

ASSEMBLY BILL

No. 983

Introduced by Assembly Member Perea

February 18, 2011

An act to amend Section 116760.40 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 983, as introduced, Perea. Safe Drinking Water State Revolving Fund.

Existing law, the California Safe Drinking Water Act, requires the State Department of Public Health to administer provisions relating to the regulation of drinking water to protect public health, including, but not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water, enforcing the federal Safe Drinking Water Act, adopting and enforcing regulations, and conducting studies and investigations to assess the quality of water in domestic water supplies.

Existing law establishes the Safe Drinking Water State Revolving Fund, which is continuously appropriated to the department for the provision of grants and revolving fund loans to provide for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law authorizes the department to establish specified separate accounts or subaccounts within the fund.

This bill would make technical, nonsubstantive changes to these provisions.

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

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

- 1 SECTION 1. Section 116760.40 of the Health and Safety Code
- 2 is amended to read:
- 3 116760.40. The department may undertake any of the following
- 4 actions to implement the Safe Drinking Water State Revolving
- 5 Fund:
- 6 (a) Enter into agreements with the federal government for federal
- 7 contributions to the fund.
- 8 (b) Accept federal contributions to the fund.
- 9 (c) Use moneys in the fund for the purposes permitted by the
- 10 federal act.
- 11 (d) Provide for the deposit of matching funds and other available
- 12 and necessary moneys into the fund.
- 13 (e) Make requests, on behalf of the state, for deposit into the
- 14 fund of available federal moneys under the federal act.
- 15 (f) Determine, on behalf of the state, that public water systems
- 16 that receive financial assistance from the fund will meet the
- 17 requirements of, and otherwise be treated as required by, the federal
- 18 act.
- 19 (g) Provide for appropriate audit, accounting, and fiscal
- 20 management services, plans, and reports relative to the fund.
- 21 (h) Take additional incidental action as may be appropriate for
- 22 adequate administration and operation of the fund.
- 23 (i) Enter into an agreement with, and accept matching funds
- 24 from, a public water system. A public water system that seeks to
- 25 enter into an agreement with the department and provide matching
- 26 funds pursuant to this subdivision shall provide to the department
- 27 evidence of the availability of those funds in the form of a written
- 28 resolution, or equivalent document, from the public water system
- 29 before it requests a preliminary loan commitment.
- 30 (j) Charge public water systems that elect to provide matching
- 31 funds a fee to cover the actual cost of obtaining the federal funds
- 32 pursuant to Section 1452(e) of the federal act (42 U.S.C. Sec.
- 33 300j-12) and to process the loan application. The fee shall be
- 34 waived by the department if sufficient funds to cover those costs
- 35 are available from other sources.
- 36 (k) Use money returned to the fund under Section 116761.85
- 37 and any other source of matching funds, if not prohibited by statute,

1 as matching funds for the federal administrative allowance under
2 Section 1452(g) of the federal act (42 U.S.C. Sec. 300j-12).

3 (l) Establish separate accounts or subaccounts, as required or
4 allowed in the federal act and related guidance, for funds to be
5 used for *the* administration of the fund and other purposes. ~~Within~~
6 ~~the fund~~ *The* department shall establish the following accounts
7 *within the fund*, including, but not limited to:

8 (1) A fund administration account for state expenses related to
9 administration of the fund pursuant to Section 1452(g)(2) of the
10 federal act.

11 (2) A water system reliability account for department expenses
12 pursuant to Section 1452(g)(2)(A), (B), (C), or (D) of the federal
13 act.

14 (3) A source protection account for state expenses pursuant to
15 Section 1452(k) of the federal act.

16 (4) A small system technical assistance account for department
17 expenses pursuant to Section 1452(g)(2) of the federal act.

18 (5) A state revolving loan account pursuant to Section 1452(a)(2)
19 of the federal act.

20 (6) A wellhead protection account established pursuant to
21 Section 1452(a)(2) of the federal act.

22 (m) Deposit federal funds for administration and other purposes
23 into separate accounts or subaccounts, as allowed by the federal
24 act.

25 (n) Determine, on behalf of the state, whether sufficient progress
26 is being made toward compliance with the enforceable deadlines,
27 goals, and requirements of the federal act and the California Safe
28 Drinking Water Act, Chapter 4 (commencing with Section 116270).