Feb 19	Last day for bills to be introduced
March 25	Spring Recess begins
April 5	Legislature reconvenes
April 23	Last day for Policy Committees to hear and report 1 st House fiscal bills to the Floor
May 7	Last day for Policy Committees to hear and report 1 st House nonfiscal bills to the Floor
May 14	Last day for Policy Committees to meet prior to June 7
May 28	Last day for Fiscal Committees to hear and report 1 st House fiscal bills to the Floor
June 1-4	Floor Session only. No committees may meet
June 4	Last day to pass bills from house of origin
June 7	Committee meetings may resume
June 15	Budget must be passed by midnight
June 24	Last day for a legislative measure to qualify for the November General Election ballot
July 2	Last day for Policy Committees to hear and report bills to the Floor from the second house
July 2	Summer Recess begins at the end of session if Budget Bill has been enacted
Aug 2	Legislature reconvenes
Aug 13	Last day for Fiscal Committees to meet and report bills to the Floor
Aug 16-31	Floor session only. No committees may meet
Aug 20	Last day to amend bills on the Floor
Aug 31	Last day for any bill to be passed. Interim Recess begins on adjournment of session

¹ Terms used in this report relating to bill status. 1) "On Suspense" means bill is held in Appropriations because of potential costs to state agency. Bills usually heard by Appropriations near Fiscal Committee Deadline in June. 2) "Held in committee" means bill was not heard in the policy committee this year. 3) "Failed passage" means a bill was heard by policy committee but failed to get a majority vote. Reconsideration can be granted by the committee.

PRIORITY LEGISLATION

AB 68 (Brownlee) Solid waste: single-use carry out bags

This bill would prohibit stores from providing single-use carryout bags to customers after July 10, 2010, unless the store charges a fee of not less than \$0.25 for the bag. The fees collected would be deposited into the Bag Pollution Fund, which the bill would establish, on a quarterly basis. Funds would be expended, after appropriation by the Legislature, to implement programs that educate consumers and reduce the use of plastic bags, and to reduce and mitigate the effects of plastic bag litter.

Introduced 12/12/08
Last Amended 01/13/10
Status Assembly Appropriations Committee, Suspense File

AB 226 (Ruskin) Coastal resources: enforcement

This bill would give the Coastal Commission administrative civil liability authority and deposit any resulting revenues into the Coastal Act Services Fund (CASF). This bill would also redirect existing civil penalty revenue from State Coastal Conservancy to the Commission's CASF, subject to appropriation by the Legislature. Amendments taken by the author in Senate Natural Resources Committee 6/23 clarify that a lien filed by the Commission would not be a "super lien" and that the provisions of the bill would not apply to local governments when acting in their legislative or quasi-judicial capacity.

Introduced 02/03/09
Amended 09/03/09
Status Passage refused, reconsideration granted, Senate Inactive File
Commission Position Support

AB 291 (Saldana) Coastal resources: coastal development permits

This bill would prohibit the issuance of a coastal development permit for any property for which a notice of violation has been received, unless the Executive Director of the Commission determines that an application has been filed that fully resolves the violation. Amendments of 5/11 clarify that the violation runs with the land, not the person, and exclude de minimis violations from the provisions of the bill. Amendments of 8/17 exempt local governments functioning in their quasi-legislative or quasi-adjudicative capacity.

Introduced 02/13/09
Last amended 8/17/09
Status Passage refused, reconsideration granted, Senate Inactive File
Commission Position Support

AB 925 (Saldana) Recycling: single use beverage container caps

This bill would prohibit the sale of single-use plastic beverage containers without a cap that is not affixed to the container.

Introduced 02/26/09
Last amended 06/30/09
Status Senate Inactive File
Commission position Support

AB 964 (Committee)

This bill would set in statute the provisions of a MOU between the state and several bargaining units representing state employees, regarding calculations for retirement allowances.

Introduced 02/26/09
Last amended 03/23/09
Status Assembly Floor, urgency clause failed adoption, reconsideration granted

AB 2076 (Monning) Natural resources: Andrew Molera State Wilderness

This bill would designate the Andrew Molera State Park Wilderness as a component of the California wilderness preservation system. The bill also would authorize the California Coastal Trail to be located, designed, constructed, or operated within the Andrew Molera State Wilderness.

Introduced 02/18/10
Status Assembly Rules Committee

AB 2503 (Perez) Ocean resources: artificial reefs

This bill would repeal Section 6429.5 of the Public Resource Code, which establishes the Artificial Reef Program administered by the Department of Fish and Game. In its place, it would create the Marine Life Legacy Act, establishing a program of artificial reef research and development, administered by DFG. The act would authorize the department to approve the conversion of an offshore oil platform or production facility into an artificial reef, if specified criteria are satisfied, the act would require the department to consult with and advise the California Coastal Commission and other responsible agencies. It would authorize the department to take title to a decommissioned offshore oil platform or production facility in either state or federal waters, with an accelerated platform decommissioning program. The bill would establish the California Endowment for Marine Preservation, in order to create a permanent source of funding for projects that will conserve, protect, restore, and enhance the open coastal marine resources of the state.

Introduced 02/19/10
Status First Reading

SB 4 (Oropeza) State beaches and parks: smoking

This bill would prohibit smoking of any tobacco product on a state coastal beach on in any unit of the State Parks system. The bill authorizes the Department of Parks and Recreation, or any other relevant state agency, to develop and post signs to provide notice of the smoking prohibition.

Introduced 12/01/08
Last amended 07/13/09
Status Assembly Inactive File

Commission Position Support

SB 21 (Simitian) Fishing gear

This bill would require the Department of Fish and Game to include on all fishing licenses any toll-free telephone numbers, websites or addresses available for the purpose of reporting derelict fishing gear.

Introduced 12/01/08
Last amended 01/25/10
Status Assembly Water, Parks & Wildlife Committee

SCR 56 (Oropeza) Coastal development and Marina del Rey

This measure would request that the County of Los Angeles undertake a comprehensive review of its Local Coastal Program prior to any further LCP amendments or permit approvals.

Introduced 08/20/09
Status Senate Natural Resources and Water Committee

SB 941 (Wyland) Parks and recreation: State park system

This is a spot bill that may be amended to address a coastal issue.

Introduced 02/03/10
Status Senate Rules Committee

SB 959 (Ducheny) Development: expedited permit review

This bill would require the Office of Planning and Research (OPR) to develop a consolidated project information form that may be used by applicants for development projects. The bill would permit applicants to submit the form to OPR for distribution to appropriate agencies, within 3 days of receipt. The bill would require agencies, within 30 days of receipt of the form from OPR, to notify the office, in writing, if a permit from that agency may be required and to send the office the appropriate permit forms. The bill would require the office, within 15 days of receipt of the completed form from an agency, to notify the applicant for a development project, in writing, of any permits required and to send the applicant the appropriate permit application forms received by the office. The bill would require every county or city to provide for coordinated review and decision making and the provision of information regarding the status of all applications and permits for residential, commercial, and industrial developments by a single administrative entity.

Introduced 02/05/10
Status First Reading