

AMENDED IN SENATE MARCH 31, 1997

SENATE BILL

No. 437

Introduced by Senator Johnston
(Principal coauthor: Assembly Member Bowler)

February 18, 1997

An act to amend Sections 1 and 2 of Chapter 213 of the Statutes of 1907, relating to water, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 437, as amended, Johnston. Reclamation District No. 800.

(1) Existing law creates Reclamation District No. 800 and prescribes the boundaries, powers, and duties of the district.

This bill would revise the boundaries of the district and would provide that the district is subject to Division 15 (commencing with Section 50000) of the Water Code, which generally governs the operation of reclamation districts. By changing the boundaries of the district, the bill would impose additional duties on the district, thereby imposing a state-mandated local program.

(2) ~~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.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. 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 Chapter 213 of the Statutes
2 of 1907 is amended to read:

3 Section 1. Reclamation District No. 800 is hereby
4 created. The boundaries of the district are as follows:

5 ~~Beginning at the intersection of the Cosumnes River
6 with the easterly line of State Route 99, said point of
7 beginning being within Projected Section 20 T.6N., R.6E.,
8 M.D.B. & M., thence northerly along the easterly line of
9 State Route 99 to its intersection with the centerline of
10 Grant Line Road, thence northeasterly along the
11 centerline of Grant Line Road to its intersection with
12 Sloughhouse Road, thence southerly and easterly along
13 the centerline of Sloughhouse Road to its intersection
14 with State Route 16, thence easterly along the centerline
15 of State Route 16 to its intersection with the Cosumnes
16 River, thence southerly and westerly along the centerline
17 of the Cosumnes River to its intersection with the easterly
18 line of State Route 99, said intersection also being the
19 point of beginning.~~

20 *Beginning at the intersection of the centerline of*
21 *Dillard Road and the centerline of Wilton Road, said*
22 *intersection also being within the southwest quarter of*
23 *Section 6, Township 6 North, Range 7 East, M.D.B. & M.;*



1 Thence northwesterly along the centerline of said
2 Wilton Road to the centerline of the Cosumnes River;
3 Thence southerly and westerly along the centerline of
4 the Cosumnes River to the most easterly corner of the
5 147.82 acre parcel of I. Woodard, said corner also being
6 the southerly corner of the Drescher parcel as shown on
7 Plat of Survey of Woodard Property Located in Lots 7 &
8 8 of the Lower Daylor Estates, dated April 1940 and
9 recorded in Book 3 of the Official Surveys at page 147,
10 County of Sacramento;
11 Thence northwesterly along the boundary line of said
12 147.82 acre Woodard parcel to the centerline of Grant
13 Line Road, said boundary line also being a division line
14 between the lands of Louise K. Williams, Alanson H.
15 Kleinsorge, and Wayne and Jacqueline A. Bartholomew
16 et al;
17 Thence northeasterly along the centerline of Grant
18 Line Road to its intersection with the centerline of
19 Sloughhouse Road;
20 Thence southeasterly and northeasterly along the
21 centerline of Sloughhouse Road to its intersection with
22 centerline of State Route 16;
23 Thence easterly along the centerline of State Route 16
24 to its intersection with the centerline of Deer Creek;
25 Thence along the centerline of Deer Creek northerly
26 and easterly to its intersection with the centerline of
27 Kiefer Boulevard;
28 Thence southeasterly along the centerline of Kiefer
29 Boulevard to its intersection with the centerline of State
30 Route 16;
31 Thence easterly along the centerline of said State
32 Route 16 to its intersection with the north-south
33 centerline of Section 3, Township 7 North, Range 8 East,
34 M.D.B. & M.;
35 Thence south along said north-south centerline of said
36 Section 3 to the quarter section corner common to
37 Section 3 and Section 10, Township 7 North, Range 8 East,
38 M.D.B. & M.;



1 Thence continuing south along the north-south
2 centerline of said Section 10 to the south quarter section
3 corner of said Section 10;

4 Thence west along the south line of said Section 10 and
5 continuing west along the south line of Sections 9, 8, and
6 7, Township 7 North, Range 8 East, M.D.B. & M., and the
7 south line of Section 12, Township 7 North, Range 7 East,
8 M.D.B. & M., to its intersection with the centerline of
9 Meiss Road;

10 Thence northwesterly along the centerline of Meiss
11 Road to its intersection with the centerline of Dillard
12 Road;

13 Thence southwesterly along the centerline of Dillard
14 Road to its intersection with the centerline of Wilton
15 Road, said intersection also being the point of beginning.

16 SEC. 2. Section 2 of Chapter 213 of the Statutes of 1907
17 is amended to read:

18 Sec. 2. The management and control of the
19 reclamation district is subject to Division 15
20 (commencing with Section 50000) of the Water Code.

21 ~~SEC. 3. Notwithstanding Section 17610 of the~~
22 ~~Government Code, if the Commission on State Mandates~~
23 ~~determines that this act contains costs mandated by the~~
24 ~~state, reimbursement to local agencies and school~~
25 ~~districts for those costs shall be made pursuant to Part 7~~
26 ~~(commencing with Section 17500) of Division 4 of Title~~
27 ~~2 of the Government Code. If the statewide cost of the~~
28 ~~claim for reimbursement does not exceed one million~~
29 ~~dollars (\$1,000,000), reimbursement shall be made from~~
30 ~~the State Mandates Claims Fund.~~

31 ~~Notwithstanding Section 17580 of the Government~~
32 ~~Code, unless otherwise specified, the provisions of this act~~
33 ~~shall become operative on the same date that the act~~
34 ~~takes effect pursuant to the California Constitution. and~~
35 ~~other laws relating to reclamation districts created in~~
36 ~~accordance with that division.~~

37 SEC. 3. No reimbursement is required by this act
38 pursuant to Section 6 of Article XIII B of the California
39 Constitution because the only costs that may be incurred
40 by a local agency or school district are the result of a



1 *program for which legislative authority was requested by*
2 *that local agency or school district, within the meaning of*
3 *Section 17556 of the Government Code and Section 6 of*
4 *Article XIII B of the California Constitution.*

5 *Notwithstanding Section 17580 of the Government*
6 *Code, unless otherwise specified, the provisions of this act*
7 *shall become operative on the same date that the act*
8 *takes effect pursuant to the California Constitution.*

9 SEC. 4. This act is an urgency statute necessary for the
10 immediate preservation of the public peace, health, or
11 safety within the meaning of Article IV of the
12 Constitution and shall go into immediate effect. The facts
13 constituting the necessity are:

14 In order to provide for the restoration and
15 maintenance of certain levees along the Cosumnes River
16 for the protection of life and property at the earliest
17 possible time, it is necessary that this act take effect
18 immediately.

