

## Assembly Bill No. 97

### CHAPTER 355

An act to amend Section 35246 of the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 3, 1995. Filed with  
Secretary of State August 4, 1995.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 97, Conroy. Santa Margarita Water District.

Existing law requires general district elections within the Santa Margarita Water District held after January 1, 1994, to be conducted as resident voter elections, shortens the terms of office of all directors who are in office on January 1, 1994, and provides for staggered terms. Under existing law, a general district election is to be held in November 1995.

This bill would require general district elections held within the district after January 1, 1996, to be conducted as resident voter elections and would require those elections to be held on the first Tuesday after the first Monday in November of every even-numbered year, thus delaying the November 1995 election until 1996. The bill would extend until 1996 the terms of office of those current directors whose terms of office would, under existing law, expire in 1995. The bill would require the general district elections to be consolidated with statewide general elections in accordance with specified existing law.

The bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 35246 of the Water Code is amended to read:

35246. (a) At the first general district election following January 1, 1996, all directors shall be elected. The terms of office of those directors who are in office on January 1, 1996, shall be shortened and shall expire upon the election and qualification of their successors at that first general district election described in this subdivision. In that first district election and in all subsequent elections, except as specified in subdivision (b), the form of the ballot and the conduct of the election shall be governed by the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code) for resident voting elections.

(b) Notwithstanding Section 1304 of the Elections Code, the general district election shall be held on the first Tuesday after the



first Monday in November of every even-numbered year to choose a successor for each director whose term of office will expire on the following first Friday in December, and shall be consolidated with the statewide general election in accordance with Part 3 (commencing with Section 10400) of Division 10 of the Elections Code.

(c) Those directors whose four-year terms of office would, prior to the amendment of this section during the 1995–96 session of the Legislature, have expired on the first Friday in December of 1995 shall, instead, continue in their offices until not later than the fourth Tuesday after the day of the general district election held in 1996 pursuant to this section.

(d) Immediately following the general district election described in subdivision (a), the directors so elected at that election shall determine by lot as to those two directors who shall serve two-year terms and as to the three directors who shall serve four-year terms. Except as provided in this subdivision, all directors shall serve four-year terms.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to allow the Santa Margarita Water District to hold general district elections in even-numbered years and consolidate those elections with statewide general elections, thus delaying the 1995 general district election until 1996 and saving the district the costs of elections in odd-numbered years, it is necessary that this act take effect immediately.

