

AMENDED IN ASSEMBLY JUNE 22, 2000
AMENDED IN ASSEMBLY JUNE 19, 2000
AMENDED IN ASSEMBLY JUNE 15, 2000
AMENDED IN ASSEMBLY SEPTEMBER 7, 1999
AMENDED IN SENATE AUGUST 26, 1999
AMENDED IN SENATE AUGUST 17, 1999

Senate Constitutional Amendment

No. 7

Introduced by Senators Polanco and Murray
(Principal coauthor: Assembly Member Runner)
(Coauthor: Assembly Member Longville)

February 26, 1999

Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of, and adding Section 4.5 to, Article XI thereof, relating to counties.

LEGISLATIVE COUNSEL'S DIGEST

SCA 7, as amended, Polanco. Charter counties: supervisors.

The California Constitution requires that county charters provide for, among other things, a governing body of 5 or more members.

This measure would provide that, in a county with a population of more than 5,000,000, the charter shall provide for a governing body of 9 or more members, ~~for a term limit of three 4-year terms,~~ for a salary not to exceed that of a

superior court judge, and for a limitation on the expenditures of the governing body and its staff.

Vote: 2/3. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

1 WHEREAS, It is the intent of the people, in adopting
2 this measure, to make all of the following changes with
3 regard to the county board of supervisors in each county
4 having a population of more than 5,000,000:

5 (a) To increase democratic representation by
6 reducing the population in each supervisorial district;

7 (b) By establishing smaller supervisorial districts, to
8 provide greater opportunities for public participation in
9 local government that provides safety, health,
10 transportation, and other vital services; *and*

11 (c) In order to control the size of government, reduce
12 unnecessary expenditures, and increase efficiency
13 through smaller supervisorial districts, to reduce the
14 office budgets and professional and support staff for each
15 member of the board of supervisors; now, therefore, be
16 it

17 *Resolved by the Senate, the Assembly concurring,* That
18 the Legislature of the State of California at its 1999–2000
19 Regular Session commencing on the seventh day of
20 December 1998, two-thirds of the membership of each
21 house concurring, hereby proposes to the people of the
22 State of California that the Constitution of the State be
23 amended as follows:

24 First—That Section 4 of Article XI thereof is amended
25 to read:

26 SEC. 4. County charters shall provide for:

27 (a) A governing body of five or more members,
28 elected (1) by district, (2) at large, or (3) at large, with
29 a requirement that they reside in a district, except as
30 otherwise provided in Section 4.5. Charter counties are
31 subject to statutes that relate to apportioning population
32 of governing body districts.

33 (b) The compensation, terms, and removal of
34 members of the governing body, subject to Section 4.5. If
35 a county charter provides for the Legislature to prescribe



1 the salary of the governing body, the compensation shall
2 be prescribed by the governing body by ordinance.

3 (c) An elected sheriff, an elected district attorney, an
4 elected assessor, other officers, their election or
5 appointment, compensation, terms and removal.

6 (d) The performance of functions required by statute.

7 (e) The powers and duties of governing bodies and all
8 other county officers, and for consolidation and
9 segregation of county officers, and for the manner of
10 filling all vacancies occurring in those offices.

11 (f) The fixing and regulation by governing bodies, by
12 ordinance, of the appointment and number of assistants,
13 deputies, clerks, attachés, and other persons to be
14 employed, and for the prescribing and regulating by
15 those bodies of the powers, duties, qualifications, and
16 compensation of those persons, the times at which, and
17 terms for which they shall be appointed, and the manner
18 of their appointment and removal.

19 (g) Whenever any county has framed and adopted a
20 charter, and the charter has been approved by the
21 Legislature as provided in this section, the general laws
22 adopted by the Legislature pursuant to subdivision (b) of
23 Section 1 shall, as to that county, be superseded by that
24 charter as to matters for which under this section it is
25 competent to make provision in the charter, and for
26 which provision is made in the charter, except as
27 otherwise expressly provided in this section.

28 (h) Charter counties have all the powers that are
29 provided by this Constitution or by statute for counties.

30 Second—That Section 4.5 is added to Article XI thereof,
31 to read:

32 SEC. 4.5. In a county with a population of more than
33 5,000,000, the county charter shall provide as follows:

34 (a) The governing body shall consist of nine or more
35 members.

36 ~~(b) The term of office of a member of the governing~~
37 ~~body shall be four years, and a person may not serve more~~
38 ~~than three terms as a member of the governing body.~~

39 ~~(c)~~



1 (b) Members of the governing body shall receive a
2 salary not to exceed that prescribed by law for a judge of
3 the superior court in and for that county, except that
4 retirement benefits shall be those now and hereafter
5 provided by law for officers and employees of the county.
6 A member of the governing body may not receive any
7 other compensation or payment for services rendered to
8 any public or government agency, other than for travel
9 and other expenses.

10 ~~(d)~~

11 (c) The expenditures for the governing body and its
12 staff may not exceed, for any fiscal year, the lesser of the
13 amount budgeted for that purpose for the 1999–2000 fiscal
14 year or the amount that has the same proportion as the
15 expenditures had to the total county budget in the
16 1999–2000 fiscal year.

