

AMENDED IN SENATE AUGUST 22, 2000
AMENDED IN SENATE AUGUST 14, 2000
AMENDED IN SENATE AUGUST 7, 2000
AMENDED IN ASSEMBLY MAY 17, 2000
AMENDED IN ASSEMBLY MAY 4, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2544

Introduced by Assembly Member Calderon

February 24, 2000

An act to amend Sections 304, 313, 502, 506, 507, 508, 705, and 706 of, and to add Sections 314.5 and 503.1 to, the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2544, as amended, Calderon. San Gabriel Basin Water Quality Authority Act.

(1) The San Gabriel Basin Water Quality Authority Act authorizes the San Gabriel Water Basin Quality Authority to plan, finance, and implement groundwater remediation activities, as prescribed. The act requires the board of the authority to be composed of seven members.

This bill would require the appointment of two additional producer members, as defined, and their alternates, pursuant to specified procedures and would prescribe their terms of office.

(2) The act provides for the authority to assume a limited status function under certain circumstances and, except for provisions relating to the disposition of the property and assets of the authority, repeals the act on July 1, 2002.

This bill, instead, would extend the repeal date to July 1, 2004.

(3) Existing law requires the Los Angeles Regional Water Quality Control Board to report to the Legislature on or before January 1, 1997, on the progress of the authority with regard to prescribed actions of the authority.

This bill would, instead, require the board to report to the Legislature on or before January 1, 2002, and would require the report to contain recommendations for improving the progress of the authority.

(4) By imposing requirements on the authority, the bill would impose a state-mandated local program.

~~(5) 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions. — 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 304 of the San Gabriel Basin
2 Water Quality Authority Act (Chapter 776 of the Statutes
3 of 1992) is amended to read:

4 Sec. 304. “Board member” or “member” means a
5 member of the board.

6 (a) “Alternate member” or “alternate” means the
7 nominee receiving the second highest number of votes in
8 an election of a city member or the person appointed by
9 a water district to act in the place of a member if that
10 member is absent or the member has vacated the office.

11 (b) “City member” means a member elected by the
12 cities with pumping rights or the cities without pumping
13 rights.

14 (c) “Water district member” means a member
15 appointed by one of the water districts.

16 (d) “Producer member” means a member who,
17 pursuant to the judgment, is a designee of a producer,
18 other than a water district described in Section 503 or a
19 city described in Section 504, that is a holder of not less
20 than 5 percent of the prescriptive pumping rights in the
21 basin.

22 SEC. 2. Section 313 of the San Gabriel Basin Water
23 Quality Authority Act (Chapter 776 of the Statutes of
24 1992) is amended to read:

25 Sec. 313. “Public water system” means any entity that
26 operates a public water system, as defined in Section
27 116275 of the Health and Safety Code.

28 SEC. 3. Section 314.5 is added to the San Gabriel Basin
29 Water Quality Authority Act (Chapter 776 of the Statutes
30 of 1992), to read:

31 314.5. “Water association” means the San Gabriel
32 Valley Water Association.

33 SEC. 4. Section 502 of the San Gabriel Basin Water
34 Quality Authority Act (Chapter 776 of the Statutes of
35 1992) is amended to read:

36 Sec. 502. (a) The board shall be composed of seven
37 members, three of whom are appointed by the water
38 districts, two of whom are elected by the cities, and two



1 of whom are producer members appointed pursuant to
2 Section 503.1.

3 (b) No person who, directly or indirectly, at the time
4 of election or appointment, receives, or during the
5 two-year period immediately preceding election or
6 appointment received, 10 percent or more of his or her
7 income from any person or public entity subject to
8 regulation by, or that receives grants from or contracts for
9 work with, the authority may serve as a member of the
10 authority.

11 SEC. 5. Section 503.1 is added to the San Gabriel Basin
12 Water Quality Authority Act (Chapter 776 of the Statutes
13 of 1992), to read:

14 503.1. Two producer members and two alternates
15 shall be appointed by the board of directors of the Water
16 Association.

17 SEC. 6. Section 506 of the San Gabriel Basin Water
18 Quality Authority Act (Chapter 776 of the Statutes of
19 1992) is amended to read:

20 Sec. 506. An alternate member shall act in the place,
21 and perform all of the duties, of the city member,
22 producer member, or water district member selected by
23 the same cities or water district if that city member,
24 producer member, or water district member is absent
25 from a meeting of the authority or has vacated his or her
26 office until the vacancy is filled pursuant to this act.

27 SEC. 7. Section 507 of the San Gabriel Basin Water
28 Quality Authority Act (Chapter 776 of the Statutes of
29 1992) is amended to read:

30 Sec. 507. (a) Except as provided in subdivisions (b)
31 and (c), the terms of the members shall commence on the
32 first Monday in January and each member shall hold
33 office for a term of four years and until the successor takes
34 office.

35 (b) With respect to the initial board members, the
36 terms of the member appointed by the Three Valleys
37 Municipal Water District and the member elected by the
38 cities without pumping rights shall expire on January 1,
39 1995, and the terms of the remaining members shall
40 expire on January 1, 1997.



1 (c) The terms of the initial producer members and
2 alternates shall commence on the first business day after
3 the appointment of the producer members and
4 alternates. The terms of the initial producer members
5 and alternates shall expire on the fourth January 1
6 following commencement of their term.

7 SEC. 8. Section 508 of the San Gabriel Basin Water
8 Quality Authority Act (Chapter 776 of the Statutes of
9 1992) is amended to read:

10 Sec. 508. Any vacancy in the office of a member shall
11 be filled as follows:

12 (a) A vacancy in the office of a member or alternate
13 who was appointed by a water district shall be filled by the
14 appointing water district by a resolution adopted by a
15 majority vote of the district governing board. The person
16 appointed to fill the vacancy shall meet the qualifications
17 applicable to the vacant office and shall serve for the
18 remaining term of the vacant office.

19 (b) A vacancy in the office of a member or alternate
20 who was elected by cities shall be filled by a special
21 election called by the authority. Only those cities which
22 elected the member or alternate to the office in which the
23 vacancy has occurred are eligible to vote. Nominations
24 and balloting shall be conducted in the same manner as
25 a regular election, except that the date of the election and
26 time periods shall be as prescribed by the authority. The
27 member or alternate elected to fill a vacancy shall meet
28 the qualifications applicable to the vacant office and shall
29 serve for the remaining term of the vacant office.

30 (c) A vacancy in the office of a producer member or
31 alternate who was appointed by the board of directors of
32 the Water Association shall be filled pursuant to Section
33 503.1.

34 SEC. 9. Section 705 of the San Gabriel Water Basin
35 Quality Act (Chapter 776 of the Statutes of 1992) is
36 amended to read:

37 Sec. 705. On or before January 1, 2002, the Los
38 Angeles Regional Water Quality Control Board shall
39 report to the Legislature on the progress of the authority
40 with regard to actions undertaken pursuant to Article 4



1 (commencing with Section 401), and any
2 recommendations regarding actions for improving the
3 progress of the authority.

4 SEC. 10. Section 706 of the San Gabriel Basin Water
5 Quality Authority Act (Chapter 776 of the Statutes of
6 1992) is amended to read:

7 Sec. 706. (a) Except as provided in this section, this
8 act shall remain in effect only until July 1, 2004, and as of
9 that date is repealed, unless a later enacted statute, which
10 is enacted before July 1, 2004, deletes or extends that date.

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

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

32 (2) The Treasurer shall administer the payment of
33 debts of the authority. The Treasurer shall apply the
34 proceeds from the disposition of assets to the payment of
35 the debts. If debts remain after application of the
36 proceeds from disposition of assets, the Treasurer may
37 continue to collect, in lieu of the authority, the pumping
38 right assessments authorized under either (A) Section
39 602 if the debt relates to administrative costs or (B)
40 Section 605 if the debt is to repay warrants, notes, bonds,



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

18 ~~SEC. 11. Notwithstanding Section 17610 of the~~
 19 ~~Government Code, if the Commission on State Mandates~~
 20 ~~determines that this act contains costs mandated by the~~
 21 ~~state, reimbursement to local agencies and school~~
 22 ~~districts for those costs shall be made pursuant to Part 7~~
 23 ~~(commencing with Section 17500) of Division 4 of Title~~
 24 ~~2 of the Government Code. If the statewide cost of the~~
 25 ~~claim for reimbursement does not exceed one million~~
 26 ~~dollars (\$1,000,000), reimbursement shall be made from~~
 27 ~~the State Mandates Claims Fund.~~

28 *SEC. 11. No reimbursement is required by this act*
 29 *pursuant to Section 6 of Article XIII B of the California*
 30 *Constitution because a local agency or school district has*
 31 *the authority to levy service charges, fees, or assessments*
 32 *sufficient to pay for the program or level of service*
 33 *mandated by this act, within the meaning of Section 17556*
 34 *of the Government Code.*

