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CITY CHARTERS

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22 CITY CHARTERS. Assembly Constitutional Amendment 59. Amends section 8 of Article XI of Constitution. Permits filing petitions for charter amendments at any time. Provides that amendments to charter shall be submitted by the legislative body of the city or city and county to the electors at the time of the holding of the next regular municipal election held not less than 60 days from the date of filing of the petition, or at any special election called for that purpose prior to the next regular municipal election. Provides qualified electors are those whose names appear upon current registration records.	YES
	NO

(For full text of measure, see page 47, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 59

The purpose of this amendment is to clarify the provisions of the Constitution relating to charters of cities and counties. No fundamental changes are proposed. This amendment seeks only to eliminate certain inconsistencies and to simplify procedure.

The section amended has heretofore been amended on numerous occasions, and by amending it in one place and not in others certain inconsistencies have developed. While the general purport of the section is apparent, there are several points which should be clarified.

It is plain to be seen that the basic constitutional provision upon which local charters rest should be as clear as possible. Innumerable private and public rights depend upon charter provisions. The procedure for the adoption of such provisions should not be subject to technical objections which might invalidate them.

No one can possibly object to the adoption of this amendment and no possible harm can be done by adopting it.

The proposed changes are as follows:

1. The present section requires the filing of an initiative petition to amend a charter not less than sixty days prior to the general election next preceding a regular session of the Legislature. This provision serves no purpose as it is not required that charter amendments be voted on only at the regular state-wide November election. The amendment provides that an election upon such petition may be any regular municipal election or any special election called for the purpose. This eliminates any argument that such election must be held at the general November election and expressly provides for holding such elections with other local elections. Since charter amendments are purely local affairs it is only reasonable that they should be voted on at the same time as

other local questions. This permits the voter to decide upon such questions without being distracted by State or national issues.

2. The present section requires initiative petitions to be filed with the legislative body of the city or city and county. This may be construed to mean that it is necessary to file such petition with the body while it is in session. This is a useless formality and the amendment provides for filing with the clerk of such body. This will simplify procedure.

3. The present section provides that the percentage of electors shall be determined upon the basis of registration for the same or preceding year. This provision is inconsistent with our present system of permanent registration. This amendment changes this to refer to current registration thus eliminating any question as to the basis upon which the percentage shall be calculated.

HARRISON W. CALL,
Member of the Assembly,
Twenty-ninth District.

CHARLES A. HUNT,
Member of the Assembly,
Forty-fifth District.

Argument Against Assembly Constitutional Amendment No. 59

(1) This measure would be a big step in local government away from democracy because, practically speaking, it would permit vital changes in government to be made by well organized, selfishly interested minority groups.

Generally speaking, county government is one of our least efficient areas at present. Well drawn charters increase the efficiency of city and county governments and help destroy the

old political "gangs" who, in many cases, control these units of government. *These political gangs are constantly attempting to overthrow good government under charter rule and this measure would greatly aid their cause.*

It is an historical fact that very few voters go to the polls at special elections. Consequently, small minority groups such as local political "cliques" can often control special elections. In this way such "cliques" would be able to change and ultimately destroy good local charters if this measure succeeds.

(2) *Charter changes can now be made at regular elections in orderly fashion. There is no excuse for adding to the present method.*

(3) There is no necessity for charter changes at special elections because charters are granted by the State Legislature and any changes must be ratified by the State Legislature. There is always a general election preceding the regular meeting of the Legislature and since charter changes can be made at such regular elections, there is *no advantage in holding expensive special elections for this purpose*, for any change can not be effective until approved by the Legislature anyway.

Let us keep city and county charters in the hands of the majority of the voters and not turn them over to small selfish political groups.

PHILIP N. McCOMBS.