

CHAPTER 411

An act to amend Section 6816 of the Public Resources Code, and to amend Sections 11738 and 11915 of, and to add Section 11920 to, the Water Code, and to amend Section 12 of Chapter 138, Statutes of 1964, First Extraordinary Session, relating to water projects and the financing thereof, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 28, 1968. Filed with
Secretary of State June 28, 1968]

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

SECTION 1. Section 6816 of the Public Resources Code is amended to read:

6816. All moneys and remittances received by the state pursuant to this chapter, except rents, bonuses, royalties and profits accruing from the use of state school land, shall be deposited in the State Treasury as follows and in the following order:

(a) To the credit of the General Fund such revenue as necessary to provide in any fiscal year for the following:

(1) For the payment of refunds, as authorized by the commission and approved by the State Board of Control, out of appropriations made for that purpose by the Legislature.

(2) For the payment of expenditures made by the commission to carry out the provisions of this chapter, including the acquisition of real property or interests therein, the purchase of materials and supplies, and the conducting of operations by the state as provided herein, the payment by the state of such sums as may be provided pursuant to agreements or contracts authorized herein, and the payments of the necessary expenses of the commission, from any appropriations made for such purposes.

(b) To the California Water Fund each fiscal year such amount which shall, when combined with revenues deposited in such fiscal year in the California Water Fund pursuant to Section 12 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, amount to eleven million dollars (\$11,000,000) for the fiscal years 1967-68, 1968-69 and 1969-70, and thereafter such amount which shall, when combined with revenues so deposited pursuant to Section 12 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, amount to

twenty-five million dollars (\$25,000,000). Reference in this subdivision to the California Water Fund shall, during the balance of the fiscal year 1967-1968 and the fiscal years 1968-1969, 1969-1970, 1970-1971, and 1971-1972, be deemed to refer to the Central Valley Water Project Construction Fund.

(c) To the Central Valley Water Project Construction Fund each fiscal year such amount which shall, when combined with revenues deposited in such fiscal year in the Central Valley Water Project Construction Fund pursuant to Section 12.1 of Chapter 138 of the Statutes of 1964, First Extraordinary Session, amount to five million dollars (\$5,000,000).

(d) To the Capital Outlay Fund for Public Higher Education, all revenue in excess of the amount deposited in the General Fund pursuant to subdivision (a) of this section, and in excess of the amount deposited in the California Water Fund pursuant to subdivision (b) of this section, and in excess of the amount deposited in the Central Valley Water Project Construction Fund pursuant to subdivision (c) of this section.

The commission may, with the approval of the State Board of Control, authorize the refund of moneys received or collected by it illegally or by mistake, inadvertence, or error. Claims authorized by the commission and approved by the State Board of Control shall be filed with the State Controller and the Controller shall draw his warrant against the General Fund in payment of such refund from any appropriation made for that purpose.

SEC. 1.2. Section 11738 of the Water Code is amended to read:

11738. The signature of the director and the Governor may be by facsimile.

SEC. 1.4. Section 11915 of the Water Code is amended to read:

11915 All moneys deposited in the Central Valley Water Project Construction Fund pursuant to the provisions of Section 12.1 of Chapter 138, Statutes of 1964, First Extraordinary Session and subdivision (c) of Section 6816 of the Public Resources Code, and all accruals to such moneys so deposited, are hereby appropriated to the department for expenditure by the department without regard to fiscal years for the purposes of the construction fund, in amounts equal to allocations to recreation and fish and wildlife enhancement and to the costs of acquiring rights-of-way, easements and property for recreation development which have become effective pursuant to Section 11912.

SEC. 2. Section 11920 is added to the Water Code, to read:

11920. The Wildlife Conservation Board is authorized to design and construct public fishing access sites to aqueducts constructed as part of state water projects in accordance with such policies and procedures as may be established by the board.

To the extent practicable such fishing access sites shall be constructed upon lands acquired for state water project purposes; provided, that such additional lands as may be necessary for such fishing access sites shall be acquired by the Department of Water Resources pursuant to this chapter; and, provided further, that such facilities as may be necessary to assure the safe use of such fishing access sites by the public shall be constructed by the Department of Water Resources upon the appropriation of funds for such purposes by the Legislature.

Plans for such fishing access sites shall be subject to the approval of the Department of Water Resources to ensure that they shall not defeat or impair the orderly operation of any state water project for its other authorized purposes and the accomplishment of such purposes.

SEC. 2.2. Section 12 of Chapter 138, Statutes of 1964, First Extraordinary Session, is amended to read:

Sec. 12. The first eleven million dollars (\$11,000,000) of oil revenue and dry gas revenue payable to the State of California under this act each year shall be deposited in the California Water Fund; except that commencing with the fiscal year 1970-1971, the amount so deposited each year shall be twenty-five million dollars (\$25,000,000); and except that during the balance of the fiscal year 1967-1968 and the fiscal years 1968-1969, 1969-1970, 1970-1971, and 1971-1972, such amount shall instead be deposited in the Central Valley Water Project Construction Fund for expenditure without regard to fiscal years by the Department of Water Resources for construction of the State Water Resources Development System as defined in Section 12931 of the Water Code, other than provision for water development facilities for local areas as provided in Chapter 5 (commencing with Section 12880) of Part 6 of Division 6 of the Water Code. In addition to the deposit required above during the balance of the fiscal year 1967-1968, the Controller shall transfer the unexpended balance of money in the California Water Fund on the effective date of the 1968 act amending this section to the Central Valley Water Project Construction Fund for expenditure as provided above.

Any reference in this act to the amount provided for deposit in the California Water Fund by this section shall, during the balance of the fiscal year 1967-1968 and the fiscal years 1968-1969, 1969-1970, 1970-1971, and 1971-1972, be deemed to refer to the amount provided for deposit in the Central Valley Water Project Construction Fund by this section.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to accomplish the objectives of this act in connection with state water project facilities as to which revenue

bonds are currently being issued and sold, and facilities currently being planned and under construction, it is essential that this act take immediate effect.

Existing available funds, moreover, are insufficient for completion of construction of the State Water Resources Development System. This act makes additional capital funds available so that facilities necessary for the health and welfare of the people of the state may be completed.
