

City of Sacramento  
State Legislature

B I L L R E F E R R A L

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DATE: MAR 22 1993 COMMITTEE ACTION: \_\_\_\_\_

TO: B. Masuska, Finance DATE: \_\_\_\_\_

FROM: KENNETH EMANUELS, LEGISLATIVE ADVOCATE

REPLY NO LATER THAN: APR 5 1993

A.B. \_\_\_\_\_, As Amended \_\_\_\_\_ \* Author \_\_\_\_\_

S.B. SCA 22, As Amended - \* Author Madley  
\*Date of introduction or latest amendment

Please review the attached measure to determine its effect upon the City of Sacramento and complete the following questions as appropriate. During your analysis of this measure, if questions arise, please feel free to contact Ken Emanuels at 444-6789, FAX 444-0303, (1400 K Street, Suite 306, Sacramento, CA 95814.) This questionnaire should be returned to the City Attorney's Office for presentation to the Council Committee on Law and Legislation. PLEASE LEAVE THE BILL ATTACHED TO THIS FORM.

NO RECOMMENDATION: If you think no Committee action on this bill should be taken, either because the bill is not of sufficient importance to the City or for any other reason, please mark here, do not fill out the rest of the form, and return this form to the City Attorney's Office. \_\_\_\_\_.

PLEASE TYPE YOUR RESPONSE

1. Briefly describe the provisions of the bill (attach additional sheets if necessary).

*See attached*

2. This measure should be: (Please circle desired position)

Supported

Opposed

Supported if Amended

Placed on Watch List

Other (explain)

*See attached*

3. Please explain your reasons for the above determination, including how this measure effects your Department and the fiscal impact of this measure on the City. Please make your comments in a format that can be used in a letter to state officials. (Continue on next page or attach additional sheets if necessary.)

(Continue answer to Question No. 3 here)

See attached

4. Specify the City's legislative policy guideline(s) applicable to this measure (if any).
5. If this measure could be amended to either improve its favorable aspects or to minimize its adverse aspects, which amendments would you propose?
6. List known support or opposition to this measure by groups with which you are familiar and include addresses and phone numbers, if known. League of California Cities position:
7. Does this bill involve a State-mandated local program? If so, does the bill contain a State-mandated waiver, or an appropriation for allocation and disbursement to local agencies pursuant to Revenue and Taxation Code Section 2231?
8. Using a rating scale of 1 to 10 (with 10 as the most important), how important do you think this bill is to the City of Sacramento? 8

FORM COMPLETED BY: Ken Nishimoto DATE: 4-16-93

RECOMMENDATION APPROVED: David R. Martinez 5/13/93  
DAVID R. MARTINEZ, Deputy City Manager

## SENATE CONSTITUTIONAL AMENDMENT No 22 (Maddy)

1. Amendments would state the first responsibility of cities, counties, or city and county, is public safety and that revenues will first be used to fund "adequate" police, fire and prosecution services. The legislative body of each city, county, city and county would be required to determine the adequacy of police, fire and prosecution services and the adequacy of funding for those services.
2. Opposed
3. This amendment should be opposed because it takes away from cities the flexibility of setting funding priorities for all city services. The amendment does not state how cities can change adequacy levels once they are determined nor does it require any uniformity among cities, counties, city and county in setting levels.
8. 8

Introduced by Senator Maddy

March 5, 1993

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 7.5 to Article XI thereof, relating to public safety.

LEGISLATIVE COUNSEL'S DIGEST

SCA 22, as introduced, Maddy. Public safety.

Existing provisions of the California Constitution provide that a county or city may make and enforce within its limits, all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.

This measure would state that the first responsibility of each city, county, or city and county shall be the protection of public safety; and the governing body of each city, county, or city and county shall give priority to the provision of adequate public safety by setting aside first from all revenues available to the city, county, or city and county an amount sufficient to fund adequate police, fire, and prosecution services.

This measure would require the legislative body of each city, county, or city and county to determine the adequacy of police, fire, and prosecution services and the adequacy of funding for those services.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no. State-mandated local program: no.

1     *Resolved by the Senate, the Assembly concurring, That*  
2 the Legislature of the State of California at its 1993-94  
3 Regular Session commencing on the seventh day of  
4 December 1992, two-thirds of the members elected to  
5 each of the two houses of the Legislature voting therefor,  
6 hereby proposes to the people of the State of California  
7 that the Constitution of the State be amended by adding  
8 Section 7.5 to Article XI thereof, to read:

9     SEC. 7.5. (a) Notwithstanding any other provision  
10 of law, the first responsibility of each city, county, or city  
11 and county shall be the protection of public safety; and  
12 the governing body of each city, county, or city and  
13 county shall give priority to the provision of adequate  
14 public safety by setting aside first from all revenues  
15 available to the city, county, or city and county an amount  
16 sufficient to fund adequate police, fire, and prosecution  
17 services.

18     (b) The legislative body of each city, county, or city  
19 and county shall determine the adequacy of police, fire,  
20 and prosecution services. Each city, county, or city and  
21 county shall determine the adequacy of funding for  
22 public safety in consultation with its corresponding law  
23 enforcement officials, either the sheriff and the district  
24 attorney, police chief, or the governing body of any police  
25 or fire protection special district.

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