

AMENDED IN SENATE JUNE 27, 2013

AMENDED IN ASSEMBLY MAY 29, 2013

AMENDED IN ASSEMBLY MAY 13, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1156**

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**Introduced by Assembly Member V. Manuel Pérez**

February 22, 2013

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An act to amend Sections 1 and 6 of the Palo Verde Irrigation District Act (Chapter 452 of the Statutes of 1923), relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1156, as amended, V. Manuel Pérez. Palo Verde Irrigation District Act.

Existing ~~law~~ *law, the Palo Verde Irrigation District Act*, establishes the Palo Verde Irrigation District Act with the purpose of, among other things, providing a unified and comprehensive method of supplying the district, as defined, with water for irrigation and domestic uses and protecting lands within the district from floodwaters of the Colorado River. Existing law ~~requires~~ *entitles* any person, firm, or corporation ~~which~~ *that* owns, or has any interest in, real property or improvements on real property, or both, whose interest or ownership is assessed on the last preceding equalized assessment roll of the district ~~be entitled~~ to vote at certain elections related to the district. The act entitles a property owner to one vote for every \$100 of assessed valuation on the equalized assessment roll, as specified.

This bill would *instead* entitle a person, firm, or corporation that owns land to vote at the specified elections. This bill would entitle each property owner to one vote for every one acre of land owned, as

specified. This bill, by requiring the district to hold a public hearing regarding these changes to the weighted voted system, as prescribed, would impose a state-mandated local program.

~~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, 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 1 of the Palo Verde Irrigation District
- 2 Act (Chapter 452 of the Statutes of 1923) is amended to read:
- 3 Section 1. (a) The State of California and the people of the
- 4 state are hereby declared to have a primary and supreme interest
- 5 in securing to the inhabitants and owners of the low-irrigable lands
- 6 within what is known as the "Palo Verde Valley," in Riverside
- 7 and Imperial Counties, the greatest possible use, conservation, and
- 8 protection of the waters of the Colorado River to the extent that
- 9 the same may be lawfully diverted to their lands, to the end that
- 10 their water system, land, structures, and other properties may be
- 11 protected from overflow of the floodwaters from the river, their
- 12 swamplands drained, and thereby the greatest productivity of the
- 13 largest possible area may be accomplished and safely carried on
- 14 within reasonable limits of economy.
- 15 (b) The Legislature hereby finds and declares the following:
- 16 (1) That as a special district, the purpose of the Palo Verde
- 17 Irrigation District is to secure to the district's landowners and
- 18 inhabitants the greatest possible use, conservation, and protection
- 19 of the waters of the Colorado River, to protect their water system,

1 land, structures, and other properties from overflow of the  
2 floodwaters from the river, and to reclaim swamplands and thereby  
3 promote the greatest productivity of the largest possible area of  
4 land within reasonable limits of safety and the economy.

5 (2) That the owners of land in the Palo Verde Irrigation District  
6 enjoy distinct benefits flowing as a result of the district's declared  
7 purpose, and absorb specific costs related to this purpose, in the  
8 form of assessments against land and water charges, and that these  
9 landowners are therefore substantially affected by, and directly  
10 interested in, the district's governance.

11 (c) Investigation having shown conditions in the Palo Verde  
12 Valley to be peculiar to that valley, it is hereby declared that a  
13 general law cannot be applicable thereto, and the enactment of this  
14 special law is therefore necessary for the proper distribution and  
15 use of the waters available for the valley, the protection of the  
16 valley against inundation, the reclamation of the swamplands, and  
17 financing the development of the valley by the means herein  
18 provided.

19 SEC. 2. Section 6 of the Palo Verde Irrigation District  
20 Act (~~Chapter Act~~ (*Chapter 452* of the Statutes of 1923), as amended  
21 by Section 1 of Chapter 583 of the Statutes of 1927, is amended  
22 to read:

23 Sec. 6. (a) Any person, firm, or corporation that owns land  
24 shall be entitled to vote at any election, special or general, for the  
25 election of trustees, or for any other purpose pertaining to the  
26 affairs of the district. Each property owner qualified to vote shall  
27 be entitled to cast one vote for every one acre owned. If a property  
28 owner owns less than one acre of land, ~~but at least one-half of an~~  
29 ~~acre of land~~, the property owner shall be entitled to cast one vote.

30 (b) (1) The district shall hold a public hearing regarding the  
31 changes to the weighted voting system pursuant to subdivision (a).

32 (2) Notice of the public hearing shall be given by placing a  
33 display advertisement at least one-eighth page in a newspaper of  
34 general circulation for three weeks, pursuant to Section 6063 of  
35 the Government Code, and by United States first-class mail to each  
36 landowner voter in the district, postage prepaid, and notice shall  
37 be deemed given when deposited in the mail. The envelope or  
38 cover of the mailing shall include the name of the local agency  
39 and the return address of the sender and the mailed notice shall be  
40 in at least 10-point type.

1 (3) The public hearing shall be held at least 45 days after mailing  
2 the notice pursuant to paragraph (2).

3 ~~SEC. 3. If the Commission on State Mandates determines that~~  
4 ~~this act contains costs mandated by the state, reimbursement to~~  
5 ~~local agencies and school districts for those costs shall be made~~  
6 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
7 ~~4 of Title 2 of the Government Code.~~

8 *SEC. 3. No reimbursement is required by this act pursuant to*  
9 *Section 6 of Article XIII B of the California Constitution because*  
10 *the only costs that may be incurred by a local agency or school*  
11 *district are the result of a program for which legislative authority*  
12 *was requested by that local agency or school district, within the*  
13 *meaning of Section 17556 of the Government Code and Section 6*  
14 *of Article XIII B of the California Constitution.*