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USE OF STREAMS

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California already has a competent Board of Examiners created by law, charged with the duty of determining, by impartial examination, the qualifications of all applicants, including chiropractors, who desire to treat diseases, injuries, deformities, physical or mental afflictions of human beings. Examinations are necessary to safeguard the lives and health of the people from incompetents, impostors and quacks. Citizens have the right to expect that anyone the state licenses shall possess a certain amount of knowledge of the causes and courses of diseases and the complex functions of the intricate human machine.

Examinations are open to all qualified applicants. Many chiropractors have taken and passed the examination and are now legally licensed and practicing in California. Any applicant who can meet the reasonable requirements of the present state law and pass a 75% examination can receive a license.

To create a new board for the special benefit of those who are unable or unwilling to take the state examination is to approve ignorance and license lawlessness.

Chiropractors and osteopaths constitute only two of the twenty-seven drugless cults of California. If a new board is created for chiropractors and another new board for osteopaths, it is obvious that the other twenty-five drugless cults are equally entitled to special boards. This would result in a chaotic condition constantly menacing the public health.

The California legislature at five different sessions carefully investigated and considered chiropractic demands for a new board based upon charges that the present board of medical examiners is incompetent and unfair. Each time the chiropractic charges were found untrue and the chiropractic bill was consequently rejected five times as without merit.

Some of the many dangerous features of the chiropractic act are: It lowers educational standards; it removes vital public health safeguards; under its provisions thousands of graduates of "fly by night" schools may be licensed with practically no examination at all; it neglects to define "chiropractic." To create a new board and grant powers to it, to license those of inferior education to practice an undefined and uncertain thing is unsafe.

The law governing the Board of Medical Examiners has been upheld by our courts as valid, reasonable and enforceable without one dissenting opinion. Governor Johnson and Governor Stephens selected an able board. If the present board becomes incompetent or unfair the governor has authority to select a new board. The courts can review and reverse the Board's decisions. Such a well-selected, responsible board assures all applicants of impartial and competent consideration and assures the people of California adequate protection.

To maintain educational standards and public health safeguards, vote "No" on Number 16.

HOMER R. SPENCE,
Assemblyman Thirty-fifth Assembly District.

USE OF STREAMS. Assembly Constitutional Amendment 41 adding Section 19a to Article XI of Constitution. Authorizes the state, or any political subdivision empowered to establish public works for such purpose, to provide itself or its inhabitants, in the manner therein provided, with water, electricity, or protection against flood by utilizing or controlling the waters of any stream outside this state or partly within this state, and to incur bonded indebtedness therefor as provided by law; these powers not limited by Section 31 of Article IV or Section 13 of Article XI of Constitution.

YES	
NO	

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article eleven thereof to be designated section nineteen a, authorizing the state, or municipal corporations or political subdivisions thereof to provide water, electric energy, or protection from flood, by utilizing, or controlling, the waters of any stream situate outside this state, or partly within and partly without this state.

Resolved by the assembly, the senate concurring, That the legislature of the State of California, at its forty-fourth regular session, beginning on the third day of January, one thousand nine hundred twenty-one, two-thirds of all the members elected to each of the houses voting in favor thereof, proposes to the people of the state that a new section be added to article eleven of the constitution, to be numbered section nineteen a, and to read as follows:

[Note. The resolution as filed with the secretary of state shows the new section to be numbered 19a in the preamble and 20 at the beginning of the amendment as shown here.]

PROPOSED AMENDMENT.

Sec. 20. The State of California, or any district, municipal corporation or political subdivision of said state, authorized by law to establish public works for the purpose of supplying itself, or its inhabitants, with water, electric energy or means of protection from flood, may, for any such purpose, provide for utilizing or controlling the waters of any stream situated outside of this state, or partly within and partly without this state, and, to that end, may do and perform

each, any or all of the following acts and things, to wit:

(a) Acquire, establish, construct, own, maintain and operate, either alone or in common with any other political organization or organizations, any works, plants or structures, whether within this state or outside thereof, or partly within and partly without this state, necessary or convenient for any such purpose;

(b) Make and enter into contracts with any political organization, or organizations, with reference to the acquisition, establishment, construction, ownership, maintenance or operation of such works, plants or structures, including contracts for participating in the cost and benefits of the acquisition, establishment, construction, maintenance or operation of such works, plants or structures, provided, or to be provided, by any other political organization, or organizations, and contracts for the participation by any other political organization, or organizations, in the cost and benefits of such works, plants, or structures, provided, or to be provided, by the State of California, or any district, municipal corporation, or corporations, or political subdivision, or subdivisions, of said state, and contracts with any person, or persons, firm, or firms, corporation, or corporations, for participation, by them, or any of them, in the cost, and, subject to the limitations hereinafter expressed, in the benefits, of any such works, plants, or structures, or for the furnishing to them, or any of them, of water or electric energy, but no person, firm or corporation, other than a political organization, shall ever own or operate, or hold any interest in, any such works, plants or structures;

(c) Become a member, associate or shareholder in any organization, association or corporation now or hereafter provided for under the laws of the United States, or of any state or states, and which shall be formed solely for the

purpose of acquiring, establishing, constructing, owning, maintaining or operating any such works, plants or structures, and membership, association or shareholding in which shall be limited strictly to the United States, or any agency thereof, states, municipal corporations and political subdivisions thereof; and

(d) Incur bonded indebtedness under such restrictions and limitations as to amount as may be imposed by law, for the purpose of providing for paying, or participating in, the cost of acquiring, establishing or constructing any such works, plants or structures, either directly or under any contract arrangement with any other political organization, or organizations, as provided in this section, or by participation in providing capital funds for any organization, association or corporation contemplated by subdivision (c) of this section.

The words "political organization" as used in this section shall be understood to include the United States, or any agency thereof, the State of California, any other state, any district, municipal corporation or political subdivision of the State of California, or of any other state, and any organization, association or corporation contemplated by subdivision (c) of this section.

Nothing contained in section thirty-one of article four or in section thirteen of article eleven of this constitution, or in any other provision thereof, shall prevent, or interfere with, the doing by the state, or any municipal corporation or political subdivision thereof, of any act permitted by the terms of this section.

PROVISIONS REFERRED TO.

Section thirty-one, article four, to which reference is made in the proposed amendment, reads as follows:

Sec. 31. The legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the state, or of any county, city and county, city, township, or other political corporation or subdivision of the state now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift, or authorize the making of any gift, of any public money or thing of value to any individual, municipal or other corporation whatever; provided, that nothing in this section (shall prevent the legislature granting aid pursuant to section twenty-two of this article; and it shall not have power to authorize the state or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation) shall prevent the legislature granting aid pursuant to section twenty-two of this article; and it shall not have power to authorize the state, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever; provided, further, that irrigation districts for the purpose of acquiring the control of any entire international water system necessary for its use and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country.

Section thirteen, article eleven, to which reference is made in the proposed amendment, reads as follows:

Sec. 13. The legislature shall not delegate to any special commission, private corporation, company, association or individual any power to make, control, appropriate, supervise or in any way interfere with any county, city, town or municipal improvement, money, property, or effects, whether held in trust or otherwise, or to levy taxes or assessments or perform any municipal function whatever, except that the legislature shall have power to provide for the supervision, regulation and conduct, in such

manner as it may determine, of the affairs of irrigation districts, reclamation districts and drainage districts, organized or existing under any law of this state.

ARGUMENT IN FAVOR OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 41.

The proposed amendment is designed to remove possible uncertainty concerning the right of cities, counties irrigation districts and other political subdivisions to cooperate with each other, with political subdivisions of other states, and with the federal government, in utilizing and controlling interstate streams. It was proposed primarily in view of the contemplated Colorado River development, but would lay the foundation for cooperatively developing other interstate streams. The Secretary of the Interior has recommended that the United States construct a dam on the Colorado River, at Boulder Canyon, under plans contemplating national, state and local cooperation. It is important that lack of adequate constitutional authority should not exclude California from participating in the undertaking, which will protect Imperial and Palo Verde valleys from floods which annually threaten their destruction; reclaim over a million acres of desert land, utilizing flood waters now wasted, and supply electricity needed for the commercial and agricultural development of the entire southwest.

While southern California communities are most likely to exercise the powers granted, other communities will be equally benefited. If southern California, now supplied principally by companies which obtain power from streams tributary to San Joaquin Valley, can be supplied from the Colorado River, the developed and undeveloped power in central and northern California will be available for the exclusive use of those portions of the state.

The amendment does not compel any subdivision to enter into any project, nor provide for expending any moneys. Existing charters and laws grant various subdivisions powers similar to those proposed but in varying forms. A uniform scheme applicable to all subdivisions is desirable to facilitate cooperation and prevent the years of litigation which would probably result from proceeding under charters and laws drawn when no comprehensive undertaking, such as the construction of the Boulder Canyon Dam, was contemplated.

FRANK F. MERRIAM,
Assemblyman Seventieth District.
ED LEWIS,
Assemblyman Eighth District.

ARGUMENT AGAINST ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 41.

Many false issues are being injected into this controversy. The question is not whether we believe in government ownership or whether we believe in municipal ownership, but whether the plan presented here is practicable.

When introduced into the legislature, its purpose, as represented by its proponents, was to provide a legal basis for the cooperation of municipalities with other municipalities, irrigation districts, etc., in the development of electric power from the Colorado River. While the general proposition of having the power possibilities of the Colorado River developed for the benefit of the people is one that commands universal support, the plan of procedure provided for in this measure is seriously objectionable on the following grounds:

1. The partnership arrangement among participating political organizations contemplated by this measure is bound to result in serious disagreements, jealousies and difficulties such as to defy solution and adjustment. The provisions of our constitution which this measure is designed to avoid, namely, Section 31 of Article IV, which forbids the loaning of credit from one municipality to another, and Section 13 of Article XI, which forbids the legislature to delegate to any special commission or association any power to interfere with any municipal improvement, or to perform any municipal func-

tion have been in our constitution ever since it was adopted in 1879. The policy they represent is a wise one, and should not, at this late date, be abandoned. Municipalities and districts should be independent and uncontrolled, except by some higher power, in the matter of the operation of public utilities.

It is contrary to the fundamental principles of home rule that any municipality should surrender to another any jurisdiction or control over its public utilities, or place its credit at the disposal of another municipality. If a hydro-electrical enterprise is too large for one municipality to handle, the remedy is not in the loose cooperation of several municipalities, lighting districts, irrigation districts and the like, but in the construction and management of the enterprise by a higher political power or by a larger independent political district.

2. Neither the State of California, nor any of

its political subdivisions is a suitable agency for power development in neighboring states. It is illogical and against the best public policy that this sovereign state or any of its political subdivisions should be subject to regulations or control by another state and its authorities. Where interstate relations are involved, the controlling authority should be the United States government or some instrumentality licensed by the United States government.

The question involved in this amendment, therefore, is not whether the Colorado River should be developed by private capital or as a government enterprise, but rather whether a loose partnership of such heterogeneous elements as cities, irrigation districts, public utility districts, lighting districts and the like, is a feasible plan for government ownership.

SIDNEY T. GRAVES,
Assemlolyman Sixty-third District.

MUNICIPAL PUBLIC WORKS. Senate Constitutional Amendment 29, adding Section 20 to Article XI of Constitution. Authorizes two or more municipalities to acquire or control, by contract, public works for supplying inhabitants with light, water, power, heat, transportation, telephone or other utility service, or other matter of common municipal concern, subject to approval by two-thirds of electors in each city if contract provides for bonded indebtedness, otherwise by majority thereof, and thereafter by legislature without alteration or amendment; declares these powers supplement present powers and do not limit those granted by constitution to state or its political subdivisions.

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YES

NO

Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by adding to article eleven thereof a new section to be known as section twenty.

The legislature of the State of California at its regular session commencing on the third day of January, in the year one thousand nine hundred twenty-one, two-thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes that article eleven of the constitution of the State of California, be amended by adding thereto a new section to read as follows:

PROPOSED AMENDMENT.

Sec. 20. Any two or more cities may enter into any contract, in the manner herein provided, for the acquisition, construction, ownership, operation or control of any public works for supplying their respective inhabitants, or the inhabitants of any such city, with light, water, power, heat, transportation, telephone service or other utility service, or other matter relating to any municipal affair determined by the contracting cities to be of common concern. Such contract may include provision for the assumption, adjustment or creation of bonded or other indebtedness. Any such proposed contract shall be published once in a newspaper of general circulation published in each city, or if no such newspaper is so published in any city, such contract shall be posted in three public places therein. Such contract shall be submitted to the electors in each city at any general or special election or elections held not less than thirty nor more than ninety days after such publication or posting therein. In all instances in which the assumption, adjustment or creation of bonded indebtedness is incident to the approval of such contract, the affirmative vote of two-thirds of the qualified electors voting thereon in each city proposing to assume or create such indebtedness shall be necessary to approve such contract and authorize such bonded indebtedness. In all other instances the affirmative vote of a majority of such electors shall be necessary to approve such contract. When approved in the manner herein required in each city, such

contract shall be submitted to the legislature at its current or next succeeding session and approved or rejected without power of alteration or amendment in the same manner as is provided for approval or rejection of municipal charters in section eight of this article. When so approved by the legislature and until the expiration of such contract by its terms, or as herein provided, such contract shall become a part of the organic law of the cities which are parties thereto, subject to amendment or termination in the same manner as herein provided for the adoption of the original contract.

The term "cities" as used in this section, shall include cities and counties.

The powers granted by this section shall be in addition to all powers which may now or hereafter exist in cities, and nothing contained in this section shall in anywise limit any power now or hereafter granted to the state, or to any district, municipal corporation, or political subdivision of the state, by any other provision of this constitution, or in anywise apply to or affect the method of exercising the same.

Section eight of article eleven, made applicable to proceedings under the provisions of the proposed amendment, reads as follows:

Section 8. Any city or city and county containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States or of the legislature of California, may frame a charter for its own government, consistent with and subject to this constitution; and any city, or city and county having adopted a charter may adopt a new one. Any such charter shall be framed by a board of fifteen freeholders chosen by the electors of such city at any general or special election, but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city. An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city, and, on presentation of a petition signed by not less than fifteen per cent of the registered electors of such city, the legislative body shall call such election at any time not less than thirty nor more than sixty days from date of the filing of the petition.