

AMENDED IN SENATE APRIL 29, 1998

AMENDED IN SENATE APRIL 13, 1998

SENATE BILL

No. 2022

Introduced by Senator Knight

February 20, 1998

An act to ~~amend Sections 23345, 23346, 23347, 23348, and 23349 of, and to amend the heading of Article 3.5 (commencing with Section 23345) of Chapter 3 of Division 1 of Title 3 of,~~ *add and repeal Section 8526 of the Government Code, relating to counties.*

LEGISLATIVE COUNSEL'S DIGEST

SB 2022, as amended, Knight. ~~High Desert County Commission~~ *Little Hoover Commission: counties.*

Existing law establishes the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy to secure assistance for the Governor and the Legislature in promoting economy, efficiency, and improved service in the transaction of public business by state agencies.

This bill would require the commission to conduct a study to determine the capability and efficiency of service delivery by counties and to make recommendations to increase the capability and efficiency of service delivery by counties. The bill would require the commission to prepare and submit a report on this study to the Legislature on or before July 1, 2000.

~~Existing law authorizes the creation of the Los Angeles County Division Commission pursuant to the adoption of resolutions by the governing bodies of one or more local~~

~~agencies that have an aggregate population of 2,000,000 or more within and including the County of Los Angeles on or before January 1, 1999. The commission is required to issue a report with recommendations to the Board of Supervisors of the County of Los Angeles, the Governor, and the Legislature by January 1, 2001. The report is required to include analyses respecting the division of the County of Los Angeles into 2 or more smaller counties on the territories affected by the division. These provisions are repealed on January 1, 2001.~~

~~This bill would expand these provisions to include the Counties of Kern and San Bernardino, and rename the commission the High Desert County Commission. It would authorize the creation of the commission pursuant to the adoption of resolutions from one or more local agencies that represent, in the aggregate, a population of 2,500,000 or more people on or before January 1, 2000. It would require the commission to issue a report to the boards of supervisors of the Counties of Kern, Los Angeles, and San Bernardino, the Governor, and the Legislature by January 1, 2002, and expand the scope of the report to include analyses respecting the division of the existing counties and formation of the new High Desert County on the territories affected by the division and formation and the voting requirements applicable to the formation of the new county. It would extend the repeal date of these provisions to January 1, 2002.~~

~~Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.~~

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

1 ~~SECTION 1.—The heading of Article 3.5 (commencing~~
 2 ~~SECTION 1. Section 8526 is added to the~~
 3 ~~Government Code, to read:~~
 4 ~~8526. (a) The Legislature finds and declares that the~~
 5 ~~last of California’s 58 counties was created in 1907.~~
 6 ~~However, California has witnessed tremendous growth~~
 7 ~~and change in the past 90 years. From a physical or~~
 8 ~~political standpoint, counties make little or no sense~~
 9 ~~today.~~



1 (b) Therefore, the commission shall conduct a study to
2 determine the capability and efficiency of service
3 delivery by California's counties. The study shall consider
4 how California's current county boundaries are affected
5 by demography, civic identity, land use planning, public
6 finance, rural and urban economics, and state and federal
7 legal mandates and shall include recommendations
8 designed to increase the capability and efficiency of
9 service delivery by California's counties.
10 Notwithstanding Section 7550.5, the commission shall
11 prepare and submit a report on the study to the
12 Legislature on or before July 1, 2000, containing the
13 findings and recommendations developed from the
14 study.

15 (c) This section shall remain in effect only until
16 January 1, 2001, and as of that date is repealed, unless a
17 later enacted statute, that is enacted before January 1,
18 2001, deletes or extends that date.
19 ~~with Section 23345) of Chapter 3 of Division 1 of Title 3~~
20 ~~of the Government Code is amended to read:~~

21

22 ~~Article 3.5. High Desert County Commission~~

23

24 ~~SEC. 2. Section 23345 of the Government Code is~~
25 ~~amended to read:~~

26 ~~23345. (a) The Legislature finds and declares the~~
27 ~~necessity to study the fiscal health of the Counties of~~
28 ~~Kern, Los Angeles, and San Bernardino, and the~~
29 ~~capability and efficiency of service delivery by those~~
30 ~~counties.~~

31 ~~(b) As used in this section, "local agency" means any~~
32 ~~city within the boundaries of the Counties of Kern, Los~~
33 ~~Angeles, or San Bernardino, or the Counties of Kern, Los~~
34 ~~Angeles, or San Bernardino.~~

35 ~~SEC. 3. Section 23346 of the Government Code is~~
36 ~~amended to read:~~

37 ~~23346. (a) There may be created a commission called~~
38 ~~the High Desert County Commission.~~

39 ~~(b) On or before January 1, 2000, the governing body~~
40 ~~of any local agency within and including the Counties of~~



1 Kern, Los Angeles, and San Bernardino may adopt a
2 resolution declaring its intent to form the commission.
3 The governing body of each local agency shall
4 immediately transmit a copy of its resolution to the
5 county clerk of the county of jurisdiction. As soon as
6 feasible after one or more county clerk has received
7 resolutions from one or more local agencies that
8 represent, in the aggregate, a population of 2,500,000 or
9 more people, the county clerks shall jointly declare the
10 commission duly formed pursuant to this article.

11 (e) Each local agency that has adopted a resolution
12 declaring its intent to form the commission shall
13 contribute funding to the commission in proportion to
14 the number of its representatives on the commission
15 board.

16 SEC. 4. Section 23347 of the Government Code is
17 amended to read:

18 23347. (a) The governing body of each local agency
19 that adopted a resolution pursuant to Section 23346 shall
20 appoint, by resolution, one representative to the
21 commission board and shall appoint, by resolution, an
22 additional representative for each 100,000 citizens within
23 its territory. In the case of a county, for the purpose of
24 determining the number of representatives, the
25 population shall be the total population of the
26 unincorporated areas of the county. Representatives shall
27 serve at the pleasure of the local agency the person
28 represents. Each appointing authority shall endeavor to
29 appoint members who reflect the geographic, ethnic,
30 racial, gender, and cultural diversity of its territory. Each
31 appointing authority shall appoint members who have
32 demonstrated an interest and have proven academic or
33 professional ability in one or more of the fields of
34 demography, urban economics, land use planning, public
35 finance, and the legal aspects of local agency organization
36 and boundaries.

37 (b) The commission shall select a chair and vice chair
38 from among its own respective membership.

39 (c) The commission shall conduct public meetings to
40 solicit the views and advice of the public, including



1 ~~elected and appointed officials, regarding the fiscal~~
2 ~~health and service delivery capabilities of the Counties of~~
3 ~~Kern, Los Angeles, and San Bernardino.~~

4 ~~(d) The members of the commission may be~~
5 ~~reimbursed for their actual and necessary expenses for~~
6 ~~attending the meetings of the commission, except for~~
7 ~~members of the commission who are elected officials,~~
8 ~~officers, or employees of a local agency. The commission~~
9 ~~may authorize a payment of a per diem not to exceed one~~
10 ~~hundred dollars (\$100) to the members of the~~
11 ~~commission for each day while they are in attendance at~~
12 ~~meetings of the commission. The per diem may be in~~
13 ~~addition to the reimbursement for actual and necessary~~
14 ~~expenses. Notwithstanding any other provision of law, the~~
15 ~~cost of the quarters, equipment, supplies, and operating~~
16 ~~expenses incurred by the commission shall not be a~~
17 ~~county charge but shall be paid from the funding made~~
18 ~~by the act that added this section. The commission shall~~
19 ~~not charge fees.~~

20 ~~(e) The commission may appoint employees,~~
21 ~~including counsel, define their qualifications and duties,~~
22 ~~and provide compensation for the performance of their~~
23 ~~duties.~~

24 ~~(f) The commission may contract with any other~~
25 ~~public or private agency for any services necessary to~~
26 ~~carry out the purposes of this section.~~

27 ~~SEC. 5. Section 23348 of the Government Code is~~
28 ~~amended to read:~~

29 ~~23348. Notwithstanding Section 7550.5 of the~~
30 ~~Government Code, the commission shall issue a report~~
31 ~~with recommendations to the boards of supervisors of the~~
32 ~~Counties of Kern, Los Angeles, and San Bernardino, the~~
33 ~~Governor, and the Legislature by January 1, 2002. The~~
34 ~~report shall include, but not be limited to:~~

35 ~~(a) A comprehensive analysis of the fiscal health of the~~
36 ~~Counties of Kern, Los Angeles, and San Bernardino.~~

37 ~~(b) A comprehensive analysis of the capability and~~
38 ~~efficiency of service delivery by the Counties of Kern, Los~~
39 ~~Angeles, and San Bernardino.~~



1 ~~(c) Whether or not a division of the Counties of Kern,~~
 2 ~~Los Angeles , and San Bernardino to form a fourth county~~
 3 ~~known as High Desert County would result in enhanced~~
 4 ~~fiscal health of the affected counties and increased~~
 5 ~~capability and efficiency in the delivery of services, and~~
 6 ~~whether or not such a division and the subsequent~~
 7 ~~formation of a new county would be detrimental to the~~
 8 ~~fiscal health or capability and efficiency of service~~
 9 ~~delivery of any territory that would be affected by the~~
 10 ~~division and formation.~~

11 ~~(d) As part of its determination in subdivision (c), the~~
 12 ~~commission may prescribe boundaries for any proposed~~
 13 ~~division and subsequent formation of a new county.~~

14 ~~(e) An analysis of voting requirements applicable to~~
 15 ~~the formation of the new county. Specifically, the~~
 16 ~~commission shall determine whether the entire~~
 17 ~~populations of the affected counties are required to vote~~
 18 ~~on the issue, or whether formation may be completed~~
 19 ~~pursuant to a vote of the population of only the territory~~
 20 ~~to be included in the new county.~~

21 ~~(f) Any other matters that the special commission~~
 22 ~~deems relevant.~~

23 ~~SEC. 6. Section 23349 of the Government Code is~~
 24 ~~amended to read:~~

25 ~~23349. This article shall remain in effect only until~~
 26 ~~January 1, 2002, and as of that date is repealed, unless a~~
 27 ~~later enacted statute, that is enacted before January 1,~~
 28 ~~2002, deletes or extends that date.~~

