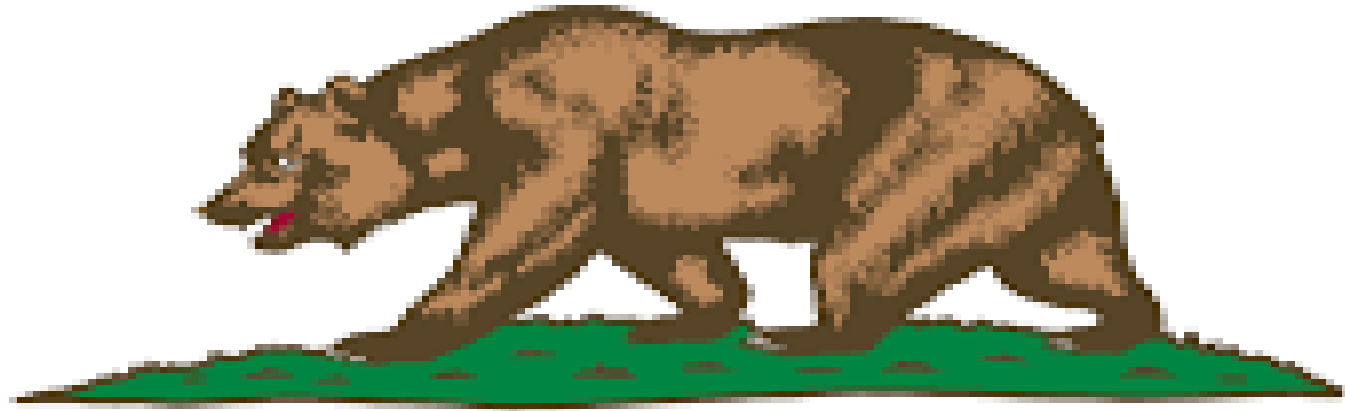
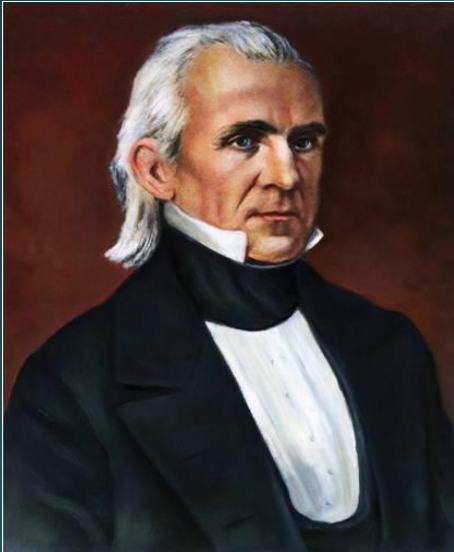


# California Constitution



**CALIFORNIA REPUBLIC**

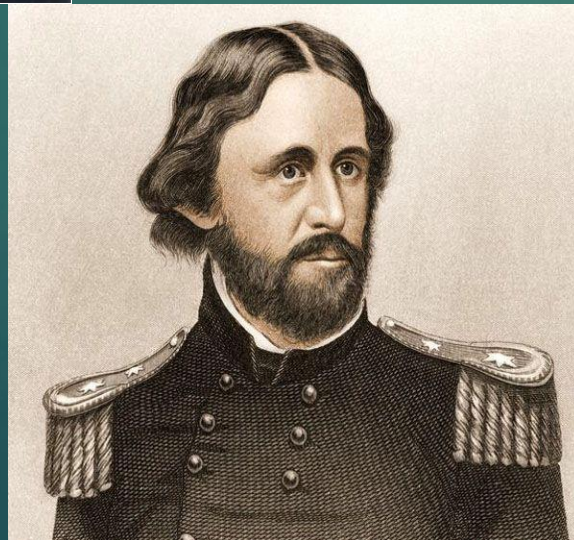
# Pre-Statehood



President  
James K. Polk

- ▶ American interest
- ▶ Expeditions
- ▶ Immigration problem
- ▶ Domestic unrest

John C.  
Freemont



# Bear Flag Revolt





# California – Mexican System of Government

- ▶ Governor
- ▶ Legislative body
- ▶ Regional / local administrators
- ▶ Local town councils
- ▶ Local officers acted as mayors, justice of the peace and police chiefs
- ▶ 1847 – American military assumed control of the government



# California's 1848 Collective Dilemmas

- ▶ No California or US type government
- ▶ Gold Rush
- ▶ Influx of immigration
- ▶ US domestic politics over slavery

# 1<sup>st</sup> Constitution

- ▶ Drafted in 1849
- ▶ Not without controversy
- ▶ 3 variations of the California Constitution
- ▶ Achieved statehood in 1850

# California's Key Features



- ▶ Separation of powers and checks & balances
- ▶ Divided executive branch & bicameral legislature
- ▶ Extensive bill of rights
- ▶ The judiciary is an elected branch
- ▶ Laws were published in English and Spanish

# CA Divided Executive Branch

- ▶ Governor
- ▶ Lt. Governor
- ▶ Secretary of State
- ▶ Attorney General
- ▶ State Controller
- ▶ State Treasurer
- ▶ Superintendent of Public Instruction
- ▶ Insurance Commissioner



# California's Constitutional Evolution

- ▶ Expansion of substantive law (key difference)
- ▶ Progressive Movement
  - ▶ Nonpartisan local elections
  - ▶ Primary elections
  - ▶ Block balloting
  - ▶ Direct Democracy
- ▶ Term Limits

# Constitution Comparison

## Federal

- ▶ Separation of powers
- ▶ Bill of Rights
- ▶ 27 Amendments
- ▶ Executive branch, i.e. President
- ▶ Delegates/limits powers
- ▶ No term limits for MCs
- ▶ Changes to Constitution

## California

- ▶ Separation of powers
- ▶ Declaration of Rights
- ▶ 512 Amendments
- ▶ Divided Executive Branch
- ▶ Limits powers
- ▶ Term limits
- ▶ Changes to Constitution

US Constitution	California Constitution
Congress by 2/3 vote in each chamber may proposed a constitutional amendment; or	State Legislature by 2/3 vote in each chamber may approve an amendment; or
2/3 of the states may call a constitutional convention to propose amendments	8% of voters in last governor's election may sign a petition to propose an amendment; or
3/4 of states must ratify proposed amendments; process done through state legislatures	State Legislature by 2/3 vote of each chamber may vote in favor to convene a constitutional convention, or
	Majority of voters approve an initiative calling for a constitutional convention
	Proposed amendments are placed on ballot at next statewide election; majority vote approves the amendment

# Constitution Amending Process

# Direct Democracy



- ▶ The Initiative
- ▶ The Referendum
- ▶ The Recall

# The Initiative



- ▶ Direct means to enact laws and amend the constitution
- ▶ Not subject to a governor's veto
- ▶ Cannot be amended or repealed by voters
- ▶ Legislature may propose amendments



# The Referendum

- ▶ Process where people approve or reject laws
- ▶ Laws placed on the ballot for a referendum are automatically suspended
- ▶ Majority vote required to pass a referendum
- ▶ Legislature can amend or repeal



# The Recall



- ▶ Removal from office, all elected public officers
- ▶ Requires a petition sign by a percentage of registered voters
- ▶ Based on the entire vote count in the previous election
- ▶ Specific timetable for recall election



# LOCAL GOVERNMENT STRUCTURE

# Local Government Entities



- ▶ Article XI, CA. Constitution
  - ▶ Counties
  - ▶ Cities
  - ▶ Special districts
  - ▶ Local Agency Formation Committees
  - ▶ Schools
  - ▶ 7,000 types



# Sample List of Government Types



Transportation

Sanitation

Waterways

Cemeteries

Natural  
preserves

Air Pollution

Harbors

Parks



# Legal Source

- ▶ California Constitution, Article XI
- ▶ Local governments are creations of the State
- ▶ State divided into 58 counties (legal subdivisions)
- ▶ Provisions for counties/cities to adopt charters
  - ▶ Limited home rule under charters
- ▶ Allows for counties to provide municipal services for cities

# Governing Authority

- ▶ Police power- power to regulate health, welfare and public safety
  - ▶ Ability to exercise authority and power varies, dependent on state government
- ▶ Dillion's Rule
  - ▶ Narrow local government authority, seen as administrative agencies of the state
  - ▶ Exercise power only granted by the state
  - ▶ Limited policy areas

# Governing Authority

- ▶ Home Rule
  - ▶ Decentralizes state power to the local level
  - ▶ Limits state interference in local matters
  - ▶ 47 states allow for home rule
  - ▶ Broadest powers of self-government
  - ▶ States have ability to override local laws through **preemption**
- ▶ **California** – allows for home rule under the state constitution

# Counties

- ▶ Political extensions of the state (58)
- ▶ Two types of counties (general & charter)
- ▶ County Role
  - ▶ State services “agents” (social, health and mental health)
  - ▶ County services (jail, probation, elections, animal control)
  - ▶ Municipal services (fire, sheriff, parks, library, roads)



*FY 2021-22*

# FINAL BUDGET



PREPARED BY THE  
ADMINISTRATIVE OFFICE

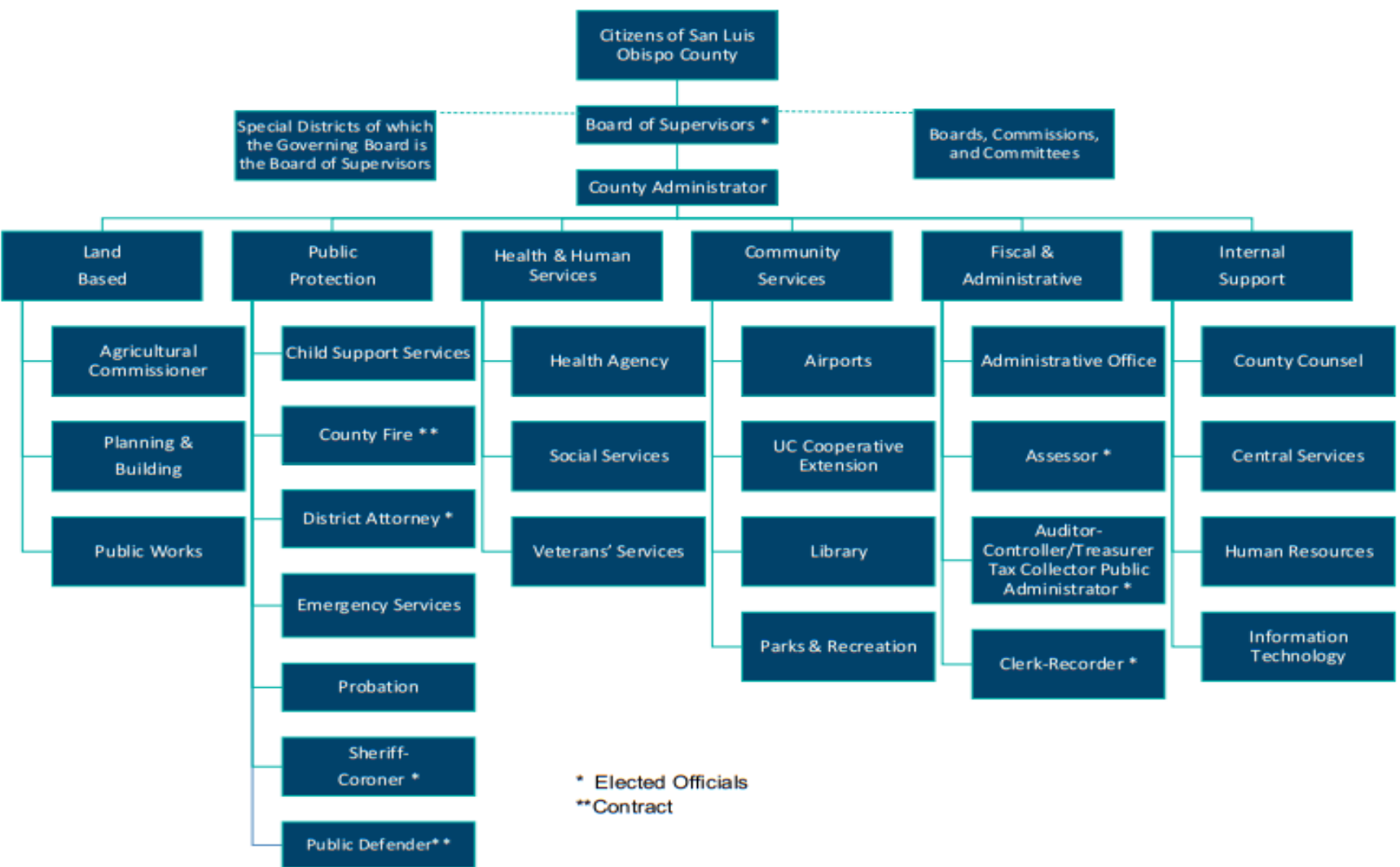
# San Luis Obispo County



# Board of Supervisors Priorities



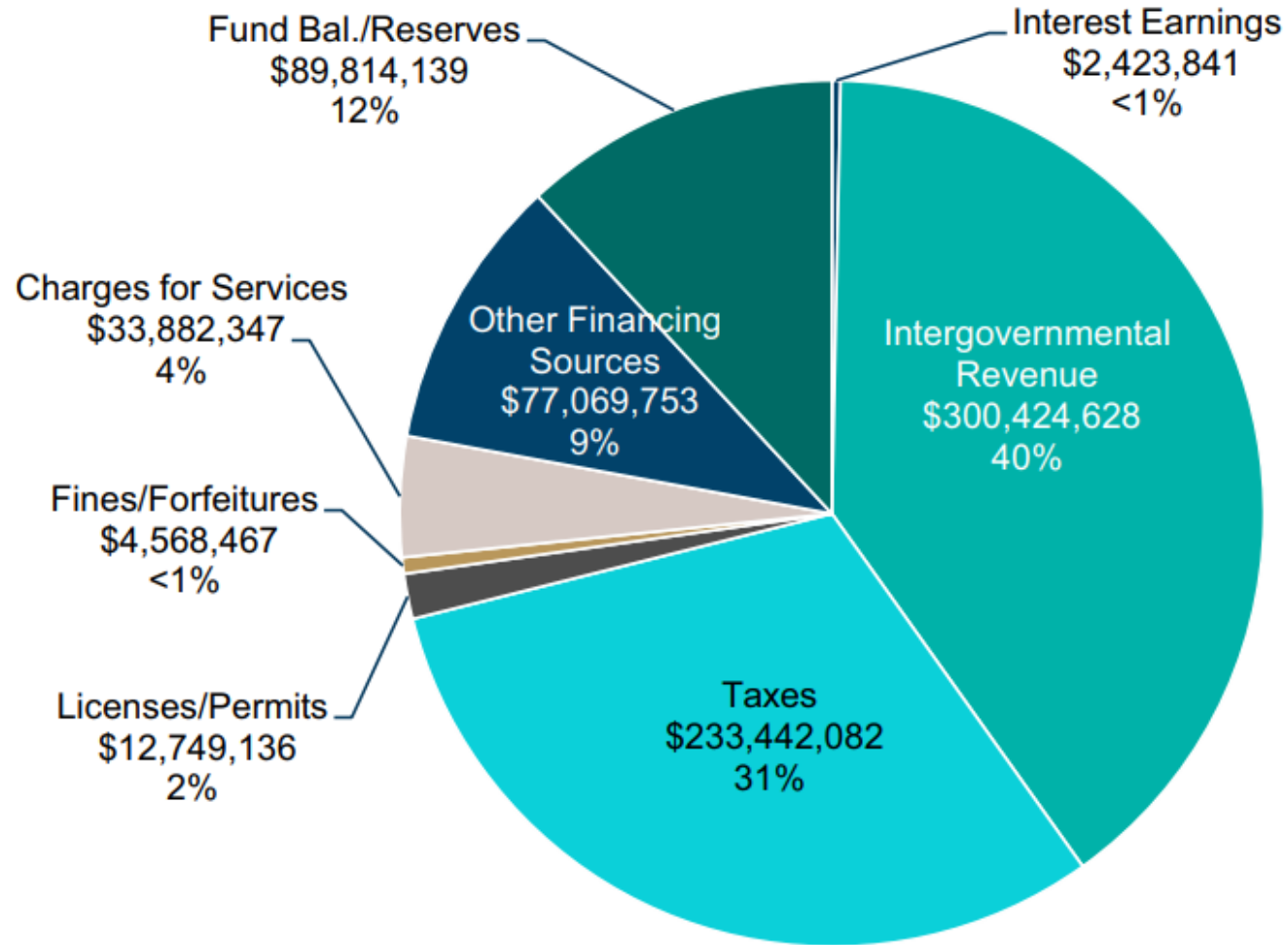
# County Organizational Chart



## Total Financing by Source - Governmental Funds

FY 2021-22 Final Budget

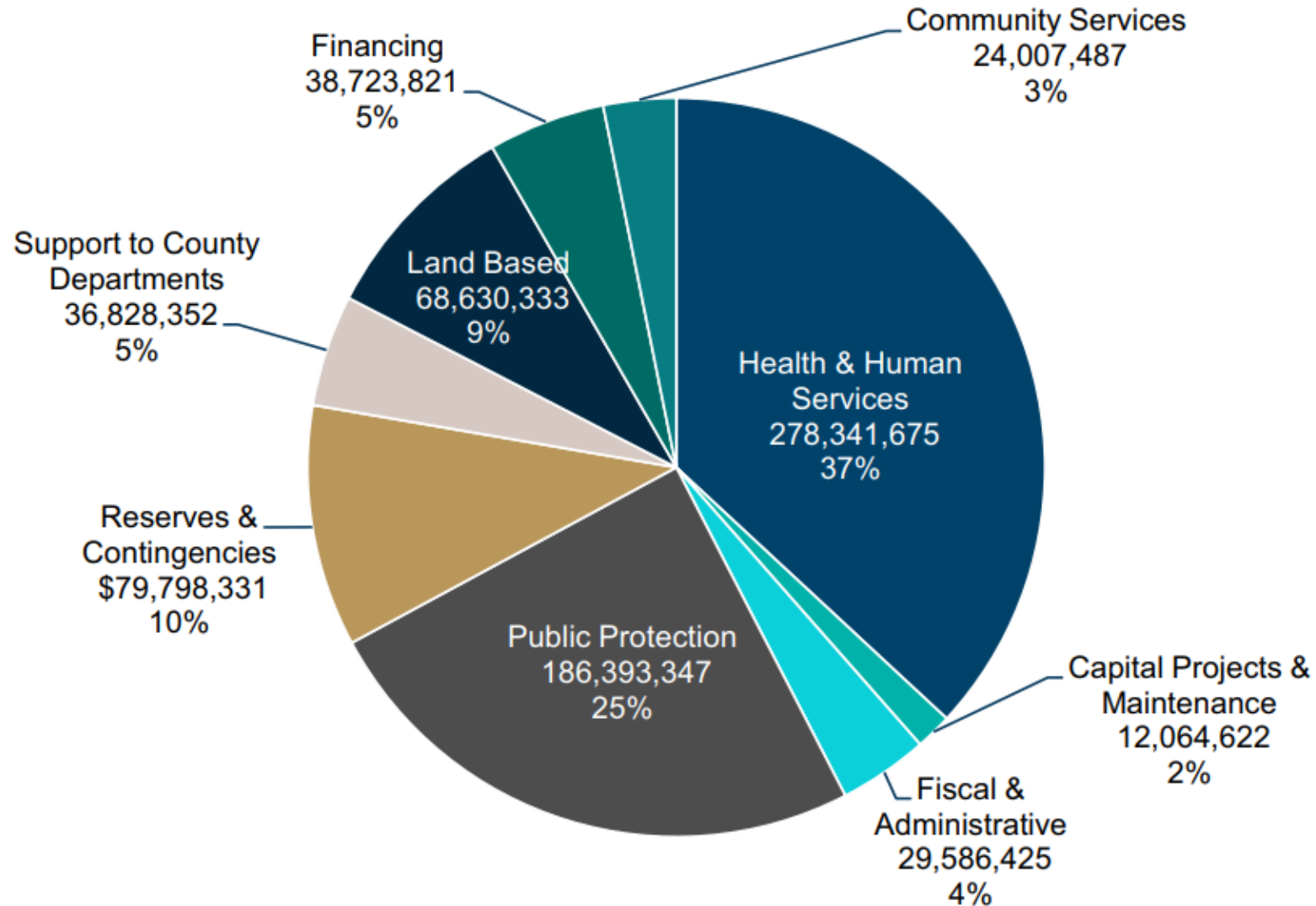
Total: \$754.4 million



## Expenditures by Service Group - Governmental Funds

FY 2021-22 Final Budget

Total: \$754.4 million



# County Governing Structure

## 5-member Board of Supervisors

- Legislative role
- Executive role
- Quasi-judicial role

## County Administrative Office



# Cities

- ▶ Same as counties (general or charter; role)
- ▶ Established by incorporation (requires voter approval)
- ▶ 5 or 7 member elected council
  - ▶ Mayor may be appointed or elected

# Special Districts

- ▶ Limited purpose government entities
  - ▶ Independent and dependent
- ▶ Exclusive to California
- ▶ Created to perform a specific government function

# LAFCO

- ▶ Watchdog entity for the Legislature
- ▶ One in each County
- ▶ Governed by commission (incl. reps from Board of Supervisors and city councils)

# LAFCO Role

- ▶ LAFCO's are responsible for evaluating annexations, the formation of districts, and the incorporation of cities.
- ▶ LAFCOs also establish a sphere of influence for each jurisdiction that plans for future growth of a jurisdiction.

# Community Services Districts

- ▶ Alternate method of providing services in unincorporated areas (water, sewer, fire protection, parks and recreation)
- ▶ A CSD may span unincorporated areas of multiple cities and/or counties
- ▶ Formed as a means to local control