

AMENDED IN SENATE JUNE 17, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2775**

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**Introduced by ~~Committee on Water, Parks and Wildlife (Huffman (Chair), Fuller (Vice Chair), Anderson, Arambula, Tom Berryhill, Blumenfield, Caballero, Fletcher, Bonnie Lowenthal, Salas, and Yamada) Assembly Member Huffman~~**  
*(Principal coauthor: Senator Cogdill)*

March 1, 2010

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~~An act to repeal Section 2150.5 of the Fish and Game Code, relating to permits. An act to amend Section 79749 of the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2775, as amended, ~~Committee on Water, Parks and Wildlife Huffman. Permits: restricted animals. Safe, Clean, and Reliable Drinking Water Supply Act of 2010: surface storage projects: joint powers authorities.~~

*(1) Existing law creates the Safe, Clean, and Reliable Drinking Water Supply Act of 2010, which, if approved by the voters at the November 2, 2010, statewide general election, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. The bond act, among other things, would continuously appropriate \$3,000,000,000 to the California Water Commission for specified water projects, including surface storage projects identified in the CALFED Bay-Delta Program Record of Decision, dated August 28, 2000, except as specified. Funds allocated for this purpose are authorized by the bond act to be provided to local*

*joint powers authorities formed by irrigation districts and other local water districts and local governments located within the applicable hydrologic region to design, acquire, and construct those projects.*

*The bond act would also require the Department of Water Resources to be an ex-officio member of each joint powers authority, prohibit the department from controlling the governance, management, or operation of the surface water storage project, and authorize the joint powers authorities to include in their membership governmental and nongovernmental partners that are not located within their respective hydrologic regions in financing the surface storage projects, including, as appropriate, cost share participation or equity participation.*

*This bill would delete the above requirement and prohibition on the department, and would delete the above authorization for joint powers authorities, in connection with surface storage projects. The bill would require the Secretary of State to include the changes made by this bill when submitting to the voters the Safe, Clean, and Reliable Drinking Water Supply Act of 2010, at the November 2, 2010, statewide general election.*

*(2) This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law grants to the Fish and Game Commission powers relating to the protection and propagation of fish and game. Existing law establishes the Department of Fish and Game in the Natural Resources Agency, and generally charges the department with the administration and enforcement of the Fish and Game Code. Existing law makes it unlawful to import, transport, possess, or release restricted animals without a permit. Existing law authorizes persons to possess specified restricted animals under a permit when the owner can demonstrate that the animal was legally acquired and possessed in the state before January 1, 1975.~~

~~This bill would repeal this permit authorization, thereby creating a new crime and imposing a state-mandated local program.~~

~~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.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

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

1     *SECTION 1. Section 79749 of the Water Code, as added by*  
2 *Chapter 3 of the Seventh Extraordinary Session of the Statutes of*  
3 *2009, is amended to read:*

4     79749. (a) The funds allocated for the design, acquisition, and  
5 construction of surface storage projects identified in the CALFED  
6 Bay-Delta Record of Decision, dated August 28, 2000, pursuant  
7 to this chapter may be provided for those purposes to local joint  
8 powers authorities formed by irrigation districts and other local  
9 water districts and local governments within the applicable  
10 hydrologic region to design, acquire, and construct those projects.

11     ~~(b) The joint powers authorities described in subdivision (a)~~  
12 ~~may include in their membership governmental and~~  
13 ~~nongovernmental partners that are not located within their~~  
14 ~~respective hydrologic regions in financing the surface storage~~  
15 ~~projects, including, as appropriate, cost share participation or equity~~  
16 ~~participation. The department shall be an ex-officio member of~~  
17 ~~each joint powers authority subject to this section, but the~~  
18 ~~department shall not control the governance, management, or~~  
19 ~~operation of the surface water storage projects.~~

20     (e)

21     (b) A joint powers authority subject to this section shall own,  
22 govern, manage, and operate a surface water storage project,  
23 subject to the requirement that the ownership, governance,  
24 management, and operation of the surface water storage project  
25 shall advance the purposes set forth in this chapter.

26     *SEC. 2. Notwithstanding Section 9040 of the Elections Code,*  
27 *the Secretary of State shall submit Section 79749 of the Water*  
28 *Code, as amended by Section 1 of this act, in place of Section*  
29 *79749, as added by Section 1 of Chapter 3 of the Seventh*  
30 *Extraordinary Session of the Statutes of 2009, in order that it is*  
31 *voted upon as part of the Safe, Clean, and Reliable Drinking Water*  
32 *Supply Act of 2010, at the November 2, 2010, statewide general*  
33 *election.*

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

1 *In order to enable the Secretary of State to make the changes*  
2 *required by this act at the earliest possible date, it is necessary*  
3 *that this act take effect immediately.*

4 ~~SECTION 1. Section 2150.5 of the Fish and Game Code is~~  
5 ~~repealed.~~

6 ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
7 ~~Section 6 of Article XIII B of the California Constitution because~~  
8 ~~the only costs that may be incurred by a local agency or school~~  
9 ~~district will be incurred because this act creates a new crime or~~  
10 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
11 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
12 ~~the Government Code, or changes the definition of a crime within~~  
13 ~~the meaning of Section 6 of Article XIII B of the California~~  
14 ~~Constitution.~~