
Introduced by Senator Romero

February 19, 2003

An act to amend Sections 605 and 706 of, and to repeal Section 705 of, the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 334, as introduced, Romero. San Gabriel Basin Water Quality Authority.

(1) Existing law, the San Gabriel Basin Water Quality Authority Act, establishes the San Gabriel Basin Water Quality Authority and provides for its powers and duties. Existing law requires the State Water Resources Control Board, on or before January 1, 2004, to report to the Legislature on the progress of the authority relating to groundwater management and other actions undertaken by the authority. Existing law, with certain exceptions, repeals the act on July 1, 2005. Existing law authorizes the authority to impose an annual pumping right assessment, not to exceed \$13 per acre-foot, to construct facilities and acquire property, and for other purposes.

This bill would repeal the provision relating to the report. The bill would change the repeal date to July 1, 2010, thereby imposing a state-mandated local program by extending the period of time in which the authority and other local public entities are required to carry out various duties under the act. The bill would authorize the authority to impose that annual pumping right assessment in an amount that does not exceed \$10 per acre-foot.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that

reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 605 of the San Gabriel Basin Water
2 Quality Act (Chapter 776 of the Statutes of 1992) is amended to
3 read:

4 Sec. 605. The authority may impose an annual pumping right
5 assessment, not to exceed ~~thirteen dollars (\$13)~~ *ten dollars (\$10)*
6 per acre-foot, to construct facilities and acquire property, to retire
7 promissory notes, bond anticipation notes, bonds and certificate of
8 participation and other evidences of indebtedness, to pay for
9 administrative costs, and to pay for operations and maintenance of
10 projects constructed by and for the authority. The authority shall
11 impose an assessment pursuant to this section for operation and
12 maintenance purposes only if, and to the extent that, money for
13 operation and maintenance purposes is not received from other
14 sources after reasonable efforts have been made to secure that
15 funding. However, no assessment shall be imposed for water
16 extracted pursuant to a conjunctive use storage agreement between
17 the producer and the water master, which the authority has
18 approved.

19 SEC. 2. Section 705 of the San Gabriel Water Basin Quality
20 Act (Chapter 776 of the Statutes of 1992) is repealed.

21 ~~Sec. 705. On or before January 1, 2004, the State Water
22 Resources Control Board, in consultation with the Los Angeles
23 Regional Water Quality Control Board, shall report to the
24 Legislature on the progress of the authority with regard to actions
25 undertaken pursuant to Article 4 (commencing with Section 401);
26 and any recommendations regarding actions for improving the
27 progress of the authority.~~

1 SEC. 3. Section 706 of the San Gabriel Basin Water Quality
2 Authority Act (Chapter 776 of the Statutes of 1992) is amended to
3 read:

4 Sec. 706. (a) Except as provided in this section, this act shall
5 remain in effect only until July 1, ~~2005~~ 2010, and as of that date
6 is repealed, unless a later enacted statute, which is enacted before
7 July 1, ~~2005~~ 2010, deletes or extends that date.

8 (b) Upon the repeal of this act, the assets and debts of the
9 authority shall be administered as follows:

10 (1) The Los Angeles Regional Water Quality Control Board
11 shall dispose of the property and assets as appropriate. The Los
12 Angeles Regional Water Quality Control Board shall receive
13 reimbursement for actual costs incurred related to the disposition
14 of the property and assets. The cost recovery shall be from the
15 proceeds of the disposition pursuant to this section. The proceeds,
16 if any, of the disposition shall be transferred to the Treasurer to be
17 applied to pay the debts of the authority and, if any proceeds
18 remain, shall be transferred to the Treasurer for deposit in the
19 Hazardous Substance Cleanup Fund for use in financing
20 groundwater contamination investigation and remediation in the
21 basin. Preference shall be given in the disposition of assets of the
22 authority to transfers to producers who may be able to use the
23 assets for the benefit of water distribution systems and to provide
24 for continued operation and maintenance of the assets in order to
25 further the purposes of this act.

26 (2) The Treasurer shall administer the payment of debts of the
27 authority. The Treasurer shall apply the proceeds from the
28 disposition of assets to the payment of the debts. If debts remain
29 after application of the proceeds from disposition of assets, the
30 Treasurer may continue to collect, in lieu of the authority, the
31 pumping right assessments authorized under either (A) Section
32 602 if the debt relates to administrative costs or (B) Section 605
33 if the debt is to repay warrants, notes, bonds, and other evidences
34 of indebtedness, or both, to make payments pursuant to leases or
35 installment sale agreements in connection with certificates of
36 participation, to pay for operation and maintenance costs of
37 facilities, and to make payments pursuant to any other financial
38 obligations. All provisions set forth in Article 6 (commencing with
39 Section 601) relating to the levy and collection of the pumping
40 right assessments are not repealed and shall continue in effect until

1 the debts of the authority are paid, as determined by the Treasurer,
2 who shall notify the Secretary of State. Upon receipt by the
3 Secretary of State of the Treasurer's notice, Article 6
4 (commencing with Section 601) is repealed. The Treasurer's
5 authority to levy and collect assessments under this act is limited
6 according to the provisions of this act and shall cease when all
7 debts of the authority have been paid.

8 SEC. 4. Notwithstanding Section 17610 of the Government
9 Code, if the Commission on State Mandates determines that this
10 act contains costs mandated by the state, reimbursement to local
11 agencies and school districts for those costs shall be made pursuant
12 to Part 7 (commencing with Section 17500) of Division 4 of Title
13 2 of the Government Code. If the statewide cost of the claim for
14 reimbursement does not exceed one million dollars (\$1,000,000),
15 reimbursement shall be made from the State Mandates Claims
16 Fund.
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