

MEMORANDUM OF LAW

DATE: June 8, 1988

TO: Patricia Tennyson, Director,
Intergovernmental Relations Department
FROM: City Attorney
SUBJECT: Assembly Bill 4074

We have been asked to analyze the above-referenced bill proposal on your standard form which primarily deals with the economic effect, if any, of the proposal. As this bill deals primarily with the procedural and publication aspects of charter enactment, amendment or repeal, the City Clerk is best able to give you the needed economic perspective.

However, you should note that although this bill attempts to expand the charter change procedures (include repeal as well as amendment, Elections Code section 4080; increased filing requirements, Government Code section 34460; and expanded time between certification and election, Section 33457), the proposal also amends Government Code section 34462. Current Section 34462 defines the fifteen percent voter requirement to initiate a charter change (Sections 34459 and 34461) to be fifteen percent of the voters who actually voted at the last preceding Governor's election. This bill would delete that definition and thus the number required to initiate a charter change would be fifteen percent of the registered voters not of those who actually voted.

The effect then of this deleted definition would make it more difficult (more valid signatures) to initiate a charter change. Of course, this bill still preserves the option of the City Council to directly initiate a charter change. Section 34458.

JOHN W. WITT, City Attorney

By

Ted Bromfield
Chief Deputy City Attorney

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ML-88-57

cc Mike Haas, Elections Officer
Cristie McGuire, Deputy City Attorney