

AMENDED IN ASSEMBLY APRIL 29, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1061

Introduced by Assembly Member Gallagher

February 26, 2015

An act to amend Section 8504 of the Water Code, relating to flood control, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1061, as amended, Gallagher. Sacramento and San Joaquin Drainage District: powers.

Existing law grants to the Central Valley Flood Protection Board ~~(board)~~ the authority to carry out various flood control activities, including the authority to construct, maintain, and operate ditches, canals, pumping plants, and other drainage works. Existing law requires revenues, rents, and proceeds from sale of crops from lands under the control of the board be paid into the State Treasury, as specified, with the balance of the revenues, rents, and proceeds going to the credit of the General Fund.

Existing law establishes the Sacramento and San Joaquin Drainage District under the administration of the board for the purposes of carrying out specified flood management activities within the boundaries of the district. Existing law authorizes the district to acquire, own, hold, use, and enjoy any and all properties necessary for the purposes of the district. Existing law requires all moneys collected upon sales or otherwise be deposited in the Sacramento and San Joaquin Drainage District Fund, as specified. Existing law requires moneys in the Sacramento and San Joaquin Drainage District Fund be paid out upon

warrants of the Controller and requires the Controller to issue warrants upon the funds whenever drafts of the board are presented.

This bill would additionally authorize the district to sell, lease, ~~or~~ rent, or otherwise dispose of a ~~right-of-way~~, *right-of-way*, easement, or property, as specified, and to take, receive, and apply for purposes of flood control the income, profit, and revenue received from the sale, lease, rental, or other disposal. By adding a new source of revenue to a continuously appropriated fund, this bill would make an appropriation.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Sacramento and San Joaquin Drainage District.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 8504 of the Water Code is amended to
2 read:

3 8504. The district, and any successor ~~of the land of~~ to the
4 district, may do all of the following:

5 (a) Acquire, own, hold, use, and enjoy any and all properties
6 necessary for the purposes of the district.

7 (b) Sell or otherwise dispose of a ~~right-of-way~~, *right-of-way*,
8 easement, or property when the district determines that the ~~right~~
9 ~~of-way~~, *right-of-way*, easement, or property ~~are~~ *is* no longer
10 necessary for the purposes of this division.

11 (c) Lease or rent a ~~right-of-way~~, *right-of-way*, easement, or
12 property.

13 (d) Take, receive, or apply, for the purposes and objectives of
14 this division, the income, profit, or revenue received from the sale,
15 lease, rental, or other disposal.

16 SEC. 2. The Legislature finds and declares that a special law
17 is necessary and that a general law cannot be made applicable
18 within the meaning of Section 16 of Article IV of the California
19 Constitution because the Sacramento and San Joaquin Drainage
20 District was created, and is operated, for the limited purpose of
21 carrying out a general flood control project for the Sacramento
22 and San Joaquin Rivers and their tributaries.

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