

10/30/72

Fourth Supplement to Memorandum 72-54

Subject: Annual Report (Unconstitutional Statutes)

Since the Commission considered and approved the part of the Annual Report discussing statutes ruled unconstitutional, the California Supreme Court has made the following ruling, which should be included in the Annual Report:

Curtis v. Board of Supervisors<sup>1</sup> held that part of Government Code Section 34311, which provided for the veto of municipal incorporation upon protest of landowners representing 51 percent of the total assessed valuation of the land involved, violated the equal protection provisions of the California and United States Constitutions.

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1. 7 Cal.3d 942, P.2d , Cal. Rptr. (1972).

Respectfully submitted,

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Legal Assistant