

BOARD of SUPERVISORS



City Hall
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TDD/TTY No. 554-5227

MEMORANDUM

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor David Campos, Chair
Rules Committee

FROM: Linda Wong, Committee Clerk

DATE: July 12, 2010

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, July 13, 2010

The following files should be presented as **COMMITTEE REPORT** at the Board meeting on Tuesday, July 13, 2010. These items were acted upon at the Special Committee Meeting today, July 12, 2010 at 10:00 a.m., by the votes indicated.

Item No. 68 File No. 100267

[Amending the Charter's Definition of Voter]

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Article XVII to change the definition of "voters."

RECOMMENDED AS COMMITTEE REPORT

Vote: Campos – Aye
Alioto-Pier – Absent
Mar – Aye

Item No. 70

File No. 100633

[Split Appointments to the Recreation and Park Commission]

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.113 to split the power to make appointments to the Recreation and Park Commission between the Mayor and the Board of Supervisors, and amending Section 15.105 to provide that the appropriate appointing authority may initiate removal of Recreation and Park Commissioners.

RECOMMENDED AS COMMITTEE REPORT

Vote: Campos – Aye

Alioto-Pier – Absent

Mar – Aye

c: Angela Calvillo, Clerk of the Board
Cheryl Adams, Deputy City Attorney
Board of Supervisors
Rick Caldeira, Legislative Deputy Director

File No. 100267

Committee Item No. 3
Board Item No. 68

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date July 12, 2010

Board of Supervisors Meeting

Date 7-13-10

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form (for hearings)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER

(Use back side if additional space is needed)

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Charter Amendment</u>
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

Completed by: Linda Wong

Date July 9, 2010

Completed by: L.W.

Date 7/12/10

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[Amending the Charter's Definition of Voter]

CHARTER AMENDMENT

PROPOSITION _____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Article XVII to change the definition of "voter."

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 2, 2010, a proposal to amend the Charter of the City and County by amending Article XVII to read as follows:

NOTE: Additions are single-underline italics Times New Roman;
deletions are ~~strike-through italics Times New Roman~~.

ARTICLE XVII: DEFINITIONS.

For all purposes of this Charter, the following terms shall have the meanings specified below:

"Business day" shall mean any day other than a Saturday, Sunday or holiday on which governmental agencies are authorized by law to close.

"Confirm" or "confirmation" shall mean the approval by a majority of the members of the Board of Supervisors.

"Discrimination" shall mean violations of civil rights on account of race, color, religion, creed, sex, national origin, ethnicity, age, disability or medical condition, political affiliation, sexual orientation, ancestry, marital or domestic partners status, gender identity, parental status, other non-merit factors, or any category provided for by ordinance.

"Domestic partners" shall mean persons who register their partnerships pursuant to the voter-approved Domestic Partnership Ordinance.

"Elector" shall mean a person registered to vote in the City and County.

SUPERVISOR MIRKARIMI
BOARD OF SUPERVISORS

"For cause" shall mean the issuance of a written public statement by the Mayor describing those actions taken by an individual as a member of a board or commission which are the reasons for removal, provided such reasons constitute official misconduct in office.

"General municipal election" shall mean the election to be held in the City and County on the Tuesday immediately following the first Monday in November in odd-numbered years.

"Initiative" shall mean (1) a proposal by the voters with respect to any ordinance, act or other measure which is within the powers conferred upon the Board of Supervisors to enact, any legislative act which is within the power conferred upon any other official, board, commission or other unit of government to adopt, or any declaration of policy; or (2) any measure submitted to the voters by the Mayor or by the Board of Supervisors, or four or more members of the Board.

"Notice" shall mean publication in an official newspaper (as defined by ordinance), and a contemporaneous filing with the Clerk of the Board of Supervisors or other appropriate office.

"One-third," "a majority" or "two-thirds" of the Board of Supervisors or any other board or commission of the City and County shall mean one-third, a majority or two-thirds of all members of such board or commission.

"Published" shall mean published in an official newspaper of the City and County.

"Referendum" shall mean the power of the voters to nullify ordinances involving legislative matters except that the referendum power shall not extend to any portion of the annual budget or appropriations, annual salary ordinances, ordinances authorizing the City Attorney to compromise litigation, ordinances levying taxes, ordinances relative to purely administrative matters, ordinances necessary to enable the Mayor to carry out the Mayor's emergency powers, or ordinances adopted pursuant to Section 9.106 of this Charter.

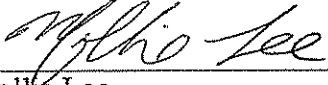
"Special municipal election" shall mean, in addition to special elections otherwise required by law, the election called by (1) the Director of Elections with respect to an initiative, referendum or recall, and (2) the Board of Supervisors with respect to bond issues, election of an

official not required to be elected at the general municipal election, or an initiative or referendum.

"Statewide election" shall mean an election held throughout the state.

"Voter" shall mean an elector who is registered in accordance with the provisions of state or municipal law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
Mollie Lee
Deputy City Attorney

LEGISLATIVE DIGEST

[Amending the Charter definition of voter.]

A proposal to amend the Charter of the City and County of San Francisco at an election to be held on November 2, 2010 by amending Article XVII to change the definition of "voter."

Existing Law

The Charter defines "voter" as "an elector who is registered in accordance with the provisions of state law." An elector is a person registered to vote in the City and County of San Francisco. State law establishes eligibility requirements and procedures for registering to vote. It also establishes a voter registration deadline of fifteen days before an election.

Under current law, voter registration in the City and County of San Francisco is conducted according to state law. There are no local registration procedures that differ from state law.

Amendments to Current Law

This proposal would change the definition of voter to include persons registered to vote in accordance with municipal law, as well as persons registered to vote in accordance with state law. This would permit San Francisco to establish local voter registration procedures for exclusively municipal elections. If San Francisco established local registration procedures, a person registered according to these local procedures would be a "voter" under the new Charter definition.

Background Information

This charter amendment would permit San Francisco to establish local voter registration procedures for exclusively municipal elections. For example, San Francisco could adopt same day voter registration for municipal elections.



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

July 12, 2010

*Received
in Controller's
7/12/10*

Ms. Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place Room 244
San Francisco, CA 94102-4689

RE: File 100627 - Charter amendment providing for a local definition of voter

Dear Ms. Calvillo,

Should the proposed Charter amendment be approved by the voters, in my opinion, it would in and of itself have no impact on the cost of government. The proposed amendment would enable the City to make a variety of changes to voter registration and election processes—such changes would be proposed and approved subsequently by ordinance.

New local voter registration procedures would likely increase the cost of government by an unknown amount depending on the types of changes proposed. The Department of Elections would be required to perform outreach to voters, print and distribute materials, develop new procedures and train workers to register people who would become eligible to vote under local procedures. This effort would cost an estimated minimum of \$500,000 for an initial election conducted under new procedures.

Sincerely,

Ben Rosenfield
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

