
CHAPTER 600

An act to amend Section 6217 of the Public Resources Code, and to repeal and add Section 12 of, and to repeal Sections 12.1, 12.2, 12.3, 12.4, 12.45, and 12.5 of, Chapter 138 of the Statutes of 1964, First Extraordinary Session, relating to state lands.

48—3166

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[Approved by Governor September 8, 1975. Filed with
Secretary of State September 8, 1975.]

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

SECTION 1. Section 6217 of the Public Resources Code is amended to read:

6217. With the exception of revenues derived from state school lands and from sources described in Sections 6217.6, 6301.5, 6301.6, 6855, and 8551 to 8558, inclusive, and Section 6406 (insofar as the proceeds are from property which has been distributed or escheated to the state in connection with unclaimed estates of deceased persons), the commission shall deposit in the State Treasury all revenues, moneys, and remittances received by it under this division, and under Chapter 138 of the Statutes of 1964, First Extraordinary Session, and such sums shall be applied to the following obligations in the following order:

(a) To the General Fund such revenue as necessary to provide in any fiscal year for the following:

(1) Payment of refunds, authorized by the commission and approved by the State Board of Control, out of appropriations made for that purpose by the Legislature.

(2) Payment of expenditures of the commission as provided in the annual Budget Act approved by the Legislature.

(3) Payments to cities and counties of the amounts specified in Section 6817 for the purposes specified in that section, and the revenues so deposited are appropriated for such purpose.

(4) Payments to cities and counties of the amounts agreed to pursuant to the provisions of Section 6875.

(b) To the California Water Fund each fiscal year the amount of twenty-five million dollars (\$25,000,000).

(c) To the Central Valley Water Project Construction Fund each fiscal year the amount of five million dollars (\$5,000,000).

(d) To the Resources Agency the amount of five hundred thousand dollars (\$500,000) for each of the fiscal years 1974-75, 1975-76, 1976-77, 1977-78, and 1978-79, for distribution for public and private higher education for use as up to two-thirds of the local matching share for projects under the National Sea Grant College and Program Act of 1966 (P.L. 89-688) approved, upon the recommendation of the advisory panel appointed pursuant to this subdivision, by the Secretary of the Resources Agency or his designee. During the fiscal year 1978-79, the Legislature shall consider recommendations from the Secretary of the Resources Agency and other interested parties on the benefits to the people of California derived from this program and shall determine whether or not to continue similar appropriations for subsequent fiscal years.

The Secretary of the Resources Agency shall appoint an advisory panel, which shall do all of the following:

(1) Identify state needs which might be met through sea grant research projects, including, but not limited to, such fields as living

marine resources, aquaculture, ocean engineering, marine minerals, public recreation, coastal physical processes and coastal and ocean resources planning and management, and marine data acquisition and dissemination.

(2) Review all applications for funding under this subdivision and make recommendations based upon the priorities it establishes.

(3) Periodically review progress on sea grant research projects subsequent to their approval and funding under this subdivision.

(4) Make recommendations to the Secretary of the Resources Agency with respect to the implementation of this subdivision.

The members of such advisory panel shall serve at the pleasure of the Secretary of the Resources Agency. The advisory panel shall consist of 10 members composed of the following persons:

(1) A representative of the Department of Navigation and Ocean Development.

(2) A representative of the Department of Conservation.

(3) A representative of the Department of Fish and Game.

(4) The executive director of the California Coastal Zone Conservation Commission or his designee.

(5) A representative of the fish industry.

(6) A representative of the ocean engineering industry.

(7) A representative of the University of California.

(8) A representative of the California State University and Colleges.

(9) A representative of a private California institution of higher education which is participating in the National Sea Grant Program.

(10) A representative of the State Lands Commission. The Secretary of the Resources Agency shall designate one member of the panel to serve as its chairman. Panel members shall serve without compensation.

The sea grant research projects selected for state support under this subdivision shall have a clearly defined benefit to the people of the State of California. Nothing in this subdivision shall be construed to preclude the application for funding of any project which would be eligible for funding under the terms of the National Sea Grant College and Program Act of 1966.

(e) To the Capital Outlay Fund for public higher education, the balance of all revenue in excess of that distributed under subdivisions (a), (b), (c), and (d) of this section.

The commission may, with the approval of the State Board of Control, authorize the refund of moneys received or collected by it illegally or by mistake, inadvertence, or error. Claims authorized by the commission and approved by the State Board of Control shall be filed with the State Controller and the Controller shall draw his warrant against the General Fund in payment of such refund from any appropriation made for that purpose.

All references in any law to Section 6816 shall be deemed to refer to this section.

SEC. 1.3. Section 6217 of the Public Resources Code is amended to read:

6217. With the exception of revenues derived from state school lands and from sources described in Sections 6217.6, 6301.5, 6301.6, 6855, and 8551 to 8558, inclusive, and Section 6406 (insofar as the proceeds are from property which has been distributed or escheated to the state in connection with unclaimed estates of deceased persons), the commission shall deposit in the State Treasury all revenues, moneys, and remittances received by it under this division, and under Chapter 138 of the Statutes of 1964, First Extraordinary Session, and such sums shall be applied to the following obligations in the following order:

(a) To the General Fund such revenue as necessary to provide in any fiscal year for the following:

(1) Payment of refunds, authorized by the commission and approved by the State Board of Control, out of appropriations made for that purpose by the Legislature.

(2) Payment of expenditures of the commission as provided in the annual Budget Act approved by the Legislature.

(3) Payments to cities and counties of the amounts specified in Section 6817 for the purposes specified in that section, and the revenues so deposited are appropriated for such purpose.

(4) Payments to cities and counties of the amounts agreed to pursuant to the provisions of Section 6875.

(b) To the California Water Fund each fiscal year the amount of twenty-five million dollars (\$25,000,000).

(c) To the Central Valley Water Project Construction Fund each fiscal year the amount of five million dollars (\$5,000,000).

(d) To the Resources Agency the amount of five hundred thousand dollars (\$500,000) for each of the fiscal years 1974-75, 1975-76, 1976-77, 1977-78, and 1978-79, for distribution for public and private higher education for use as up to two-thirds of the local matching share for projects under the National Sea Grant College and Program Act of 1966 (P.L. 89-688) approved, upon the recommendation of the advisory panel appointed pursuant to this subdivision, by the Secretary of the Resources Agency or his designee. During the fiscal year 1978-79, the Legislature shall consider recommendations from the Secretary of the Resources Agency and other interested parties on the benefits to the people of California derived from this program and shall determine whether or not to continue similar appropriations for subsequent fiscal years.

The Secretary of the Resources Agency shall appoint an advisory panel, which shall do all of the following:

(1) Identify state needs which might be met through sea grant research projects, including, but not limited to, such fields as living marine resources, aquaculture, ocean engineering, marine minerals, public recreation, coastal physical processes and coastal and ocean resources planning and management, and marine data acquisition and dissemination.

(2) Review all applications for funding under this subdivision and

make recommendations based upon the priorities it establishes.

(3) Periodically review progress on sea grant research projects subsequent to their approval and funding under this subdivision.

(4) Make recommendations to the Secretary of the Resources Agency with respect to the implementation of this subdivision.

The members of such advisory panel shall serve at the pleasure of the Secretary of the Resources Agency. The advisory panel shall consist of 10 members composed of the following persons:

(1) A representative of the Department of Navigation and Ocean Development.

(2) A representative of the Department of Conservation.

(3) A representative of the Department of Fish and Game.

(4) The executive director of the California Coastal Zone Conservation Commission or his designee.

(5) A representative of the fish industry.

(6) A representative of the ocean engineering industry.

(7) A representative of the University of California.

(8) A representative of the California State University and Colleges.

(9) A representative of a private California institution of higher education which is participating in the National Sea Grant Program.

(10) A representative of the State Lands Commission. The Secretary of the Resources Agency shall designate one member of the panel to serve as its chairman. Panel members shall serve without compensation.

The sea grant research projects selected for state support under this subdivision shall have a clearly defined benefit to the people of the State of California. Nothing in this subdivision shall be construed to preclude the application for funding of any project which would be eligible for funding under the terms of the National Sea Grant College and Program Act of 1966.

(e) To the Capital Outlay Fund for Public Higher Education, eighty million dollars (\$80,000,000) for fiscal year 1975-76, and each year thereafter, and each year thereafter, for the University of California and the California State University and Colleges.

(f) To the Urban Parkland Fund, the amount of twenty-five million dollars (\$25,000,000) for each fiscal year for grants to cities, counties, and districts for the acquisition or development of parks or recreational facilities pursuant to Section 5157.3.

(g) To the General Fund, the balance of all revenues, moneys, and remittances in excess of that distributed under subdivisions (a), (b), (c), (d), (e), and (f) of this section.

The commission may, with the approval of the State Board of Control, authorize the refund of moneys received or collected by it illegally or by mistake, inadvertence, or error. Claims authorized by the commission and approved by the State Board of Control shall be filed with the State Controller and the Controller shall draw his warrant against the General Fund in payment of such refund from any appropriation made for that purpose.

All references in any law to Section 6816 shall be deemed to refer to this section.

SEC. 1.5. Section 6217 of the Public Resources Code is amended to read:

6217. With the exception of revenues derived from state school lands and from sources described in Sections 6217.6, 6301.5, 6301.6, 6855, and 8551 to 8558, inclusive, and Section 6406 (insofar as the proceeds are from property which has been distributed or escheated to the state in connection with unclaimed estates of deceased persons), the commission shall deposit in the State Treasury all revenues, moneys, and remittances received by it under this division, and under Chapter 138 of the Statutes of 1964, First Extraordinary Session, and such sums shall be applied to the following obligations in the following order:

(a) To the General Fund such revenue as necessary to provide in any fiscal year for the following:

(1) Payment of refunds, authorized by the commission and approved by the State Board of Control, out of appropriations made for that purpose by the Legislature.

(2) Payment of expenditures of the commission as provided in the annual Budget Act approved by the Legislature.

(3) Payments to cities and counties of the amounts specified in Section 6817 for the purposes specified in that section, and the revenues so deposited are appropriated for such purpose.

(4) Payments to cities and counties of the amounts agreed to pursuant to the provisions of Section 6875.

(b) To the California Water Fund each fiscal year the amount of twenty-five million dollars (\$25,000,000).

(c) To the Central Valley Water Project Construction Fund each fiscal year the amount of five million dollars (\$5,000,000).

(d) To the Resources Agency the amount of five hundred thousand dollars (\$500,000) for each of the fiscal years 1974-75, 1975-76, 1976-77, 1977-78, and 1978-79, for distribution for public and private higher education for use as up to two-thirds of the local matching share for projects under the National Sea Grant College and Program Act of 1966 (P.L. 89-688) approved, upon the recommendation of the advisory panel appointed pursuant to this subdivision, by the Secretary of the Resources Agency or his designee. During the fiscal year 1978-79, the Legislature shall consider recommendations from the Secretary of the Resources Agency and other interested parties on the benefits to the people of California derived from this program and shall determine whether or not to continue similar appropriations for subsequent fiscal years.

The Secretary of the Resources Agency shall appoint an advisory panel, which shall do all of the following:

(1) Identify state needs which might be met through sea grant research projects, including, but not limited to, such fields as living marine resources, aquaculture, ocean engineering, marine minerals, public recreation, coastal physical processes and coastal and ocean

resources planning and management, and marine data acquisition and dissemination.

(2) Review all applications for funding under this subdivision and make recommendations based upon the priorities it establishes.

(3) Periodically review progress on sea grant research projects subsequent to their approval and funding under this subdivision.

(4) Make recommendations to the Secretary of the Resources Agency with respect to the implementation of this subdivision.

The members of such advisory panel shall serve at the pleasure of the Secretary of the Resources Agency. The advisory panel shall consist of 10 members composed of the following persons:

(1) A representative of the Department of Navigation and Ocean Development.

(2) A representative of the Department of Conservation.

(3) A representative of the Department of Fish and Game.

(4) The executive director of the California Coastal Zone Conservation Commission or his designee.

(5) A representative of the fish industry.

(6) A representative of the ocean engineering industry.

(7) A representative of the University of California.

(8) A representative of the California State University and Colleges.

(9) A representative of a private California institution of higher education which is participating in the National Sea Grant Program.

(10) A representative of the State Lands Commission. The Secretary of the Resources Agency shall designate one member of the panel to serve as its chairman. Panel members shall serve without compensation.

The sea grant research projects selected for state support under this subdivision shall have a clearly defined benefit to the people of the State of California. Nothing in this subdivision shall be construed to preclude the application for funding of any project which would be eligible for funding under the terms of the National Sea Grant College and Program Act of 1966.

(e) To the California Urban and Local Government Recreation Fund, the amount of twenty-five million dollars (\$25,000,000) each fiscal year commencing with the 1976-77 fiscal year for the purposes of the California Urban and Local Government Recreation Program (Chapter 3.2 (commencing with Section 5620) of Division 5).

(f) To the Capital Outlay Fund for Public Higher Education, the balance of all revenue in excess of that distributed under subdivisions (a), (b), (c), (d), and (e) of this section.

The commission may, with the approval of the State Board of Control, authorize the refund of moneys received or collected by it illegally or by mistake, inadvertence, or error. Claims authorized by the commission and approved by the State Board of Control shall be filed with the State Controller and the Controller shall draw his warrant against the General Fund in payment of such refund from any appropriation made for that purpose.

All references in any law to Section 6816 shall be deemed to refer to this section.

SEC. 2. Section 12 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, is repealed.

SEC. 3. Section 12 is added to Chapter 138 of the Statutes of 1964, First Extraordinary Session, to read:

Sec. 12. All of the oil revenue and dry gas revenue payable to the State of California under this act each year shall be deposited in the State Treasury and shall be applied to obligations as provided in Section 6217 of the Public Resources Code.

SEC. 4. Section 12.1 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, is repealed.

SEC. 5. Section 12.2 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, is repealed.

SEC. 6. Section 12.3 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, is repealed.

SEC. 7. Section 12.4 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, is repealed.

SEC. 8. Section 12.45 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, is repealed.

SEC. 9. Section 12.5 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, is repealed.

SEC. 10. It is the intent of the Legislature, if this bill and Senate Bill No. 174 are both chaptered and become effective January 1, 1976, both bills amend Section 6217 of the Public Resources Code, and this bill is chaptered after Senate Bill No. 174, that the amendments to Section 6217 proposed by both bills be given effect and incorporated in Section 6217 in the form set forth in Section 1.3 of this act. Therefore, Section 1.3 of this act shall become operative only if this bill and Senate Bill No. 174 are both chaptered and become effective January 1, 1976, both amend Section 6217, and this bill is chaptered after Senate Bill No. 174, in which case Section 1 of this act shall not become operative.

SEC. 11. It is the intent of the Legislature, if this bill and Assembly Bill No. 997 are both chaptered and become effective January 1, 1976, both bills amend Section 6217 of the Public Resources Code, and this bill is chaptered after Assembly Bill No. 997, that the amendments to Section 6217 proposed by both bills be given effect and incorporated in Section 6217 in the form set forth in Section 1.5 of this act. Therefore, Section 1.5 of this act shall become operative only if this bill and Assembly Bill No. 997 are both chaptered and become effective January 1, 1976, both amend Section 6217, and this bill is chaptered after Assembly Bill No. 997, in which case Section 1 of this act shall not become operative.