

Senate Bill No. 405

CHAPTER 20

An act to add Section 18343 to the Education Code, relating to the Banning Unified School District.

[Approved by Governor June 27, 2005. Filed with Secretary of State June 28, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

SB 405, Battin. Library district: Banning Unified School District.

(1) Existing law authorizes the Board of Trustees of the Santa Paula Union School District in Ventura to provide, by resolution, that the Santa Paula Union High School Public Library District shall be governed by a separate board of trustees, as specified.

This bill would authorize the Board of Trustees of the Banning Unified School District to provide, by resolution, that the Banning Unified School District Library District shall be governed by a separate governing board, as specified.

(2) The bill would state the findings and declarations of the Legislature as to the necessity of special laws with respect to the Banning Unified School District.

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

SECTION 1. Section 18343 is added to the Education Code, to read:

18343. (a) The governing board of the Banning Unified School District may, by resolution, provide that the Banning Unified School District Library District shall be governed by a separate governing board. Upon adoption, the resolution shall be filed with the County Clerk of the County of Riverside.

(b) Upon the effective date of the resolution adopted pursuant to subdivision (a), the name of the Banning Unified School District Library District shall be the Banning Library District.

(c) The governing board shall consist of five members, each of whom shall be a registered voter residing within the library district.

(d) Except for the initial board, members appointed pursuant to paragraph (1) of subdivision (f), and members described in subdivision (h), of the governing board shall hold office for a fixed term of four years, beginning on the last Friday in November next succeeding their appointment or election.

(e) Within 60 days after filing with the County Clerk of the County of Riverside of the resolution adopted pursuant to subdivision (a), the Board of Supervisors of the County of Riverside shall appoint the initial

governing board of the library district. The appointments shall be made from the membership of the Library Commission of the Banning Unified School District Library District.

(f) The first board of trustees shall, at their first meeting, so classify themselves by lot that their terms shall expire:

(1) Two on the last Friday in November of the first even-numbered calendar year succeeding his or her appointment.

(2) Three on the last Friday of November of the second succeeding even-numbered calendar year.

(g) The library district shall continue to receive revenues, including apportioned property taxes and authorized special taxes as if it were still the Banning Unified School District Library District. There shall be no change in district powers or responsibilities.

(h) Notwithstanding any other provision of law, those persons elected to the governing board in 2007 shall hold office for a fixed five-year term.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances applicable to the Banning Unified School District.