



Legislative Report

2016



THE APEX GROUP
ADVOCACY & GOVERNMENT RELATIONS & PROCUREMENT



Sometimes in the strange world of Sacramento politics the year starts off with a bang and settles down as the critical issues get worked out. Other years, we are surprised with late breaking issues. This year was the latter. We had our usual crop of bills, but as the legislative year was drawing to a close we became aware of “possible” plans to merge more functions of the Division of Boating and Waterways (DBW) into Department of Parks and Recreation (DPR). A summary of that plan is outlined below. In addition, this report summarizes our priority activity for the year.

Department of Parks and Recreation “Parks Forward”

A little background is in order: In July of 2013, DPR embarked on a project called “Parks Forward.” The goal of that effort was to “assess the unique challenges California’s state parks face and help identify solutions to solidify the future of State Parks.” The way this was explained to me was, in short, they want to bring Parks into the 21st century. With the culmination of this effort, in 2015 they released a comprehensive plan outlining this path forward. Here is a link to the plan: <http://www.parksforward.com>. In the document they indicate the need to assess how to “efficiently structure” DBW, along with other commissions under the purview of the DPR.

Transition Plan

DPR has taken the general recommendation from the “Parks Forward” report and are working on putting more detail on various options. As part of this process, they have sought input from stakeholders, which we very much appreciated. They are expected to release a “Transition Plan” later this Fall or Winter that will go into more detail about the planned changes for DBW. We made it loud and clear during all of our contact with them on this issue that we want DBW to remain as autonomous as possible. When the plan is released, your leadership and I will coordinate an appropriate response and engage as necessary.

Some Concerns...

While we appreciate the outreach and communication from DPR, we still have some concerns. A little more background: Our Firm has represented the various boating and marine trade associations for well over 20 years. At the forefront of our agenda has been the protection of the Harbors and Watercraft Revolving Fund (HWRF) – which is supported by boater gas tax dollars, the principal and interest paid on boating infrastructure loans, and boater registration fees – and defending against the elimination of what was once the “Department” of Boating and Waterways.

Over the years we fought off several attempts to eliminate the “Department” of Boating and Waterways and many attempts to steal from the HWRF. In 2012, they finally succeeded with merging the “Department” of Boating and Waterways into the Department of Parks and Recreation, thereby creating the “Division” of Boating and Waterways. At the time, we argued vigorously that the new Division of Boating and Waterways should remain as autonomous as possible to ensure its funding would not be easily taken, and to ensure that they could remain responsive to the boating and marine industry communities. The final plan reflected those considerations.

However, we are now in 2016 and we have learned that DPR is taking a comprehensive look at the entire organization, and there is interest in aligning some functions of DBW with DPR existing programs.

I had an extensive conversation with the Director and she joined a conference call with your leadership to outline her thinking on this issue and take our input. DPR also had an “open house” to take input. I attended, along with your leadership, and spoke as did many members of the boating community.

We have not yet seen the details of the plan, but when we do we will respond accordingly, and should they choose to make substantive changes we will continue to advocate for DBW autonomy.

Harbors and Watercraft Revolving Fund Constitutional Protection

The most exciting bill on our list this year was SCA 7 (Huff). It was originally introduced last year, but was revived this year. This bill would have provided constitutional protections for the (HWRF). These are boaters’ dollars and should be protected to be used for boating purposes. However, as anyone who has read my reports over the years knows, the HWRF has been under continual assault by the Legislature to take these funds for other purposes. This measure would put in the state constitution specific language that would prevent these takings.

This constitutional amendment was introduced as part of a much larger conversation on transportation funding. I won’t bore you with all the details, but transportation bond funds are running out, lower gas prices mean less road tax money, and cars are getting better gas mileage; all of this means fewer dollars for our roads. In response the Governor, legislative leaders and stakeholders engaged in discussions on how to solve this problem. Senator Huff introduced SCA 7 to be part of this larger discussion.

These discussions are complex as there are many potential outcomes, and any solution would have needed a 2/3 vote, so the chances of success was uphill to begin with. Although it was revived this year, it never got off the ground. While this measure failed, protecting the HWRF is at least “on the radar” of policymakers which we can count as a small victory.

State Budget

The good news for boating is that our key programs were fully funded this year. More importantly, the loans from the HWRF to the General Fund made during the recession are scheduled to be repaid in this budget year, which ends on June 30, 2017. The total amount borrowed through several loans was \$51 million. Given what I know about state government, the repayment will happen on the last possible day, which is June 30 of next year.

While the loan repayment is good news, I don’t think we can start spending the money just yet. \$51 million is a large sum of money and I would not be surprised if they find a reason to allocate it somewhere else. I have made it clear during the budget process on several occasions that this money should be returned to the HWRF, but we will have to wait and see.

In terms of timing, if they return the money on June 30, 2017, which is a day before the next fiscal year of 2017/2018 starts, they would need to detail that expenditure in the Governor's next proposed budget. The Governor will release his proposed 2017/2018 budget in January of next year, at which point we will see what they are planning. Because it is released in January, that gives us plenty of time to respond should we disagree with the proposal.

I spend a lot of time talking about boating-specific issues in the state budget, but sometimes it is good to know how our state is doing in terms of its general fiscal health. In July the Governor signed the budget of roughly \$120 billion. That is a 2.8 percent increase over last year. The budget reserve has reached a total of \$8.5 billion. Hopefully, all this good news about the state budget will relieve some pressure on the \$51 million slated to be returned to the HWRF.

Priority Legislation

In addition to the legislation delineated below, we tracked dozens of other bills of interest:

AB 1829 (Levine): Boating Under the Influence: Blood Testing: Signed by the Governor

This bill makes changes to the rights and responsibilities of both the boater and the officer when there is suspicion of boating under the influence. These changes were made primarily to comport the boating law with the law for vehicle operation, which had recently changed.

AB 2092 (Frazier): Abandoned Watercraft Abatement Fund: Failed Passage

This bill is a classic example of a "double-edged sword." The bill expands access to the grant program that funds the removal of abandoned vessels to include abandoned "commercial" vessels. In current law only recreational vessels have access to the program. Some of our members supported this bill while others were opposed or had concerns.

On the one hand, there is concern that expanding the program will reduce funds available for the core mission, which is the abatement of recreational vessels, while in contrast commercial vessels can also be a hazard to navigation and, therefore, should be removed.

In the end, our deliberations were moot. The bill never made it out of the Assembly as it was "held under submission" in the Assembly Appropriations Committee. Bills "held under submission" are bills that were placed in a special status due to costs pressures and were not allowed to leave the committee for any one of a number of reasons.

SB 930 (Gaines): Bear Lake Reservoir: Recreational Use: Signed by the Governor

This bill is a perpetual project for Senator Gaines and others that represent this private lake in the Sierra that wants to continue allowing body contact with the water. Generally, in California body contact with drinking water sources is illegal due to possible contamination, with certain exemptions to accommodate historic use patterns. There have been several bills dealing with this issue, some of which have authorized the use but included a "sunset" date which limits the authority to a certain time period, while other bills have been vetoed. This version of the bill was signed extending the use until 2022. We have always supported these bills.

SB 1234 (De León): California Secure Choice Retirement Savings Program: Signed by the Governor

The scope of issues on which I advocate are generally limited to those directly related to boating and the marine industry. We have to place some limits on my subject areas because, as one can imagine, hundreds of bills indirectly affect the boating community. To engage on all of these would simply be impossible. We are able to impose this limit because there are many other advocacy organization that more directly represent those various industries and, as such, are positioned to be the most effective.

However, occasionally there is a bill that is so broad and impactful that it is at least worthy of bringing to your attention. SB 1234 is a bill that mandates that all employers with more than 5 employees offer access to what will become a state-run retirement plan under a phased in approach based on the number of employees. This bill was originally passed in 2012 to study the issue and this year it was formally authorized under SB 1234.

The program is designed so that the employer only provides “ministerial” support for the program, meaning they would simply pass on information provided by the State for distribution to the employee. By the end of the process, the California Chamber of Commerce removed their opposition as they believed there are sufficient protections for employers now in the bill. I only mention this bill as it is a major bill that will affect millions of employees and hundreds of thousands of businesses, making it something we should watch as its progresses toward implementation.

SB 1243 (Berryhill): Sport Fishing License: Failed Passage

This bill was the continuation of an effort by the California Sport Fishing League to make fishing licenses more affordable. This year they introduced a “spot” bill, meaning a bill with no substance as a placeholder for future language, presumably on the same topic. However, the bill never moved.

SB 1396 (Wolk): Inner Coast Range Conservancy: Failed Passage

There are various land conservancies, 10 in all, throughout California that have been created for the purposes of resource protection and management. The proposed boundaries of this conservancy are generally the northern and western part of the state. The logistics of adding this layer of government over the existing layers is complex and the various challenges caused the bill to stall. We did not take a formal position of “support” or “oppose” as it was not clear what the impacts to boating would be, but it is worth noting as such efforts can and will likely occur in the future and could easily lead to further regulation of boating activity.

Newport Bay Copper TMDL

Late breaking this year is the release of the plan by the Santa Ana Regional Water Quality Control Board to regulate copper in Newport Bay. Copper is a main ingredient in anti-fouling hull paint. This issue has been around for many years, starting in San Diego and with the last effort at Marina Del Rey. This move was expected, but we now have the details of the plan. The details of the summary below were obtained from a presentation by the City of Newport Beach and Anchor QEA:

Proposal Summary:

Responsible Parties for Copper (Cu) Anti-fouling Paint (AFP) Reduction Program

- State Lands Commission
- City of Newport Beach
- County of Orange
- Marina owner/operators
- Individual recreational boat owners
- Commercial vessel owners/operators
- Underwater hull cleaners
- Boatyards
- Boat owners of transient vessels

TMDL Implementation Plan: Cu AFP Reduction Program

- 83% reduction in Cu AFP in Newport Bay
- 15 years to complete compliance
- Convert all current boats, require all new boats to have approved paints, and determine current usage of Cu AFPs in Newport Bay
- Dischargers are required to develop a certification program for hull cleaning and enforce all hull cleaners to use BMPs
- Monitoring program
- Education program
- Other requirements not directly related to boating

California Boating Congress

2016 was our inaugural year for the California Boating Congress (CBC). The CBC will be an annual event in Sacramento to give boaters and the various marine industries the opportunity to be educated on the latest boating issues, network, share ideas, and maybe most importantly advocate in front of legislators on the critical issues facing this industry.

The first year was a great success and participation was much larger than expected. Our goal is to grow even bigger next year. One of our guiding principles is to be very inclusive as we see this event as an opportunity for every aspect of boating to speak with one voice, so if you know of any organization that would like to participate, please let me know.

The 2017 CBC will be held on March 1, 2017.

Next Year

The election might bring a super-majority of Democrats in both houses. The Assembly Democrats need to pick up just two seats and in the Senate they need just one. With control of 2/3 of both houses then new taxes become a possibility, should they choose to do so. Interestingly, the chances are better in the Assembly where the Democrats need two seats for a super-majority than

in the Senate where they only need one. This is due to the fact that fewer seats are competitive in the Senate.

If I look into my crystal ball, I would say not much changes next year in terms of the agenda of the Legislature. Maybe the Assembly goes 2/3 but the Senate “should” remain under the 2/3 threshold. However, even if they both reach the mark, this Governor is cautious when it comes to raising taxes. Look for the agenda of the Legislature to change substantially if both houses get to 2/3 and we have a more “free-spending” Governor next time around. This is good news for some and bad news for others, but worth noting as any change can have tangential effects that we need to watch out for.

Final Thoughts

There are changes on the horizon as we continually face the challenges of being lost in the much larger bureaucracy of the Department of Parks and Recreation.

As I say every chance I get, the time to prepare for the next crisis is now, and each of our members can play a role by getting to know your Legislator. They often have events in your area or you can invite them to your facility or to the next Chamber of Commerce event or Rotary meeting, as examples.

The former Speaker of the House or Representative said: “All politics are local,” and that is very true. If you have a relationship with your Legislator, that might come in very handy when we are looking for votes during a crisis.

Bill Summary

The following section are all the bills we tracked this year for your reference. “Chaptered” bills are bills signed into law and “Dead” bills are those measures that did not complete the process.

CHAPTERED

AB 1432	<p>Bonta D Monterey Bay and the Bays of San Francisco, San Pablo, and Suisun: pilotage rates: technology surcharge.</p> <p>Current Text: Chaptered: 8/17/2016 pdf html</p> <p>Current law, until January 1, 2011, authorized the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun to authorize a movement fee, to be paid as a navigation technology surcharge, in order to recover the pilots' costs for the purchase, lease, or maintenance of navigation software, hardware, and ancillary equipment purchased after November 5, 2008, and before January 1, 2011. This bill would, until January 1 2021, authorize the board to authorize that fee, not to exceed a cumulative amount of \$1,200,000, to be paid as a navigation technology surcharge, in order to recover the pilots' costs for that software, hardware, and ancillary equipment purchased that is authorized by the board as reasonable and necessary on or after January 1, 2017.</p> <p>Position: Watch</p>
AB 1829	<p>Levine D Vessels: operation under the influence of alcohol or drugs: chemical testing.</p> <p>Current Text: Chaptered: 7/22/2016 pdf html</p> <p>Current law makes it unlawful for any person to operate a vessel or water-related device while under the influence of an alcoholic beverage or any drug, or both. This bill would require the arrested individual to be advised that a criminal complaint may be filed against him or her for operating a vessel or water-related device while under the influence of an alcoholic beverage or any drug, or both; that he or she has a right to refuse chemical testing; and that the officer has the authority to seek a search warrant compelling him or her to submit a blood sample. By imposing new duties on local peace officers, this bill would impose a state-mandated local program.</p> <p>Position: Watch A</p>
AB 1842	<p>Levine D Water: pollution: fines.</p> <p>Current Text: Chaptered: 9/14/2016 pdf html</p> <p>Current law imposes a maximum civil penalty of \$25,000 on a person who discharges various pollutants or other designated materials into the waters of the state. This bill would impose an additional civil penalty of not more than \$10 for each gallon or pound of material discharged. The bill would require</p>

	that the civil penalty be reduced for every gallon or pound of the illegally discharged material that is recovered and properly disposed of by the responsible party. This bill contains other related provisions and other current laws.
	Position: Watch A

AB 2001	Mathis R Fully protected fish: Owens pupfish: California State Safe Harbor Agreement Program Act.
	Current Text: Chaptered: 9/23/2016 pdf html
	Under current law, the Department of Fish and Wildlife is authorized to permit the taking of a fully protected fish for necessary scientific research, including efforts to recover fully protected, threatened, or endangered species. This bill would authorize the department to permit the taking of the Owens pupfish in the Owens River watershed if the take is authorized under a safe harbor agreement. This bill contains other related provisions and other existing laws.
	Position: Watch

AB 2139	Williams D Ocean Protection Council: ocean acidification and hypoxia.
	Current Text: Chaptered: 9/14/2016 pdf html
	Current law establishes the Ocean Protection Council in state government and prescribes the membership, functions, and duties of the council with regard to the protection and conservation of ocean and coastal resources. This bill would, subject to the availability of funding, authorize the council to develop an ocean acidification and hypoxia science task force to ensure that council decisionmaking is supported by the best available science, and require the council to take specified actions to address ocean acidification and hypoxia, as prescribed, and, beginning January 1, 2018, and annually thereafter, at its first meeting of the year, adopt recommendations for further actions that may be taken to address ocean acidification and hypoxia.
	Position: Watch

AB 2249	Cooley D State parks.
	Current Text: Chaptered: 9/21/2016 pdf html
	Would enact the California Heritage Protection Act, which would make various changes to the process for negotiating or renegotiating state parks

concession contracts. The bill would modify the definition of a best responsible bidder to include that the bidder, among other things, will operate the concession in a manner that protects the state's trademark and service mark interest in the names associated with a state park venue and its historical, cultural, and recreational resources. This bill contains other related provisions.

Position: Watch

[AB 2446](#)

[Gordon D](#) **State Water Resources Control Board: judicial review.**

Current Text: Chaptered: 9/23/2016 [pdf](#) [html](#)

The Porter-Cologne Water Quality Control Act, within 30 days of any action or failure to act by a California regional water quality control board under specified law, authorizes an aggrieved person to petition the State Water Resources Control Board to review that action or failure to act. Current law authorizes the state board, in the case of such a review, upon notice and hearing, if a hearing is requested, to stay in whole or in part the effect of the decision and order of a regional board or of the state board. This bill would expand that provision to authorize the state board to issue a stay in the case of review by the state board of a decision or order issued under authority delegated to an officer or employee of the state board where the state board by regulation has authorized a petition for reconsideration by the state board.

Position: Oppose

[AB 2616](#)

[Burke D](#) **California Coastal Commission: environmental justice.**

Current Text: Chaptered: 9/24/2016 [pdf](#) [html](#)

Current law, the California Coastal Act of 1976, establishes the California Coastal Commission and prescribes the membership and functions and duties of the commission. Current law provides that the commission consists of 15 members. This bill would require one of the members appointed by the Governor to reside in, and work directly with, communities in the state that are disproportionately burdened by, and vulnerable to, high levels of pollution and issues of environmental justice, as defined. The bill would require that the Governor appoint a member who meets these qualifications to a vacant position from the appointments available no later than the fourth appointment available after January 1, 2017.

Position: Watch

<u>SB 734</u>	<u>Galgiani D</u> Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011.
	Current Text: Chaptered: 8/26/2016 pdf html
	The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 authorizes the Governor, until January 1, 2016, to certify projects meeting certain requirements, including the requirement that the project creates high-wage, highly skilled jobs that pay prevailing wages and living wages, for streamlining benefits provided by that act. The act provides that if a lead agency fails to approve a project certified by the Governor before January 1, 2017, then the certification expires and is no longer valid. The act requires a lead agency to prepare the record of proceedings for the certified project concurrent with the preparation of the environmental documents. The act is repealed by its own terms on January 1, 2017. This bill would extend the authority of the Governor to certify a project to January 1, 2018.
	Position: Watch

<u>SB 930</u>	<u>Gaines R</u> Bear Lake Reservoir: recreational use.
	Current Text: Chaptered: 8/19/2016 pdf html
	Current law requires the Lake Alpine Water Company, on or before January 1, 2016, to file with the Legislature a report on the recreational uses at Bear Lake Reservoir and the water treatment program for that reservoir. Current law provides that, upon a finding of noncompliance, the Lake Alpine Water Company could be subject to suspension, amendment, or revocation of any permit issued pursuant to specified provisions, and that failure to comply with these provisions would be deemed a violation subject to specified fines, penalties, or other enforcement actions. Current law repeals these provisions on January 1, 2017. This bill would extend the operation of all these provisions until January 1, 2022, and would require the Lake Alpine Water Company to file the report on or before December 31, 2017, and biennially thereafter until January 1, 2022.
	Position: Support

<u>SB 1287</u>	<u>McGuire D</u> Fishing.
	Current Text: Chaptered: 9/23/2016 pdf html
	Current law authorizes the Director of Fish and Wildlife to order the closure of any waters or otherwise restrict the taking under a commercial fishing license in state waters of species of fish if the Director of Environmental Health Hazard Assessment, in consultation with the State Public Health

Officer, determines that the species or subspecies of fish is likely to pose a human health risk from high levels of toxic substances. The closure or restriction is required to be adopted by emergency regulation, as specified. Under current law, any violation of the Fish and Game Code, or of any rule, regulation, or order made or adopted under the code, is generally a misdemeanor. This bill would expand this authority to all fishing.

Position: Watch A

[SB 1363](#)

[Monning D](#) Ocean Protection Council: Ocean Acidification and Hypoxia Reduction Program.

Current Text: Chaptered: 9/29/2016 [pdf](#) [html](#)

Would require the Ocean Protection Council, in consultation with the State Coastal Conservancy and other relevant entities, to establish and administer the Ocean Acidification and Hypoxia Reduction Program for the purposes of achieving specified goals. The bill would authorize moneys in the trust fund to be expended for grants or loans for projects or activities that further public purposes consistent with the Ocean Acidification and Hypoxia Reduction Program.

Position: Watch A

[SB 1386](#)

[Wolk D](#) Resource conservation: working and natural lands.

Current Text: Chaptered: 9/23/2016 [pdf](#) [html](#)

Would declare it to be the policy of the state that the protection and management of natural and working lands, as defined, is an important strategy in meeting the state's greenhouse gas reduction goals, and would require all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands.

Position: Watch

[SB 1416](#)

[Stone R](#) Voluntary contribution: Revive the Salton Sea Fund.

Current Text: Chaptered: 8/26/2016 [pdf](#) [html](#)

Would allow an individual to designate on his or her tax return that a specified amount in excess of his or her tax liability be transferred to the Revive the Salton Sea Fund, which would be created by this bill. The bill would prohibit a voluntary contribution designation for the Revive the Salton

Sea Fund from being added on the tax return until another voluntary contribution designation is removed or a space is available and would require, once the designation is added, specified information to be on the tax form, including the purposes for which the contribution would be used. This bill contains other related provisions.

Position: Support

DEAD

[AB 1657](#)

[O'Donnell](#) D **Air pollution: public ports and intermodal terminals.**

Current Text: Amended: 4/7/2016 [pdf](#) [html](#)

Would establish the Zero- and Near-Zero-Emission Intermodal Terminals Program to be administered by the State Air Resources Board to fund equipment upgrades and investments at intermodal terminals, as defined, to help transition the state's freight system to be zero- and near-zero-emission operations. The bill would authorize the program to be implemented with moneys from the Greenhouse Gas Reduction Fund. This bill contains other related provisions and other existing laws.

Position: Watch

[AB 1713](#)

[Eggman](#) D **Sacramento-San Joaquin Delta: peripheral canal.**

Current Text: Introduced: 1/26/2016 [pdf](#) [html](#)

Current law requires various state agencies to administer programs relating to water supply, water quality, and flood management in the Sacramento-San Joaquin Delta. The bill would prohibit the construction of a peripheral canal, as defined, unless expressly authorized by an initiative voted on by the voters of California on or after January 1, 2017, and would require the Legislative Analyst's Office to complete a prescribed economic feasibility analysis prior to a vote authorizing the construction of a peripheral canal.

Position: Watch

[AB 1851](#)

[Gray](#) D **Vehicular air pollution: reduction incentives.**

Current Text: Amended: 4/13/2016 [pdf](#) [html](#)

Would, for purposes of the Clean Vehicle Rebate Project, require the State Air Resources Board, until January 1, 2026, to provide specified rebate amounts for battery electric vehicles, fuel-cell vehicles, and plug-in hybrid electric vehicles and to implement a process to allow eligible applicants to

	obtain prompt preapproval from the state board prior to purchasing an eligible vehicle, as specified.
	Position: Watch A

AB 1871	Waldron R Coastal resources: development: water supply projects.
	Current Text: Amended: 3/18/2016 pdf html
	Current law, the California Coastal Act of 1976, requires any person wishing to perform or undertake any development in the coastal zone, as defined, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the local government or California Coastal Commission, as specified. This bill would limit the growth-inducing impacts the commission may consider in its review of a coastal development permit for a water supply project.
	Position: Watch

AB 1895	Brough R Transactions and use taxes.
	Current Text: Introduced: 2/11/2016 pdf html
	Under current law, cities and counties, upon compliance with applicable voting requirements, may levy, increase, or extend a transactions (sales) and use tax that conforms to the procedures and requirements of the Transactions and Use Tax Law. A district, if authorized by law, similarly may impose that tax. This bill would make a nonsubstantive change to a provision of the Transactions and Use Tax law.
	Position: Watch

AB 2041	Harper R State and local beaches: fire rings.
	Current Text: Introduced: 2/17/2016 pdf html
	Current law regulates the operation of state and local beaches. This bill would state the intent of the Legislature to enact legislation related to fire rings at state and local beaches.
	Position: Watch

AB 2047	Mullin D Sales and Use Tax Law.
	Current Text: Introduced: 2/17/2016 pdf html
	The Sales and Use Tax Law imposes a tax on retailers measured by the gross

	<p>receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill would make nonsubstantive changes to the provision designating the Sales and Use Tax Law.</p>
	<p>Position: Watch A</p>

AB 2092	<p>Frazier D Abandoned Watercraft Abatement Fund: grants.</p>
	<p>Current Text: Introduced: 2/17/2016 pdf html</p>
	<p>Current law requires 80% of fines imposed and collected for abandoned watercraft to be deposited in the Abandoned Watercraft Abatement Fund, and used, upon appropriation by the Legislature, for grants to local agencies for, among other purposes, removal as a public nuisance of abandoned vessels. Current law prohibits the grants from being used for abatement, removal, storage, or disposal of commercial vessels. This bill would delete that prohibition and thereby authorize grants to be used for abatement, removal, storage, or disposal of commercial vessels.</p>
	<p>Position: Watch A</p>

AB 2094	<p>Obernolte R Transportation: Greenhouse Gas Reduction Fund: state and local transportation funds.</p>
	<p>Current Text: Amended: 3/18/2016 pdf html</p>
	<p>Would, beginning in the 2016-17 fiscal year, transfer \$1 billion annually from the Greenhouse Gas Reduction Fund to the Retail Sales Tax Fund, subject to specified conditions, and would state that the transferred revenues shall be considered part of the revenues allocated to local transportation funds from the Retail Sales Tax Fund. The bill, in each fiscal year in which that transfer occurs, would also continuously appropriate \$1 billion from the Retail Sales Tax Fund for allocation to state highway and local street and road purposes.</p>
	<p>Position: Oppose</p>

AB 2171	<p>Jones R Coastal resources: development review: appeals.</p>
	<p>Current Text: Amended: 3/29/2016 pdf html</p>
	<p>The California Coastal Act of 1976 specifies that any appealable action on a coastal development permit or claim of exemption for any development by a local government or port governing body may be appealed to the commission by an applicant, any aggrieved person, or any 2 members of the</p>

commission, except as provided. This bill would, notwithstanding those provisions, and to the extent permitted under federal law, authorize an applicant for a coastal development permit or any aggrieved person to file an appeal of any appealable action on a coastal development permit or claim for exemption for any development proposed to be located in an area subject to a certified local coastal program directly to a superior court of competent jurisdiction, in lieu of filing an appeal with the commission.

Position: Watch

[AB 2185](#)

[Gonzalez D](#) **State Coastal Conservancy: low-cost accommodations.**

Current Text: Amended: 3/18/2016 [pdf](#) [html](#)

Would require the State Coastal Conservancy to develop, subject to the availability of funding, a program to assist, by loan or grant, private low-cost coastal accommodations to meet their operation and maintenance needs in exchange for an easement or other legally binding instrument that protects the public benefit of the facility continuing to provide low-cost coastal accommodations. This bill would create the Low-Cost Accommodations Program Account in the State Coastal Conservancy Fund and provide that moneys in the fund are available upon appropriation by the Legislature to fund this program. This bill contains other related provisions.

Position: Watch

[AB 2326](#)

[Wagner R](#) **Motor Vehicle Fuel Tax Law.**

Current Text: Introduced: 2/18/2016 [pdf](#) [html](#)

The Motor Vehicle Fuel Tax Law imposes a tax on each gallon of motor vehicle fuel removed from a refinery or terminal rack in this state, entered into this state, or sold in this state. This bill would state the intent of the Legislature to enact legislation to reduce the amount of that tax.

Position: Watch

[AB 2413](#)

[Thurmond D](#) **Sea level rise preparation.**

Current Text: Introduced: 2/19/2016 [pdf](#) [html](#)

Current law, until January 1, 2018, requires the Natural Resources Agency to create, biannually update, and post on an Internet Web site a Planning for Sea Level Rise Database, as specified, and requires specified entities to provide to the agency certain sea level rise planning information for inclusion in the database. This bill would require the agency, on or before January 1,

2019, to complete a study outlining the potential impact of sea level rise on low-income and at-risk communities and public projects and infrastructure. The bill would require the agency, based on the study, to make recommendations on preparing for sea level rise, as specified.

Position: Watch

[AB 2583](#)

[Frazier D](#) **Sacramento-San Joaquin Delta Reform Act of 2009.**

Current Text: Amended: 3/17/2016 [pdf](#) [html](#)

Would add a definition of the California Water Fix to the Sacramento-San Joaquin Delta Reform Act of 2009. This bill would eliminate certain provisions applicable to the BDCP and would revise other provisions to instead refer to a new Delta water conveyance project for the purpose of exporting water. This bill would require new Delta water conveyance infrastructure to be considered as interdependent parts of a system and to be operated in a way that maximizes benefits for each of the coequal goals. This bill contains other related provisions and other existing laws.

Position: Watch

[AB 2648](#)

[Jones R](#) **California Coastal Commission: delegation of authority.**

Current Text: Amended: 3/18/2016 [pdf](#) [html](#)

Would, notwithstanding any other law, and to the extent permitted under federal law, authorize a county containing any portion of the coastal zone to petition a superior court of competent jurisdiction to obtain a writ of mandate requiring the authority of the commission over coastal permitting in the county to be delegated to the county and the county to be the exclusive agent for the purpose of enforcing state and federal coastal laws, as specified. This bill would authorize the delegation of authority to a county to be reversed by an appellate court if it finds that the county abused its discretion in exercising the authority in a manner sufficient to warrant a rescission.

Position: Watch

[AB 2658](#)

[Maienschein R](#) **California Coastal Commission: ex parte communications.**

Current Text: Amended: 4/12/2016 [pdf](#) [html](#)

The California Coastal Act of 1976 prohibits a member of the California Coastal Commission and an interested person from conducting an ex parte

communication, unless the member fully discloses and makes public the ex parte communication, as specified. This bill would require commission staff members to maintain records and disclose any communication with an interested person pertaining to a matter before the commission by including specified information about the communication in staff reports provided to commission members.

Position: Watch

[AB 2731](#)

[O'Donnell D](#) **Vehicles: Terminal Island Freeway: special permits.**

Current Text: Amended: 8/19/2016 [pdf](#) [html](#)

Current law authorizes the Department of Transportation, upon adoption of an ordinance or resolution by the City of Carson, the City of Long Beach, and the City of Los Angeles, to issue a special permit to the operator of a vehicle, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on specified routes in those cities if the vehicle, combination, or equipment meets specified criteria. Those criteria include that the vehicle, combination of vehicles, or mobile equipment is used to transport intermodal cargo containers that are moving in international commerce, and that the maximum gross weight of the vehicles and loads not exceed 95,000 pounds gross vehicle weight. This bill would require the City of Carson, the City of Long Beach, and the City of Los Angeles to use and enforce the axle and gross vehicle weight limits used by the Department of Transportation for a permitted vehicle, combination of vehicles, or mobile equipment operating or moving on the above-described routes by individual, and not combined, axle group calculations.

Position: Watch

[AB 2841](#)

[Allen, Travis R](#) **State infrastructure financing for seaports.**

Current Text: Amended: 4/6/2016 [pdf](#) [html](#)

Would require the Infrastructure and Economic Development Bank, after consulting with appropriate state and local agencies, to establish criteria, priorities, and guidelines for the selection of infrastructure development and equipment purchase projects submitted by harbor agencies, as defined, for assistance from the bank, as specified. The bill would require the harbor agency to adopt a resolution that includes specified information, including, among others, the state fiscal and economic impacts estimated to result from the proposed infrastructure development or equipment purchase project.

	Position: Watch
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<u>SB 223</u>	<u>Galgiani D</u> 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

<u>SB 233</u>	<u>Hertzberg D</u> 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

[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 1147](#)

[Galgiani D](#) **Hazardous materials: aboveground storage tanks.**

Current Text: Amended: 4/6/2016 [pdf](#) [html](#)

Would prohibit a city, county, or city and county from enforcing standards for aboveground storage tanks that are more stringent than state or federal standards for aboveground storage tanks unless the city, county, or city and county first adopts an ordinance establishing those standards.

Position: Watch

[SB 1396](#)

[Wolk D](#) **Wildlife Conservation Board: Inner Coast Range Program.**

Current Text: Amended: 5/31/2016 [pdf](#) [html](#)

Would establish the Inner Coast Range Program with specified goal areas and authorization related to the Inner Coast Range Region, as defined. This bill would require the Wildlife Conservation Board to establish an advisory board for the program consisting of one representative of each of the counties within the region and would authorize the board to invite certain legislators and representatives of state and federal agencies to participate as

	members on the advisory board.
	Position: Watch A

AB 531	O'Donnell D Southern California Port Congestion Authority.
	Current Text: Amended: 8/11/2016 pdf html
	Would establish the Southern California Port Congestion Authority and would require that the authority be governed by a board consisting of 7 members appointed by the Secretary of Transportation. The bill would authorize the authority to plan, develop, and implement measures and projects necessary to alleviate congestion in the Port of Los Angeles and the Port of Long Beach, as specified. The bill would require each marine terminal operator at the Port of Los Angeles and the Port of Long Beach to report to the authority specified information with respect to traffic at the ports.
	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

AB 1205	Gomez D Hazardous waste: facilities permitting.
	Current Text: Amended: 6/20/2016 pdf html
	Current law requires the Department of Toxic Substances Control to impose certain conditions on each hazardous waste facilities permit and authorizes the department to impose other conditions on a hazardous waste facilities permit, as specified. A violation of the hazardous waste control law is a crime. This bill would require the department, within 90 days of receiving a renewal application for a hazardous waste facilities permit, to hold a public meeting for specified purposes in or near the community in which the hazardous waste facility is located.

	Position: Watch
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AB 1579	Allen, Travis R Parks and monuments: operating leases or agreements.
	Current Text: Introduced: 1/5/2016 pdf html
	Current law prohibits the Department of Parks and Recreation from entering into an operating lease or agreement, or amendment, unless one of 2 conditions are met including if, following enactment of the annual Budget Act, the State Public Works Board determines, among other things, that the proposed lease or agreement, or amendment, could not have been presented to the Legislature for review during the annual budget process, as provided. This bill would authorize the board to review and approve a proposed lease or agreement, or amendment, no earlier than 30 days after it has provided written notification to the chairpersons of those legislative committees, as provided.
	Position: Watch

AB 1738	McCarty D Building standards: dark graywater.
	Current Text: Amended: 3/28/2016 pdf html
	Would define "dark graywater" as a specified wastewater that comes from kitchen sinks and dishwashers. This bill would require the Department of Housing and Community Development , at the next triennial building standards cycle, to adopt and submit for approval building standards for the construction, installation, and alteration of dark graywater systems for indoor and outdoor uses. This bill contains other existing laws.
	Position: Watch A

AB 1844	Gallagher R Hunting and fishing licenses: reduced license fees: veterans.
	Current Text: Amended: 5/27/2016 pdf html
	Would require the Department of Fish and Wildlife to reduce the fee required to obtain the lifetime licenses by 25% for a person who is a veteran of the Armed Forces of the United States, was honorably discharged, and is a resident of California.
	Position: Watch

AB 1972	Chau D Veterans: state park passes.
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	<p>Current Text: Amended: 5/27/2016 pdf html</p> <p>Would require the Department of Parks and Recreation to issue a park pass for free use of all park facilities in the state park system to any veteran who meets specified criteria. The bill would make related conforming changes. The bill would require the department to report in its proposed budget, on or before January 1, 2019, on revenue losses with regard to the issuance of free veterans passes under these provisions.</p> <p>Position: Watch</p>
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<p>AB 2002</p>	<p>Stone, Mark D Political Reform Act of 1974: California Coastal Commission: communications.</p> <p>Current Text: Amended: 4/12/2016 pdf html</p> <p>Would require a California Coastal Commission member to fully disclose in writing 24 hours before a commission hearing any ex parte communication conducted within 7 days of the commission hearing relating to a matter that will be discussed at the hearing, and would prohibit a commission member or an interested person from conducting such an ex parte communication within 24 hours before the commission hearing. This bill contains other related provisions and other existing laws.</p> <p>Position: Watch</p>
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<p>AB 2175</p>	<p>Jones R Fuel taxes: Off-Highway Vehicle Trust Fund.</p> <p>Current Text: Amended: 6/20/2016 pdf html</p> <p>Current law transfers, with respect to the increase in gasoline excise taxes as a result of the elimination of the sales tax on gasoline, to the General Fund the revenues attributable to off-highway vehicles that would otherwise be deposited in the Off-Highway Vehicle Trust Fund. Current law also requires the Controller to withhold \$833,000 from the monthly transfer, and transfer that amount to the General Fund. The moneys in the Off-Highway Vehicle Trust Fund are required to be used, upon appropriation, for specified purposes related to off-highway motor vehicle recreation. This bill would, on June 30, 2017, eliminate the requirement that the Controller withhold \$833,000 from the monthly transfer and transfer it to the General Fund and would thereby transfer this amount monthly to the Off-Highway Vehicle Trust Fund.</p> <p>Position: Watch</p>
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<p>AB 2444</p>	<p>Garcia, Eduardo D California Parks, Water, Climate, and Coastal</p>
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	Protection and Outdoor Access For All Act of 2018.
	Current Text: Amended: 8/19/2016 pdf html
	Under current law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities. This bill would enact the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,497,500,000 pursuant to the State General Obligation Bond Law to finance a parks, water, climate, and coastal protection and outdoor access for all program. This bill contains other related provisions.
	Position: Watch

AB 2896	Garcia, Eduardo D Water quality: funding for planning, environmental, and design documents: Salton Sea.
	Current Text: Amended: 8/17/2016 pdf html
	Would appropriate \$1,400,000 from the Waste Discharge Permit Fund to the State Water Resources Control Board to provide grants and enter into contracts for the development of planning, environmental, and design documents in furtherance of projects to eliminate public health and safety risks from drainage of wastewater, agricultural runoff, and runoff from urbanized areas into tributaries of the Salton Sea.
	Position: Watch

SB 1081	Morrell R Hunting and sport fishing: free and reduced license fees: veterans.
	Current Text: Amended: 3/28/2016 pdf html
	Would require the Department of Fish and Wildlife to issue a free hunting license, upon application to the department, to a disabled veteran or recovering service member and would require the department, to issue a reduced fee hunting license, upon application and payment of a fee of \$5, to a veteran of the Armed Forces of the United States who was honorably discharged. The bill would prohibit the reduced hunting license fee from being adjusted pursuant to the specified index. This bill contains other related provisions and other existing laws.
	Position: Watch

<u>SB 1083</u>	<u>Allen D</u> California oil spill contingency plan.
	Current Text: Amended: 4/28/2016 pdf html
	Current law directs the Governor to require the administrator for oil spill response to amend, not in conflict with the National Contingency Plan, the California oil spill contingency plan to provide for the best achievable protection of waters of the state and to include specified elements. This bill would require a communications element, as specified, to be developed by the administrator and included in the California oil spill contingency plan.
	Position: Watch

<u>SB 1114</u>	<u>Allen D</u> Commercial fishing: swordfish.
	Current Text: Amended: 5/11/2016 pdf html
	Would prohibit the Department of Fish and Wildlife from issuing any drift gill net permit. The bill would require the department to revoke all latent drift gill net permits, as defined, within 12 months of a federal authorization to use deep set buoy gear or similar gear to take swordfish and would require the department to revoke all drift gill net permits if the department has not been notified of any landings under any drift gill net permit during any 2 successive fishing seasons.
	Position: Watch

<u>SB 1243</u>	<u>Berryhill R</u> Sport fishing: licenses.
	Current Text: Introduced: 2/18/2016 pdf html
	Current law requires a resident or a nonresident, 16 years of age or older, upon payment of a specified fee, to be issued a sport fishing license for a prescribed period. Current law requires the Fish and Game Commission to adjust the amount of the sport fishing license fees, as prescribed, to fully recover, but not exceed, all reasonable administrative and implementation costs of the Department of Fish and Wildlife and the Fish and Game Commission relating to those licenses. This bill would make nonsubstantive changes to these provisions.
	Position: Support

<u>SB 1440</u>	<u>Cannella R</u> Environmental quality: Water Quality, Supply, and Infrastructure Improvement Act of 2014.
	Current Text: Introduced: 2/19/2016 pdf html
	Would require a lead agency, in certifying an environmental impact report

and in granting approvals for certain water storage projects funded, in whole or in part, by Proposition 1, to comply with specified procedures. Because a public agency would be required to comply with those new procedures, this bill would impose a state-mandated local program. The bill would authorize the lead agency to concurrently prepare the record of proceedings for the project.

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

[SBX1 1](#)

[Beall D](#) Transportation funding.

Current Text: Amended: 8/29/2016 [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 require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.

Position: Watch A