

Home Rule

(Continued from 3-A)

of supervisors, is elected by district, the districts should be based on population, subject to the same requirements imposed by the constitution for districting counties entitled to two or more state representatives. Reapportionment every 10 years is mandatory.

THE COUNTY proposal includes two provisions under the permissive section which further encourage intergovernmental cooperation. It would permit the legislative body of any unit in the county to transfer functions and service to the county if they are being performed on a county-wide basis and their performance by the county is not prohibited by law.

Such a transfer would take place upon mutually agreed conditions and must have the approval of the legislative bodies of both the county and the local unit.

THE HODGE committee report also permits the transfer of functions and services to the county. Such a transfer will be made subject to the approval of the voters of the local unit upon petition of five per cent of the people.

It does not limit such transfer to services being performed on a county-wide basis, but it does state that the cost of such service shall be paid by each participating local unit until such time as the service becomes countywide.

It also states that the legislative body of the local unit may, upon request, effect the return of such transferred function or service to the local unit.

THE NEXT article of the county proposal empowers the county to perform any service not prohibited by law, by authority which "co-exists with and does not supersede" the authority of local units. The local government may transfer such authority to the county if it wishes.

The optional provision of the Hodge committee report would empower the county to take over and perform authorized services in local units whose performance of such services fails to meet minimum standards.

The cost of the performance of such services would be charged to the local unit. This is similar to a provision in the Dade County, Fla., charter for metropolitan government.

UNDER THE provisions of the county proposal, the charter must be submitted to the governor for approval within 30 days of its completion. The governor may reject the charter only if it fails to conform to the constitution and statutes.

If it is rejected, the charter commission must revise it to comply with the governor's objection or obtain a judicial ruling on the contested provisions.

Upon receipt of approval by the governor or a favorable judicial ruling, the charter is submitted to the voters.

THE HODGE committee report states that the charter must be submitted to the governor in the same manner. It states that the governor's objections, if any, must be entered in the journal, but it does not say the charter must be revised or that the commission must obtain a judicial ruling. The charter commission may readopt the charter and submit it to the voters.

The county proposal gives the charter commission two opportunities to devise an acceptable charter. If the first is rejected by the voters they may submit a second. If the second charter is defeated the commission is dissolved.

IF A PETITION from 5 per cent of the voters is filed within 30 days, a second charter commission may be elected without the submission of the question of home rule. No member of the first commission may run for the second. If the charter prepared by the second commission is rejected it is dissolved.

MRS. DANIEL TREVITT Speech

(Continued from 3-A)

endless detentions to pay their penalties."

The original course which Mrs. Trevitt taught in Colton, Calif., three times won for her school the Freedom Foundation's national award for the best teaching of the American Heritage.

solved and the question of electing a charter commission must be re-submitted at the election of all subsequent charter commissions.

The Hodge committee report gives the first charter commission the right to submit a second charter if the first is rejected. If the second is rejected, however, the commission is dissolved and no new charter proposal may be submitted to the voters for a two-year period.

WE CAN SEE that, while both documents are similar in intent and flexible in character they differ in some significant provisions. Some of these differences may simply be in our interpretation because, as we mentioned earlier, the Hodge committee recommendation is a report and does not go into the detailed language of a proposed bill as the county proposal does.

Please bear in mind that these two documents are not presented as alternatives. It is anticipated that the county proposal will be introduced in both the House and Senate during this session of the state legislature.

If the Hodge report, as such, is to be presented it must be rewritten in the form of a bill and there may be other bills from other sources. It is to be hoped, however, that the research involved in the preparation of the county proposal and the prestige of the Hodge committee report will at least set the pace for legislative thinking on the subject of enabling legislation for county home rule.

Next week: Conclusion and the League's stand.

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