

Date of Hearing: April 14, 2021

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT  
Cecilia Aguiar-Curry, Chair  
AB 428 (Mayes) – As Amended March 18, 2021

**SUBJECT:** Local government: board of supervisors.

**SUMMARY:** Establishes a minimum of two terms for the term limits allowed for a member of a county board of supervisors, and specifies that a county board of supervisors is included in the definition of county officers for whom the board prescribes compensation.

**FISCAL EFFECT:** None

**COMMENTS:**

- 1) **Bill Summary and Author’s Statement.** This bill establishes a minimum of two terms for the term limits existing law allows for county boards of supervisors, and specifies that a county board of supervisors prescribes compensation for its members.

According to the author, “As political subdivisions of the State of California created by Article XI, Section 1 of the California Constitution, it is the Legislature’s duty to ensure that our local governments, whether established through general law or charter, are equipped with the tools needed to properly administer the heavy burdens we place upon them. County governments are oftentimes the front lines of government for the services and programs we create at the state level, including preventing the spread of a pandemic through public health programs, reliably administering our elections, delivering safety net health services, and responding to local emergencies and disasters.

“In any profession or public service, there is a need for some certainty and adequate compensation to attract the appropriate talent to do a job. We must clarify existing law to allow for County Supervisors to obtain reasonable compensation and allow for a minimum of two terms in office for the future classes of elected officials.”

This bill is sponsored by the author.

- 2) **Background.** SB 2 (Kopp), Chapter 432, Statutes of 1995, authorized the governing bodies of cities, counties, school districts, and special districts to submit to the electorate of their district, or have the residents submit by initiative measure, a proposal to limit the terms of members of the governing body of that city, county, district, or any locally elected official.

Measure K appeared on the November 3, 2020, ballot in San Bernardino County. Measure K limited the San Bernardino County Board of Supervisors to one four-year term, and set compensation at \$60,000 per year. Prior to the election, compensation for the county’s supervisors ranged from approximately \$242,940 to \$280,900 annually. Nearly 67% of voters approved Measure K. A competing measure, placed on the ballot by the board, passed with 51% of the votes. A similar scenario occurred in 2012, with competing measures placed on the ballot by the board and by a county resident. In 2012, the board’s measure prevailed.

- 3) **Arguments in Support.** The California State Association of Counties and the Urban Counties of California write, “Term limits serve an important purpose in communities that choose to adopt them, ensuring new voices have an opportunity to be heard, though they also come at a cost of experience. However, limiting supervisors to a single term seems to assume that the decisions of county government are either simple, or already familiar to newly elected representatives, or made at such a high level as to not need detailed understanding. For better or for worse, this assumption misunderstands the nature of modern county government in California.

“Ensuring a minimum of two four-year terms allows for elected county supervisors to gain experience in managing a complex set of service obligations and financial responsibilities in order to most effectively implement these county, state, and federal policies. A single term simply does not allow for development of expertise, nor does it allow for the kind of accountability a reelection provides.

“We are deeply concerned about what a single-term limit will mean for county policy-making. We know from other experiments with short term limits that the policy often shifts more power from elected representatives to staff and outside advocates, who have the time to build expertise in the issues at hand. While these positions have important roles to play in governance decisions, we believe that authority should be kept with those elected by the people.”

- 4) **Arguments in Opposition.** None on file.
- 5) **Double-Referral.** This bill is double-referred to the Elections Committee.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

California State Association of Counties  
Inland Empire Economic Partnership  
San Bernardino County Board of Supervisors  
SEIU California State Council of Service Employees  
Urban Counties of California

##### **Opposition**

None on file

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