

## CHAPTER 1253

*An act to amend Sections 3, 12, and 22 of Chapter 1333 of the Statutes of 1968, relating to the Burton Act.*

[Approved by Governor October 27, 1971. Filed with Secretary of State October 27, 1971.]

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

SECTION 1. Section 3 of Chapter 1333 of the Statutes of 1968 is amended to read:

Sec. 3. The City and County of San Francisco, through a Harbor Commission of the City and County of San Francisco, shall have complete authority, except as otherwise agreed to as a condition of the transfer and as provided in this act, to use, conduct, operate, maintain, manage, regulate, improve and control the Harbor of San Francisco and to do all things it deems necessary in connection with the use, conduct, operation, management, maintenance, regulation, improvement and control of said harbor which are not prohibited by the laws of the State of California or the Charter of the City and County of San Francisco and which are in conformance with the terms of

this act, including, without limiting the generality of the foregoing, the following:

1. The improvement and conduct of the harbor and the construction, reconstruction, repair and operation of all works, buildings, facilities, utilities, structures and appliances, incidental, necessary or convenient for the promotion and accommodation of commerce and navigation;
2. The use for all commerce and industrial purposes and the construction, reconstruction, repair, maintenance of commercial and industrial buildings, plants and facilities;
3. The establishment, improvement and conduct of railroad and aviation facilities and all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and conduct of air commerce and navigation and railroad transportation;
4. The construction, reconstruction, repair, maintenance and operation of public buildings, parks, playgrounds, public educational and recreation facilities and all works, buildings, facilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses;
5. The preservation or restoration of marine resources consistent with the primary mission of the San Francisco Harbor;
6. The grant of franchises thereof for limited periods not exceeding 66 years for wharves and other public uses and purposes and the lease of said lands, facilities, or any part thereof for limited periods not exceeding 66 years, and the collection and retention of rents and other revenues from such leases, franchises, permits, licenses, and privileges. Such lease or leases, franchises, permits, licenses, and privileges shall be for purposes consistent with the trusts upon which the lands are held by the state and with the requirements of commerce and navigation, or if the Harbor Commission of the City and County of San Francisco determines that any portion of the transferred lands is not required for the foregoing uses described in this section, such lease or leases, franchises, permits, licenses, and privileges, may be for the purposes of such development and use as the commission finds to be in the public interest, with moneys derived therefrom to be used by the commission in the furtherance of commerce and navigation. The moneys derived from such lease or leases, franchises, permits, licenses, and privileges shall be used solely for the furtherance of the purposes specified by this act.

Sec. 2. Section 12 of Chapter 1333 of the Statutes of 1968 is amended to read:

Sec. 12. San Francisco Harbor and facilities shall be under the administration and control of the Harbor Commission of the City and County of San Francisco which shall be established in accordance with the provisions of the Charter of the City and County of San Francisco. The commission shall consist of five members, each member serving for a term of four

years. Except as hereinafter provided, each of said members shall be appointed by the mayor, said appointment being subject to confirmation by the Board of Supervisors of the City and County of San Francisco. In order that there be no interruption in the orderly operation and management of San Francisco Harbor, the incumbent members of the San Francisco Port Authority shall serve as the initial members of the commission for periods corresponding to the unexpired portions of their respective terms as members of the San Francisco Port Authority.

SEC. 3. Section 22 of Chapter 1333 of the Statutes of 1968 is amended to read:

Sec. 22. On or before August 14, 2003, the lands transferred pursuant to this act shall be substantially improved by the city and county without expense to the state, and the city and county shall issue bonds in the amount of at least twenty-five million dollars (\$25,000,000) for harbor purposes. If the Department of Finance determines that the city and county has failed to improve the lands as herein required and issue such bonds as herein required, all right, title, and interest of the city and county in and to all such lands shall cease and the lands shall revert and rest in the state.