An act to add Section 20527.14 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 386, 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 provide that, for the Tulelake Irrigation District, every owner of real property assessed by the district and located within its boundaries, district, but no others, is authorized to vote at district elections for directors: director, as prescribed. The bill would provide that a director of the Tulelake Irrigation District, at the time of his or her nomination or appointment and through his or her entire term, is required to be a registered voter in the state California, resides within the territory of the district or within 10 miles of the exterior boundaries of the district and within California, and be a landowner, or a specified legal representative of a landowner, within the division he or she represents at the time of his or her nomination or appointment and through his or her entire term: represents. By imposing requirements on the district and the county in connection with district elections, this 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.


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

SECTION 1. Section 20527.14 is added to the Water Code, to read:

(a) This section only applies to the Tulelake Irrigation District. For the purposes of this section, the following terms have the following meanings:

(1) "Assessed farm unit" means each acre assessed by the district.

(2) "Corporation" includes partnerships, limited liability companies, public agencies, as well as other legal entities means any legal entity, public, or private, properly organized under the laws of the state in which they were created it was created, that are is allowed to own real property in California.

(3) "District" means the Tulelake Irrigation District, originally formed as Tule Lake Irrigation District.

(4) "Legal representative" means an official of a corporation owning real property or a guardian, conservator, executor, or administrator of the estate or the holder of title to real property who is appointed under the laws of the state, entitled to the possession of the estate’s property, and authorized by the appointing court to exercise the particular right, privilege, or immunity that he or she seeks to exercise.

(3) "Legal representative" means a person authorized to act for or on behalf of a corporation, estate, or trust holding title to land within the district.

(4) "Residency area" means both of the following:

(A) Land within the exterior boundaries of the district.
(B) Land within 10 miles of the exterior boundaries of the
district and within California.

(b) Notwithstanding Section 20527 or any other law, every
owner of real property assessed by the district and located within
its boundaries, district, but no others, may vote at district elections
for directors: director. An owner need not be a resident of the
division or district in order to qualify as a voter. The number of
votes a voter shall be entitled to cast one vote, which will be
assigned a vote value shall be based upon the acreage of the voter's
assessed farm unit total number of assessed acres owned by the
voter in the division as follows:

1. For 50 or fewer assessed farm units, the vote value is one
   acres, one vote.

2. For more than 10 and 25 or fewer assessed farm units, the
   vote value is two 50, but not more than 250 assessed acres, two
   votes.

3. For more than 25 and 40 or fewer 250 assessed farm units,
   the vote value is three acres, three votes.

4. For more than 40 and 70 or fewer assessed farm units, the
   vote value is four.

5. For more than 70 and 100 or fewer assessed farm units, the
   vote value is five.

6. For more than 100 assessed farm units, the vote value is six.

(c) The last equalized assessment roll prepared by the district
Tulelake Irrigation District Assessment Roll is conclusive evidence
of ownership and of the number of farm units owned: assessed
acres owned by the voter in the division.

(d) (1) If land is owned in joint tenancy, tenancy in common,
or any other multiple ownership, the owners of the land shall
designate, in writing as specified in paragraph (2), which one of
the owners is deemed the owner of the land for purposes of
qualifying as a voter.

(2) The designation shall be made upon a form provided by the
district and shall be filed with the district at least 40 days prior to
the election and shall remain in effect until amended or revoked.
No amendment or revocation may occur within the period of 39
days prior to an election.

(e) The legal representative of a corporation, estate, or trust
owning real property may vote on behalf of the corporation or
estate, including when the entity is a designee pursuant to
subdivision (d). Before a legal representative votes at a district
election, he or she shall present to the precinct board district a

copy of his or her authority that shall be kept and filed with the
returns of the election.

(f) Every voter, or his or her legal representative, may vote at
any district election either in person or by a person appointed as
his or her proxy. The appointment of a proxy shall be as provided
in Section 35005.

(g) Notwithstanding Section 21100 or any other law, each
director of the district shall, at the time of his or her
nomination or appointment and through his or her entire term,
meet all of the following requirements:

(1) Be a registered voter in the state, reside
in California.

(2) Reside within the territory of the district, and be
residency area.

(3) Be a landowner within the division he or she represents at
the time of his or her nomination or appointment and through his
or her entire term, or a legal representative of a landowner within
the division he or she represents.

SEC. 2. If the Commission on State Mandates determines that
this act contains costs mandated by the state, reimbursement to
local agencies and school districts for those costs shall be made
pursuant to Part 7 (commencing with Section 17500) of Division
4 of Title 2 of the Government Code.