

AMENDED IN SENATE MARCH 10, 2011

SENATE BILL

No. 152

Introduced by Senator Pavley

February 1, 2011

An act to repeal Section 6503.5 of the Public Resources Code, *and to repeal Section 2 of Chapter 431 of the Statutes of 1977*, relating to public lands.

LEGISLATIVE COUNSEL'S DIGEST

SB 152, as amended, Pavley. Public lands: general leasing law: littoral landowners.

Existing law prohibits rent from being charged for ~~any~~ a private recreational pier, as defined, constructed on state lands for the use of a littoral landowner, as defined. Existing law requires the littoral landowner to pay to the State Lands Commission the commission's expenses in issuing a lease or permit for the state lands.

This bill would repeal this law.

Existing law makes legislative findings concerning the construction and maintenance of private recreational piers on state waterways, declares legislative intent to provide for rent free private recreational piers to encourage members of the public to construct these piers, and states that these findings and intent are declaratory of existing law.

This bill would repeal those provisions.

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

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

1 SECTION 1. Section 6503.5 of the Public Resources Code is
2 repealed.

3 SEC. 2. Section 2 of Chapter 431 of the Statutes of 1977 is
4 repealed.

5 ~~Sec. 2.—The Legislature finds and declares that substantial public
6 benefit is derived from the construction and maintenance of private
7 recreational piers on the waterways of this state. The public benefits
8 derived from such piers include, but are not limited to: the
9 provision of a safe harbor for vessels which become disabled upon
10 the waterways of this state, a safe anchorage for vessels which
11 become distressed in times of severe weather conditions, the
12 protection of the public from navigational hazards often found
13 adjacent to shorelines along the waterways of this state, the
14 elimination or retardation of erosion along the shoreline of rivers
15 and streams, and the provision of navigational aides to members
16 of the public utilizing the waterways of this state. It is therefore
17 the intent of the Legislature in providing for rent free private
18 recreational piers to encourage members of the public to construct
19 such piers, at no cost to the state, upon the navigable lakes, rivers,
20 and streams of this state.~~

21 ~~The provisions of this section are declaratory of existing law.~~