

**ASSEMBLY BILL**

**No. 386**

**Introduced by Assembly Member Dahle**  
(Coauthor: Senator Gaines)

February 18, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

AB 386, as introduced, 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, but no others, is authorized to vote at district elections for directors. The bill would provide that a director of the Tulelake Irrigation District is required to be a registered voter in the state, reside within the territory of the district, and 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. 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.

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 20527.14 is added to the Water Code, to  
2 read:

3 20527.14. (a) This section only applies to the Tulelake  
4 Irrigation District. For the purposes of this section, the following  
5 terms have the following meanings:

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

8 (2) "Corporation" includes partnerships, limited liability  
9 companies, public agencies, as well as other legal entities properly  
10 organized under the laws of the state in which they were created  
11 that are allowed to own real property.

12 (3) "District" means the Tulelake Irrigation District.

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

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

27 (1) For 10 or fewer assessed farm units, the vote value is one.

28 (2) For more than 10 and 25 or fewer assessed farm units, the  
29 vote value is two.

30 (3) For more than 25 and 40 or fewer assessed farm units, the  
31 vote value is three.

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

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

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

4 (c) The last equalized assessment roll prepared by the district  
5 is conclusive evidence of ownership and of the number of farm  
6 units owned.

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

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

17 (e) The legal representative of a corporation, estate, or trust  
18 owning real property may vote on behalf of the corporation or  
19 estate, including when the entity is a designee pursuant to  
20 subdivision (d). Before a legal representative votes at a district  
21 election, he or she shall present to the precinct board a copy of his  
22 or her authority that shall be kept and filed with the returns of the  
23 election.

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

28 (g) Notwithstanding Section 21100 or any other law, each  
29 director of the district shall be a registered voter in the state, reside  
30 within the territory of the district, and be a landowner within the  
31 division he or she represents at the time of his or her nomination  
32 or appointment and through his or her entire term.

33 SEC. 2. If the Commission on State Mandates determines that  
34 this act contains costs mandated by the state, reimbursement to  
35 local agencies and school districts for those costs shall be made  
36 pursuant to Part 7 (commencing with Section 17500) of Division  
37 4 of Title 2 of the Government Code.