

**ASSEMBLY BILL**

**No. 1484**

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**Introduced by Assembly Member Hertzberg**

February 28, 1997

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An act to add Section 56302 to the Government Code, relating to local government reorganization, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1484, as introduced, Hertzberg. Local government reorganization.

Under the Cortese-Knox Local Government Reorganization Act of 1985, a local agency formation commission is established in each county for the review and approval of changes in boundaries of local agencies. Under that act, 2 or more changes of organization of local governmental entities constitute a reorganization.

This bill would create the Commission on Local Governance for the 21st Century, consisting of 15 members appointed by the Governor, the Assembly Committee on Rules, and the Senate Committee on Rules, as specified. The bill would require the commission to report to the Legislature and the Governor on specified topics relating to reorganization.

This bill would appropriate \$600,000 from the General Fund to the commission to carry out its duties and responsibilities.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 56302 is added to the  
 2 Government Code, to read:  
 3 56302. (a) The Legislature finds and declares that  
 4 nearly 35 years have passed since legislators last  
 5 conducted a thorough investigation of the policies,  
 6 practices, and statutes affecting the organization and  
 7 boundaries of California’s municipalities. That effort,  
 8 which resulted in the enactment of the Knox-Nisbet Act,  
 9 was the product of a careful study by the Commission on  
 10 Metropolitan Area Problems, commissioned by Governor  
 11 Edmund G. Brown, Sr. In the intervening decades, there  
 12 have been fundamental, constitutional, demographic,  
 13 economic, institutional, and political shifts in California  
 14 and within the state’s communities. The sustained  
 15 interest in incorporating new cities, resistance to city  
 16 annexations, problems in financing municipal facilities  
 17 and services, and proposals to detach territory from  
 18 existing cities demonstrate the need for the Legislature  
 19 and the Governor to reevaluate the statutory policies and  
 20 procedures that have guided California’s communities for  
 21 nearly 35 years. Therefore, the Legislature finds and  
 22 declares the necessity for commissioning a careful study  
 23 of municipal organization and boundaries, consistent  
 24 with its constitutional duty pursuant to subdivision (a) of  
 25 Section 2 of Article XI of the California Constitution.  
 26 (b) There is created the Commission on Local  
 27 Governance for the 21st Century which shall consist of 15  
 28 members. The Governor shall appoint nine members, the  
 29 Assembly Committee on Rules shall appoint three  
 30 members, and the Senate Committee on Rules shall  
 31 appoint three members. Each appointing authority shall  
 32 endeavor to appoint members who reflect the  
 33 geographic, ethnic, racial, gender, and cultural diversity  
 34 of the state. Each appointing authority shall appoint  
 35 members who have demonstrated an interest and have  
 36 proven academic or professional ability in the fields of  
 37 demography, urban economics, land use planning, public



1 finance, and the legal aspects of municipal organization  
2 and boundaries.

3 (c) On or before June 30, 1999, the commission shall  
4 report to the Legislature and the Governor regarding all  
5 of the following:

6 (1) A review of the current statutes, including, but not  
7 limited to, this division, regarding the policies, criteria,  
8 procedures, and precedents for municipal boundary  
9 changes.

10 (2) Proposals to add criteria to increase citizen and  
11 community participation in municipal governments.

12 (3) Proposals to ensure conformity with the  
13 requirements of federal law, including, but not limited to,  
14 the federal Voting Rights Act of 1965 (42 U.S.C. Sec.  
15 1971).

16 (4) Recommendations for statutory changes, if any.

17 (d) The commission shall conduct public meetings to  
18 solicit the views and advice of the public, including  
19 elected and appointed officials, regarding municipal  
20 organization and boundaries.

21 (e) The commission shall select a chair and a vice chair  
22 from among its membership.

23 (f) The members of the commission shall be  
24 reimbursed their actual and necessary expenses for  
25 attending the meetings of the commission. The  
26 commission may authorize a payment of a per diem not  
27 to exceed one hundred dollars (\$100) to its members for  
28 each day while they are in attendance at meetings of the  
29 commission. The cost of the quarters, equipment,  
30 supplies, and operating expenses incurred by the  
31 commission shall be paid from the appropriation made by  
32 the act which enacted this section.

33 SEC. 2. The sum of six hundred thousand dollars  
34 (\$600,000) is hereby appropriated from the General Fund  
35 without regard to fiscal years to the Commission on Local  
36 Governance for the 21st Century created by this act to  
37 carry out its duties and responsibilities.

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