

Assembly Bill No. 1156

CHAPTER 245

An act to amend Sections 1 and 6 of the Palo Verde Irrigation District Act (Chapter 452 of the Statutes of 1923), relating to water.

[Approved by Governor September 6, 2013. Filed with
Secretary of State September 6, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1156, V. Manuel Pérez. Palo Verde Irrigation District Act.

Existing law, the Palo Verde Irrigation District Act, establishes the Palo Verde Irrigation District with the purpose of, among other things, providing a unified and comprehensive method of supplying the district, as defined, with water for irrigation and domestic uses and protecting lands within the district from floodwaters of the Colorado River. Existing law entitles any person, firm, or corporation that owns, or has any interest in, real property or improvements on real property, or both, whose interest or ownership is assessed on the last preceding equalized assessment roll of the district to vote at certain elections related to the district. The act entitles a property owner to one vote for every \$100 of assessed valuation on the equalized assessment roll, as specified.

This bill would instead entitle a person, firm, or corporation that owns land to vote at the specified elections. This bill would entitle each property owner to one vote for every one acre of land owned, as specified. This bill, by requiring the district to hold a public hearing regarding these changes to the weighted voted system, as prescribed, 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.

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

SECTION 1. Section 1 of the Palo Verde Irrigation District Act (Chapter 452 of the Statutes of 1923) is amended to read:

Section 1. (a) The State of California and the people of the state are hereby declared to have a primary and supreme interest in securing to the inhabitants and owners of the low-irrigable lands within what is known as the "Palo Verde Valley," in Riverside and Imperial Counties, the greatest possible use, conservation, and protection of the waters of the Colorado

River to the extent that the same may be lawfully diverted to their lands, to the end that their water system, land, structures, and other properties may be protected from overflow of the floodwaters from the river, their swamplands drained, and thereby the greatest productivity of the largest possible area may be accomplished and safely carried on within reasonable limits of economy.

(b) The Legislature hereby finds and declares the following:

(1) That as a special district, the purpose of the Palo Verde Irrigation District is to secure to the district's landowners and inhabitants the greatest possible use, conservation, and protection of the waters of the Colorado River, to protect their water system, land, structures, and other properties from overflow of the floodwaters from the river, and to reclaim swamplands and thereby promote the greatest productivity of the largest possible area of land within reasonable limits of safety and the economy.

(2) That the owners of land in the Palo Verde Irrigation District enjoy distinct benefits flowing as a result of the district's declared purpose, and absorb specific costs related to this purpose, in the form of assessments against land and water charges, and that these landowners are therefore substantially affected by, and directly interested in, the district's governance.

(c) Investigation having shown conditions in the Palo Verde Valley to be peculiar to that valley, it is hereby declared that a general law cannot be applicable thereto, and the enactment of this special law is therefore necessary for the proper distribution and use of the waters available for the valley, the protection of the valley against inundation, the reclamation of the swamplands, and financing the development of the valley by the means herein provided.

SEC. 2. Section 6 of the Palo Verde Irrigation District Act (Chapter 452 of the Statutes of 1923), as amended by Section 1 of Chapter 583 of the Statutes of 1927, is amended to read:

Sec. 6. (a) Any person, firm, or corporation that owns land shall be entitled to vote at any election, special or general, for the election of trustees, or for any other purpose pertaining to the affairs of the district. Each property owner qualified to vote shall be entitled to cast one vote for every one acre owned. If a property owner owns less than one acre of land, the property owner shall be entitled to cast one vote.

(b) (1) The district shall hold a public hearing regarding the changes to the weighted voting system pursuant to subdivision (a).

(2) Notice of the public hearing shall be given by placing a display advertisement at least one-eighth page in a newspaper of general circulation for three weeks, pursuant to Section 6063 of the Government Code, and by United States first-class mail to each landowner voter in the district, postage prepaid, and notice shall be deemed given when deposited in the mail. The envelope or cover of the mailing shall include the name of the local agency and the return address of the sender and the mailed notice shall be in at least 10-point type.

(3) The public hearing shall be held at least 45 days after mailing the notice pursuant to paragraph (2).

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

CORRECTIONS:
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