

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200



Tu 8

September 19, 1996

TO: Coastal Commissioners and Interested Public

FROM: Peter M. Douglas, Executive Director
James W. Burns, Chief Deputy Director
Jeffrey Stump, Legislative Coordinator

SUBJECT: LEGISLATIVE REPORT FOR OCTOBER 1996

CONTENTS:

This report is divided into two sections. **Section I** provides summaries and the status of bills that staff has identified as priority issues for the 1996 Legislative session. **Section II** provides summaries of bills which staff has identified as coastal related, or possibly affecting the Commission and the coastal program.

Note: This information may also be found at the Commission's World Wide Web Homepage at <http://ceres.ca.gov/coastalcomm/leginfo/legindex.html>

Please contact Jeff Stump, Legislative Coordinator, at (916) 445-6067 with any questions on the material contained in this report.

SECTION I. PRIORITY LEGISLATION

AB 1332 (Knox and Sweeney) Environmental Quality: State Boards and Commissions: Eligibility

AB 1332 would prohibit any person who as of January 1, 1997, is a member of the California Coastal Commission or the San Francisco Bay Conservation and Development Commission, or any future appointee of those commissions from serving on those commissions if that person has been the subject of an enforcement action for a violation of the provisions of law for which the person would be responsible as commission member, and the enforcement action resulted in certain court imposed actions.

Introduced	02/23/95
Last Amend	07/02/96
Status	Passed Senate Natural Resources and Wildlife Committee (7-4) Passed Senate Rules Committee (3-1) Senate - Failed to Pass

AB 1431 (Firestone) Ocean Resources: Cities and Counties: Financial Assistance

AB 1431 would require by April 15, 1997 the Secretary for Resources, in conjunction with the Coastal Commission, to develop and implement a competitive application process to award grants to coastal counties and cities with approved LCPs to help them improve the management of the state's coastal resources. Commencing in 1997, 50 percent of the funds received by the state pursuant to Section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. Sec. 1337(g)) over the amount of funds received in the 1996 calendar year would be made available to the Secretary for such grants. Financial assistance provided pursuant to this legislation may not exceed 90 percent of total project costs.

Introduced	02/24/95
Last Amend	08/23/96
Status	Enrolled, to Governor

AB 2130 (McPherson) California State Mussel Watch Program

AB 2130 would require the State Water Resources Control Board, in conjunction with the Department of Fish and Game, to continue to implement a long-term coastal monitoring program known as the California State Mussel Watch Program. This bill would appropriate \$300,000 to the program from the Coastal Conservancy's Access Fund as created by AB 2445 (McPherson).

Introduced	02/5/96
Last Amend	07/01/96
Status	Passed Assembly (73-0) Passed Senate Natural Resources and Wildlife Committee (10-0) Senate Appropriations Committee - Referred to Suspense File

AB 2291 (Knox) Real Property

AB 2291 would require the State Board of Control to allow a claim for reasonable attorney's fees incurred by an owner of any interest in real property or a public entity in a specified civil action in which the owner or public entity gives permission to the public to enter or use the property for purposes of recreational trail use, the owner or public entity was a defendant in this civil action, and the court has dismissed the civil action upon a demurrer or motion for summary judgment made by this owner or public entity or the owner or public entity prevails in the civil action. AB 2291 was amended to limit individual claims to \$25,000 and total claims per year to \$100,000.

Position	SUPPORT
Introduced	02/14/96
Last Amend	07/09/96
Status	Enrolled, to Governor

AB 2445 (McPherson) Coastal Development Permit Fees: Coastal Access Grants

AB 2445 would require that coastal development permit fees collected by the Commission be deposited in the coastal access account, which would be created in the State Coastal Conservancy Fund, for grants to public agencies and nonprofit entities or organizations for the development, maintenance and operation of new and existing facilities that provide public access to the sea. Any funds not expended for those purposes would revert to this account. This bill would result in approximately \$350,000 being appropriated to public access grants in fiscal year 96-97.

Position	SUPPORT
Introduced	02/20/96
Last Amend	05/13/96
Status	Passed Assembly (73-0) Passed Senate Natural Resources and Wildlife Committee (9-0) Senate Appropriations Committee - Referred to Suspense File

AB 2659 (Kaloogian) State Coastal Conservancy: Mitigation Fees: City of Carlsbad

AB 2659 would authorize the State Coastal Conservancy to establish a special account in the State Coastal Conservancy Fund for the deposit of mitigation fees. The bill would specify that any interest accruing on the money in the special account would be retained for use on Conservancy projects.

Introduced	02/21/96
Last Amend	08/20/96
Status	Chapter 513, Statutes of 1996.

AB 2683 (Kaloogian) Mitigation Fees: Local Coastal Program: City of Carlsbad

AB 2683 would specify that mitigation fees collected for development on nonprime agricultural lands in the coastal zone in the City of Carlsbad and deposited in the State Coastal Conservancy Fund may be used for the purposes of enhancing the use of natural resources within the Coastal Zone in the City of Carlsbad. The bill would also designate "open field cultivated agriculture" as an appropriate use of mitigation fees and requires that all mitigation fees collected for the Carlsbad Ranch project be expended for a Carlsbad Flower Fields Foundation program of field cultivated floriculture.

Introduced	02/22/96
Last Amend	06/18/96
Status	Ordered returned from Governor. Action rescinded whereby the Assembly concurred in Senate amendments and whereby the bill was enrolled. Ordered returned to Senate. Held in Senate.

AB 2963 (Firestone) Environmental Quality

AB 2963 would exempt specified highway projects from the California Environmental Quality Act (CEQA) and other environmental permitting requirements when the project pertains to performing emergency work, disaster repairs, and non-scenic highway maintenance. Specifically, the bill would exempt projects undertaken to maintain, repair, or restore an existing highway damaged by natural causes from the requirements of CEQA and from obtaining permit approvals from the Coastal Commission, the San Francisco Bay Conservation and Development Commission, the Department of Fish and Game and Regional Water Quality Control Boards.

Introduced	02/23/96
Last Amend	8/21/96
Status	Enrolled, to Governor

AB 3044 (Olberg) Interagency Natural Resources Coordination Committee

AB 3044 would establish a permit "coordinating" process through which any owner, lessee or operator of a commercial or industrial facility may request that the Office of Permit Assistance designate a consolidated permit agency for the issuance of all permits required for a repair and maintenance project for such facilities. In the case of an oil spill, this bill would designate the administrator for oil spill response as an administering agency for purposes of supervising and coordinating any site investigation or restoration action.

Introduced 02/23/96
Last Amend 08/23/96
Status **Enrolled, to Governor**

AB 3431 (Bowen) Geographic Information Systems

AB 3431 would establish a geographic information grant program within the Department of Information Technology for the development and maintenance of framework data bases for geographic information systems. It would establish the Geographic Information Grant Fund in the State Treasury for the purpose of funding the grant program, and specify that a portion of the excess moneys in the Energy Resources Surcharge Fund be deposited in this fund.

Introduced 02/23/96
Last Amend 04/25/96
Status **Assembly Appropriations Committee - Referred to suspense file**

SB 39 (Thompson) South Spit of Humboldt Bay: Acquisition

SB 39 would authorize the Wildlife Conservation Board and the State Coastal Conservancy to use funds available to them for the purposes of acquiring the South Spit of Humboldt Bay. The bill would also allow the Conservancy, in consultation with the Department of Parks and Recreation, the Attorney General, the State Lands Commission and Humboldt County, to prepare a management plan for the South Spit area and to submit the plan to the Legislature on or before June 30, 1997.

Introduced 12/15/94
Last Amend 08/05/96
Status **To Enrollment**

SECTION II. COASTAL RELATED LEGISLATION

AB 771 (Aguiar) Subdivisions: Tentative Maps: Extensions

AB 771 would extend for 24 months the expiration date for all tentative and vesting tentative maps that have not expired on the date the bill becomes effective. The bill would also extend for a similar period all approvals by local and state agencies that pertain to development projects included in such maps. (Urgency)

Introduced 02/22/95
Last Amend 03/07/96
Status **Chapter 46, Statutes of 1996**

AB 2080 (McPherson) Public Beaches: Contamination: Warning Signs

AB 2080 would require, when a public beach has failed to meet bacteriological standards, that warning signs be visible from all beach access points.

Introduced 01/18/96
Last Amend 06/17/96
Status **Passed Assembly (77-0)
Passed Senate Local Government Committee (9-0)
Senate Appropriations Committee - Referred to suspense file.**

AB 2503 (Ackerman) State Civil Service: Career Executive Assignment

AB 2503 would remove the requirement that persons eligible to be appointed to career executive assignment positions have permanent status in civil service, and would permit the State Personnel Board, to authorize open examinations for career executive assignment positions.

Introduced	02/21/96
Last Amend	None
Status	Assembly Inactive File

AB 2519 (Kaloogian) State Civil Service: Classification

AB 2519 would provide that allocation of a position to a civil service class shall be based on the principle that all positions meeting the definition of a class shall be included in the same class. The bill would also authorize the State Personnel Board to establish "broadband" classes of employees for which the same general title may be used to designate each position allocated to the class and which may include more than one level or more than one specialty area within the same general field of work, and to determine the minimum qualifications for these classes.

Introduced	02/21/96
Last Amend	None
Status	Failed to pass Assembly

SB 1542 (Peace) San Diego Unified Port District

SB 1542 would make numerous changes to the operations of the San Diego Unified Port District including allowing the modification of the port master plan with a majority vote of the governing body, instead of the 2/3 vote currently required.

Introduced	02/14/96
Last Amend	05/14/96
Status	Enrolled, to Governor

SB 1803 (Ayala and Kopp) Open Meetings

SB 1803 would make various changes to the Bagley-Keene Open Meeting Act, which requires that the meetings of state bodies be conducted openly.

Introduced	02/22/96
Last Amend	08/20/96
Status	Enrolled, to Governor