

AMENDED IN SENATE AUGUST 10, 2000

AMENDED IN ASSEMBLY MAY 8, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2698**

Introduced by ~~Committee on Agriculture (Cardoza (Chair),  
Florez, Reyes, Thomson, and Wiggins)~~ Assembly Member  
Florez

(Principal coauthor: Senator Costa)

(Coauthors: Assembly Members Ashburn, Cardoza,  
Dickerson, Ducheny, Granlund, Lempert, Maddox,  
Mazzoni, Reyes, Torlakson, Wright, and Zettel)

(Coauthor: Senator Morrow)

February 25, 2000

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~~An act to add Section 15364.73 to the Government Code,  
relating to international trade.—An act to amend Section 51286  
of the Government Code, relating to agricultural land, and  
declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2698, as amended, ~~Committee on Agriculture  
Florez. Agricultural trade specialists Williamson Act: Kern  
County.~~

*Existing law, the Williamson Act, authorizes a county or  
city, upon petition by a landowner, to cancel any contract if  
a city or county makes specified findings and the landowner  
pays a cancellation fee. The act also requires an action or  
proceeding which, on the grounds of alleged noncompliance*

with the requirements of the act, seeks to attack, review, set aside, void, or annul a decision of a county board of supervisors or a city council to cancel a contract to be commenced with 180 days from the date of the board or council order on a petition for cancellation.

This bill would require this action or proceeding to commence within 60 days from the date of the council or board order action on a petition for cancellation if the cancellation relates to proposed electric generation projects that are located in the southern half of Kern County with a specified capacity, and for which applications were accepted as data adequate by the Energy Resources and Conservation Development Commission during the month of January, 2000. This requirement would become inoperative on December 31, 2001.

This bill would declare that it is to take effect immediately as an urgency measure.

~~Existing law establishes the California Foreign Trade Office within the California State World Trade Commission. The office is required to administer any overseas trade offices or showases and assist existing California companies and agricultural enterprises to expand their export sales. The Secretary of the Trade and Commerce Agency is required to coordinate the various trade, investment, and tourism activities of the commission.~~

~~This bill would require the Secretary of the Trade and Commerce Agency and the Secretary of the Department of Food and Agriculture to enter into a memorandum of understanding to determine the mission and priorities of every agricultural trade specialist within the California Foreign Trade Office or any overseas trade office who is an employee of the agency.~~

Vote: ~~majority~~ <sup>2/3</sup>. Appropriation: no. Fiscal committee: yes no. State-mandated local program: no.

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

- 1 ~~SECTION 1. Section 15364.73 is added to the~~
- 2 *SECTION 1. Section 51286 of the Government Code*
- 3 *is amended to read:*



1 51286. (a) Any action or proceeding which, on the  
2 grounds of alleged noncompliance with the requirements  
3 of this chapter, seeks to attack, review, set aside, void, or  
4 annul a decision of a board of supervisors or a city council  
5 to cancel a contract shall be brought pursuant to Section  
6 1094.5 of the Code of Civil Procedure.

7 ~~The~~

8 (b) *The* action or proceeding shall be commenced  
9 within 180 days from *the date of* the council or board  
10 order acting on a petition for cancellation filed under this  
11 chapter.

12 (c) *Notwithstanding subdivision (b), the action or*  
13 *proceeding shall be commenced within 60 days from the*  
14 *date of the council or board order action on a petition for*  
15 *cancellation filed under this chapter if the cancellation*  
16 *relates to proposed electric generation projects that are*  
17 *located in the southern half of Kern County with a*  
18 *capacity of not less than 701 megawatts, but not greater*  
19 *than 800 megawatts, and for which applications were*  
20 *accepted as data adequate by the Energy Resources and*  
21 *Conservation Development Commission during the*  
22 *month of January, 2000. This subdivision shall become*  
23 *inoperative on December 31, 2001.*

24 SEC. 2. *Due to the unique facts and circumstances*  
25 *relative to power generation projects in Kern County, the*  
26 *Legislature finds and declares that a general statute*  
27 *cannot be made applicable within the meaning of Section*  
28 *16 of Article IV of the California Constitution. Therefore,*  
29 *special legislation contained in Section 1 of this act is*  
30 *necessarily applicable only to Kern County.*

31 SEC. 3. *This act is an urgency statute necessary for*  
32 *the immediate preservation of the public peace, health,*  
33 *or safety within the meaning of Article IV of the*  
34 *Constitution and shall go into immediate effect. The facts*  
35 *constituting the necessity are:*

36 *Due to the projected shortage of power to meet the*  
37 *projected needs, and the need to build more power*  
38 *generating facilities, it is necessary that this act take effect*  
39 *immediately.*

40 ~~Government Code, to read:~~



1 ~~15364.73. The Secretary of the Trade and Commerce~~  
2 ~~Agency and the Secretary of the Department of Food and~~  
3 ~~Agriculture shall enter into a memorandum of~~  
4 ~~understanding to determine the mission and priorities of~~  
5 ~~every agricultural trade specialist within the California~~  
6 ~~Foreign Trade Office or any overseas trade office who is~~  
7 ~~an employee of the agency.~~

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