

AMENDED IN ASSEMBLY JANUARY 19, 2016

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1362

Introduced by Assembly Member Gordon

February 27, 2015

An act to ~~amend Section 2021 of~~ *add Section 2021.5 to* the Health and Safety Code, relating to pest abatement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1362, as amended, Gordon. Mosquito abatement and vector control districts: board of trustees: appointment of members.

Existing law, the Mosquito Abatement and Vector Control District Law, specifies the procedures for district formation, the procedures for the selection of the district board of trustees and officers, and the powers and duties of the board. Existing law authorizes the board of supervisors to appoint one person to the board of trustees, and the city council of each city that is located in whole or in part within the district to appoint one person to the board of trustees, in the case of a district that is located entirely within a single county and contains both incorporated territory and unincorporated territory.

This bill would authorize ~~the board of supervisors and a city selection committee, established pursuant to specified provisions of law, to appoint persons to the board of trustees, as specified, in the case of a district that is located entirely within a single county and contains both incorporated territory, including every city within that county, and unincorporated territory.~~ *a city council, located in an existing or newly formed district as specified above, to adopt a resolution requesting that*

appointments of persons to the board of trustees instead be made by a city selection committee, established pursuant to specified provisions of law, and conditioned upon a majority of authorized city councils adopting their respective resolutions. This bill would authorize the city selection committee to decrease the total number of appointments to be made by the committee if a majority of city councils within the district make this request in their respective resolutions. This bill would prohibit the total number of appointments made by the committee from exceeding the number of incorporated cities that are located in whole or in part within the district, and would prohibit those appointments from affecting the appointments made by the board of supervisors.

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 2021.5 is added to the Health and Safety
 2 Code, to read:
 3 2021.5. (a) A city council that is authorized to appoint one
 4 person to the board of trustees of a district, pursuant to subdivision
 5 (b) of Section 2021, may adopt a resolution requesting that
 6 appointments instead be made by a city selection committee,
 7 established pursuant to Article 11 (commencing with Section
 8 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the
 9 Government Code.
 10 (b) This section shall only apply if a majority of city councils
 11 that are located within the district and are authorized to appoint
 12 a person to the board of trustees adopt their respective resolutions
 13 pursuant to this section. This section shall apply to existing and
 14 newly formed districts as defined in subdivision (b) of Section
 15 2021.
 16 (c) The city selection committee described in subdivision (a)
 17 may decrease the total number of appointments to be made by the
 18 committee if a majority of city councils within the district make
 19 this request in their respective resolutions. The total number of
 20 appointments made by the committee shall not exceed the number
 21 of incorporated cities that are located in whole or in part within
 22 the district.

1 (d) *The appointments made by the city selection committee shall*
2 *not affect the appointments made by the board of supervisors*
3 *pursuant to subdivision (b) of Section 2021.*

4 SECTION 1. ~~Section 2021 of the Health and Safety Code is~~
5 ~~amended to read:~~

6 ~~2021. Within 30 days after the effective date of the formation~~
7 ~~of a district, a board of trustees shall be appointed as follows:~~

8 ~~(a) In the case of a district that contains only unincorporated~~
9 ~~territory in a single county, the board of supervisors shall appoint~~
10 ~~five persons to the board of trustees.~~

11 ~~(b) In the case of a district that is located entirely within a single~~
12 ~~county and contains both incorporated territory and unincorporated~~
13 ~~territory, the board of supervisors may appoint one person to the~~
14 ~~board of trustees, and the city council of each city that is located~~
15 ~~in whole or in part within the district may appoint one person to~~
16 ~~the board of trustees. If those appointments result in a board of~~
17 ~~trustees with less than five trustees, the board of supervisors shall~~
18 ~~appoint enough additional persons to make a board of trustees of~~
19 ~~five members.~~

20 ~~(c) In the case of a district that contains only unincorporated~~
21 ~~territory in more than one county, the board of supervisors of each~~
22 ~~county may appoint one person to the board of trustees. If those~~
23 ~~appointments result in a board of trustees with less than five~~
24 ~~persons, the board of supervisors of the principal county shall~~
25 ~~appoint enough additional persons to make a board of trustees of~~
26 ~~five members.~~

27 ~~(d) In the case of a district that is located in two or more counties~~
28 ~~and contains both incorporated territory and unincorporated~~
29 ~~territory, the board of supervisors of each county may appoint one~~
30 ~~person to the board of trustees, and the city council of each city~~
31 ~~that is located in whole or in part within the district may appoint~~
32 ~~one person to the board of trustees. If those appointments result~~
33 ~~in a board of trustees with less than five persons, the board of~~
34 ~~supervisors of the principal county shall appoint enough additional~~
35 ~~persons to make a board of trustees of five members.~~

36 ~~(e) In the case of a district that is located entirely within a single~~
37 ~~county and contains both incorporated territory, including every~~
38 ~~city within that county, and unincorporated territory, the board of~~
39 ~~supervisors may appoint one person to the board of trustees, and~~
40 ~~a city selection committee, established pursuant to Article 11~~

1 ~~(commencing with Section 50270) of Chapter 1 of Part 1 of~~
2 ~~Division 1 of Title 5 of the Government Code, may appoint up to~~
3 ~~the total number of trustees as the individual cities would~~
4 ~~collectively be entitled to appoint pursuant to subdivision (b). If~~
5 ~~those appointments result in a board of trustees with less than five~~
6 ~~persons, the board of supervisors shall appoint enough additional~~
7 ~~persons to make a board of trustees of five members.~~

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