

MINUTE ITEM

7/24/75
SCL

5. PUBLIC HEARING CONCERNING CEDING OF CONCURRENT JURISDICTION TO THE UNITED STATES BUREAU OF PRISONS AT THE METROPOLITAN CORRECTION CENTER, SAN DIEGO COUNTY - W 20958.

After consideration of Calendar Item 3 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. AUTHORIZES THE STATE LANDS DIVISION STAFF TO HOLD A PUBLIC HEARING PURSUANT TO GOVERNMENT CODE SECTION 126 AND THE RULES AND REGULATIONS OF THE COMMISSION FOR THE PURPOSE OF DETERMINING WHETHER IT IS IN THE BEST INTEREST OF THE STATE TO CEDE CONCURRENT JURISDICTION TO THE UNITED STATES BUREAU OF PRISONS OF THE PARCEL OF LAND AT THE METROPOLITAN CORRECTION CENTER, SAN DIEGO, CALIFORNIA.
2. APPROVES THE CONTRACT BETWEEN THE STATE LANDS COMMISSION AND THE U. S. BUREAU OF PRISONS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, TO REIMBURSE THE STATE LANDS COMMISSION FOR COSTS PURSUANT TO THE REQUEST OF THE BUREAU OF PRISONS FOR CEDING CONCURRENT JURISDICTION.

Attachment:

Calendar Item 3 (1 page)

CEDING OF CONCURRENT JURISDICTION

Government Code Section 126 provides for cession of jurisdiction by the State of land within this State whenever the United States has requested in writing that the State cede such concurrent jurisdiction. Section 126 also provides for the State Lands Commission, after a public hearing, to determine that the ceding of such concurrent jurisdiction is in the best interest of the State. The section further provides that the State Lands Commission shall be reimbursed for all costs by the agency requesting the ceding of concurrent jurisdiction.

On May 2, 1975, Edward H. Levi, Attorney General of the United States, addressed a letter to the State Lands Commission requesting that the State of California cede concurrent jurisdiction over the Metropolitan Correctional Center, San Diego, California. Also submitted was a contract executed by the United States Bureau of Prisons reimbursing the State Lands Commission for the costs incurred pursuant to the request for ceding of concurrent jurisdiction.

This request by the U. S. Department of Justice, Bureau of Prisons, is pursuant to 40 U.S.C. 255.

Based upon the foregoing, it is necessary that the State Lands Commission hold a public hearing to determine whether ceding of concurrent jurisdiction of such lands is in the best interest of the State. Notice of such hearing is to be published pursuant to Section 6061 of the Government Code in the County of San Diego. After the hearing, the matter will be brought back before the Commission for its determination of State interest.

EXHIBITS: A. Location Map. B. Contract.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE STATE LANDS DIVISION STAFF TO HOLD A PUBLIC HEARING PURSUANT TO GOVERNMENT CODE SECTION 126 AND THE RULES AND REGULATIONS OF THE COMMISSION FOR THE PURPOSE OF DETERMINING WHETHER IT IS IN THE BEST INTEREST OF THE STATE TO CEDE CONCURRENT JURISDICTION TO THE UNITED STATES BUREAU OF PRISONS OF THE PARCEL OF LAND AT THE METROPOLITAN CORRECTION CENTER, SAN DIEGO, CALIFORNIA.
2. APPROVE THE CONTRACT BETWEEN THE STATE LANDS COMMISSION AND THE U. S. BUREAU OF PRISONS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, TO REIMBURSE THE STATE LANDS COMMISSION FOR COSTS PURSUANT TO THE REQUEST OF THE BUREAU OF PRISONS FOR CEDING CONCURRENT JURISDICTION.