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The local initiative power

David A. Carrillo 15 hrs ago

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An initiative can be changed later

Residents of Napa County, you have a powerful tool to shape county law and government: the local initiative. Like its counterpart at the state level, a county electorate has the power to create law with local initiatives.

With that power the county electorate can do whatever the county's Board of Supervisors can do. This is a constitutional power reserved by the people, not a right granted by the government, and the courts guard this power as an essential part of California's democratic process.

Local initiative acts in a county like Napa can be amended in two ways. A future electorate can always undo initiatives passed by today's electorate, just as today's voters can always undo past initiatives.

County voters can also write into an initiative permission for the Board of Supervisors to make direct changes to the law as needed, and without advance voter approval. Omitting that permission (thereby forbidding the Board of Supervisors from amending an initiative without voter approval) gives

greater permanency to an initiative because only the county voters can change it.

But the voters should mind the consequences of making an initiative difficult to change, because today's laws may not meet tomorrow's needs. Rallying voters to change existing law can be a tough sell, and the effort is costly in time and money.

Because there is no guarantee that a future electorate will unite to make changes when they are needed, today's voters must use the local initiative power carefully and with foresight. And the reverse is true: today's good act has no protection from tomorrow's voters.

Good people of Napa, you have the power to make law by initiative. Use it wisely.

David A. Carrillo, executive director

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Editor's Note: Carrillo submitted this at the Register's request to explain how initiatives work and how they may be amended once passed.