

1920

STATE AID TO INSTITUTIONS

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19	STATE AID TO INSTITUTIONS. Senate Constitutional Amendment 19. Amends Section 22 of Article IV of Constitution by adding thereto provisions authorizing Legislature to grant aid to institutions conducted for support and maintenance of 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, and declaring that any county or municipality providing for support of such children shall receive same pro rata appropriations as are granted to such institutions.	YES
		NO

Senate Constitutional Amendment No. 19—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.

The legislature of the State of California, at its forty-third regular session, commencing the sixth day of January, 1919, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes that section twenty-two of article four of the constitution of the State of California be amended to read as follows:

PROPOSED AMENDMENT.

(Proposed additional 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 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 affairs 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 commissioner out of said fund, and to provide for the transfer to the general fund of the State of California, or 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.

Section twenty-two, article four, proposed to be amended, now reads as follows:

Sec. 22. No money shall be drawn from the treasury but in consequence of appropriations 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 this 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 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 institution; 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 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 (\$5,000,000), 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, fix 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 and fifty thousand dollars (\$1,250,000). 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 appro-

priated, 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 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 contracts 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.

ARGUMENT IN FAVOR OF SENATE CONSTITUTIONAL AMENDMENT NO. 19.

Article 14, section 22 of the Constitution gives to the state the right to share with counties the granting of aid to orphan, half-orphan, and abandoned children.

Senate Constitutional Amendment No. 19 will merely enable the state to maintain other children who are equally needy, but for whom it cannot provide under the present law. Under its enactment it will be possible to allow aid to children of parents who are permanently incapacitated in such fashion that they cannot pursue a gainful occupation; or to parents who are so afflicted with tuberculosis that they cannot remain in their employment.

In the following seventeen states and territories the law specifically makes provision for such children: Alaska, Arkansas, Delaware, Illinois, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, Ohio, Oregon, South Dakota, Tennessee, West Virginia, Wisconsin, and Wyoming.

The passage of this amendment will—

(1) Permit the state legally to share with counties and institutions an obligation which

heretofore it has only been possible for the latter to assume.

(2) By granting aid to the children of the man who is permanently incapacitated, prevent the breaking up of the home and make it unnecessary for the mother to be breadwinner and housekeeper.

(3) (a) Enable the tuberculous parent to relinquish his occupation while his disease is in its incipient state and submit to necessary treatment.

(b) Greatly reduce tuberculosis by encouraging a parent afflicted with this malady to enter a sanatorium, and thus remove himself from

the home where he is often a source of infection to his family.

The responsibility rests upon the state and the people of California should have no hesitancy in voting for this very humane and worthy amendment. This great state, rich in resources and with a nation-wide reputation for humanitarian legislation, can easily go a step farther at this time in the program of its great work and through the adoption of this amendment send both cheer and sunlight into many homes.

WILL R. SHARKEY,
State Senator Ninth District.

20	<p>LAND VALUES TAXATION. Initiative measure adding Section 15 to Article XIII of Constitution. Beginning January 1, 1921, exempts from taxation personal property, planted trees, vines and crops; improvements appertaining to land being taxed at not exceeding preceding year's amount until exempted January 1, 1923, and other county, municipal and district revenues collected from land values. Beginning January 1, 1924, requires all public revenues be raised by taxing land values exclusive of improvements, repealing Section 14 in same article. Declares war veteran, church and college exemptions, and privately owned public utilities using highways, unaffected hereby.</p>	YES	
		NO	

Sufficient qualified electors of the State of California present to the secretary of state this petition and request that a proposed measure, as hereinafter set forth, be submitted to the people of the State of California for their approval or rejection, at the next ensuing general election.

Whereas, since 1879, section two of article seventeen of the constitution of the State of California has declared that:

"The holding of large tracts of land, uncultivated and unimproved, by individuals or corporations, is against the public interest, and should be discouraged by all means not inconsistent with the rights of private property," and

Whereas, the value attaching to land is created by the people and of right belongs to the people, and should be taken in taxes by the community as needed for public purposes,

Therefore, to accomplish that end the people of the State of California do enact as follows:

Article thirteen of the constitution of the State of California is hereby amended by adding to it a new section which shall be numbered section fifteen, and shall read as follows:

PROPOSED AMENDMENT.

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

Article XIII.

Section 15. On and after the first day of January, 1921, the following classes of property shall be exempt from taxation:

All machinery, implements, tools, shipping, manufactured articles, merchandise, moneys, credits, stocks, bonds, motor vehicles and other vehicles, furniture and all other personal property; also planted trees, vines, and crops.

As such exemptions become effective improvements in, on, under, through or over land (other than those exempted) shall be assessed on a basis of valuation and rate not exceeding that of the preceding year, and all other revenues for county, municipal and district purposes shall be levied upon and collected from the value of land.

On and after the first day of January, 1923, all improvements in, on, under, through or over land shall be exempt from taxation.

As such exemptions become effective all revenues for county, municipal and district pur-

poses shall be levied upon and collected from the value of land.

On and after the first day of January, 1924, section fourteen of article thirteen of this constitution (providing a system of state revenue) shall become inoperative and stand repealed hereby, and all public revenues shall thereafter be raised by taxation on the value of land exclusive of improvements thereon or therein.

And the legislature is hereby authorized and directed to enact appropriate laws for the apportionment and collection and payment to the state of revenues for state purposes, upon such repeal taking effect.

Nothing in this section shall delay or prevent the collection of taxes levied before any respective exemption herein described become effective.

Provided that nothing herein shall be construed to prevent the taxation of privately-owned public utilities for the use of the public highways.

And provided further that war-veteran, church and college exemptions are not affected by this section.

And provided also that charges for and revenues from publicly-owned public utilities shall not be affected hereby.

All constitutional provisions and laws of the State of California, or any portion of said constitutional provisions and laws, in conflict with this section, or any part of it, are repealed hereby, such repeals to take effect as the provisions of this amendment become effective as above provided.

EXISTING PROVISIONS.

Article thirteen of the constitution, which will be affected by proposed new section fifteen, reads as follows:

(Provisions which will remain in force are printed in roman type; provisions enclosed in brackets will be rendered unnecessary and practically inoperative for the reason that the system of taxation upon which they are based will be abrogated; provisions proposed to be absolutely repealed are printed in italics.)

ARTICLE XIII.

REVENUE AND TAXATION.

Section 1. All property in the state except as otherwise in this constitution provided, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law, or as hereinafter