

AMENDED IN SENATE AUGUST 25, 2011

AMENDED IN SENATE AUGUST 16, 2011

AMENDED IN SENATE JULY 1, 2011

AMENDED IN SENATE JUNE 23, 2011

AMENDED IN ASSEMBLY MAY 10, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 656

Introduced by Assembly Member Huber

February 16, 2011

An act to repeal Article 5 (commencing with Section 14380) of Chapter 3 of Division 5 of the Financial Code, *to amend Section 4351 of the Food and Agricultural Code*, to amend Sections 8164.1, 8164.2, 8164.3, and 11121.1 of the Government Code, to amend Sections 62.9, 63.6, 71.4, 71.7, 72.6, 76.5, and 76.6 of, to amend the heading of Division 1 (commencing with Section 30) of, to repeal Sections 31 and 704 of, and to repeal Chapter 3 (commencing with Section 80) of Division 1 of, the Harbors and Navigation Code, ~~to amend Sections 1777, 1777.2, and 1777.4 of the Health and Safety Code~~, and to amend Sections 5073.5, 5073.7, and 5074 of the Public Resources Code, relating to committees and commissions.

LEGISLATIVE COUNSEL'S DIGEST

AB 656, as amended, Huber. Committees and commissions: repeal.

(1) Existing law establishes the Credit Union Advisory Committee in the Department of Financial Institutions. The duties of this committee

include advising the commissioner and the Deputy Commissioner of Financial Institutions for the Division of Credit Unions on matters relating to credit unions and the credit union business.

Existing law establishes the Boating and Waterways Commission in the Department of Boating and Waterways. The duties of this committee include advising the department, recommending proposed changes to regulations, and causing studies and surveys to be made of the need for small craft harbors and connecting waterways throughout the state.

Existing law establishes the Joint Sunset Review Committee, which consists of 5 members from each house of the Legislature, to identify and eliminate waste, duplication, and inefficiency in government agencies. Existing law requires each eligible agency, as defined, that is scheduled for repeal, to submit to the committee an agency report, as provided. Existing law requires the committee to evaluate the agency prior to the date the agency is scheduled to be repealed.

This bill would, as of January 1, 2014, abolish the Credit Union Advisory Committee and the Boating and Waterways Commission and the duties and responsibilities carried out by each. The bill would make these changes operative with respect to each entity only if, prior to January 1, 2014, a review of that entity is conducted by the Joint Sunset Review Committee and the Joint Sunset Review Committee has notified the Secretary of State of this review.

(2) Existing law establishes the State Race Track Leasing Commission and repeals the commission on January 1, 2013.

This bill would delete the repeal date, thereby indefinitely extending the existence of the commission.

(2)

(3) Existing law establishes the Capitol Area Committee, ~~the Continuing Care Advisory Committee~~, and the California Recreational Trails Committee. Existing law repeals these commissions and committees on January 1, 2013.

This bill would provide that the repeal date would not take effect unless, prior to January 1, 2013, the particular commission or committee has been reviewed by the Joint Sunset Review Committee and that committee has notified the Secretary of State of this review.

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

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

1 SECTION 1. Article 5 (commencing with Section 14380) of
2 Chapter 3 of Division 5 of the Financial Code is repealed.

3 SEC. 2. Section 4351 of the Food and Agricultural Code is
4 amended to read:

5 4351. (a) There is hereby created the State Race Track Leasing
6 Commission which shall be composed of the Director of Food and
7 Agriculture, the Director of Finance, and the Director of General
8 Services and three individuals, appointed by the Governor, who
9 are members of the Board of Directors of the 22nd District
10 Agricultural Association. The Director of Finance shall serve as
11 chairperson of the commission. All meetings of the commission
12 shall be open and public.

13 ~~(b) This section shall remain in effect only until January 1, 2013,~~
14 ~~and as of that date is repealed, unless a later enacted statute, that~~
15 ~~is enacted before January 1, 2013, deletes or extends that date.~~

16 SEC. 2.

17 SEC. 3. Section 8164.1 of the Government Code is amended
18 to read:

19 8164.1. There is in state government a Capitol Area Committee
20 consisting of nine members who shall be appointed in the following
21 manner:

22 (a) Four members of the committee shall be appointed by the
23 Governor of which at least one member shall be appointed from
24 a list of three candidates submitted by the City of Sacramento and
25 at least one member shall be appointed from a list of three
26 candidates submitted by the County of Sacramento. Two members
27 shall be appointed for a term expiring December 31, 1979, and
28 two for a term expiring December 31, 1981.

29 (b) Two members shall be appointed by the Speaker of the
30 Assembly, one of whom may be a Member of the Assembly, and
31 two members shall be appointed by the Senate Rules Committee,
32 one of whom may be a Member of the Senate. Legislative members
33 of the committee shall meet and, except as otherwise provided by
34 the Constitution, advise the department to the extent that the
35 advisory participation is not incompatible with their respective
36 positions as Members of the Legislature. Of the four appointments
37 by the Legislature, two shall be appointed for a term expiring

1 December 31, 1979, and two for a term expiring December 31,
2 1981.

3 (c) One shall be appointed by and serve at the pleasure of the
4 director.

5 Subsequent appointments pursuant to subdivisions (a) and (b)
6 shall be for terms of four years, ending on December~~31st~~ 31 of
7 the fourth year after the end of the prior term, except that
8 appointments to fill vacancies occurring for any reason other than
9 the expiration of the term shall be for the unexpired portion of the
10 term in which they occur. The members of the board shall hold
11 office until their successors are appointed and qualify.

12 The members of the committee shall not receive compensation
13 from the state for their services under this article but, when called
14 to attend a meeting of the committee, shall be reimbursed for their
15 actual and necessary expenses incurred in connection with the
16 meeting in accordance with the rules of the Department of
17 Personnel Administration.

18 (d) (1) This section shall remain in effect only until January 1,
19 2013, and as of that date is repealed, unless a later enacted statute,
20 that is enacted before January 1, 2013, deletes or extends that date.

21 (2) The repeal date in paragraph (1) shall not take effect unless,
22 prior to January 1, 2013, the committee has been reviewed by the
23 Joint Sunset Review Committee pursuant to subdivisions (c) and
24 (d) of Section 9147.7 and the Joint Sunset Review Committee has
25 notified the Secretary of State of this review.

26 ~~SEC. 3.~~

27 *SEC. 4.* Section 8164.2 of the Government Code is amended
28 to read:

29 8164.2. (a) The committee shall elect a chairperson. The
30 committee shall meet at least quarterly or upon the call of the
31 chairperson or the written request of any three members.

32 (b) (1) This section shall remain in effect only until January 1,
33 2013, and as of that date is repealed, unless a later enacted statute,
34 that is enacted before January 1, 2013, deletes or extends that date.

35 (2) The repeal date in paragraph (1) shall not take effect unless,
36 prior to January 1, 2013, the committee has been reviewed by the
37 Joint Sunset Review Committee pursuant to subdivisions (c) and
38 (d) of Section 9147.7 and the Joint Sunset Review Committee has
39 notified the Secretary of State of this review.

~~SEC. 4.~~

SEC. 5. Section 8164.3 of the Government Code is amended to read:

8164.3. (a) It is the purpose of the committee to independently review the reports of the department to the Legislature and counsel and advise the department in the carrying out of its responsibilities related to the Capitol Area Plan. The committee may submit separate comments on the departmental reports on the Capitol Area Plan to the Legislature. The committee shall involve a broad cross section of interested citizens in the form of an advisory body. The advisory body shall serve without compensation.

(b) (1) This section shall remain in effect only until January 1, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2013, deletes or extends that date.

(2) The repeal date in paragraph (1) shall not take effect unless, prior to January 1, 2013, the committee has been reviewed by the Joint Sunset Review Committee pursuant to subdivisions (c) and (d) of Section 9147.7 and the Joint Sunset Review Committee has notified the Secretary of State of this review.

~~SEC. 5.~~

SEC. 6. Section 11121.1 of the Government Code is amended to read:

11121.1. As used in this article, “state body” does not include any of the following:

(a) State agencies provided for in Article VI of the California Constitution.

(b) Districts or other local agencies whose meetings are required to be open to the public pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5).

(c) State agencies provided for in Article IV of the California Constitution whose meetings are required to be open to the public pursuant to the Grunsky-Burton Open Meeting Act (Article 2.2 (commencing with Section 9027) of Chapter 1.5 of Part 1 of Division 2 of Title 2).

(d) State agencies when they are conducting proceedings pursuant to Section 3596.

(e) State agencies provided for in Section 109260 of the Health and Safety Code, except as provided in Section 109390 of the Health and Safety Code.

1 ~~SEC. 6.~~

2 ~~SEC. 7.~~ The heading of Division 1 (commencing with Section
3 30) of the Harbors and Navigation Code is amended to read:

4

5 DIVISION 1. DEPARTMENT OF BOATING AND
6 WATERWAYS

7

8 ~~SEC. 7.~~

9 ~~SEC. 8.~~ Section 31 of the Harbors and Navigation Code is
10 repealed.

11 ~~SEC. 8.~~

12 ~~SEC. 9.~~ Section 62.9 of the Harbors and Navigation Code is
13 amended to read:

14 62.9. Upon request, the department shall make available to
15 persons owning or operating small craft harbors, information
16 concerning the following:

17 (a) The maintenance and improvement of existing small craft
18 harbor facilities.

19 (b) The application of new technical materials and concepts.

20 (c) The preparation of feasibility reports, environmental impact
21 reports, permits, and other steps required to develop new small
22 craft harbor facilities.

23 ~~SEC. 9.~~

24 ~~SEC. 10.~~ Section 63.6 of the Harbors and Navigation Code is
25 amended to read:

26 63.6. (a) (1) On or before January 15 of each odd-numbered
27 year, the director shall make a report to the Legislature and the
28 Governor covering the operations of the department for the
29 preceding biennium.

30 (2) With respect to Article 5 (commencing with Section 76),
31 the report shall include all of the following:

32 (A) The total amount of loans made in each of the two fiscal
33 years immediately preceding the preparation and submission of
34 the report.

35 (B) For each recipient of a loan during each of the two fiscal
36 years immediately preceding the preparation and submission of
37 the report, the recipient's name, the location of the marina for
38 which the loan was made, and the amount of the loan.

39 (C) The financial status of each loan.

40 (D) Any legislative recommendations.

1 (3) The report shall also include the status of the department's
2 activities related to the monitoring of rates pursuant to Section
3 71.4 and subdivision (d) of Section 76.7.

4 (4) The report shall also include an evaluation of the public
5 participation in the personal watercraft education course developed
6 by the department pursuant to subdivision (b) of Section 668.3
7 and a determination of the effect of the course on personal
8 watercraft safety in California.

9 (b) The department shall also make any special reports that are
10 requested by the Secretary of Resources or the Governor.

11 ~~SEC. 10.~~

12 *SEC. 11.* Section 71.4 of the Harbors and Navigation Code is
13 amended to read:

14 71.4. (a) (1) The department, subject to the approval of the
15 Legislature in accordance with Section 85.2, may make loans to
16 qualified cities, counties, or districts having power to acquire,
17 construct, and operate small craft harbors, for the design, planning,
18 acquisition, construction, improvement, maintenance, or operation
19 of small craft harbors and facilities in connection with the harbors,
20 and connecting waterways, if the department finds that the project
21 is feasible.

22 (2) The minimum annual rate of interest charged by the
23 department for a loan shall be set annually based on the Pooled
24 Money Investment Account interest rate.

25 (b) The department shall establish, by rules and regulations,
26 policies and standards to be followed in making loans pursuant to
27 this section so as to further the proper development and
28 maintenance of a statewide system of small craft harbors and
29 connecting waterways. To the greatest extent possible, the
30 department shall adhere to customary commercial practices to
31 ensure that loans made pursuant to this section are adequately
32 secured and that the loans are repaid consistent with the terms of
33 the loan agreement. Any rules and regulations shall include policies
34 and standards for restrooms, vessel pumpout facilities, oil recycling
35 facilities, and receptacles for the purpose of separating, reusing,
36 or recycling all solid waste materials.

37 (c) The department shall develop weighing and ranking criteria
38 to qualify and prioritize the public loans.

39 (d) A loan under this section shall be repaid as provided in
40 Section 70.

(e) Rates to be charged for the use of the boating facilities shall be established by the city, county, or district, subject to the approval of the department, in every loan contract. The department shall concern itself with the rates charged only as prescribed in Section 71.8. The rates set shall be based on a monthly berthing charge, and the department shall monitor these rates to ensure that the berthing charges are sufficient to ensure timely and complete repayment of the loan.

(f) The department shall submit any project for which it recommends any loan be made to the Governor for inclusion in the Budget Bill.

(g) The department may restate an existing loan under this article, upon written request by the borrower.

~~SEC. 11.~~

SEC. 12. Section 71.7 of the Harbors and Navigation Code is amended to read:

71.7. Notwithstanding any other provision of this chapter, or any contract or agreement to the contrary, loan payments on the loan on behalf of Spud Point Marina in the County of Sonoma, as authorized by Schedule (b)(8) of Item 3680-101-516 of Section 2.00 of the Budget Act of 1982, and administered by the department, may be renegotiated by the department and the County of Sonoma to solve the fiscal problems involving the marina existing on the effective date of this section as enacted during the 1994 portion of the 1993–94 Regular Session.

~~SEC. 12.~~

SEC. 13. Section 72.6 of the Harbors and Navigation Code is amended to read:

72.6. Transfers pursuant to Section 70, loans pursuant to Section 71.4, and grants pursuant to Section 72.5 shall be made by the department.

~~SEC. 13.~~

SEC. 14. Section 76.5 of the Harbors and Navigation Code is amended to read:

76.5. In processing applications under this article, the department shall give priority to applications from qualified private marina owners who have not received previous loans from the department.

~~SEC. 14.~~

SEC. 15. Section 76.6 of the Harbors and Navigation Code is amended to read:

76.6. Loans made under this article shall include, but are not limited to, the following terms and conditions:

(a) The minimum annual rate of interest charged by the department for a loan shall be set annually at a rate equal to 1 percent per annum plus the prime or base rate of interest.

(b) The department shall require collateral in a minimum amount of 110 percent of the loan.

(c) The repayment period of a loan shall not exceed 20 years, or be longer than the length of the borrower's leasehold estate, including renewal options, if the loan is based upon a leasehold estate of the borrower.

(d) All loans shall amortize the principal over the term of the loan. However, a loan shall become due and payable in full if the borrower sells or otherwise transfers the recreational marina developed with departmental funds, unless the transfer is, by reason of the death of the borrower, to the borrower's heirs.

(e) The department's loans shall not be subordinated to any future loans obtained by a private marina owner, except in those cases involving loans acquired for refinancing previous senior loans.

(f) The department may allow assumption of loans from the original borrower by future parties, subject to completion of the application process and upon approval by the department.

(g) The department may, upon written request by the borrower, restate an existing loan.

~~SEC. 15.~~

SEC. 16. Chapter 3 (commencing with Section 80) of Division 1 of the Harbors and Navigation Code is repealed.

~~SEC. 16.~~

SEC. 17. Section 704 of the Harbors and Navigation Code is repealed.

~~SEC. 17.~~ Section 1777 of the Health and Safety Code is amended to read:

~~1777. (a) The Continuing Care Advisory Committee of the department shall act in an advisory capacity to the department on matters relating to continuing care contracts.~~

~~(b) The members of the committee shall include:~~

~~(1) Three representatives of nonprofit continuing care providers pursuant to this chapter, each of whom shall have offered continuing care services for at least five years prior to appointment. One member shall represent a multifacility provider and shall be appointed by the Governor in even years. One member shall be appointed by the Senate Committee on Rules in odd years. One member shall be appointed by the Speaker of the Assembly in odd years.~~

~~(2) Three senior citizens who are not eligible for appointment pursuant to paragraphs (1) and (4) who shall represent consumers of continuing care services, all of whom shall be residents of continuing care retirement communities but not residents of the same provider. One senior citizen member shall be appointed by the Governor in even years. One senior citizen member shall be appointed by the Senate Committee on Rules in odd years. One senior citizen member shall be appointed by the Speaker of the Assembly in odd years.~~

~~(3) A certified public accountant with experience in the continuing care industry, who is not a provider of continuing care services. This member shall be appointed by the Governor in even years.~~

~~(4) A representative of a for-profit provider of continuing care contracts pursuant to this chapter. This member shall be appointed by the Governor in even years.~~

~~(5) An actuary. This member shall be appointed by the Governor in even years.~~

~~(6) One representative of residents of continuing care retirement communities appointed by the senior citizen representatives on the committee.~~

~~(7) One representative of either nonprofit or for-profit providers appointed by the representatives of nonprofit and for-provider providers on the committee.~~

~~(c) Commencing January 1, 1997, all members shall serve two-year terms and be appointed based on their interest and expertise in the subject area. The Governor shall designate the chairperson for the committee with the advice and consent of the Senate. A member may be reappointed at the pleasure of the appointing power. The appointing power shall fill all vacancies on the committee within 60 days. All members shall continue to serve until their successors are appointed and qualified.~~

~~(d) The members of the committee shall serve without compensation, except that each member shall be paid from the Continuing Care Provider Fee Fund a per diem of twenty-five dollars (\$25) for each day's attendance at a meeting of the committee not to exceed six days in any month. The members of the committee shall also receive their actual and necessary travel expenses incurred in the course of their duties. Reimbursement of travel expenses shall be at rates not to exceed those applicable to comparable state employees under Department of Personnel Administration regulations.~~

~~(e) Prior to commencement of service, each member shall file with the department a statement of economic interest and a statement of conflict of interest pursuant to Article 3 (commencing with Section 87300) of the Government Code.~~

~~(f) If, during the period of appointment, any member no longer meets the qualifications of subdivision (b), that member shall submit his or her resignation to their appointing power and a qualified new member shall be appointed by the same power to fulfill the remainder of the term.~~

~~(g) (1) This section shall remain in effect only until January 1, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2013, deletes or extends that date.~~

~~(2) The repeal date in paragraph (1) shall not take effect unless, prior to January 1, 2013, the committee has been reviewed by the Joint Sunset Review Committee pursuant to subdivisions (c) and (d) of Section 9147.7 of the Government Code and the Joint Sunset Review Committee has notified the Secretary of State of this review.~~

~~SEC. 18. Section 1777.2 of the Health and Safety Code is amended to read:~~

~~1777.2. (a) The Continuing Care Advisory Committee shall:~~

~~(1) Review the financial and managerial condition of continuing care retirement communities operating under a certificate of authority.~~

~~(2) Review the financial condition of any continuing care retirement community that the committee determines is indicating signs of financial difficulty and may be in need of close supervision.~~

~~(3) Monitor the condition of those continuing care retirement communities that the department or the chair of the committee may request.~~

~~(4) Make available consumer information on the selection of continuing care contracts and necessary contract protections in the purchase of continuing care contracts.~~

~~(5) Review new applications regarding financial, actuarial, and marketing feasibility as requested by the department.~~

~~(b) The committee shall make recommendations to the department regarding needed changes in its rules and regulations and upon request provide advice regarding the feasibility of new continuing care retirement communities and the correction of problems relating to the management or operation of any continuing care retirement community. The committee shall also perform any other advisory functions necessary to improve the management and operation of continuing care retirement communities.~~

~~(c) The committee may report on its recommendations directly to the director of the department.~~

~~(d) The committee may hold meetings, as deemed necessary to the performance of its duties.~~

~~(e) (1) This section shall remain in effect only until January 1, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2013, deletes or extends that date.~~

~~(2) The repeal date in paragraph (1) shall not take effect unless, prior to January 1, 2013, the committee has been reviewed by the Joint Sunset Review Committee pursuant to subdivisions (c) and (d) of Section 9147.7 of the Government Code and the Joint Sunset Review Committee has notified the Secretary of State of this review.~~

~~SEC. 19. Section 1777.4 of the Health and Safety Code is amended to read:~~

~~1777.4. (a) Any member of the Continuing Care Advisory Committee is immune from civil liability based on acts performed in his or her official capacity. Costs of defending civil actions brought against a member for acts performed in his or her official capacity shall be borne by the complainant. However, nothing in this section immunizes any member for acts or omissions performed with malice or in bad faith.~~

1 ~~(b) (1) This section shall remain in effect only until January 1,~~
2 ~~2013, and as of that date is repealed, unless a later enacted statute,~~
3 ~~that is enacted before January 1, 2013, deletes or extends that date.~~

4 ~~(2) The repeal date in paragraph (1) shall not take effect unless,~~
5 ~~prior to January 1, 2013, the committee has been reviewed by the~~
6 ~~Joint Sunset Review Committee pursuant to subdivisions (c) and~~
7 ~~(d) of Section 9147.7 of the Government Code and the Joint Sunset~~
8 ~~Review Committee has notified the Secretary of State of this~~
9 ~~review.~~

10 ~~SEC. 20.~~

11 *SEC. 18.* Section 5073.5 of the Public Resources Code is
12 amended to read:

13 5073.5. (a) The Governor shall establish a California
14 Recreational Trails Committee to advise the director in the
15 development and coordination of the system. The committee shall
16 consist of seven members appointed by the Governor. Two
17 members shall be selected from the northern, two members from
18 the southern, and two members from the central portions of the
19 state, and one member shall be selected at large. Members shall
20 be selected from lists submitted by private organizations that have
21 a demonstrated interest in the establishment of recreation trails.
22 The chair of the committee shall be elected by the members from
23 their membership.

24 (b) (1) This section shall remain in effect only until January 1,
25 2013, and as of that date is repealed, unless a later enacted statute,
26 that is enacted before January 1, 2013, deletes or extends that date.

27 (2) The repeal date in paragraph (1) shall not take effect unless,
28 prior to January 1, 2013, the committee has been reviewed by the
29 Joint Sunset Review Committee pursuant to subdivisions (c) and
30 (d) of Section 9147.7 of the Government Code and the Joint Sunset
31 Review Committee has notified the Secretary of State of this
32 review.

33 ~~SEC. 21.~~

34 *SEC. 19.* Section 5073.7 of the Public Resources Code is
35 amended to read:

36 5073.7. (a) The terms of the members of the committee shall
37 be four years, except that such members first appointed to the
38 committee shall classify themselves by lot so that the term of three
39 members shall expire January 15, 1976, the term of two members

1 shall expire January 15, 1977, and the term of two members shall
2 expire January 15, 1978.

3 Members of the committee shall serve without compensation,
4 but shall be reimbursed for actual and necessary expenses,
5 including traveling expenses, incurred in the performance of their
6 duties.

7 (b) (1) This section shall remain in effect only until January 1,
8 2013, and as of that date is repealed, unless a later enacted statute,
9 that is enacted before January 1, 2013, deletes or extends that date.

10 (2) The repeal date in paragraph (1) shall not take effect unless,
11 prior to January 1, 2013, the committee has been reviewed by the
12 Joint Sunset Review Committee pursuant to subdivisions (c) and
13 (d) of Section 9147.7 of the Government Code and the Joint Sunset
14 Review Committee has notified the Secretary of State of this
15 review.

16 ~~SEC. 22.~~

17 *SEC. 20.* Section 5074 of the Public Resources Code is
18 amended to read:

19 5074. The committee shall have the following powers and
20 duties:

21 (a) Coordinate trail planning and development among cities,
22 counties, and districts. In carrying out this responsibility, the
23 committee shall review records of easements and other interests
24 in lands which are available for recreational trail usage, including
25 public lands, utility easements, other rights-of-way, gifts, or surplus
26 public lands which may be adaptable for such use, and shall advise
27 the director in the development of standards for trail construction
28 so that uniform construction standards may be available to cities,
29 counties, and districts.

30 (b) Advise the director in the preparation and maintenance of
31 the plan.

32 (c) Study the problems and opportunities presented by the use
33 of private property for recreational trail use and advise the director
34 on measures to mitigate undesirable aspects of such usage.

35 (d) (1) This section shall remain in effect only until January 1,
36 2013, and as of that date is repealed, unless a later enacted statute,
37 that is enacted before January 1, 2013, deletes or extends that date.

38 (2) The repeal date in paragraph (1) shall not take effect unless,
39 prior to January 1, 2013, the committee has been reviewed by the
40 Joint Sunset Review Committee pursuant to subdivisions (c) and

(d) of Section 9147.7 of the Government Code and the Joint Sunset Review Committee has notified the Secretary of State of this review.

~~SEC. 23.~~

SEC. 21. (a) Sections ~~1 and 5~~ 1, 3, 4, 5, and 6 of this act shall become operative on January 1, 2014, only if a review of the Credit Union Advisory Committee is conducted by the Joint Sunset Review Committee pursuant to subdivisions (c) and (d) of Section 9147.7 of the Government Code prior to January 1, 2014, and the Joint Sunset Review Committee has notified the Secretary of State of this review.

(b) Sections ~~6 to 16~~ 7 to 17, inclusive, of this act shall become operative on January 1, 2014, only if a review of the Boating and Waterways Commission is conducted by the Joint Sunset Review Committee pursuant to subdivisions (c) and (d) of Section 9147.7 of the Government Code prior to January 1, 2014, and the Joint Sunset Review Committee has notified the Secretary of State of this review.