

AMENDED IN ASSEMBLY JUNE 6, 2013

SENATE BILL

No. 429

Introduced by Senator Hernandez

(Coauthor: Senator Huff)

(Coauthors: Assembly Members Ian Calderon and Chau)

February 21, 2013

An act to amend Section 1 of Chapter 776 of the Statutes of 1992, relating to the San Gabriel Basin Water Quality Authority Act.

LEGISLATIVE COUNSEL'S DIGEST

SB 429, as amended, Hernandez. San Gabriel Basin Water Quality Authority Act.

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 repeals the act on July 1, 2017. Upon the act's repeal, existing law prescribes various requirements for the administration of the authority's debts and assets.

This bill would extend the July 1, 2017, date of repeal of the act to July 1, 2030, 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 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. 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 1 of the San Gabriel Basin Water Quality
2 Authority Act (Chapter 404 of the Statutes of 2007) is amended
3 to read:

4 Section 1. Section 706 of the San Gabriel Basin Water Quality
5 Authority Act (Chapter 776 of the Statutes of 1992), as amended
6 by Section 3 of Chapter 192 of the Statutes of 2003, is amended
7 to read:

8 Sec.706. (a) Except as provided in this section, this act shall
9 remain in effect ~~only~~ until July 1, 2030, and as of that date is
10 repealed, unless a later enacted statute, which is enacted before
11 July 1, 2030, deletes or extends that date.

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

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

30 (2) The Treasurer shall administer the payment of debts of the
31 authority. The Treasurer shall apply the proceeds from the
32 disposition of assets to the payment of the debts. If debts remain
33 after application of the proceeds from disposition of assets, the
34 Treasurer may continue to collect, in lieu of the authority, the
35 pumping right assessments authorized under Section 605 if the
36 debt is to repay warrants, notes, bonds, and other evidences of
37 indebtedness to make payments pursuant to leases or installment
38 sale agreements in connection with certificates of participation, to

1 pay for operation and maintenance costs of facilities, and to make
2 payments pursuant to any other financial obligations. All provisions
3 set forth in Article 6 (commencing with Section 601) relating to
4 the levy and collection of the pumping right assessments are not
5 repealed and shall continue in effect until the debts of the authority
6 are paid, as determined by the Treasurer, who shall notify the
7 Secretary of State. Upon receipt by the Secretary of State of the
8 Treasurer's notice, Article 6 (commencing with Section 601) is
9 repealed. The Treasurer's authority to levy and collect assessments
10 under this act is limited according to the provisions of this act and
11 shall cease when all debts of the authority have been paid.

12 SEC. 2. No reimbursement is required by this act pursuant to
13 Section 6 of Article XIII B of the California Constitution because
14 the only costs that may be incurred by a local agency or school
15 district are the result of a program for which legislative authority
16 was requested by that local agency or school district, within the
17 meaning of Section 17556 of the Government Code and Section
18 6 of Article XIII B of the California Constitution.