AMENDED IN ASSEMBLY JUNE 14, 2007

AMENDED IN ASSEMBLY MAY 31, 2007

AMENDED IN SENATE APRIL 9, 2007

SENATE BILL No. 567

Introduced by Senator Aanestad
(Coauthors: Assembly Members Jeffries and La Malfa)

February 22, 2007

An act relating to state property, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 567, as amended, Aanestad. State property.

~~Existing~~

(1) Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.

This bill would authorize the director to sell, exchange, or lease for fair market value upon those terms and conditions determined by the director, 6 specified parcels of state property. It would provide that, unless otherwise provided by law, the net proceeds of the conveyance would be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, which is a continuously appropriated subaccount in the Budget Stabilization Account, thereby making an appropriation. The bill would require reimbursement to the Department of General Services for any cost or expense incurred in the disposition of the property from the net proceeds of the disposition.

(2) The California Environmental Quality Act (CEQA) requires a lead agency to evaluate whether an activity is a project subject to CEQA

or comes within an exemption, and if the activity is determined to be a project to prepare, or cause to be prepared, and certify the completion of, an environmental impact report or to adopt a negative declaration, as required. CEQA provides for specified exemptions from its provisions.

This bill would provide that any sale, exchange, sale combined with an exchange, lease, or transfer of the parcels described in the bill would be exempt from certain provisions of CEQA.

Vote: ⅔. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

SECTION 1. The Director of General Services may sell, exchange, or lease for fair market value, and upon those terms and conditions as the Director of General Services determines are in the best interests of the state, all or any part of the following real property:

Parcel 1. Approximately 0.92 acres, located at 806 North Beaudry Avenue, Los Angeles, Los Angeles County.

Parcel 2. Approximately 4.73 acres with improvements thereon, known as the Sonora Forest Fire Station, located at 2 South Forest Road, Sonora, Tuolumne County.

Parcel 3. Approximately 5.52 acres with improvements thereon, known as the Fernwood Seed orchard, located in Humboldt County.

Parcel 4. Approximately 2 acres with improvements thereon, known as the Manton Forest Fire Station, located on Ponderosa Way, in Manton, Tehama County.

Parcel 5. Approximately 0.92 acres with improvements thereon, known as the Hesperia Forest Fire Station, at 16661 Yucca Street, Hesperia, San Bernardino County.

Parcel 6. Approximately 2 acres with improvements thereon, known as the Valley Center Forest Fire Station, located at 28741 Cole Grade Road, Valley Center, San Diego County.

SEC. 2. Notices of every public auction or bid opening shall be posted on the property to be sold under this act and shall be published in a newspaper of general circulation published in the county in which the real property to be sold is situated.

SEC. 3. Any sale, exchange, sale combined with an exchange, lease, or transfer of the parcels described in this act is exempt from Chapter 3 (commencing with Section 21100) to Chapter 6

(commencing with Section 21165), inclusive, of Division 13 of the Public Resources Code.

~~SEC. 3.~~

SEC. 4. The Department of General Services shall be reimbursed for any cost or expense incurred in the disposition of the parcels described in Section 1 of this act from the net proceeds of the disposition of these or any other surplus parcels.

~~SEC. 4.~~

SEC. 5. As to any property described in Section 1 sold pursuant to this act consisting of 15 acres or less, the Director of General Services shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, below a depth of 500 feet, without surface rights of entry. As to property sold pursuant to this act consisting of more than 15 acres, the Director of General Services shall except and reserve to the state all mineral deposits, as defined in Section 6407 of the Public Resources Code, together with the right to prospect for, mine, and remove the deposits. The rights to prospect for, mine, and remove the deposits shall be limited to those areas of the property conveyed that the director, after consultation with the State Lands Commission, determines to be reasonably necessary for the removal of the deposits.

~~SEC. 5.~~

SEC. 6. Unless otherwise provided by law, the net proceeds of any moneys received from the disposition of any parcels described in Section 1 of this act shall be allocated consistent with Section 9 of Article III of the California Constitution.

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