

ASSEMBLY BILL

No. 1816

Introduced by Assembly Member Dahle

February 8, 2016

An act to amend Sections 22527, 22528, and 22529 of the Water Code, relating to irrigation districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1816, as introduced, Dahle. Irrigation districts: lease of works.

The Irrigation District Law provides for the formation of irrigation districts with prescribed powers, including, among other powers, the authorization to lease part or all of the irrigation district's works whenever the leasing will benefit the irrigation district. Existing law requires the board of an irrigation district to give notice at least 3 weeks prior to making a lease by publication at least once in a newspaper published in the principal county. Existing law requires a lease to be made to the highest bidder, except as specified, and prohibits a lease from interfering with any prior right established by law.

This bill would authorize the board of an irrigation district to alternatively post notice on its Internet Web site. The bill would specify that a lease be made to the highest bidder that is responsive and would additionally prohibit the lease from interfering with any prior right established by contract. By imposing requirements on irrigation districts, the bill 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 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 22527 of the Water Code is amended to
2 read:

3 22527. When ~~the~~ a board contemplates the leasing of the works
4 of the district, it shall give notice thereof at least three weeks prior
5 to the making of the lease, by publication at least once in ~~some~~ a
6 newspaper published in the principal ~~county~~: *county or by posting*
7 *the notice on the district's Internet Web site.*

8 SEC. 2. Section 22528 of the Water Code is amended to read:

9 22528. The lease shall be made to the highest *responsive* bidder,
10 but any and all bids may be rejected.

11 SEC. 3. Section 22529 of the Water Code is amended to read:

12 22529. The lease shall not interfere with any prior rights
13 established by ~~law~~: *law or contract.*

14 SEC. 4. No reimbursement is required by this act pursuant to
15 Section 6 of Article XIII B of the California Constitution because
16 a local agency or school district has the authority to levy service
17 charges, fees, or assessments sufficient to pay for the program or
18 level of service mandated by this act, within the meaning of Section
19 17556 of the Government Code.