

AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1082

Introduced by Senator McGuire

February 17, 2016

An act to amend Section ~~35615~~ 5549 of the Public Resources Code, relating to ~~ocean resources~~: *parks*.

LEGISLATIVE COUNSEL'S DIGEST

SB 1082, as amended, McGuire. ~~Ocean Protection Council: functions and duties. Regional park and open-space districts: general manager: powers.~~

Existing law generally authorizes the general manager of any park or open-space district, with district board approval, to bind the district, in accordance with board policy, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose in amounts not exceeding \$25,000. However, existing law grants that authority to the general managers of the East Bay Regional Park District and the Midpeninsula Regional Open Space District with respect to the payment of amounts not exceeding \$50,000.

This bill would also grant that authority with respect to the payment of amounts not exceeding \$50,000 to the general manager of the Sonoma County Agricultural Preservation and Open Space District.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Sonoma County Agricultural Preservation and Open Space District.

~~Existing law, the California Ocean Protection Act, establishes the California Ocean Protection Council and prescribes the membership and functions and duties of the council with regard to the protection, conservation, and restoration of coastal waters and ocean resources.~~

~~This bill would make various nonsubstantive changes in provisions prescribing the functions and duties of the council.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5549 of the Public Resources Code is
2 amended to read:

3 5549. (a) The general manager has the following administrative
4 and executive functions, powers, and duties. The general manager
5 shall do all of the following:

6 (1) Enforce this article and all ordinances and regulations of the
7 district.

8 (2) Appoint and remove subordinates, clerks, and other
9 employees, and exercise supervision and control over all
10 departments and offices of the district, subject to the personnel
11 rules, civil service or merit system, and policies adopted by the
12 board.

13 (3) Attend all meetings of the board unless excused by the board.

14 (4) Submit to the board for adoption any measures, ordinances,
15 and regulations he or she deems necessary or expedient.

16 (5) Enforce all terms and conditions imposed in favor of the
17 district or its inhabitants in any contract and report any violations
18 to the board or the police department, as appropriate.

19 (6) Prepare and submit the annual budget to the board and
20 perform all other duties imposed by this article or by the board.

21 (b) (1) With the approval of the board, the general manager
22 may bind the district, in accordance with board policy, and without
23 advertising, for the payment for supplies, materials, labor, or other
24 valuable consideration for any purpose, including new construction
25 of a building, structure, or improvement, in amounts not exceeding
26 twenty-five thousand dollars (\$25,000). All expenditures shall be
27 reported to the board of directors at its next regular meeting.

28 (2) Notwithstanding paragraph (1), with the approval of the
29 board, the general manager of the East Bay Regional Park ~~District~~
30 ~~and District~~, the general manager of the Midpeninsula Regional
31 Open Space ~~District~~ District, and the general manager of the
32 Sonoma County Agricultural Preservation and Open Space District
33 may bind those districts, in accordance with board policy, and

1 without advertising, for the payment of supplies, materials, labor,
2 or other valuable consideration for any purpose, including new
3 construction of a building, structure, or improvement, in amounts
4 not exceeding fifty thousand dollars (\$50,000). All expenditures
5 shall be reported to the board of directors at its next regular
6 meeting.

7 *SEC. 2. The Legislature finds and declares that a special law*
8 *is necessary and that a general law cannot be made applicable*
9 *within the meaning of Section 16 of Article IV of the California*
10 *Constitution because of the unique financial situation of the*
11 *districts affected by this act.*

12 ~~SECTION 1. Section 35615 of the Public Resources Code is~~
13 ~~amended to read:~~

14 ~~35615. The council shall do all of the following:~~

15 ~~(a) (1) Coordinate the activities of state agencies that are related~~
16 ~~to the protection and conservation of coastal waters and ocean~~
17 ~~ecosystems to improve the effectiveness of state efforts to protect~~
18 ~~ocean resources within existing fiscal limitations, consistent with~~
19 ~~Sections 35510 and 35515.~~

20 ~~(2) Establish policies to coordinate the collection, evaluation,~~
21 ~~and sharing of scientific data related to coastal and ocean resources~~
22 ~~among agencies.~~

23 ~~(3) (A) Establish a science advisory team of distinguished~~
24 ~~scientists to assist the council in meeting the purposes of this~~
25 ~~division. At the request of the council, the science advisory team~~
26 ~~may convene to identify, develop, and prioritize subjects and~~
27 ~~questions for research or investigation, and review and evaluate~~
28 ~~results of research or investigations to provide information for the~~
29 ~~council's activities.~~

30 ~~(B) The science advisory team shall include scientists from a~~
31 ~~range of disciplines that are a part of the council's purview.~~

32 ~~(C) The science advisory team shall provide an independent~~
33 ~~and timely analysis of reports and studies, identifying areas of~~
34 ~~scientific consensus or uncertainty, using the best available science~~
35 ~~by drawing on state, national, and international experts.~~

36 ~~(D) Scientists selected as members of the science advisory team~~
37 ~~shall serve without compensation, except for reimbursement of~~
38 ~~expenses and subject to the terms of an existing contract with the~~
39 ~~state.~~

1 ~~(4) Contract with the California Ocean Science Trust and other~~
2 ~~nonprofit organizations, ocean science institutes, academic~~
3 ~~institutions, or others that have experience in conducting the~~
4 ~~scientific and educational tasks that are required by the council.~~

5 ~~(5) Transmit the results of research and investigations to state~~
6 ~~agencies to provide information for policy decisions.~~

7 ~~(6) Identify and recommend to the Legislature changes in law~~
8 ~~that are needed to achieve the goals of this section.~~

9 ~~(b) (1) Identify changes in federal law and policy necessary to~~
10 ~~achieve the goals of this division and to improve protection,~~
11 ~~conservation, and restoration of ocean ecosystems in federal and~~
12 ~~state waters off the state's coast.~~

13 ~~(2) Recommend to the Governor and the Legislature actions the~~
14 ~~state should take to encourage those changes in federal law and~~
15 ~~policy.~~

16

17

18 **CORRECTIONS:**

19 **Text—Page 3.**

20
