

Date of Hearing: May 1, 2019

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 1095 (Eduardo Garcia) – As Amended April 8, 2019

SUBJECT: Desert Healthcare District.

SUMMARY: Alters the terms of office for Desert Healthcare District (District) board members who were appointed when the district expanded, in order to permit them to participate in subsequent elections. Specifically, **this bill:**

- 1) Deletes existing law requiring one of two new District board appointees to leave office when a successor takes office, as specified, and one appointee to leave office two years thereafter.
- 2) Requires, instead, one of the two new District board appointees to have an initial term of office from the date of appointment until the last Friday in December after the general district election that occurs in 2020, and one to have an initial term of office from the date of appointment until the last Friday in December after the general district election that occurs in 2022.

FISCAL EFFECT: None

COMMENTS:

- 1) **Background.** AB 2414 (Eduardo Garcia), Chapter 416, Statutes of 2016, established an annexation process for the District to include the East Coachella Valley region. Among its provisions, AB 2414 required the District to follow certain procedures with regard to new board members if the annexation was approved by voters. The District's Board of Directors was to adopt a resolution increasing the number of board members from five to seven, appoint the two new members, and designate by lot one appointed member to leave office when a successor takes office and one to leave office two years thereafter.

In addition, AB 2414 required the District to divide its newly-expanded boundaries into seven voting districts and elect board members by these districts beginning with the first district election after January 1, 2020. The bill further provided that board members in office as of January 1, 2020, are to be elected by the new voting districts at the expiration of their terms of office and thereafter.

Voters approved the District's expansion in November of last year. Consequently, the Board complied with the provisions of AB 2414 and appointed two new board members on January 15 of this year. In addition, the District began the redistricting process mandated by AB 2414 and expects to complete that process by the end of this year. District board members are presently elected to four-year terms on a staggered schedule every two years. The District reports that four board members will be elected using the newly-drawn districts in 2020, and the remaining three will be elected using the newly-drawn districts in 2022. Elected board members take office in December following the November election.

Because the new board members were appointed pursuant to the provisions of AB 2414, they must leave office after their designated time periods, whether they would like to run for election or not. This bill is intended to allow these newly-appointed board members to run for office once their initial appointed terms expire.

- 2) **Bill Summary and Author's Statement.** According to the author, “The current law mandated the board to designate one appointee for an initial term of office for two years and the other appointee to have an initial term of office of four years. It additionally prohibited said appointees from seeking election subsequent to the conclusion of their respective terms. This measure seeks to rectify the phrasing of that provision and allow the appointees the ability to seek election following their appointment.”

This bill deletes existing law requiring one of the two new board appointees to leave office when a successor takes office, and one appointee to leave office two years thereafter. Instead, this bill clarifies that one of the two new board appointees shall have an initial term of office from the date of appointment until the last Friday in December after the general district election that occurs in 2020, and one to have an initial term of office from the date of appointment until the last Friday in December after the general district election that occurs in 2022.

This bill is sponsored by the author.

- 3) **Arguments in Support.** None on file.
4) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Angela Mapp / L. GOV. / (916) 319-3958