

AMENDED IN SENATE MAY 24, 2016

AMENDED IN ASSEMBLY APRIL 25, 2016

AMENDED IN ASSEMBLY MARCH 31, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1816

Introduced by Assembly Member Dahle
(Coauthor: Senator Gaines)

February 8, 2016

An act to add Section 21100.3 to the Water Code, relating to irrigation districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1816, as amended, Dahle. Tulelake Irrigation District.

The Irrigation District Law provides for the formation of irrigation districts with prescribed powers. The district law generally requires a director on the board of an irrigation district to be a voter, landowner, and resident in the division of the district that the director represents.

This bill would authorize the board of directors of the Tulelake Irrigation District to adopt a resolution that authorizes a person ~~who to be a director if the person~~ is a landowner or a legal representative of a landowner within the division of the district ~~and who~~ district, resides within the district or within one mile of any district ~~boundary to be a director of any division of the district.~~ boundary, and is a registered voter in California. The bill would authorize the registered voters in the district to request and require that a director of the district be a voter, landowner, and resident in the division of the district that the director represents, as prescribed.

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 21100.3 is added to the Water Code, to
2 read:

3 21100.3. (a) This section only applies to the Tulelake Irrigation
4 District. For the purpose of this section, the following terms have
5 the following meanings:

6 (1) *“Corporation” means any legal entity, public or private,*
7 *properly organized under the laws of the state in which it was*
8 *created, that is allowed to own real property in California.*

9 (1)

10 (2) *“District” means the Tulelake Irrigation District, originally*
11 *formed as Tule Lake Irrigation District.*

12 (3) *“Legal representative” means the person authorized to act*
13 *for purposes of this section for or on behalf of a corporation, estate,*
14 *or trust holding title to land within the district.*

15 (2)

16 (4) *“Residency area” means land within the district or land*
17 *within one mile of any district boundary.*

18 (b) Notwithstanding subdivision (a) of Section 21100, the board
19 of directors of the district may adopt a resolution that authorizes
20 a person ~~who meets the landownership requirement of Section~~
21 ~~21100 and resides within the residency area to be a director of any~~
22 ~~division of the district.~~ *if the person, at the time of his or her*
23 *nomination or appointment and through his or her entire term,*
24 *meets all of the following requirements:*

25 (1) *Is a registered voter in California.*

26 (2) *Resides within the residency area.*

27 (3) *Is an owner of real property within the division he or she*
28 *represents or the owner’s legal representative.*

29 (c) Notwithstanding the adoption of a resolution pursuant to
30 subdivision (b), the registered voters in the district may request,
31 in writing, that all of the directors who are appointed or elected
32 subsequent to the receipt of the request be required to meet all of
33 the requirements of Section 21100. The request shall be submitted
34 to the board of directors.

1 (d) If the board of directors ~~determine~~ *determines* that at least
2 25 percent of the registered voters in the district have signed the
3 request submitted pursuant to subdivision (c), all of the directors
4 who are appointed or elected subsequent to the receipt of the
5 request shall meet all of the requirements of Section 21100.

6 (e) *Before a legal representative may declare his or her*
7 *candidacy or be appointed to serve as a director under this section,*
8 *he or she shall present to the district a copy of his or her authority*
9 *that shall be kept and filed with the returns of the election or the*
10 *certificate of appointment.*

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