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AB-1021 Imperial Irrigation District. (2021-2022)

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ENROLLED SEPTEMBER 07, 2021
PASSED IN SENATE SEPTEMBER 01, 2021
PASSED IN ASSEMBLY SEPTEMBER 02, 2021
AMENDED IN SENATE AUGUST 19, 2021
AMENDED IN SENATE AUGUST 16, 2021
AMENDED IN SENATE JULY 01, 2021
AMENDED IN ASSEMBLY MAY 24, 2021
AMENDED IN ASSEMBLY APRIL 19, 2021
AMENDED IN ASSEMBLY MARCH 18, 2021

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

ASSEMBLY BILL

NO. 1021**Introduced by Assembly Member Mayes****February 18, 2021**

An act to add Section 56378.2 to the Government Code, relating to irrigation districts, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1021, Mayes. Imperial Irrigation District.

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Under the act, each local agency formation commission is required to initiate and make studies of existing governmental agencies, including, but not limited to, studies to determine each local agency's maximum service area and service capacities.

This bill would require the local agency formation commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites a joint study of options for providing continued publicly owned and managed electrical service in perpetuity to the Imperial Irrigation District's electrical service area, as defined, customers and options for alternative governance structures that would extend voting rights to registered voters who reside within the Imperial Irrigation District electrical service area to provide for proportional representation on a governing board that will have primary jurisdiction on all

electrical service matters, as specified. The bill would require the study to be published no later than July 1, 2022. By imposing new duties on the specified local agency formation commissions, the bill would impose a state-mandated local program.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the Imperial Irrigation District.

(3) 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 the statutory provisions noted above.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 56378.2 is added to the Government Code, to read:

56378.2. (a) Notwithstanding any other law, the commissions for the County of Imperial and the County of Riverside shall conduct and publish on their internet websites a joint study of both of the following:

(1) Options for providing continued publicly owned and managed electrical service in perpetuity to Imperial Irrigation District electrical service area customers prior to, and after, the expiration of the 99-year lease for power rights made between the Imperial Irrigation District and the Coachella Valley Water District in 1934.

(2) Options for alternative governance structures that would extend voting rights to registered voters who reside within the Imperial Irrigation District electrical service area to provide for proportional representation on a governing board that will have primary jurisdiction on all electrical service matters. Any findings shall isolate water rights and management as the sole responsibility of the current Imperial Irrigation District board of directors and shall not affect the water service area boundaries of the Imperial Irrigation District.

(b) The joint study described in subdivision (a) shall be published no later than July 1, 2022.

(c) For the purposes of this section, "electrical service area" means the area where the district provides retail electrical service that is outside of the district's boundaries.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the conditions unique to the Counties of Imperial and Riverside and the Imperial Irrigation District.

SEC. 3. 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.

SEC. 4. 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 California Constitution and shall go into immediate effect. The facts constituting the necessity are:

Due to the extreme conditions the state is facing regarding energy, it is necessary for the Imperial Irrigation District to address these issues affecting customers within their service area as soon as possible.