

AMENDED IN ASSEMBLY AUGUST 6, 2013

AMENDED IN ASSEMBLY JUNE 4, 2013

SENATE BILL

No. 614

Introduced by Senator Wolk

February 22, 2013

An act to amend Section 21100 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 614, as amended, Wolk. Irrigation districts: directors.

Existing law, the Irrigation District Law, with certain exceptions, requires a director elected at a formation election to be a resident, landowner, and voter in the proposed district at the time of his or her nomination and a resident of the division that he or she represents during his or her entire term. Existing law, with certain exceptions, requires a director of the board of an irrigation district to be a voter and, unless exempted under certain circumstances, a landowner in the district and a resident of the division that the director represents at the time of his or her nomination or appointment and during the director's entire term.

This bill would eliminate the circumstances in which a director of the board of an irrigation district may be exempt from the landownership requirement.

Existing law requires a director on the board of an irrigation district that provides retail electricity for residents of the district to be a voter of the district and a resident of the division that the director represents at the time of his or her nomination or appointment and during his or her entire term. Existing law requires a director elected at a formation election to be a resident in the proposed district at the time of his or her nomination and a resident of the division that he or she represents during his or her entire term.

This bill would apply these requirements to a director on the board of an irrigation district ~~that provides water for agricultural purposes and water for municipal or industrial purposes~~ *receiving a majority of its operating and nonoperating revenue from sources other than irrigation water sales, standby or availability charges, service type assessments, and property assessments, reported as specified.*

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

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

1 SECTION 1. Section 21100 of the Water Code is amended to
2 read:

3 21100. (a) Each director, except as provided in ~~subdivisions~~
4 *subdivision* (c) or (d) or otherwise provided in this division, shall
5 be a voter and a landowner in the district and a resident of the
6 division that he or she represents at the time of his or her
7 nomination or appointment and through his or her entire term,
8 except in the case of the director elected at a formation election.
9 A director elected at a formation election shall be a resident,
10 landowner, and voter in the proposed district at the time of his or
11 her nomination and a resident of the division that he or she
12 represents during his or her entire term.

13 (b) In any district having no more than 15 landowners who are
14 voters in the district, a person need not be a voter but shall be
15 qualified to be a director of the district if he or she is a landowner
16 of the district at the time of his or her nomination or appointment
17 and during his or her entire term.

18 (c) In a district that provides retail electricity for residents of
19 the district, each director, except as otherwise provided in this
20 division, shall be a voter of the district and a resident of the division
21 that he or she represents at the time of his or her nomination or
22 appointment and during his or her entire term, except in the case
23 of a director elected at a formation election. A director elected at
24 a formation election shall be a resident in the proposed district at
25 the time of his or her nomination and a resident of the division that
26 he or she represents during his or her entire term.

27 (d) In a district ~~that provides water for agricultural purposes~~
28 ~~and water for municipal or industrial purposes~~ *receiving a majority*
29 *of its operating and nonoperating revenue from sources other than*

1 *irrigation water sales, standby or availability charges, service*
2 *type assessments, and property assessments, as reported in the*
3 *most recent Special Districts Annual Report issued by the*
4 *Controller, each director, except as otherwise provided in this*
5 *division, shall be a voter of the district and a resident of the division*
6 *that he or she represents at the time of his or her nomination or*
7 *appointment and during his or her entire term, except in the case*
8 *of a director elected at a formation election. A director elected at*
9 *a formation election shall be a resident in the proposed district at*
10 *the time of his or her nomination and a resident of the division that*
11 *he or she represents during his or her entire term.*

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