

AMENDED IN ASSEMBLY APRIL 23, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1331

Introduced by ~~Assembly Member Hueso~~ *Committee on Water, Parks and Wildlife (Assembly Members Rendon (Chair), Blumenfield, Bocanegra, Fong, Frazier, Gatto, Gomez, Gray, and Yamada)*

February 22, 2013

An act to ~~amend Section 33139 of the Water Code, relating to drainage~~; *relating to water resources.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1331, as amended, ~~Hueso Committee on Water, Parks and Wildlife. Drainage: Coachella Valley County Water District. Water resources: Bay-Delta sustainability.~~

Existing law establishes various policies of the state relative to the Sacramento-San Joaquin Delta.

This bill would express findings and declarations including, among other things, that the November 2014 ballot currently includes a bond measure for \$11.14 billion to fund projects related to water, and that it is in the public interest to pass a general obligation bond that includes, but is not limited to, grants and loans to state and local agencies to help fund needed improvements to Delta sustainability, healthy watersheds, and aquatic ecosystems. The bill would additionally require the Delta Stewardship Council, on or before July 1, 2014, to initiate and complete a comprehensive study on the financial needs for state funding for implementation of the Delta Plan.

~~The County Water District Law governs the operations of the Coachella Valley County Water District. The County Water District Law authorizes a district to drain and reclaim lands within the district either by surface or underground works or both and to acquire, by appropriation or other lawful means, and divert, store, conserve, transport, or dispose of water resulting from these activities. Under existing law, the district is authorized to raise funds by special assessment on benefited land in proportion to the benefits derived by the benefited lands, as prescribed.~~

~~Article XIII C and Article XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Existing law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Article XIII C and Article XIII D of the California Constitution.~~

~~This bill would specify that the district is authorized to raise funds by special assessment pursuant to the Proposition 218 Omnibus Implementation Act, or by adopting prescribed property related fees and charges.~~

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

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

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) The November 2014 ballot currently includes a bond*
- 4 *measure for \$11.14 billion to fund projects related to water supply*
- 5 *reliability, water quality, Sacramento-San Joaquin Delta*
- 6 *sustainability, watershed conservation and protection, and water*
- 7 *recycling.*
- 8 *(b) The watersheds and aquatic ecosystems of California are*
- 9 *unique and irreplaceable environmental and economic resources,*
- 10 *including the Sacramento-San Joaquin Delta, the largest estuary*
- 11 *on the west coast. Investments in the state's watersheds can provide*
- 12 *regional and statewide benefits for cities, farms, industries, and*
- 13 *wildlife, including protecting water quality and sustainability,*
- 14 *improving flood control, and providing habitat and recreation.*

1 (c) *It is in the public interest to pass a general obligation bond*
2 *that includes, but is not limited to, grants and loans to state and*
3 *local agencies to help fund needed improvements to Delta*
4 *sustainability, healthy watersheds, and aquatic ecosystems. In*
5 *order to balance and prioritize the appropriate amount of state*
6 *funding necessary to accomplish these improvements, the*
7 *Legislature requires additional information.*

8 SEC. 2. *After adoption of the Delta Plan, as required by Section*
9 *85300 of the Water Code, the Delta Stewardship Council shall*
10 *initiate and complete a comprehensive study of the financial needs*
11 *for state funding for implementation of the Delta Plan. The council*
12 *shall report to the Legislature on the Delta's financing needs by*
13 *July 1, 2014.*

14 SECTION 1. ~~Section 33139 of the Water Code is amended to~~
15 ~~read:~~

16 ~~33139. Notwithstanding anything contained in this part, the~~
17 ~~surviving district may provide for and carry on the construction,~~
18 ~~operation, and maintenance of works, improvements, and functions~~
19 ~~authorized by the Storm Water District Act of 1909 either as~~
20 ~~authorized in that act or as authorized by this division. The district~~
21 ~~may raise funds for these purposes in any manner authorized or~~
22 ~~permitted by either the Storm Water District Act of 1909 or this~~
23 ~~division, and is specifically authorized to raise funds by special~~
24 ~~assessment on benefited land in proportion to the benefits derived~~
25 ~~by the benefited lands pursuant to Section 53753 of the~~
26 ~~Government Code, or by adopting fees and charges pursuant to~~
27 ~~Section 6 of Article XIII D of the California Constitution.~~