

Art. 2, § 9

Note 11

nance was not subject to a referendum. *Geiger v. Board of Sup'rs of Butte County* (1957) 48 Cal.2d 832, 313 P.2d 545.

A county sales tax ordinance, adopted by board of supervisors of county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law is not subject to referendum. 28 Ops. Atty.Gen. 351.

12. Signatures on petition

In checking referendum petition pertaining to county ordinance for the requisite number of signatures, county clerk's rejection of signatures of persons whose addresses appearing on the petition differed from addresses and precincts shown on their affidavit of registration was proper, though some of the rejected signers might be registered and qualified voters if their change of residence occurred within less than 54 days prior to next election. *Schaaf v. Beattie* (App. 2 Dist. 1968) 72 Cal.Rptr. 79, 265 Cal. App.2d 904.

Whether provision as to number of signatures required for referendum petition directed to ordinance is unduly burdensome depends on par-

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ticular facts. *Lawing v. Faull* (App. 2 Dist. 1964) 38 Cal.Rptr. 417, 227 Cal.App.2d 23.

13. Submission of measures to electors

Electors residing in a library district and in cities maintaining free public libraries are eligible to vote in proposed referendum election on question whether to establish a county free library, even though the county free library may be established only for that part of the county lying outside of the cities maintaining free public libraries and outside library districts maintaining district libraries. 28 Ops.Atty.Gen. 100.

14. Substantial compliance

Technical deficiencies in referendum and initiative petitions will not invalidate petitions which substantially comply with statutory and constitutional requirements; petition is in "substantial compliance" if alleged defect does not defeat purpose of technical requirements to give electors information necessary to decide whether to sign petition. *Nelson v. Carlson* (App. 4 Dist. 1993) 21 Cal.Rptr.2d 485, 17 Cal.App.4th 732, modified on denial of rehearing, review denied.

§ 10. Initiative and referendum; majority vote; effective date; conflicting measures; amendments and repeals; submission of petition to attorney general; submission to electors

Sec. 10. (a) An initiative statute or referendum approved by a majority of votes thereon takes effect the day after the election unless the measure provides otherwise. If a referendum petition is filed against a part of a statute the remainder shall not be delayed from going into effect.

(b) If provisions of 2 or more measures approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail.

(c) The Legislature may amend or repeal referendum statutes. It may amend or repeal an initiative statute by another statute that becomes effective only when approved by the electors unless the initiative statute permits amendment or repeal without their approval.

(d) Prior to circulation of an initiative or referendum petition for signatures, a copy shall be submitted to the Attorney General who shall prepare a title and summary of the measure as provided by law.

(e) The Legislature shall provide the manner in which petitions shall be circulated, presented, and certified, and measures submitted to the electors. (Formerly Art. 4, § 24, added Nov. 8, 1966. Amended Nov. 3, 1970. Renumbered Art. 2, § 10, June 8, 1976.)

Historical Notes

Amendment of subd. (a) of this section proposed by Assembly Const. Amend. No. 30 (1968)

was rejected by the voters at the general election held Nov. 5, 1968.