

Memorandum

To: Honorable Jerome E. Horton, Chairman
Senator George Runner, Vice Chair
Honorable Fiona Ma, CPA, Second District
Honorable Diane L. Harkey, Fourth District
Honorable Betty T. Yee, State Controller

Date: February 12, 2016

From: Randy Ferris
Chief Counsel



Subject: Rotating the Office of the Chair between the Board Members

Government Code section 15606, subdivision (a) provides that the Board shall “[p]rescribe rules for its own government and for the transaction of its business.” At the January 26, 2016, Board meeting, a request was made for a memorandum from the Chief Counsel that, taking into account historical context and practice, would provide options for rotating the office of the Chair between the Board Members. Attached hereto is a document that lists the names and terms of the various Chairs and Vice Chairs of the Board from 1870 to the present. A review of this document reveals that five times in the Board’s history, the office of the Chair has rotated on a yearly basis between the four district-elected Members during a given four-year term: (1) 1951-1954 (with a rotation sequence of D2, D3, D4, D1); (2) 1955-1958 (D2, D3, D4, D1); (3) 1967-1970 (D3, D4, D2, D1); (4) 1971-1974 (D4, D2, D3, D1); and (5) 1999-2002 (D1, D2, D3, D4). These five instances reveal that three times the rotation appears to follow a particular numerical sequence (viz., the patterns of D2, D3, D4, D1 and D1, D2, D3, D4); twice the rotation appears to follow no particular numerical sequence (viz., the patterns of D3, D4, D2, D1 and D4, D2, D3, D1).

Given that the office of the Chair is currently held by the D3 Member, to the extent the Members wanted to consider a rotation utilizing a particular numerical sequence with the remaining three district-elected Members, the two potential options would be: (1) D4, D1, D2 (which would be roughly analogous to the approach taken during 1951-1954 and 1955-1958) and (2) D1, D2, D4 (which would be roughly analogous to the approach taken during 1999-2002, skipping over D3). Other options that do not follow a particular numerical sequence are also available: (1) D1, D4, D2; (2) D2, D1, D4; (3) D2, D4, D1; and (4) D4, D2, D1. A rotation option that does not follow a particular numerical sequence could be selected upon any basis, including a random drawing. Pursuant to Government Code section 15606, subdivision (a), the Board is permitted to rotate the office of the Chair in any sequence of its choosing (or not at all).

Attachment: Chairs and Vice Chairs of the State Board of Equalization (1870-Present)

cc: Ms. Cynthia Bridges MIC:73
Mr. David Gau MIC:101

Chairs and Vice Chairs
State Board of Equalization
 1870 – Present

Year	Chairs (Equalization District)	Vice Chairs (Equalization District)
7/11/1870 ^a – 12/11/1871	Robert Watt – Controller (D) (Elected Chair 7/12/1870)	
12/13/1871 – 2/28/1872	Morris M. Estee, Governor Appointee	
3/13/1872 – 3/14/1876	J. J. Green – Controller (R)	
5/15/1876 ^b – 10/1879	William Irwin – Governor (D)	
10/18/1879 – 3/1880 ^c		
4/8/1880 – 12/1882	Warren Dutton (R)	
1/8/1883 – 9/3/1890	C. E. Wilcoxson (D)	
9/9/1890 – 1/5/1891	G. E. Sloss (D)	
1/5/1891 – 1/2/1899	L. C. Morehouse (R)	
1/2/1899 – 1/2/1911	Alex Brown (R)	
1/12/1911 – 1/13/1913	A. B. Nye – Controller (R)	
1/13/1913 – 12/30/1915	John Mitchell (R)	
1915 – 1946	Richard E. Collins (R) (3)	
1947 – 8/18/1949	William G Bonelli (R) (4) (Resigned Chair 8/18/1949)	George R. Reilly (D) (1) (1/1/1949 – 8/18/1949)
8/18/1949 – 12/31/1950	George R. Reilly (D) (1)	James H. Quinn (R) (2)
1951	James H. Quinn (R) (2)	Jerrold L. Seawell (R) (3)
1952 – 10/19/1952	Jerrold L. Seawell (R) (3) (Died in Office)	William G. Bonelli (R) (4)
10/23/1952 – 12/31/1952	William G. Bonelli (R) (4)	
1953	William G. Bonelli (R) (4)	George R. Reilly (D) (1)
1954	George R. Reilly (D) (1)	James H. Quinn (R) (2)
1955	James H. Quinn (R) (2)	Paul R. Leake (D) (3)
1956	Paul R. Leake (D) (3)	Robert E. McDavid (R) (4)

Chairs and Vice Chairs
State Board of Equalization

1870 – Present

Year	Chairs (Equalization District)	Vice Chairs (Equalization District)
1957	Robert E. McDavid (R) (4)	George R. Reilly (D) (1)
1958	George R. Reilly (D) (1)	James H. Quinn (R) (2)
1959	Paul R. Leake (D) (3)	John W. Lynch (D) (2)
1960	John W. Lynch (D) (2)	Richard Nevins (D) (4)
1961	John W. Lynch (D) (2)	George R. Reilly (D) (1)
1962	George R. Reilly (D) (1)	John W. Lynch (D) (2)
1963	John W. Lynch (D) (2)	Paul R. Leake (D) (3)
1964	Paul R. Leake (D) (3)	John W. Lynch (D) (2)
1965	John W. Lynch (D) (2)	George R. Reilly (D) (1)
1966	George R. Reilly (D) (1)	Paul R. Leake (D) (3)
1967	Paul R. Leake (D) (3)	Richard Nevins (D) (4)
1968	Richard Nevins (D) (4)	John W. Lynch (D) (2)
1969	John W. Lynch (D) (2)	George R. Reilly (D) (1)
1970	George R. Reilly (D) (1)	Paul R. Leake (D) (3)
1971	Richard Nevins (D) (4)	John W. Lynch (D) (2)
1972	John W. Lynch (D) (2)	William Bennett (D) (3)
1973	William Bennett (D) (3)	George R. Reilly (D) (1)
1974	George R. Reilly (D) (1)	Richard Nevins (D) (4)
1975 ^d – 12/4/1975	John W. Lynch (D) (2) (Died in Office)	William Bennett (D) (3)
1976 – 1977	William Bennett (D) (3)	George R. Reilly (D) (1)
1978	George R. Reilly (D) (1)	Iris Sankey (D) (2)
1979	William Bennett (D) (3)	Richard Nevins (D) (4)
1980	Richard Nevins (D) (4)	Ernest J. Dronenburg Jr. (R) (2)
1981	Ernest J. Dronenburg Jr. (R) (2)	George R. Reilly (D) (1)

Chairs and Vice Chairs
State Board of Equalization
 1870 – Present

Year	Chairs (Equalization District)	Vice Chairs (Equalization District)
1982	William Bennett (D) (3)	Richard Nevins (D) (4)
1983 ^e	William Bennett (D) (1)	Ernest J. Dronenburg Jr. (R) (3)
1984	Richard Nevins (D) (4)	Ernest J. Dronenburg Jr. (R) (3)
1985	Ernest J. Dronenburg Jr. (R) (3)	Conway H. Collis (D) (2)
1986	Richard Nevins (D) (4)	Conway H. Collis (D) (2)
1987	Conway H. Collis (D) (2)	Ernest J. Dronenburg Jr. (R) (3)
1988	Ernest J. Dronenburg Jr. (R) (3)	Paul Carpenter (D) (2)
1989	Paul Carpenter (D) (2)	Conway H. Collis (D) (2)
1990	Conway H. Collis (D) (2)	Ernest J. Dronenburg Jr. (R) (3)
1/8/1991 – 3/20/1991 ^f	Ernest J. Dronenburg Jr. (R) (3)	Ernest J. Dronenburg Jr. (R) (3)
3/21/1991 – 12/31/1992	Brad Sherman (D) (2)	Ernest J. Dronenburg Jr. (R) (3)
1993 – 1994	Brad Sherman (D) (2)	Matthew K. Fong (R) (4)
1995 – 1996	Johan Klehs (D) (1)	Ernest J. Dronenburg Jr. (R) (3)
1997	Ernest J. Dronenburg Jr. (R) (3)	Johan Klehs (D) (1)
1998	Dean Andal (R) (2)	Johan Klehs (D) (1)
1999	Johan Klehs (D) (1)	Dean Andal (R) (2)
2000	Dean Andal (R) (2)	Claude Parrish (R) (3)
2001	Claude Parrish (R) (3)	John Chiang (D) (4)
2002	John Chiang (D) (4)	Johan Klehs (D) (1)
2003 – 2004	Carole Migden (D) (1) ^g John Chiang (D) (4)	Claude Parrish (R) (3)
2005 – 2006	John Chiang (D) (4)	Claude Parrish (R) (3)
2007	Betty T. Yee (D) (1)	Judy Chu (D) (4)
2008	Judy Chu (D) (4)	Betty T. Yee (D) (1)

Chairs and Vice Chairs
State Board of Equalization

1870 – Present

Year	Chairs (Equalization District)	Vice Chairs (Equalization District)
2009	Betty T. Yee (D) (1)	Judy Chu (D) (4) ^h Jerome E. Horton (D) (4) ⁱ
2010	Betty T. Yee (D) (1)	Jerome E. Horton (D) (4)
2011-2014	Jerome E. Horton (D) (4)	Michelle Steel (R) (3)
2015 ^j	Jerome E. Horton (D) (3)	George Runner (R) (1)

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- ^a The Legislature passed a bill on April 4, 1870 creating a State Board of Equalization, which was to consist of the State Controller and two members to be appointed by the Governor for 4-year terms.
 - ^b The Legislature, by an act on April 1, 1876, amended the Political Code which abolished the previous Board and substituted an ex-officio Board consisting of the Governor, Attorney General and State Controller.
 - ^c In 1879, a constitutional amendment established the Board consisting of one member from each congressional district in the State, to be elected by the qualified electors of their respective districts at the general election to be held in 1879, whose term of office, after those first elected, should be four years, and that the Controller should be ex officio a member of the board. There were no Board Minutes from October 1879 to March 1880. These minutes are the source of this historical information about the chairs.
 - ^d Mr. Nevins was elected Chair and Mr. Lynch, Vice Chair; Mr. Nevins resigned the same day and Mr. Lynch was elected chair with Mr. Bennett as Vice Chair.
 - ^e Effective October 18, 1983, the State Legislature reapportioned the Equalization Districts and renumbered the first three districts: the old third became the new first, the old first became the new second and the old second became the new third.
 - ^f There was no election. Mr. Dronenburg was Chair by effect of Mr. Collis leaving office.
 - ^g Ms. Migden was elected to the California State Senate in November 2004. The Board elected Mr. Chiang as Chair on December 14, 2004.
 - ^h Dr. Chu was Vice Chair until June 2009.
 - ⁱ The Board elected Mr. Horton as Vice Chair on October 6, 2009.
 - ^j In 2011, the California Citizens Redistricting Commission redrew and renumbered the Equalization Districts: the old first became the new second, the old second became the new first, the old third became the new fourth, and the old fourth became the new third.