



Legislative Report
2015



THE APEX GROUP
ADVOCACY • GOVERNMENT RELATIONS • PROCUREMENT



The Legislature concluded its regular Legislative Session for 2015 just after midnight on September 12. However, since this is the first year of a two-year legislative session, that deadline is just a break until January when they continue with the second year of the session.

Each year is defined by a small number of high profile issues, often culminating in the final days of session with last-minute deals cut to secure critical votes. This year, it was all about climate change, regulation of marijuana, physician assisted death, mandatory vaccinations, Medicare funding, and finding a new source of funding for our aging transportation infrastructure.

The twist in this late-session dynamic that added a whole new dimension to the debate was a newly emboldened group of “moderate” Democrats in the Assembly. The Democrats hold a significant majority and leadership tends to drive the agenda when it comes to major issues. The tension between the more “progressive” leadership and the moderates has grown in recent years as there are some real philosophical difference between the progressive members and these moderates.

With the recent elections the number of “mods,” as they are called, has grown and with it a stronger sense of their own identity. There are many reasons for an increase in moderate Democrats, but the most significant is the recent change to a “top-two” primary system. In the past, the top Democrat and the top Republican faced off in the General Election. Now, a General Election can have two candidates from the same party. This dynamic tends to favor moderate candidates, mostly among Democrats.

This new dynamic was on full display with two, significant climate changes bills. The first example was when the “mods” forced the removal of mandated reductions in the use of petroleum products in motor vehicles from SB 350 (DeLeon), a bill dealing with climate change issues. This was a significant blow as it was a top priority for Governor Brown and Senator DeLeon, the leader of the Senate. The “mods” were also able to outright kill SB 32 (Pavley), a proposal to strengthen existing greenhouse gas reduction mandates.

If one is to read the tea leaves, it is a safe bet to say that there has been a gentle shift of power away from the leadership to this newly organized group of moderate Democrats and, regardless of your personal political views, strictly considering the impact to boating and the boating businesses that serve them, this is good news as these members are much more sympathetic to our concerns.

On the Boating Front...

At the end of each year, I come up with a phrase that best describes the outcomes as they relate to our particular issues of concern. For 2015, I would have to say that phrase is: “steady as she goes!” For many years, the state budget has been a major challenge as California, and the nation for that matter, have been in economic crisis. These financial challenges found their way into the state budget, which in turn put pressure on the Harbors and Watercraft Revolving

Fund (HWRP), which is the main source of funding for boating programs. Fortunately, those direct pressures have abated somewhat, but there are still fiscal challenges ahead. The State General Fund owes the HWRP about \$51 million dollars, which is expected to be paid back over the next two budget cycles. We will have to remain diligent to make sure that happens. Secondly, now that the Department of Boating and Waterways is the Division of Boating Waterways (DBW) within the Department of Parks and Recreation, we will need to continue to monitor their activity closely to ensure boating dollars do not start to “bleed” into parks programs.

While our budget picture is trending in the right direction, our workload on other issues remains about the same. We continue to engage on bills of interest and address regulatory and other activity of various governmental agencies. The following is a summary of our key issues for 2015.

Priority Legislation

There are thousands of pages of laws affecting Californians, but each year we seem to find a need to add to that list. This year, the California Legislature introduced 2297 new bills. To bring sense to this chaos, we engage in a vetting process by which we read every bill and identify those that may be of interest to our membership. Out of that process comes lists of bills we “support,” others we “oppose,” and a larger list of bills we are “watching” to see if they turn into something of concern.

Out of these lists come a much smaller group that demand our ongoing attention. For 2015 we are glad to report there were not any bills we outright opposed. To the contrary, we have been making a concerted effort in recent years to support more bills and become more of a positive influence on the process.

AB 539 (Levine): Support: Signed by the Governor

AB 539 allows for a mandatory blood test for vessel operators when there is suspicion the operator is under the influence of drugs or alcohol. This bill conforms boating law to vehicle operation law. This bill was sponsored by the California State Sheriffs Association (CSSA).

We supported this bill because we believe it is important to ensure that boating remains safe and this seemed like a reasonable step in that regard.

AB 638 (Frazier): Neutral: Signed by the Governor

AB 638 expands the existing “Personal Floatation Device” (PFD) law to vessels over 26 feet in length. Existing law requires children under 13 years of age to wear a PFD if the vessel is 26 feet or under in length and the vessel is underway. With this change, all children under 13 years of age will now have to wear a PFD on any vessel. This bill was also sponsored by the (CSSA).

We took a position of “neutral” because while it is important to promote safety, we also consider the impacts to personal freedoms. Much like any issue we tackle, we have members on both sides of issues and in this case the balancing point was for us to remain neutral.

With the introduction of this bill, we took the opportunity to engage the author and sponsors in a discussion about the PFD requirement when a vessel is “adrift.” Under existing law, when a vessel is drifting it is considered underway, triggering the need for the use of a PFD. With the bill including larger vessels, such as houseboats for example, there was concern that the new law would impede some recreational activity, such as swimming.

After much discussion it was determined that dealing with this issue at this time would be too difficult as the definition of “underway” is part of definitions beyond California law. Although a solution could not be found in this context, now that it is on the radar, we will continue to look for opportunities for a workable solution.

AB 1323 (Frazier): Support: Signed by the Governor

AB 1323 provides for an expedited process to remove abandoned vessels from the State’s waterways. For many years, there have been laws on the books that provide a process to declare vessels abandoned so it can be removed. Also, some agencies use the lien sale process to get rid of derelict vessels. However, both processes are cumbersome, slow and expensive.

In the past, legislative solutions to streamline the process have failed due to concerns about private property rights of the vessel owner. It was not clearly understood that these vessels are more like “debris” than vessels. However, the legislative climate has changed and AB 1323 took the added step of classifying these vessels as “marine debris.” This subtle change better characterizes the problem and, as such, AB 1323 has received strong support in the Legislature.

We have enthusiastically supported this bill as we have been aware for many years of the scope of this problem and the need for such reform.

SB 143 (Stone): Support: Stalled in Committee

SB 143 is the latest in a long line of bills that attempted to allow body contact on a given reservoir that has a restriction on such contact. In this case, the author was attempting to allow body contact on Diamond Valley Reservoir. Given the political make-up of the California Legislature, these bills tend to fail. Regardless, we generally support these bills as we do not believe there is a true health concern and allowing swimming would enhance boating.

SB 345 (Berryhill): Support: Stalled in Committee

SB 345 was a bill sponsored by the “California Sport Fishing League,” which we strongly supported. This bill attempted to enhance recreational fishing by making various changes to fishing rules to make it accessible and affordable. First, the bill changed fishing licenses to a 12-month pass, rather than a pass good for the calendar year. This way a purchaser would get a full year’s use out of a permit, regardless of when it was purchased. SB 345 also created a

“Junior Sport Fishing License” that would be offered at a reduced rate. Unfortunately, this bill stalled before it reached the end of the process.

SB 399 (Hall): Support: Signed by the Governor

This was another bill that is fairly narrow in scope, much like SB 143, but worth supporting because of its overall impact on boating. SB 399 allows the City of Los Angeles to lease its tidelands for up to 66 years. Current law only allows leases for up to 50 years. Marina operators, and other boating business, need as much economic stability as possible to survive and thrive. Extending lease terms can only help with this stability.

SCA 7 (Huff): Support: Stalled in Committee

SCA 7 was a short-lived effort that included constitutional protections for the HWRF. It is possible for the Governor and Legislature to steal from the HWRF because there is no constitutional protections, and any rip off can be achieved with a simple majority vote.

SCA 7 was a constitutional amendment that attempted to protect transportation revenue with the HWRF protections added later. There is a major effort underway to deal with our transportation funding problems and this protection was added to that debate. Unfortunately, the politics moved in a different direction and the effort died. Nevertheless, we offered our support when requested by the author.

Priority Issues

DBW Working Group:

Your association, along with members from the other boating associations we represent, have formed a “working group” for the purpose of engaging with the DBW to seek improvements to some of their programs. This group was formed out a growing concern that the communication and relationship between DBW and the boating community is not what it could be.

In 2013, DBW was merged with Parks and the transition has been more difficult than expected as they attempt to merge two organizations.

This group has already met with DBW and the process will be continued as DBW senior staff will be meeting with the Legislative Committee of all five of our boating associations later in October. We are looking at issues related to improving communication, and a plan to increase information flowing to the boating community, along with suggesting changes to their internal process that will make interactions more effective. This communication will hopefully be ongoing and will result in improvements all around. We are confident about our prospects as Parks is also very enthusiastic about engaging in this process.

DBW Online Grant Applications:

We have lobbied for years for DBW to be more transparent and interactive with their programs. We are glad to report that several of their grant programs now have an online application process, and it is our understanding these grant applications are only the beginning. DBW is also expected to put even more information about other program online over time.

Newport Bay Total Maximum Daily Load (TMDL) – Copper:

In recent years, the issue of excessive copper in the water has become a priority for the various regional water boards. This problem is caused by copper-based vessel hull paints as well as many other sources, such as brake pads. Newport Bay is just beginning the process of crafting their copper TMDL rule. A TMDL mandates actions to reduce the amount of a given pollutant in a given body of water, such as copper in this case.

Over the last couple years, we have been engaged on this same issue in Marina Del Rey. The result there was a copper TMDL that will severely impact the boating community. Marina Del Rey has a very high amount of copper due to vessel hull paints, and their new TMDL reflects this by placing significant burdens on the boaters, specifically the need to replace copper based hull paints over time.

Newport Bay has a similar problem, albeit not as acute. Here is a quote from their “project summary” document, which does a good job of summarizing the issue:

“In order to meet this draft Cu TMDL, Cu discharges from boat hulls must be reduced by 83%. The proposed Cu TMDL will be phased and will allow 15 years to reduce Cu discharges from boats. This will allow boaters to convert their boats from Cu to nontoxic paints as hull repainting is needed during normal boat maintenance. Additional options to reduce Cu from boat hulls include 1) the use of best management practices (BMPs) by all hull cleaners (such as the use of softer pads for hull cleaning), and 2) the use of slip liners, especially during hull cleaning. In addition, Cu concentrations in sediments must be reduced, and dredging is recommended.”

This issue is important and worthy of note as there are other impaired waterbodies in the State that could also see similar rules impacting the boating community. We will continue to monitor the Newport Bay issue and engage where appropriate.

State Water Resources Control Board (SWRCB):

In-Water Vessel Hull Cleaning “Best Management Practices”

The profile of this issue was significantly increased during the Marina Del Rey Copper TMDL process. It has been determined that in-water hull cleaning is a significant contributor to copper in the water. As a result of this increased awareness, the SWRCB has been working on “best management practices” for hull cleaning.

It is worth noting as the more we can improve hull cleaning practices, and thereby reducing the amount of copper in the water, the less pressure there is to demand action by marina operators themselves to take action to improve water quality.

I participate in the “Marina Interagency Coordinating Committee,” which is a committee of both stakeholders and state, regional and local regulatory whose purpose is to look at water quality issues as it relates to boating. This issue continues to be part of the discussion and as new technologies are developed and the science is better understood, more regulation is likely.

Anti-Fouling Hull Paint Reformulation:

As the profile of copper has been raised with these various regulatory efforts, the amount of copper in hull paints became the focus of attention. In response, the Legislature passed AB 425 (Atkins, 2013). This bill required the Department of Pesticide Regulation to develop mitigation measures for copper and determine a “leach rate” for copper anti-fouling paints. (The leach rate is the speed by which copper leaches from the paint into the water) They have completed their studies and made a determination regarding leach rates.

DPR is working on regulations to implement their recommendations. It is unclear exactly what the regulations will require and, due to staff shortages, it could take some time. Because this is a very technical issue, you can visit the DPR website for more details at www.cdpr.ca.gov and search for “anti-fouling paint.”

State Budget

At the beginning of this report, I made a general reference to the State Budget, but here I will go into more detail. The State Budget was finalized on time and it very much reflects a state in recovery, but one that is also dealing with the fiscal “hangover” of the recession. Specifically, the budget for 2015/2016 assumes \$115 billion in revenues, which is a 3.3 percent increase over 2014-15. Additionally, by the end of the budget year, the State will have a total reserve of about \$4.6 billion, with \$3.5 billion remaining in the “rainy day” fund and \$1.1 billion in a special fund for economic uncertainties. Because of the relative strength of the budget, the State will also be able to pay down about \$1.9 billion of the debt accumulated during the recession. These actions are predicated on an estimation that the tax revenues coming to the State will increase by about four percent. All and all, the budget is strong and responsible and that is due primarily to a Governor who is ironically very progressive on most issues, but who also has a real commitment to fiscal restraint.

Transportation Funding Special Session:

The Governor called a “special session” to consider new funding sources to help pay for much-needed repairs to our infrastructure. This is important to the boating community as the Harbors and Watercraft Revolving Fund is supported by the gas tax, which could be affected by the outcomes of this special session. The special session failed to produce a plan for finding

new resources, but they are expected to continue looking for solutions over the interim through a newly created “conference committee.” I will monitor this committee’s work closely to ensure our interests are protected.

State Budget and Boating

The good news for the boating community is that our programs are fully funded, with increases in a couple critical areas, namely Water Hyacinth abatement and the abandoned vessel program.

Water Hyacinth:

Water Hyacinth, an invasive and problematic weed that is clogging up the Delta, will receive an additional \$4 million in funding to help with the fight next year. In addition to the increased funding for the DBW-funded efforts, DBW has taken a lead role in coordinating other agencies to help fight this problem. The recruitment of other agencies was a smart move by DBW leadership, as these other agencies bring additional funding and expertise to fight a problem that is much bigger than the concern of its “hazard to navigation,” which is the primary concern of the boating community.

Abandoned Vessels:

Abandoned vessel abatement funding has also seen a significant increase this year. In the past, it was not uncommon for this program to only see funding in a range between \$500,000 and \$750,000. However, this year the budget has been increased to \$1.75 million. We have lobbied for increases in this area for years as the problem is severe and chronic.

Private Marina Loans:

The private marina loan program is being funded at a strong \$4.2 million. This is an increase over previous years as this program has a historical funding level around \$3.5 million.

Launch Ramp Grants:

Launch ramp grant funding continues to be strong at \$15.35 million.

It is fair to say that while there are still some expenditures from the boating fund we do not agree with, such as money for beach erosion, the programs that are critical to our members are receiving adequate funding.

Next Year

The repayment of loans from the HWRF to the State General Fund are expected to be paid back starting next year. We will work to see that this happens. We are also working on a conference in Sacramento we are calling the “California Boating Congress” to be held in the spring. You will hear more about this later.

Bill Summary

The following section includes all the bills we tracked in 2015. For ease of reference, they have been broken in categories: “Chaptered” are bills signed into law and “Two-Year” are bills that failed to complete the process this year, but could be taken up next year.

CHAPTERED

AB 298	<p>Gonzalez D Fish and wildlife: violations.</p> <p>Current Text: Chaptered: 6/30/2015 pdf html</p> <p>Would make a violation of a specified regulation relating to marine protected areas, marine managed areas, and special closures an infraction or a misdemeanor, except if (1) the person who violates the regulation holds a commercial fishing license or a commercial passenger fishing boat license or (2) the violation of the regulation occurred within 2 years of a prior violation of the regulation that resulted in a conviction.</p> <p>Position: Support</p>
AB 392	<p>Atkins D San Diego River Conservancy.</p> <p>Current Text: Chaptered: 10/8/2015 pdf html</p> <p>The San Diego River Conservancy Act establishes the San Diego River Conservancy in the Natural Resources Agency, and prescribes the territory, membership, and functions and duties of the conservancy with regard to, among other things, the acquisition, protection, and management of public lands within the San Diego River area, as defined. Current law provides that the act will remain in effect until January 1, 2020. This bill would delete the January 1, 2020, repeal date, thereby extending the operation of the act indefinitely.</p> <p>Position: Watch</p>
AB 539	<p>Levine D Search warrants.</p> <p>Current Text: Chaptered: 7/16/2015 pdf html</p> <p>Would authorize the issuance of a search warrant on the grounds that (1) a sample of the blood of a person constitutes evidence that tends to show a violation of specified laws prohibiting, among other crimes, the operation of a vessel, or manipulating water skis, an aquaplane, or a similar device, while under the influence of alcohol or drugs, (2) the person from whom the sample is being sought has refused an officer's request to submit to, or has</p>

	<p>failed to complete, a blood test, as specified, and (3) the sample will be drawn from the person in a reasonable, medically approved manner. This bill contains other related provisions and other existing laws.</p>
	<p>Position: Support</p>

AB 549	<p>Levine D State park system.</p>
	<p>Current Text: Chaptered: 10/7/2015 pdf html</p>
	<p>Would authorize the Department of Parks and Recreation to acquire, install or permit the installation of, and operate or permit the operation of, camping cabins and parking facilities for recreational vehicles within the units of the state park system, if the installation and operation is consistent with the classification of the park system unit, and with the general plan of the unit, if one exists. The bill would authorize the department to enter into an agreement with a qualified nonprofit organization for those purposes. This bill contains other related provisions and other existing laws.</p>
	<p>Position: Watch</p>

AB 638	<p>Frazier D Vessels: personal flotation devices.</p>
	<p>Current Text: Chaptered: 7/13/2015 pdf html</p>
	<p>Current law prohibits a person from operating a motorboat, sailboat, or vessel that is 26 feet or less in length unless every person on board who is under 13 years of age or less is wearing a specified type of wearable personal flotation device while that motorboat, sailboat, or vessel is underway, as defined, except , among other circumstances, if the person under 13 years of age is in an enclosed cabin. Current law, for purposes of those provisions, defines "enclosed cabin" to mean a space on board a vessel that is surrounded by bulkheads and covered by a roof. This bill would make that prohibition applicable to a person operating a motorboat, sailboat, or vessel of any length, but would exempt from that prohibition a person operating a passenger vessel or small passenger vessel, as defined.</p>
	<p>Position: Watch A</p>

AB 1312	<p>O'Donnell D Ballast water management.</p>
	<p>Current Text: Chaptered: 10/8/2015 pdf html</p>
	<p>Would define the term "port" for purposes of the Marine Invasive Species Act to mean any port or place in which a vessel was, is, or will be anchored or moored, or where a vessel will transfer cargo. This bill contains other related provisions and other existing laws.</p>

	Position: Watch
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<u>AB 1323</u>	<u>Frazier</u> D Marine debris: removal and disposal.
	Current Text: Chaptered: 10/8/2015 pdf html
	Would authorize a public agency to remove and dispose of after 10 days marine debris, defined as a vessel, as defined, or part of a vessel that is unseaworthy and not reasonably fit or capable of being made fit to be used as a means of transportation by water, if that marine debris is floating, sunk, partially sunk, or beached in or on a public waterway, public beach, or on state tidelands or submerged lands, and if the marine debris has no or little value, as provided, and the public agency provides notice, as specified.
	Position: Support

<u>SB 63</u>	<u>Hall</u> D Seaport infrastructure financing districts.
	Current Text: Chaptered: 10/11/2015 pdf html
	Would include port or harbor infrastructure, as defined, among the projects that may be financed by an enhanced infrastructure financing district. The bill would require a harbor agency to prepare an infrastructure financing plan for a seaport infrastructure financing district, defined as an enhanced infrastructure financing district that finances port or harbor infrastructure.
	Position: Watch A

<u>SB 141</u>	<u>McGuire</u> D Humboldt Bay Harbor, Recreation, and Conservation District Act: land grants, acquisitions, and dispositions.
	Current Text: Chaptered: 9/1/2015 pdf html
	The Humboldt Bay Harbor, Recreation, and Conservation District Act requires that all grants, franchises, leases, permits, rights or privileges be made in accordance with those rules and regulations as the board of commissioners of the district prescribes by resolution, and prohibits irrevocable grants of fee title from being granted or issued. This bill would eliminate that provision prohibiting irrevocable grants of fee title, thereby authorizing these grants subject to the other provisions of the act. This bill contains other related provisions and other existing laws.
	Position: Watch

<u>SB 162</u>	<u>Galgiani</u> D Treated wood waste.
	Current Text: Chaptered: 9/28/2015 pdf html

	<p>Current law requires the wood preserving industry to provide certain information relating to the potential danger of treated wood to wholesalers and retailers of treated wood and wood-like products. Current law requires these wholesalers and retailers to conspicuously post the information at or near the point of display or customer selection of treated wood and wood-like products, as specified. This bill would update the information required to be posted by wholesalers and retailers of treated wood and treated wood-like products.</p>
	<p>Position: Watch A</p>

SB 204	<p>Pavley D State parks.</p>
	<p>Current Text: Chaptered: 10/7/2015 pdf html</p>
	<p>Would require the Director of Parks and Recreation to promote and regulate the use of the state park system in a manner that conserves the scenery, natural and historic resources, and wildlife in the individual units of the system for the enjoyment of future generations.</p>
	<p>Position: Watch</p>

SB 399	<p>Hall D Tidelands and submerged lands: City of Los Angeles.</p>
	<p>Current Text: Chaptered: 10/2/2015 pdf html</p>
	<p>Current law grants to the City of Los Angeles all the right, title, and interest of the State of California in and to all tidelands and submerged lands situated below the line of mean high tide of the Pacific Ocean within the boundaries of the city in trust for specified purposes, including promotion of commerce, navigation, and fishery, and for certain uses relating to those purposes. This bill would authorize the City of Los Angeles to grant franchises and permits on, or leases of, those lands for those specified purposes for limited terms, not exceeding 66 years.</p>
	<p>Position: Support</p>

TWO YEAR

AB 52	<p>Gray D Public accommodations: construction-related accessibility claims.</p>
	<p>Current Text: Introduced: 12/1/2014 pdf html</p>
	<p>Would provide that a defendant's maximum liability for statutory damages in</p>

a construction-related accessibility claim against a place of public accommodation is \$1,000 for each offense if the defendant has corrected all construction-related violations that are the basis of the claim within 180 days of being served with the complaint and the defendant demonstrates that the structure or area of the alleged violation was determined to meet standards or was subjected to an inspection, as specified.

Position: Support

[AB 299](#)

[Brown D](#) **Public health: drownings.**

Current Text: Amended: 4/23/2015 [pdf](#) [html](#)

Would require the State Department of Public Health to create, by regulation, a submersion incident report form for the reporting of all statewide drownings or nonfatal drownings, as specified. The bill would require the form to be used and completed by every first responder, as defined, within 72 hours for every drowning or nonfatal drowning for which the first responder provides services or investigates and for which a person is treated or hospitalized for respiratory distress.

Position: Watch

[AB 367](#)

[Dodd D](#) **Clear Lake.**

Current Text: Amended: 4/15/2015 [pdf](#) [html](#)

Would appropriate \$2,400,000 from an unspecified fund to the County of Lake for the purposes of restoring Clear Lake wetlands, maintaining the water quality of Clear Lake, preventing the spread of invasive species to Clear Lake, and controlling and eradicating invasive species in Clear Lake. This bill contains other current laws.

Position: Watch

[AB 678](#)

[O'Donnell D](#) **Energy Efficiency and Greenhouse Gas Reductions Ports Program.**

Current Text: Amended: 8/18/2015 [pdf](#) [html](#)

Would require the State Air Resources Board, in conjunction with the State Energy Resources Conservation and Development Commission, to develop and implement the Energy Efficiency and Greenhouse Gas Reductions Ports Program to fund energy efficiency upgrades and investments at public ports, as described. The bill would require a port to develop and adopt an energy plan for the port to receive funding under the program for energy-related projects.

	Position: Watch
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<u>AB 1205</u>	<u>Gomez D</u> The California River Revitalization and Greenway Development Act of 2015.
	Current Text: Amended: 7/16/2015 pdf html
	Would require the Natural Resources Agency to establish a grant program for projects on or adjacent to riparian corridors that, among other things, furthers the regulatory purposes of the California Global Warming Solutions Act of 2006 and to consider the extent to which a project reduces emissions of greenhouse gases and provides the greatest level of specified cobenefits. The bill would create the CalRIVER Fund in the State Treasury, with moneys in the fund to be available upon appropriation to implement the grant program. This bill contains other related provisions and other existing laws.
	Position: Watch

<u>AB 1427</u>	<u>Lackey R</u> Fish and Game Commission: hearings.
	Current Text: Introduced: 2/27/2015 pdf html
	Current law authorizes the Fish and Game Commission, or any person appointed by the commission to conduct a hearing, to cause the deposition of witnesses, as prescribed, and to compel the attendance of witnesses and the production of documents and papers, in accordance with certain requirements. This bill would make a technical, nonsubstantive change to that provision.
	Position: Watch

<u>AB 1432</u>	<u>Bonta D</u> Harbors and ports: Monterey Bay and the Bays of San Francisco, San Pablo, and Suisun: pilotage rates.
	Current Text: Amended: 9/4/2015 pdf html
	Current law provides for the regulation and licensure of pilots for Monterey Bay and the Bays of San Francisco, San Pablo, and Suisun by the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun within the Transportation Agency. This bill would, consistent with the board's April 2015 adoption of rate recommendations, increase the rates of those bar pilotage fees, as provided. By increasing the rates of those fees, and thereby increasing the amount of surcharges deposited in the Board of Pilot Commissioners' Special Fund, the bill would make an appropriation.
	Position: Watch

AB 1442	O'Donnell D Motor vehicle fuel: gasohol.
	Current Text: Amended: 5/11/2015 pdf html
	Current law, the Motor Vehicle Fuel Tax Law, imposes a tax upon the privilege of distributing motor fuel and defines the term "gasohol" for purposes of that law. Gasohol is defined as all blends of gasoline and alcohol containing more than 15% gasoline. This bill would redefine gasohol to instead mean all blends of gasoline and alcohol containing more than 21% or a percentage determined by regulations adopted by the State Board of Equalization, as specified. This bill contains other related provisions and other current laws.
	Position: Watch

SB 16	Beall D Transportation funding.
	Current Text: Amended: 6/1/2015 pdf html
	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 provide for the program to be authorized every 5 years by the Legislature, and would provide that authorization for the 2015-16 through 2019-20 fiscal years. The bill would require the California Transportation Commission to identify the estimated funds to be available for the program and adopt performance criteria to ensure efficient use of the funds.
	Position: Watch A

SB 37	Nielsen R Water: floods.
	Current Text: Amended: 2/12/2015 pdf html
	Would authorize the Department of Water Resources to provide reimbursement to funding recipients that execute a funding agreement under the Urban Flood Risk Reduction Projects program for expenditures associated with continued funding of a project initiated under the Early Implementation Project program and incurred after July 1, 2014, and before issuance of a funding commitment, or amendment or execution of the funding agreement, but no later than December 31, 2015. This bill contains other related provisions.
	Position: Watch

SB 143	Stone R Diamond Valley Reservoir: recreational use.
	Current Text: Introduced: 1/27/2015 pdf html
	Current law, with certain exceptions, prohibits recreational use, in which there is bodily contact with water, in a reservoir in which water is stored for domestic use and establishes water standards for those exempted reservoirs. This bill would exempt from this prohibition recreational activity in which there is bodily contact with water by any participant in the Diamond Valley Reservoir if certain standards are met. This bill contains other related provisions.
	Position: Support

SB 223	Galgiani D Division of Boating and Waterways: oversight committee: invasive aquatic plants.
	Current Text: Amended: 4/30/2015 pdf html
	The Division of Boating and Waterways within the Department of Parks and Recreation is the lead agency in the state for purposes of cooperating with other state, local, and federal agencies in identifying, detecting, controlling, and administering programs to manage invasive aquatic plants in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh, and prescribes the duties of the division with regard to the management and control or eradication of those plants. This bill would require the division, no later than 90 days after the effective date of the bill, to establish, and designate and provide staff support to, an advisory and oversight committee to evaluate and monitor the activities of the division relating to the management and control or eradication of those plants.
	Position: Watch A

SB 233	Hertzberg D Marine resources and preservation.
	Current Text: Amended: 7/16/2015 pdf html
	The California Marine Resources Legacy Act establishes a program, administered by the Department of Fish and Wildlife, to allow partial removal of offshore oil structures. Before the first application to partially remove an offshore oil structure is filed, this bill would authorize a prospective applicant to pay a portion of the startup costs in an amount determined by the department to be necessary for staff and other costs in anticipation of receipt of the first application. The bill would require an applicant, upon conditional approval for partial removal of an offshore oil structure, to apportion and transmit a portion of the cost savings to the department, instead of to the

	specified entities and funds.
	Position: Watch

<u>SB 345</u>	<u>Berryhill R</u> The Sport Fishing Stimulus Act of 2015.
	Current Text: Amended: 6/2/2015 pdf html
	Would authorize a charitable organization or nonprofit organization to possess fish taken under a sport fishing license in excess of a possession limit established by statute or by regulations adopted by the Fish and Game Commission at any time if the charitable organization or nonprofit organization was given the fish by a donor intermediary, as defined, or a person who holds a sport fishing license and an applicable license tag or tags, the charitable organization or nonprofit organization has documentation to that effect, as specified, and the charitable organization or nonprofit organization retains any tag required to be affixed to a fish in the manner prescribed in the Fish and Game Code or regulations adopted by the commission.
	Position: Support
<u>SB 734</u>	<u>De León D</u> State lands acquisitions: public transparency.
	Current Text: Amended: 6/2/2015 pdf html
	Current law requires the Natural Resources Agency , in fiscal years for which funding is provided, to develop and maintain a database of lands and easements that have been acquired by the departments and boards within the agency. Current law, in conjunction with the database, requires the agency to do certain things, including to establish a uniform open process to ensure that information is readily available to the general public, local, state, and federal agencies, adjacent landowners, and other interested parties regarding any state hearings to approve proposed state land acquisitions. This bill would require the agency to implement the above uniform open process to include, but not be limited to, at least 30 days for public comment, to provide public transparency.
	Position: Watch

<u>SB 772</u>	<u>Stone R</u> Bay Delta Conservation Plan: judicial review.
	Current Text: Introduced: 2/27/2015 pdf html
	Current law imposes requirements on the Department of Water Resources in connection with the preparation of a Bay Delta Conservation Plan. This bill would state the intent of the Legislature to enact legislation establishing

	judicial review procedures for the Bay Delta Conservation Plan.
	Position: Watch A

SB 788	McGuire D California Coastal Protection Act of 2015.
	Current Text: Amended: 6/2/2015 pdf html
	The California Coastal Sanctuary Act of 1994 authorizes the State Lands Commission to enter into a lease for the extraction of oil or gas from state-owned tide and submerged lands in the California Coastal Sanctuary if the commission determines that the oil or gas deposits are being drained by means of producing wells upon adjacent federal lands and the lease is in the best interest of the state. This bill would enact the California Coastal Protection Act of 2015, which would delete this authorization. The bill would make related legislative findings and declarations.
	Position: Watch A

SB 790	Allen D State Coastal Conservancy: state policy.
	Current Text: Introduced: 2/27/2015 pdf html
	Current law establishes the State Coastal Conservancy, which serves as a repository for coastal lands. Current law finds and declares that the agricultural lands located within the coastal zone contribute substantially to the state and national food supply and are a vital part of the state's economy. This bill would make nonsubstantive changes to this declaration.
	Position: Watch

SCA 7	Huff R Motor vehicle fees and taxes: restriction on expenditures.
	Current Text: Amended: 5/28/2015 pdf html
	Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would also provide that none of those revenues may be pledged or used for the payment of principal and interest on bonds or other indebtedness.
	Position: Support