

Introduced by Senator Maldonado

February 21, 2008

An act to amend Section 9025 of the Health and Safety Code, relating to public cemetery districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1453, as introduced, Maldonado. Public cemetery districts: boards of trustees.

Existing law, the Public Cemetery District Law, contains various provisions relating to the establishment of public cemetery districts, including the formation of a district, the selection of a district governing board, and the powers and duties of the board. Pursuant to these provisions, a board of trustees may adopt a resolution requesting the board of supervisors of the principal county to increase or decrease the number of members of the board of trustees.

This bill would authorize a member of the board of supervisors of the principal county, notwithstanding the above-described provisions, to propose a resolution to increase or decrease the number of members of the board of trustees, as specified, and would make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 9025 of the Health and Safety Code is
- 2 amended to read:
- 3 9025. (a) (1) A board of trustees may adopt a resolution
- 4 requesting the board of supervisors of the principal county to

1 increase or decrease the number of members of the board of
2 trustees. The resolution shall specify the number of members for
3 which the board of trustees requests the increase or decrease.

4 *(2) Notwithstanding paragraph (1), a member of the board of*
5 *supervisors of the principal county may propose, by resolution, to*
6 *increase or decrease the number of members of the board of*
7 *trustees. The proposed resolution shall specify the number of*
8 *members for which the member requests the increase or decrease.*

9 (b) Within 60 days of receiving a resolution adopted pursuant
10 to *paragraph (1) of subdivision (a), or of receiving a proposed*
11 *resolution from a member of the board of supervisors pursuant to*
12 *paragraph (2) of subdivision (a), the board of supervisors shall*
13 consider the resolution at a public hearing. The board of supervisors
14 shall give notice of its hearing by publishing a notice pursuant to
15 Section 6061 of the Government Code in at least one newspaper
16 of general circulation within the jurisdiction of the district at least
17 10 days before the hearing. In addition, the board of supervisors
18 shall mail the notice at least 10 days before the hearing to the
19 district and any other person who has filed written request for
20 notice with the clerk of the board of supervisors.

21 (c) At its hearing, the board of supervisors shall receive and
22 consider any written or oral comments regarding the resolution.
23 After receiving and considering those comments, the board of
24 supervisors may adopt a resolution that orders the increase or
25 decrease in the number of members of the board of trustees.

26 (d) If the board of supervisors adopts a resolution that orders
27 an increase in the number of members of the board of trustees, the
28 board of supervisors shall promptly appoint a person or persons
29 to the board of trustees and specify their term of office, consistent
30 with the requirements of this part. If the board of supervisors adopts
31 a resolution that orders a decrease in the number of members of
32 the board of trustees, the board of supervisors shall designate the
33 trustee or trustees whose office shall be eliminated at the
34 termination of the trustee's current term of office. Any trustee
35 whose office is designated to be eliminated shall continue to serve
36 until his or her term expires.