

1980

## Lake Tahoe Acquisitions Bond Act of 1980

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## Official Title and Summary Prepared by the Attorney General

<p><b>FOR THE LAKE TAHOE ACQUISITIONS BOND ACT OF 1980.</b></p> <p>This act provides funding for the purchase of property in the Lake Tahoe Basin, which is necessary to prevent the environmental decline of this unique natural resource, to protect the waters of Lake Tahoe from further degradation, and to preserve the scenic and recreational values of Lake Tahoe. The amount provided by this act is eighty-five million dollars (\$85,000,000).</p>	
<p><b>AGAINST THE LAKE TAHOE ACQUISITIONS BOND ACT OF 1980.</b></p> <p>This act provides for a bond issue of eighty-five million dollars (\$85,000,000) to be used for the acquisition of property in the Lake Tahoe region for public purposes.</p>	

## FINAL VOTE CAST BY THE LEGISLATURE ON SB 1756 (PROPOSITION 2)

Assembly—Ayes, 55  
Noes, 16

Senate—Ayes, 29  
Noes, 9

## Analysis by the Legislative Analyst

**Background:**

In recent years, environmental restrictions enacted by state, regional and local agencies, and other state and local policies, have significantly affected the development of private property in the Lake Tahoe region. Existing laws and regulations limit or prohibit certain types of land uses in designated locations within the region. As a result, the value of such property has been reduced.

Existing state law does not provide a source of funding to purchase undeveloped private property subject to land use restrictions. Although state funds have been utilized at Lake Tahoe to purchase property, this property has been acquired primarily for its recreational qualities and to expand the California state park system.

**Proposal:**

This measure, the Lake Tahoe Acquisitions Bond Act of 1980, would authorize the state to issue and sell \$85 million in state general obligation bonds. (A general obligation bond is backed by the full faith and credit of the state.) The proceeds of this bond sale would be used to acquire undeveloped land in the Lake Tahoe region, including private property that has been subdivided and improved with streets and utilities but which contains no structures. The following types of undeveloped land could be purchased with bond proceeds:

- (a) Lands threatened with development that would adversely affect the natural environment, with preference given to the acquisition of lands within stream environment zones.
- (b) Lands providing lakeshore access to the public, preservation of wildlife habitat, recreation, or a combination of the above.
- (c) Lands not meeting the above requirements, but which, if acquired, would provide access to other public lands or consolidate ownership for more effective management.

If the value of such lands has been substantially reduced by any legislation, ordinance, or state or local regulation adopted after January 1, 1980, for the purpose of protecting water quality or other resources in the Lake Tahoe region, the bond act permits the purchasing agency to acquire the land for a price which assures fairness to the landowner. In determining this price, the purchasing agency may consider (1) the price the owner originally paid for the land, (2) any special assessments paid by the landowner, and (3) any other factors which would ensure that the landowner receives a fair and reasonable price for the land.

Bond proceeds would be expended by whichever federal, state, regional, or local agency is designated by legislation in accordance with the recommendations of the Lake Tahoe Area Land Acquisition Commission. The commission is created by Assembly Bill 2873, which had not been enacted when this analysis was prepared. If no such agency is designated prior to July 1, 1982, the bond proceeds would be expended by the California Tahoe Conservancy Agency. Under existing law, this agency is authorized to acquire and hold private land through purchase, gifts and exchanges. It is also authorized to manage land under its ownership or control in cooperation with local, state or federal agencies. The California Tahoe Conservancy Agency has a governing body consisting of members of the public appointed by local government and the California Legislature, and representatives of the Secretary of the Resources Agency and U.S. Secretary of Agriculture.

**Fiscal Effect:**

Assuming an interest rate of 7 percent and a 20-year repayment period, the interest on \$85 million of general obligation bonds would be approximately \$62.5 million. The principal and interest cost of the bonds authorized by this measure, therefore, could total \$147.5 million. This cost would be paid by the State General Fund. If

the sale of bonds authorized by this measure results in a higher overall interest rate on other state and local bonds, state and local borrowing costs would be increased by an unknown, but probably moderate, amount.

Any ongoing operating and maintenance costs to state, regional or local governments resulting from the acquisition of lands in the Lake Tahoe region are unknown. Such costs, if any, would depend on how these lands are managed.

The interest paid to holders of the bonds authorized by this measure would be exempt from the state per-

sonal income tax. Therefore, to the extent that California taxpayers purchase these bonds in lieu of taxable bonds, there would be a loss of income tax revenue to the state. Any such loss probably would be minor.

To the extent privately owned lands are acquired by the state under this measure, local governments in the Lake Tahoe region would experience a reduction in property tax revenues. This loss would depend on (1) the location of such acquisitions, and (2) the assessed value of the lands. Under existing law, state payments to school districts would increase to cover the revenue loss of the school districts.

## Text of Proposed Law

This law proposed by Senate Bill 1756 (Statutes of 1980, Ch. 253) and amended by Senate Bill 2067 (Statutes of 1980, Ch. 376) is submitted to the people in accordance with the provisions of Article XVI of the Constitution.

This proposed law adds sections to the Government Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

### PROPOSED LAW

SEC. 13. Title 7.43 (commencing with Section 66950) is added to the Government Code, to read:

#### TITLE 7.43. LAKE TAHOE ACQUISITIONS BOND ACT OF 1980

##### CHAPTER 1. FINDINGS AND DECLARATIONS

66950. *This title shall be known and may be cited as the Lake Tahoe Acquisitions Bond Act of 1980.*

66951. *It is found and declared that:*

(a) *The waters of Lake Tahoe and other resources of the region are threatened with deterioration or degeneration which endangers the natural beauty and economic productivity of the region.*

(b) *The state and federal interests and investments in the region are substantial.*

(c) *The region exhibits unique state and national environmental and ecological values which are irreplaceable.*

(d) *By virtue of the special conditions and circumstances of the region's natural ecology, developmental pattern, population distribution, and human needs, the region is experiencing problems of resource use and deficiencies of environmental control.*

(e) *Increasing urbanization is threatening the ecological values of the region and threatening the public opportunities for use of the public lands.*

(f) *Maintenance of the social and economic health of the region depends on maintaining the significant scenic, recreational, educational, scientific, natural, and public health values provided by the Lake Tahoe Basin.*

(g) *There is a state and national interest in protecting, preserving and enhancing these values for the residents of the region and for visitors to the region.*

##### CHAPTER 2. FISCAL PROVISIONS

66952. *The State General Obligation Bond Law is adopted for the purpose of the issuance, sale, and repayment of, and otherwise providing with respect to, the bonds authorized to be issued pursuant to this title, and the provisions of that law are included in this title as though set out in full in this chapter except that, notwithstanding anything in the State General Obligation Bond Law, the maximum maturity of the bonds shall not exceed 20 years from the date of each respective*

*series. The maturity of each respective series shall be calculated from the date of such series.*

66953. *As used in this title, and for the purposes of this title, the following words shall have the following meanings:*

(a) *"Committee" means the Lake Tahoe Acquisitions Finance Committee created by Section 66955.*

(b) *"Fund" means the Lake Tahoe Acquisitions Fund.*

(c) *"Lake Tahoe region" and "region" means the area consisting of Lake Tahoe, the adjacent parts of the Counties of Douglas, Carson, and Washoe lying within the Tahoe Basin in the State of Nevada, and the adjacent parts of the Counties of Placer and El Dorado lying within the Tahoe Basin in the State of California, and that additional and adjacent part of the County of Placer outside the Tahoe Basin in the State of California which lies southward and eastward of a line starting at the intersection of the basin crestline and the north boundary of Section 1, thence west to the northwest corner of Section 3, thence south to the intersection of the basin crestline and the west boundary of Section 10; all sections referring to Township 15 North, Range 16 East, M.D.B. and M.*

(d) *"Agency" means the agency authorized under Section 66957 to expend money in the fund.*

66954. *There is in the State Treasury the Lake Tahoe Acquisitions Fund, which fund is hereby created.*

66955. *For the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this title, the Lake Tahoe Acquisitions Finance Committee is hereby created. The committee consists of the Governor or his designated representative, the Controller, the Treasurer, the Director of Finance. The Lake Tahoe Acquisitions Finance Committee shall be the "committee" as that term is used in the State General Obligation Bond Law, and the Treasurer shall serve as chairman of the committee.*

66956. *The committee is hereby authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the aggregate amount of eighty-five million dollars (\$85,000,000), in the manner provided in this title. Such debt or debts, liability or liabilities, shall be created for the purpose of providing the funds to be used for the object and work specified in Section 66957 and for administrative costs incurred in connection therewith, as provided in Section 66906.7.*

66957. *Moneys in the fund shall be available for expenditure in accordance with this division by a new or existing federal, state, regional, or local agency, or any combination thereof, to be designated by statute in accordance with the recommendations of the Tahoe Area Land Acquisition Commission. If no such agency is designated by July 1, 1982,*

*Continued on page 52*

## Argument in Favor of Proposition 2

## SAVE LAKE TAHOE!

Lake Tahoe is one of California's most scenic treasures. Twenty-two million people visit the lake annually, the largest high mountain lake in North America, to enjoy its invigorating air and legendary clear water. Mark Twain referred to Tahoe as "the fairest picture the whole earth provides."

Today Lake Tahoe is strained to the breaking point. In the past several decades, the lake's water has undergone tragic deterioration. Mossy algae cling to piers and rocks; a green rim is appearing along the shore as a result of algae growth. In the last ten years there has been an 18-percent increase in nitrogen loading and a 23-percent increase in phosphorus in the lake. If this deterioration is permitted to continue, Tahoe's blue water will change to green and lose its precious clarity.

Pollution also is affecting Tahoe's air quality. A smoggy haze often lingers over the shoreline and obscures the view of mountains across the lake. The environmental quality of Lake Tahoe Basin has deteriorated in a measurable cumulative way. Between 1970 and 1978 the rate at which algae grew in Lake Tahoe increased 50 percent, continuing a trend of growth coupled with a decrease in lake clarity of 6-13 percent. Urban development has encroached in 17 percent of all stream environment zones and 50 percent of the basin's meadowland, contributing to water quality problems as well as having a direct effect on wildlife habitat loss.

In recent years, state, federal and regional agencies

have developed plans to protect Lake Tahoe's unique quality. This bond act is needed to carry out these plans and provide needed protection for the environmentally sensitive Tahoe Basin. It would assist lot owners denied building permits for lack of sewage capacity.

These bonds will provide \$85 million to purchase lands in the Lake Tahoe Basin threatened by development. The first priority is to protect environmentally sensitive lands where development would adversely affect water quality; other priorities include the preservation of stream zones, wildlife habitat and public lakeshore access. By offering property owners a fair market value, this bond issue provides the best mechanism for protection of private property and Lake Tahoe's scenic qualities. Only voluntary sales will occur; condemnation is prohibited.

Lake Tahoe is a treasure that is shared by all Californians. If the present trend of degradation is allowed to continue, the "Gem of the Sierra" will be just a memory. By supporting this bond measure, Californians will help ensure that this priceless lake is protected so that it may be enjoyed by our children and future generations.

**JOHN GARAMENDI**  
*State Senator, 13th District*

**CHARLES R. IMBRECHT**  
*Member of the Assembly, 36th District*

**JAMES W. BRUNER, JR.**  
*Executive Director, League to Save Lake Tahoe*

## Rebuttal to Argument in Favor of Proposition 2

Don't let politicians and bureaucratic land grabbers con you into believing that Proposition 2 will solve major environmental problems at Lake Tahoe. This smokescreen doesn't stand up to the light of day. For example, common sense will tell you that acquiring the remaining land at Tahoe will not significantly decrease the traffic flow into the basin, since the vast majority of visitors to the area don't own property there and don't intend to. When you really think about it, the proponents of Proposition 2 are not only trying to pull the wool over our eyes but also the tax dollars out of our pockets.

The City of South Lake Tahoe and other governmental agencies currently have the ability to impose severe restrictions in the area, and they have already done so. It is not necessary for the whole state to come in and,

in effect, preempt local control—especially when it isn't needed.

We don't need to take more land off the state's tax rolls in these difficult economic times. This is especially true in this case when you realize that, according to the State Legislative Analyst's office, as of June 30 we still haven't dispersed roughly \$244 million of 1974 and 1976 bond act moneys for land acquisition and development. Despite this, the politicians and bureaucrats want you to go further into debt to the tune of \$147.5 million.

Don't be fooled into mortgaging your children's future. Vote NO on the scheme known as Proposition 2.

**H. L. RICHARDSON**  
*State Senator, 25th District*  
*Member, Senate Committee on*  
*Natural Resources and Wildlife*

## Argument Against Proposition 2

Proposition 2 is "Preserves Lake Tahoe for the Rich Pitch." Isn't that a switch? Those who now own chalets, condos and cabins on beautiful Tahoe will see a real jump in the value as the state picks up the undeveloped property around them. And what is the tab? A cool \$85 million to the California Tahoe Conservancy Agency. The actual cost of this measure would be an additional \$147.5 million in debt for you the taxpayer.

Incredibly enough, this money is to be spent by this agency to acquire the following types of land in the Lake Tahoe region:

- (1) Land providing public lakeshore access.
- (2) Lands threatened with development.
- (3) Lands which would consolidate parcels for more effective management, or provide public access to other public lands.

By their own admission "undeveloped land" includes "land that has been subdivided and improved with

streets and utilities, but does not have structures . . ."

Most people do not realize it, but over 50 percent of this state is already owned by the government. Each time we allow the government to "acquire" a piece of land, that parcel is taken off the tax rolls and adds further taxes to the already burdensome taxpayer bill. Millions of acres that once paid taxes have become nothing more than a drain of taxpayers' dollars. We are spending so much of our hard-earned money on taxes to support these lands that we do not have any left over to enjoy their beauty.

Californians do not need an additional \$147.5 million debt, and we do not need to confiscate any more land—no matter how highfalutin the purpose.

**H. L. RICHARDSON**  
*State Senator, 25th District*  
*Member, Senate Committee on*  
*Natural Resources and Wildlife*

## Rebuttal to Argument Against Proposition 2

The Federal Clean Water Act mandates the preservation of high-quality water which, because of exceptional recreational or ecological significance, constitutes an outstanding national resource.

Lake Tahoe's magnificent clear water, striking mountains and coniferous forests constitute such a resource. Today, Lake Tahoe is threatened.

The state has the legal authority and responsibility to approve and enforce a water quality plan which fully protects Lake Tahoe.

To maintain water quality there must be a major reduction of sediment and nutrients now flowing into the lake. This reduction can only be achieved with some controls on development.

There are approximately 15,000 vacant residential and commercial parcels in existing subdivisions on the California side. At minimum, the control needed to pro-

tect water quality will prohibit development of some 5,000 parcels.

This bond issue will provide \$85 million for the acquisition of such property in environmentally sensitive areas. This bond issue protects both property owners and Lake Tahoe's scenic qualities.

The total investment, including interest over 20 years, comes to about 33 cents a year for each Californian. We believe this to be a reasonable investment to protect an exceptional recreational and scenic resource that is enjoyed each year by millions of Californians.

**JOHN GARAMENDI**  
*State Senator, 13th District*  
**CHARLES R. IMBRECHT**  
*Member of the Assembly, 36th District*

**JAMES W. BRUNER, JR.**  
*Executive Director, League to Save Lake Tahoe*

5096.206. All proposed appropriations for the program shall be included in a section in the Budget Bill for the 1980-81 fiscal year and each succeeding fiscal year for consideration by the Legislature and shall bear the caption "Parklands Acquisition and Development Program." The section shall contain separate items for each project, each class of projects, or each element of the program for which an appropriation is made.

All appropriations shall be subject to all limitations enacted in the Budget Act and to all fiscal procedures prescribed by law with respect to the expenditure of state funds unless expressly exempted from such laws by a statute enacted by the Legislature. Such section shall contain proposed appropriations only for the program elements and classes of projects contemplated by this chapter, and no funds derived from the bonds authorized by this chapter may be expended pursuant to an appropriation not contained in such section of the Budget Act.

5096.207. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3, Division 4, Title 2 of the Government Code), and all of the provisions of that law are applicable to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full herein.

5096.208. For the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Parklands Program Finance Committee is hereby created. The committee consists of the Governor, the State Controller, the Director of Finance, the State Treasurer, and the Secretary of the Resources Agency. For the purposes of this chapter, the Parklands Program Finance Committee shall be "the committee" as that term is used in the State General Obligation Bond Law,

and the State Treasurer shall serve as chairman of the committee. The Secretary of the Resources Agency is hereby designated as "the board" for the purposes of the State General Obligation Bond Law.

5096.209. As used in this chapter, and for the purposes of the State General Obligation Bond Law, "state grant" or "state grant moneys" means moneys received by the state from the sale of bonds authorized by this chapter which are available for grants to counties, cities, districts, and public agencies.

5096.210. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in such depositories and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

5096.211. Commencing with the Budget Bill for the 1990-91 fiscal year, the balance remaining in the fund may be appropriated by the Legislature for expenditure, without regard to the maximum amounts allocated to each element of the program, for any or all elements of the program specified in Section 5096.151, or any class or classes of projects within such elements, that the Legislature deems to be of the highest priority.

5096.212. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

5096.213. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are severable.

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**Text of Proposed Law—Proposition 2—Continued from page 9**

moneys in the funds shall be available for expenditure in accordance with this division by the California Tahoe Conservancy Agency. Moneys in the fund shall be available for expenditure for the following purposes:

(a) For the acquisition of lands threatened with development that will adversely affect the region's natural environment, will adversely affect the use, management, or protection of public lands in the vicinity of the development, or will have a combination of such effects. In particular, preference shall be given to the acquisition of lands within stream environment zones and other lands that, if developed, would be likely to erode or contribute to the further eutrophication or degradation of the waters of the region due to that or other causes. "Stream environment zone" means that area which surrounds a stream, including major streams, minor streams, and drainage ways; which owes its biological and physical characteristics to the presence of water; which may be inundated by a stream; or in which actions of man or nature may directly or indirectly affect the stream. A stream includes small lakes, ponds, and marshy areas through which the stream flows. Acquisitions made pursuant to this subdivision are not intended to replace, wholly or partially, the exercise of any authority conferred by law for the protection of the region's natural environment, including stream environment zones, or the protection of public lands and resources. Accordingly, every public official or agency responsible for the administration or enforcement of any law having any of those purposes shall continue to administer or enforce such law with respect to lands acquired pursuant to this title, notwith-

standing the making of any acquisition pursuant to this subdivision.

(b) For the acquisition of lands whose primary use will be public lakeshore access, preservation of riparian or littoral wildlife habitat, or recreation, or a combination thereof.

(c) For the acquisition of lands that do not satisfy the requirements of either subdivision (a) or (b) but which, if acquired, would facilitate one or both of the following:

(1) Consolidation of lands for their more effective management as a unit.

(2) Provision of public access to other public lands.

As used in this section, "undeveloped land" includes land that has been subdivided and improved with streets and utilities, but does not have structures other than those related to such streets and utilities.

66958. (a) When sold, the bonds authorized by this title shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest thereon.

(b) There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the state, as shall be required to pay the interest and principal on the bonds maturing each year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act which shall be necessary to collect that additional sum.

(c) All money deposited in the fund which has been derived from premium and accrued interest on bonds sold

shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

(d) If the value of any land to be purchased by the agency has been substantially reduced by any statute, ordinance, rule, regulation, or other order adopted after January 1, 1980, by state or local government for the purpose of protecting water quality or other resources in the region, the agency may purchase the land for a price it determines would assure fairness to the landowner. In determining the price to be paid for the land, the agency may consider the price which the owner originally paid for the land, any special assessments paid by the landowner, and any other factors the agency determines should be considered to ensure that the landowner receives a fair and reasonable price for the land.

66959. All money deposited in the fund pursuant to any provision of law requiring repayments to the state for assistance financed by the proceeds of the bonds authorized by this title shall be available for transfer to the General Fund. When transferred to the General Fund such money shall be applied as a reimbursement to the General Fund on account of principal and interest on the bonds which has been paid from the General Fund.

66960. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this title, such an amount as will equal the following:

(a) That sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this title, as principal and interest become due and payable.

(b) That sum as is necessary to carry out the provisions of

Section 66961, which sum is appropriated without regard to fiscal years.

66961. For the purpose of carrying out the provisions of this title, the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this title. Any amounts withdrawn shall be deposited in the fund and shall be disbursed by the board in accordance with this title.

66962. The committee may authorize the State Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the Treasurer.

66963. All proceeds from the sale of bonds, except those derived from premiums and accrued interest, shall be available for the purpose provided in Section 66957 but shall not be available for transfer to the General Fund to pay principal and interest on bonds. The money in the fund may be expended only as herein provided.

66964. All proposed appropriations for the programs specified in this title, shall be included in a section in the Budget Bill for the 1980-81 and each succeeding fiscal year, for consideration by the Legislature. All appropriations shall be subject to all limitations enacted in the Budget Act and to all fiscal procedures proscribed by law with respect to the expenditures of state funds, unless expressly exempted from such laws by a statute enacted by the Legislature. No funds derived from the bonds authorized by this title may be expended pursuant to an appropriation not contained in such section of the Budget Act.

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**Text of Proposed Law—Proposition 8—Continued from page 33**

(4) An action or proceeding to require the State Water Resources Development System to comply with subdivision (b) of Section 11460 of the Water Code.

(5) An action or proceeding to require the Department of Water Resources or its successor agency to comply with the permanent agreement specified in subdivision (a) of Section 11256 of the Water Code.

(6) An action or proceeding to require the Department of Water Resources or its successor agency to comply with the provisions of the contracts entered into pursuant to Section 11456 of the Water Code.

(b) An action or proceeding described in paragraph (1) of subdivision (a) shall be commenced within one year after the effective date of the statute enacted by Senate Bill No. 200 of the 1979-80 Regular Session of the Legislature. Any other action or proceeding described in subdivision (a) shall be commenced within one year after the cause of action arises unless a shorter period is otherwise provided by statute.

(c) The superior court or a court of appeals shall give preference to the actions or proceedings described in this section over all civil actions or proceedings pending in the court. The superior court shall commence hearing any such action or proceeding within six months after the commencement of the action or proceeding, provided that any such hearing may be delayed by joint stipulation of the parties or at the discretion of the court for good cause shown. The provisions of this section shall supersede any provisions of law requiring courts to give preference to other civil actions or proceedings. The provisions of this subdivision may be enforced by mandamus.

(d) The Supreme Court shall, upon the request of any party, transfer to itself, before a decision in the court of appeal, any appeal or petition for extraordinary relief from an action or proceeding described in this section, unless the Supreme Court determines that the action or proceeding is un-

likely to substantially affect (1) the construction, operation, or maintenance of the peripheral canal unit described in subdivision (a) of Section 11255 of the Water Code, (2) compliance with subdivision (b) of Section 11460 of the Water Code, (3) compliance with the permanent agreement specified in Section 11256 of the Water Code, or (4) compliance with the provisions of the contracts entered into pursuant to Section 11456 of the Water Code. The request for transfer shall receive preference on the Supreme Court's calendar. If the action or proceeding is transferred to the Supreme Court, the Supreme Court shall commence to hear the matter within six months of the transfer unless the parties by joint stipulation request additional time or the court, for good cause shown, grants additional time.

(e) The remedy prescribed by the court for an action or proceeding described in paragraph (4), (5), or (6) of subdivision (a) shall include, but need not be limited to, compliance with subdivision (b) of Section 11460 of the Water Code, the permanent agreement specified in Section 11256 of the Water Code, or the provisions of the contracts entered into pursuant to Section 11456 of the Water Code.

(f) The Board of Supervisors of the County of Sacramento may apply to the State Board of Control for actual costs imposed by the requirements of this section upon the county, and the State Board of Control shall pay such actual costs.

(g) Notwithstanding the provisions of this section, nothing in this Article shall be construed as prohibiting the Supreme Court from exercising the transfer authority contained in Article VI, Section 12 of the Constitution.

SEC. 7. State agencies shall exercise their authorized powers in a manner consistent with the protections provided by this article.

SEC. 8. This article shall have no force or effect unless Senate Bill No. 200 of the 1979-80 Regular Session of the Legislature is enacted and takes effect.