

MINUTE ITEM

32. STATUS OF LEGISLATION, 1963 SESSION - W.O. 4500.

The Executive Officer called attention to Senate Bills 139 and 142 on Calendar Item 30 attached, noting that they are part of a series of nine bills for clarification of existing statutes which were authorized by the Commission for introduction at the current session of the Legislature.

The Port Authority of the City of Oakland has proposed an amendment to Senate Bill 139, which was initially intended to eliminate statutes which the staff of the Commission had been informed were obsolete.

The San Francisco Port Authority has proposed an amendment to Senate Bill 142, stating that they would object to this bill unless they were exempted from the application of the act.

The staff recommended that it would be better to leave the existing statutes as they are rather than amend them at this time.

UPON MOTION DULY MADE AND SECONDED, A RESOLUTION WAS ADOPTED UNANIMOUSLY AUTHORIZING THE EXECUTIVE OFFICER TO DISCONTINUE EFFORTS TO OBTAIN PASSAGE OF SENATE BILL 139 AND SENATE BILL 142, WITH THE UNDERSTANDING THAT THE STAFF WILL CONTINUE DISCUSSIONS WITH THE PORT AUTHORITY OF THE CITY OF OAKLAND, AND THE SAN FRANCISCO PORT AUTHORITY, RESPECTIVELY, TO DEVELOP OTHER PROPOSALS FOR INTRODUCTION WITHOUT OBJECTION AT THE NEXT REGULAR LEGISLATIVE SESSION.

The staff was instructed by the Chairman to make a general study of all proposed tide and submerged land grants, for the purpose of formulating a general Commission policy to present to interim committees for study.

Attachment
Calendar Item 30 (11 pages)

SUPPLEMENTAL CALENDAR ITEM

INFORMATIVE

30.

STATUS OF LEGISLATION - 1963 SESSION - W.O. 4500.

The following report on legislation of concern to the Commission shows the status on May 15, 1963:

Bills introduced pursuant to authorization by the Commission on December 20, 1962. (Minute Item 10, pages 8536-59.)

<u>Bill No.</u>	<u>Author (Senator)</u>	<u>Purpose</u>
S.B. 138	Arnold	Amends Sec. 6815 of Public Resources Code by authorizing compensatory agreements for small parcels. <u>Status:</u> To Committee on Natural Resources.
S.B. 139	Arnold	Repeals Sec. 4000 through 4017 of Harbors and Navigation Code and Sec. 26000 of Government Code by removing provisions repealed by implication regarding wharves and piers on ungranted tidelands. <u>Status:</u> To Committee on Natural Resources.
S.B. 140	Arnold	Amends Sec. 7417 of Public Resources Code by removing provisions made obsolete by previous legislation relating to approval of indemnity school land applications. <u>Status:</u> Passed Senate. To Committee on Natural Resources, Planning and Public Works.
S.B. 141	Arnold	Amends Sec. 35311 of Government Code to provide notification to State Lands Commission of proposed annexation of sovereign lands (uninhabited territory) by cities. <u>Status:</u> Passed Senate. To Committee on Municipal and County Government.
S.B. 142	Arnold	Amends Sec. 6210.9 of Public Resources Code relating to access to public lands leased by the State. <u>Status:</u> To Committee on Natural Resources.
S.B. 143	Arnold	Amends Sec. 7052 and 7061 of Public Resources Code by qualifying the word "drainage" by adding modifiers "actual or imminent" in connection with leasing by political subdivisions. <u>Status:</u> To Committee on Natural Resources.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No.</u>	<u>Author (Senator)</u>	<u>Purpose</u>
S.B. 144	Arnold	Amends Sec. 6994 of Public Resources Code by bringing the term of lease for mineral extraction from waters and certain lands into consonance with that required for other mineral leases. <u>Status:</u> Passed Senate. To Committee on Natural Resources, Planning and Public Works.
S.B. 145	Arnold	Amends Sec. 6852 of Public Resources Code to clarify class of persons qualifying for no-fee recreational pier permits. <u>Status:</u> Passed Senate. To Committee on Natural Resources, Planning and Public Works.
S.B. 146	Arnold	Amends Sec. 6852 of Public Resources Code to eliminate provisions that lands of State agencies probably contain deposits of oil and gas before they can be leased for oil and gas extraction. <u>Status:</u> Passed Senate. To Committee on Manufacturing, Oil and Mining Industry.
S.B. 298	Rees	Adds Sec. 6815.1 of Public Resources Code to enable the Commission to enter into unit agreements as working interest owner. <u>Status:</u> To Committee on Governmental Efficiency.

Other bills introduced which could affect the administrative cognizance or operations of the Commission are:

<u>Bill No.</u>	<u>Author (Senator)</u>	<u>Purpose</u>
S.B. 9	Collier	Amends Sec. 5653 of the Fish and Game Code to require a Department of Fish and Game permit to operate a suction dredge in any river, stream or lake. <u>Status:</u> To Committee on Fish and Game.
S.B. 13	Collier	Expands and qualifies tideland grant by Chapter 229/1867-68 to Crescent City. <u>Status:</u> Passed Senate. To Committee on Manufacturing, Oil and Mining Industry.
S.B. 25	Gibson	Expands authorized uses of and describes specifically the tide and submerged lands granted to the City of Vallejo by Chapter 310, Statutes 1913. <u>Status:</u> Approved by Governor. Chapter 24.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No.</u>	<u>Author (Senator)</u>	<u>Purpose</u>
S.B. 156	Weingand	Limits annexations of tide and submerged lands by cities to that area encompassed by seaward extensions of the city boundaries. Prohibits creation of unincorporated "island" of territory bounded by the city and the Pacific Ocean. <u>Status:</u> To Committee on Local Government.
S.B. 339	Grunsky, et al.	Adds Sec. 6901 to the Public Resources Code. Authorizes the State Lands Commission to grant permits for the recovery of sand and gravel from tide and submerged lands under more flexible provisions than now required by prospecting permits. Prior to granting a permit, the Commission shall refer the application to the Resources Agency for recommendation. <u>Status:</u> Passed Senate. Subject matter referred to Assembly Rules Committee for assignment to proper interim committee.
S.B. 569	Schrade	Grants in trust to City of Oceanside the State's title to specified tide and submerged lands. <u>Status:</u> Approved by Governor. Chapter 217.
S.B. 873	Bradley	Authorizes grantees of certain lands to bring quiet title action against State. <u>Status:</u> Passed Senate and Assembly. To Senate for enrollment.
S.B. 925	Weingand	Amends Sec. 23142 Government Code by revising seaward boundary of Santa Barbara County. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 933	Gibson	Authorizes grant of certain described lands in San Pablo Bay in the vicinity of the City of Vallejo amounting to 3,087 acres to the United States for military, naval, or defense purposes, subject to certain restrictions and provisos. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 935	Teale, et al.	Amends Sec. 12912, adds Ch. 7.3 (commencing with Sec. 12916), Pt. 6, Div. 6, Water Code, and amends Sec. 6816, Public Resources Code. Creates Local Projects Assistance Fund. Provides \$9,000,000 per annum, one-half from public land leases and one-half from Long Beach oil revenues. <u>Status:</u> Re-referred to Committee on Finance.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No.</u>	<u>Author (Senator)</u>	<u>Purpose</u>
S.B. 954	Collier	Adds Sec. 6901 to the Public Resources Code. Authorizes the State Lands Commission to grant permits for extraction of salt, magnesium, sand, and gravel from tide or submerged lands. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 977	McCarthy	Declares certain tide and submerged lands granted to the County of Marin to be free from the public trust for navigation, commerce, and fisheries, and authorizes their sale by the State Lands Commission. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 1232	Schrade	Grants in trust certain described tide and submerged lands to City of Carlsbad subject to standard reservations. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 1327	Regan	Permits certain Indians to engage in specified activities on portions of the state public domain. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 1373	Pittman	Creates the Butte County Water Agency and provides the agency's organization, duties, powers and management. <u>Status:</u> To Committee on Water Resources.
S.B. 1383	Collier	Grants in trust certain described tide and submerged lands to Crescent City Harbor District subject to standard reservations. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 1485	Collier	Requires future oil and gas production agreements as to tidelands granted to the City of Long Beach to provide for payment of royalties of not less than 16-2/3 percent nor more than 30 percent of the current market price. Prohibits erection of oil and gas development islands in the Port of Long Beach which would violate federal navigation rights; and prohibits surface oil field operations in downtown region of Long Beach. Requires the State Lands Commission to complete the survey of Long Beach tidelands within six months; and provides special accounting procedures pending completion of the survey. <u>Status:</u> To Committee on Governmental Efficiency.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No.</u>	<u>Author (Senator)</u>	<u>Purpose</u>
S.B. 1486	Collier	Adds Chapter 6 (commencing with Sec. 7100), Pt. 2, Div. 6, Public Resources Code. Provides for boundary surveys of tide and submerged lands granted to public agencies; for termination of trespasser's occupancy of trust lands; and for remedial leases for continued production of oil and gas on lands previously occupied by trespassers. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 1487	Collier	Amends Public Resources Code, Section 6308, to require the State to be joined as a necessary party in actions commenced by, or against, grantees of tide and submerged lands involving titles to or boundaries of such lands. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 1488	O'Sullivan and Teale	Adds Section 107.4 to the Revenue and Taxation Code. Provides for the determination of the full cash value of leasehold estates in exempt property for the production of oil or gas. <u>Status:</u> To Committee on Revenue and Taxation.
S.B. 1489	O'Sullivan and Teale	Adds Sections 107.4, 107.5 and 107.6 to the Revenue and Taxation Code. Provides for the determination of the full cash value of leasehold estates in exempt property for the production of oil or gas. <u>Status:</u> To Committee on Revenue and Taxation.
S.B. 1509	Dolwir et al.	Adds Section 5.5 to Chapter 29, Statutes of 1956, 1st E.S. Changes from 50 to 60 percent the Long Beach oil revenues declared to be free from the public trust. Provides that the additional 10 percent shall be deposited in the State Treasury. <u>Status:</u> To Committee on Governmental Efficiency.
S.B. 1617	Miller	Amends Section 6871.1, Public Resources Code, to extend northern boundary of area within which State-owned tide and submerged lands may be leased for oil and gas purposes from Town of Oceano to the northerly boundary of the State, excluding certain areas in Monterey, Mendocino, and Humboldt Counties. <u>Status:</u> To Committee on Governmental Efficiency.
S.C.A. 24	Christensen and O'Sullivan	Prohibits dedication of any money received from oil and gas operations for beach or park purposes. <u>Status:</u> To Committee on Governmental Efficiency.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No.</u>	<u>Author (Senator)</u>	<u>Purpose</u>
S.C.R. 55	Regan	States sense of Legislature that persons with power over certain described lands shall so exercise powers to permit Indian culture native t/s area to flourish and survive. <u>Status:</u> To Committee on Governmental Efficiency.
S.J.R. 8	Iagomarsino	Memorializes federal and state officers to take all measures necessary to promote the early and efficient development and exploitation of the off-shore areas lying along the California coastline. <u>Status:</u> Adopted. Filed with Secretary of State. Res. Chapter 59.
S.R. 100	O'Sullivan, et al.	Requests the State Lands Commission to withhold determination on documents relating to a bid offering by the City of Long Beach for the extraction of oil and hydrocarbons from the East Wilmington Oilfield. Encourages the Commission to continue public hearings and staff reviews. Assigns the resolution for study to the General Research Committee to make a thorough appraisal and report back at this session of the Legislature. <u>Status:</u> Adopted April 18, 1963.
S.R. 127	O'Sullivan	Requests the Public Utilities Commission to withhold action on the regulation of well-head prices of natural gasoline until the Senate Fact Finding Committee on Natural Resources has conducted a study. <u>Status:</u> To Committee on Public Utilities.

<u>Bill No.</u>	<u>Author (Assemblyman)</u>	<u>Purpose</u>
A.B. 263	Davis, et al.	Adds Section 6210.6 to the Public Resources Code. Requires that when State funds are used in acquiring access across private lands to public lands, the interest shall include use by the general public for access to the public lands. <u>Status:</u> To Committee on Natural Resources, Planning and Public Works.
A.B. 1084	Waldie	Adds Sections 6310, 6463, and 6464, Public Resources Code. Authorizes actions against State to quiet title of leasehold or patent to tidelands issued by the State, and to determine boundaries between tide and submerged land and adjoining lands claimed under patent issued by the United States or the State. <u>Status:</u> Passed Assembly. To Senate Committee on Governmental Efficiency.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No.</u>	<u>Author</u> <u>(Assemblyman)</u>	<u>Purpose</u>
A.B. 1151	Whetmore, et al.	Adds Sections 6816.5 and 6817 to the Public Resources Code. Appropriates a sum, to be determined by formula, from tide and submerged lands General Fund revenues, to cities and counties where tide and submerged lands are leased by the State for the production of oil and gas. <u>Status:</u> Read second time. Re-referred to Committee on Ways and Means.
A.B. 1394	Lanterman, et al.	Adds Section 6816.1 to the Public Resources Code. Requires the deposit in the Tideland Counties of Origin Water Facility Construction Fund of 50 percent of revenues from oil and gas leases entered into after January 1, 1963. <u>Status:</u> Subject matter referred to Rules Committee for assignment of proper interim committee.
A.B. 1550	Foran	Provides that certain marsh, tide and submerged lands (consisting of streets) in San Francisco are to be free from public trust, and authorizes the State Lands Commission to sell such lands to City and County of San Francisco for use in developing lands within the Hunters Point Reclamation District. <u>Status:</u> Passed Assembly. To Committee on Governmental Efficiency.
A.B. 1551	Foran	Conveys certain lands to City and County of San Francisco for administration for park, playground, recreational and aquatic purposes. <u>Status:</u> Passed Assembly. To Committee on Governmental Efficiency.
A.B. 2002	Chapel	Grants in trust described tide and submerged lands to the City of Palos Verdes Estates, subject to certain restraints on alienation and other conditions. <u>Status:</u> Passed Assembly. To Committee on Governmental Efficiency.
A.B. 2006	Marks and Knox	Creates Department of General Services. Transfers various functions of the Department of Finance and other State agencies to new department. Major impact on State Lands Division is custody transfer of index of proprietary lands by repeal of Sections 6219 and 6219.1, Public Resources Code. <u>Status:</u> To Committee on Ways and Means.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No. (Assemblyman)</u>	<u>Author</u>	<u>Purpose</u>
A.B. 2191	Monagan	Grants in trust described tide and submerged lands underlying the San Joaquin River to the City of Stockton, subject to certain restraints on alienation. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2316	Bagley	Declares certain tide and submerged lands conveyed to County of Marin to be free from the public trust (identical to S.B. 977). <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2337	Chapel	Grants in trust State's title to certain described tide and submerged lands surrounding Santa Catalina Island to County of Los Angeles. Contains usual reservations. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2338	Chapel	Amends grant to City of Avalon to include recreational uses among those purposes for which tidelands may be used. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2401	Marks	Authorizes City and County of San Francisco to lease certain lands held by it in trust for 20, instead of 10, years for purposes of developing and promoting aquatic sport. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2443	Bagley	Declares certain tide and submerged lands conveyed to City of Sausalito to be free from the public trust and authorizes their sale by the State Lands Commission. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2456	Burgener and Donovan	Conveys described lands to City of San Diego for aquatic, recreational, boulevard, park, and playground purposes. <u>Status:</u> To Committee on Natural Resources, Planning, and Public Works.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No. (Assemblyman)</u>	<u>Author</u>	<u>Purpose</u>
A.B. 2460	Waldie	Amends previous grant to provide that City of Antioch shall improve tide and submerged lands granted to it in trust in 1955 within 20 years instead of 10 years. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2461	Barnes, et al.	Conveys described lands to City of San Diego for aquatic, recreational, boulevard, park and playground purposes. <u>Status:</u> To Committee on Natural Resources, Planning, and Public Works.
A.B. 2556	Belotti	Authorizes Director of Parks and Recreation to sell or exchange certain described lands in Van Damme Beach State Park subject to designated conditions. <u>Status:</u> To Committee on Natural Resources, Planning, and Public Works.
A.B. 2558	Waldie	Amends previous grants to authorize City of Pittsburg to lease tide and submerged lands for period of 99 years instead of 25 years and 50 years. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2574	Britschgi	Revises boundary description of tide and submerged lands granted to Redwood City in 1961. Provides that if survey has been made by a licensed engineer, it shall be adopted by the State Lands Commission. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2622	Petris, et al.	Prohibits filling in San Francisco Bay until the 91st day after adjournment of the 1967 Regular Session unless it is for (1) harbor or port development, (2) small craft harbor development, or (3) any project of the United States. Creates a San Francisco Bay Commission which would study the aspects of filling in of San Francisco Bay and report thereon, together with a recommendation regarding an over-all shoreline plan, to the Legislature not later than the fifth legislative day of the 1967 Regular Session. <u>Status:</u> To Committee on Natural Resources, Planning, and Public Works.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No.</u> <u>(Assemblyman)</u>	<u>Author</u>	<u>Purpose</u>
A.B. 2657	Belotti	Grants in trust State's title to certain described tide and submerged lands to Crescent City Harbor District for purposes of harbor development, subject to usual reservations. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2853	Bagley	Frees from public trust certain tide and submerged land previously granted to the County of Marin. Authorizes the State Lands Commission to approve exchange of land between county and the International Investment Co., Inc. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2857	Waldie	Grants in trust State's title to tide and submerged lands within county boundaries to County of Contra Costa with certain specified exceptions. Contains usual reservations except no time limit for county to improve granted area. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 2875	Winton	Provides that all oil revenues derived from the Long Beach tidelands after June 30, 1964, shall be deposited in the State General Fund. Prescribes procedure whereby Long Beach may obtain a General Fund appropriation, not to exceed 25 percent of the revenues, for trust purpose expenditures. <u>Status:</u> To Committee on Ways and Means.
A.B. 2917	Crown	Authorizes \$6,000,000 settlement in case of United States vs. Anchor Oil Co. State of California and City of Long Beach are authorized to pay \$1,200,000 if the private defendants contribute \$3,600,000. <u>Status:</u> To Committee on Manufacturing, Oil and Mining Industry.
A.B. 3016	Meyers	Amends Section 6216, Public Resources Code. Provides that lands under jurisdiction of the San Francisco Port Authority, instead of the State Board of Harbor Commissioners, San Francisco, are excluded from the jurisdiction of the State Lands Commission instead of from the jurisdiction established by Section 6216 of the Public Resources Code. <u>Status:</u> To Committee on Natural Resources, Planning, and Public Works.

SUPPLEMENTAL CALENDAR ITEM 30. (CONTD.)

<u>Bill No.</u>	<u>Author</u> <u>(Assemblyman)</u>	<u>Purpose</u>
A.C.A. 23	Lanterman and Stevens	Proposes an amendment to the State Constitution to deposit 50 percent of the revenues from tide-lands leases entered into after January 1, 1963, in the Tideland Oil Counties of Origin Water Facilities Construction Fund. <u>Status:</u> Subject matter referred to Rules Committee for assignment to proper interim committee.
A.C.R. 64	Unruh, et al.	Provides that a joint interim study be undertaken by the Legislature relative to the best use of profits which will accrue from the development of the Long Beach Unit, Wilmington Oil Field, to meet the financial needs of the State and the trust provisions contained in the Long Beach grants. Results of study are to be reported by the fifth legislative day of the 1965 Regular Session. <u>Status:</u> Adopted in Assembly. To Committee on Rules.
A.J.R. 43	Meyers	Requests United States State Department and United States Congress to implement existing laws, treaties and conventions to prevent pollution of seas by oil. <u>Status:</u> To Committee on Rules.
H.R. 97	Pattee	States that the Legislature should find means by which local gas can be effectively directed to consumers, thereby reducing cost. Directs Rules Committee to assign subject matter to interim committee to report findings not later than fifth day of the 1965 Regular Session. <u>Status:</u> Adopted 2-21-63.
H.R. 196	Crown, et al.	Urges the State Lands Commission to approve promptly the Unit Agreement and Field Contractor Agreement, Long Beach Unit, Wilmington Oil Field, and the Unit Operating Agreement, Wilmington Oil Field. <u>Status:</u> Adopted 4-23-63.