

1928

# AUTHORIZING STATE AID TO NEEDY BLIND PERSONS

Follow this and additional works at: [http://repository.uchastings.edu/ca\\_ballot\\_props](http://repository.uchastings.edu/ca_ballot_props)

---

## Recommended Citation

AUTHORIZING STATE AID TO NEEDY BLIND PERSONS California Proposition 19 (1928).  
[http://repository.uchastings.edu/ca\\_ballot\\_props/248](http://repository.uchastings.edu/ca_ballot_props/248)

This Proposition is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Propositions by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact [marcusc@uchastings.edu](mailto:marcusc@uchastings.edu).

<p><b>ABSENT VOTERS.</b> Assembly Constitutional Amendment 35. Amends Section 1, Article II, of Constitution. Extends to those voters engaged in the civil or congressional service of the United States or of the state the same privilege now possessed by those engaged in the military or naval service of casting their votes, at any primary or general election, at any place under such provisions as the Legislature may prescribe.</p>	YES	
	NO	

(For full text of Measure see page 45, Part II)

**Argument in Favor of Assembly Constitutional Amendment No. 35**

Assembly Constitutional Amendment No. 35 was introduced for the purpose of extending the franchise to vote, by virtue of the absent voting provisions of the law, to a greater number. In 1926 a similar amendment was introduced and by virtue of last-minute amendments to same certain words were left out, the result necessitated the presenting of this amendment so as to make the law actually workable for the greater number.

The words added are "civil and congressional" being after the word "such" in sub-

division (c) thereof, and appear as the tenth and eleventh words of said subdivision.

The reason for this is that many employees of the government are called away from their voting places by virtue of attending to government business and in so doing should not thereby be deprived of the franchise to vote.

I believe this amendment is good law and should be voted on favorably by the citizens.

**RAYMOND D. WILLIAMSON,**  
Assemblyman, Twenty-sixth District.

**CHARLES H. DEUEL,**  
Assemblyman, Seventh District.

<p><b>AUTHORIZING STATE AID TO NEEDY BLIND PERSONS.</b> Senate Constitutional Amendment 21 amending Section 22, Article IV, of Constitution. Inserts proviso empowering Legislature to grant aid to needy blind persons not inmates of any institution supported wholly or partly by the State or by any political subdivision thereof; and declares that any county or municipality providing for the support of such needy blind persons shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church or other control.</p>	YES	
	NO	

(For full text of Measure see page 46, Part II)

**Argument in Favor of Senate Constitutional Amendment No. 21**

This proposed amendment to the state constitution gives to the legislature the authority to grant state aid to "needy blind persons not inmates of any institution supported in whole or in part by the state or by any of its subdivisions."

Efforts to rehabilitate the blind in California have been largely futile, owing to the fact that our legislature has not had the legal right to expend money to aid blind persons, who were not inmates of a state institution. The blind desire to become self-supporting citizens; and

the passage of this measure will enable the legislature to give the ambitious blind the initial aid necessary to free them from a condition of permanent dependence on promiscuous charity. This freedom will enable them to become self-supporting and self-respecting citizens.

We strongly urge all public-spirited voters to give this measure their hearty support. Vote "yes."

**THOMAS INGRAM,**  
State Senator, Third District.

**E. N. CHRISTIAN,**  
State Senator, Thirteenth District.

may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots at such election; all of which votes shall be kept in such manner and counted by such methods as the Legislature may prescribe; provided, that it must be required that all ballots cast in any other place than the precinct of the voter must be received by the county clerk of the county in which the voter is registered, within two weeks of the election, in which such ballots are to be counted.

**EXISTING PROVISIONS**

Section 1. Every native citizen of the United States, every person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of the state one year next preceding the election, and of the county in which he or she claims his or her vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; provided, any person duly registered as an elector in one precinct and removing therefrom to another precinct in the same county within thirty days of an election, shall for the purpose of such election be deemed to be a resident and qualified elector of the precinct from which he so removed until after such election; provided, further, no alien ineligible to citizenship, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this state; provided, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who had the right to vote on

October 10, 1911, nor to any person who was sixty years of age and upwards on October 10, 1911; provided, further, that the Legislature may, by general law, provide for the casting of votes by duly registered voters who, by reason of occupation, are required to travel and who, by such affidavit as the Legislature may prescribe, show that they expect to be absent from their respective precincts on the day on which any primary or general election is held, or who, by reason of their being engaged in the civil, congressional, military or naval service of the United States or of the state, may be absent from their respective precincts on the day on which any primary or general election is held, or who because of injury or disability are absent from their precincts or unable to go to the polling places; which votes (a) may be cast in the office of the registrar of voters, or of the county clerk of the county or city and county in which such voters respectively reside, and on a day prior to the date of such election, under such provisions as the Legislature may see fit to make; or (b) may be cast in the city, city and county or town within this state in which such voters may be on the day on which such election is held, under such provisions as the Legislature may see fit to make, and shall be forwarded in such manner as the Legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots cast at such election; or (c) in cases where said voters are engaged in such military or naval service, may be cast at any place, under such provisions as the Legislature may see fit to make, and shall be forwarded in such manner as the Legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots at such election; all of which votes shall be kept in such manner and counted by such methods as the Legislature may prescribe; provided, that it must be required that all ballots cast in any other place than the precinct of the voter must be received by the county clerk of the county in which the voter is registered within two weeks of the election, in which ballots are to be counted.

**AUTHORIZING STATE AID TO NEEDY BLIND PERSONS.** Senate Constitutional Amendment 21. Amends Section 22, Article IV, of Constitution. Inserts proviso empowering Legislature to grant aid to needy blind persons not inmates of any institution supported wholly or partly by the State or by any political subdivision thereof; and declares that any county or municipality providing for the support of such needy blind persons shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church or other control.

YES	
NO	

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section twenty-two of article four, relating to the expenditure of public money in state aid.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its forty-seventh regular session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 22 of article IV of the constitution of this state be amended to read as follows:

**PROPOSED AMENDMENT**

(Proposed changes in provisions are printed in black-faced type)

Sec. 22. No money shall be drawn from the treasury but in consequence of appropriation

made by law, and upon warrants duly drawn thereon by the controller; and no money shall ever be appropriated or drawn from the state treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the state as a state institution, nor shall any grant or donation of property ever be made thereto by the state; provided, that notwithstanding anything contained in this or any other section of the constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a state that he can not pursue a gainful occupation or aged persons in indigent circumstances such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; provided, further, that the Legislature shall have the power to grant

aid to needy blind persons not inmates of any institution supported in whole or in part by the state or by any of its political subdivisions; provided, further, that the state shall have at any time the right to inquire into the management of such institutions; provided, further, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the state or by any of its political subdivisions; such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature; provided, however, that for the purpose of raising five million dollars, to be used in establishing, maintaining, and supporting in the city and county of San Francisco, State of California, an exposition in commemoration of the completion of the Panama canal, to be known as the Panama-Pacific International Exposition, the state board of equalization shall, for the fiscal year beginning July 1, 1911, and for each fiscal year thereafter, to and including the fiscal year beginning July 1, 1914, fix, establish, and levy such an ad valorem rate of taxation, as when levied upon all the taxable property in the state, after making due allowance for delinquency, shall produce for each of such fiscal years a sum of one million two hundred fifty thousand dollars. The said taxes shall be levied, assessed, and collected upon every kind and character of property in the State of California not exempt from taxation under the law, and subject to taxation on the first day of July, 1910, and in the same manner, and by the same method, as other state taxes were levied, assessed, and collected under the law, as the same existed on the first day of July, 1910. The state board of equalization shall each year, at the time it determines the amount of revenue required for other state purposes, determine, fix, and include the rate of tax necessary to raise the revenue herein provided for.

There is hereby created in the state treasury a fund to be known as the Panama-Pacific International Exposition fund, and all moneys collected pursuant to this provision, after deducting the proportionate share of the expense for the collection of the same, shall be paid into the state treasury, and credited to such fund. All moneys so paid into such fund are hereby appropriated, without reference to fiscal years, for the use, establishment, maintenance and support of said Panama-Pacific International Exposition. No tax, license fee, or charge of any kind or character shall ever be levied or assessed or charged against any property of said Panama-Pacific International Exposition, or against any property used as exhibit therein, while being used or exhibited in connection therewith.

There is hereby created a commission to be known as the Panama-Pacific International Exposition commission of the State of California, which shall consist of the governor of said state and four other members to be appointed by the governor, by and with the advice and consent of the Senate of said state. The governor shall have the power to fill all vacancies occurring at any time in said commission. The members of said commission shall receive no compensation and shall hold office until such exposition shall have been closed and its affairs settled. Said members of said commission shall be selected from different sections of the state, and the appointment thereof shall be made by the governor of the state during the month of February, 1911. The commission hereby created shall have the exclusive charge and control of all moneys

paid into the Panama-Pacific International Exposition fund; and provided, further, that the Legislature shall pass all laws necessary to carry out the provisions of this act, including the times and the manner in which and the terms and conditions upon which moneys shall be drawn from the state treasury by said commission; where contracts and vouchers shall be filed; to whom and how often reports shall be made; what disposition shall be made of any sum left unexpended or received from the sale of any property or buildings purchased or constructed by said commission for the use of said exposition, or of any disposition of any building or improvement constructed by said commission out of said fund, and to provide for the transfer to the general fund of the State of California, of any portion of said Panama-Pacific International Exposition fund unused.

The commission herein created is authorized and directed to make such proper contract with the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California on the twenty-second day of March, 1910, as will entitle the State of California to share proportionately with the contributors to the said Panama-Pacific International Exposition in the returns from the holding of said exposition at the city and county of San Francisco.

#### EXISTING PROVISIONS

Sec. 22. No money shall be drawn from the treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the controller; and no money shall ever be appropriated or drawn from the state treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the state as a state institution, nor shall any grant or donation of property ever be made thereto by the state; provided, that notwithstanding anything contained in this or any other section of the constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; provided, further, that the state shall have at any time the right to inquire into the management of such institutions; provided, further, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or aged persons in indigent circumstances, such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature; provided, however, that for the purpose of raising five million dollars, to be used in establishing, maintaining, and supporting in the city and county of San Francisco, State of California, an exposition in commemoration of the completion of the Panama canal, to be known as the Panama-Pacific International Exposition, the state board of equalization shall, for the fiscal year beginning July 1, 1911, and for each fiscal year thereafter, to and including the fiscal year beginning July 1, 1914, fix, establish, and levy such an ad valorem rate of taxation, as when levied upon all the taxable property in the state, after making due allowance for delinquency, shall produce for each of such fiscal years a sum of one million two hundred fifty thousand dollars. The said taxes shall be levied, assessed, and collected upon every kind

and character of property in the State of California not exempt from taxation under the law, and subject to taxation on the first day of July, 1910, and in the same manner, and by the same method, as other state taxes were levied, assessed, and collected under the law, as the same existed on the first day of July, 1910. The state board of equalization shall each year, at the time it determines the amount of revenue required for other state purposes, determine, fix, and include the rate of tax necessary to raise the revenue herein provided for.

There is hereby created in the state treasury a fund to be known as the Panama-Pacific International Exposition fund, and all moneys collected pursuant to this provision, after deducting the proportionate share of the expense for the collection of the same, shall be paid into the state treasury, and credited to such fund. All moneys so paid into such fund are hereby appropriated, without reference to fiscal years, for the use, establishment, maintenance and support of said Panama-Pacific International Exposition. No tax, license fee, or charge of any kind or character shall ever be levied or assessed or charged against any property of said Panama-Pacific International Exposition, or against any property used as exhibit therein, while being used or exhibited in connection therewith.

There is hereby created a commission to be known as the Panama-Pacific International Exposition commission of the State of California, which shall consist of the governor of said state and four other members to be appointed by the governor, by and with the advice and consent of the Senate of said state. The governor shall have the power to fill all vacancies occurring at any time in said commission. The

members of said commission shall receive no compensation and shall hold office until such exposition shall have been closed and its settled. Said four members of said commission shall be selected from different sections of the state, and the appointment thereof shall be made by the governor of the state during the month of February, 1911. The commission hereby created shall have the exclusive charge and control of all moneys paid into the Panama-Pacific International Exposition fund; and provided, further, that the Legislature shall pass all laws necessary to carry out the provisions of this act, including the times and the manner in which and the terms and conditions upon which moneys shall be drawn from the state treasury by said commission; where contracts and vouchers shall be filed; to whom and how often reports shall be made; what disposition shall be made of any sum left unexpended or received from the sale of any property or buildings purchased or constructed by said commission for the use of said exposition, or of any disposition of any building or improvement constructed by said commission out of said fund, and to provide for the transfer to the general fund of the State of California, of any portion of said Panama-Pacific International Exposition fund unused.

The commission herein created is authorized and directed to make such proper contract with the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California on the twenty-second day of March, 1910, as will entitle the State of California to share proportionately with the contributors to the said Panama-Pacific International Exposition in the returns from the holding of said exposition at the city and county of San Francisco.

**WAIVING JURY TRIAL IN CRIMINAL CASES.** Senate Constitutional Amendment 9. Amends Section 7, Article I, of Constitution. Declares **20** that a trial by jury may be waived in all criminal cases, by consent of both parties, expressed in open court by the defendant and his counsel.

Said state v. the	YES
	NO

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section seven of article one thereof, relating to trial by jury.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its forty-seventh session, commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to amend section 7 of article I of the constitution to to read as follows:

**PROPOSED AMENDMENT**

(Proposed changes in provisions are printed in black-faced type)

Sec. 7. The right of trial by jury shall be secured to all, and remain inviolate; but in civil actions three-fourths of the jury may render a verdict. A trial by jury may be waived in all criminal cases, by the consent

of both parties, expressed in open court by the defendant and his counsel, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law. In civil actions and cases of misdemeanor, the jury may consist of twelve, or of any number less than twelve upon which the parties may agree in open court.

**EXISTING PROVISIONS**

(Provisions proposed to be repealed are printed in italics)

Sec. 7. The right of trial by jury shall be secured to all, and remain inviolate; but in civil actions three-fourths of the jury may render a verdict. A trial by jury may be waived in all criminal cases *not amounting to felony*, by the consent of both parties, expressed in open court, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law. In civil actions and cases of misdemeanor, the jury may consist of twelve, or of any number less than twelve upon which the parties may agree in open court.