

1926

## ELECTION AT PRIMARY

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**ELECTION AT PRIMARY.** Senate Constitutional Amendment 20. Adds Section 23 to Article II of Constitution. Declares candidate for judicial, school, county, township, or other non-partisan office, receiving at primary election votes on majority of all ballots cast for such office shall be elected thereto; where two or more candidates are to be elected to an office and more candidates receive a majority than are to be elected, those securing highest votes of those receiving such majority, and equaling number to be elected, shall be elected; declares freeholder's charter governs whenever it provides different method of election.

YES

NO

(For full text of Measure see page 29, Part II.)

**Argument in Favor of Senate Constitutional Amendment No. 20.**

Senate Constitutional Amendment No. 20 is designed to correct an injustice that now exists in the election of nonpartisan candidates to office. All nonpartisan candidates with the exception of the judiciary may be elected at the primary upon receiving a majority of all ballots cast at such primary election. This amendment seeks to include the judiciary so that they may be put on a parity with all other nonpartisan officials.

I think the bill a correct one inasmuch as it now seeks to include judiciary officers along with county, township and municipal officers.

The amendment was carefully gone over by several authorities upon election law and I think safeguarded in every particular to the point to where there could be no question arising should more than the number to be elected to the position sought receive a majority. For instance, should there be three positions to fill in the judiciary and four men should receive a majority of all votes cast, the three receiving the highest majority would be the three elected.

**EDGAR S. HURLEY,**

State Senator, Sixteenth District.

**HERBERT, C. JONES,**

State Senator, Twenty-eighth District.

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**PART II**

**Appendix**

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the legislative authority of said county of Alameda is hereby empowered and directed to levy a special tax on all taxable property in said county each year after the issue of said bonds

to raise an amount to pay the interest on said bonds as the same become due, and to create a sinking fund to pay the principal thereof when the same shall become due.

**EXEMPTING FOREST TREES FROM TAXATION.** Senate Constitutional Amendment 10. Amends Section 12 $\frac{1}{2}$  of Article XIII of Constitution. Exempts from taxation immature forest trees planted on lands not previously bearing merchantable timber, or planted or of  
**22** natural growth, upon lands from which seventy per cent of merchantable original growth timber over sixteen inches in diameter has been removed; declares maturity of forest trees or timber shall be determined, after forty years from planting or removal of original timber, by a board comprising assessor of county wherein same are located and representatives from state boards of forestry and equalization.

YES

NO

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section twelve and three-fourths, article thirteen thereof, relative to exemption from taxation of certain trees and vines.

Resolved by the senate, the assembly concurring, That the legislature of the State of California at its forty-sixth regular session, commencing on the fifth day of January, one thousand nine hundred twenty-five, 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 twelve and three-fourths of article thirteen 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. 12 $\frac{1}{2}$ . Fruit and nut-bearing trees under the age of four years from the time of planting in orchard form, and grape vines under the age of three years from the time of planting in vineyard form, and all immature forest trees

which have been planted on lands not previously bearing merchantable timber, or planted or of natural growth, upon lands from which the merchantable original growth timber stand to the extent of seventy per cent of all trees over sixteen inches in diameter has been removed, shall be exempt from taxation, and nothing in this article shall be construed as subjecting such trees and grapevine and forest trees to taxation; provided, that forest trees or timber shall be considered mature for the purpose of this act at such time, after forty years from the time of planting or removal of the original timber as above provided, as a board consisting of a representative from the state board of forestry, a representative from the state board of equalization and the county assessor of the county in which the timber is located, shall by a majority thereof so determine.

**EXISTING PROVISIONS.**

Sec. 12 $\frac{1}{2}$ . Fruit and nut bearing trees under the age of four years from the time of planting in orchard form, and grapevines under the age of three years from the time of planting in vineyard form, shall be exempt from taxation, and nothing in this article shall be construed as subjecting such trees and grapevines to taxation.

**ELECTION AT PRIMARY.** Senate Constitutional Amendment 20. Adds Section 2 $\frac{1}{2}$  to Article II of Constitution. Declares candidate for judicial, school, county, township, or other non-partisan office, receiving at  
**23** primary election votes on majority of all ballots cast for such office shall be elected thereto; where two or more candidates are to be elected to an office and more candidates receive a majority than are to be elected, those securing highest votes of those receiving such majority, and equaling number to be elected, shall be elected; declares freeholder's charter governs whenever it provides different method of election.

YES

NO

Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of said state by adding section two and three-fourths to article two of said constitution, relating to election to non-partisan office at a primary election.

Resolved by the senate, the assembly concurring, That the legislature of the State of California, at its forty-sixth regular session, commencing on the fifth day of January, one thousand nine hundred twenty-five, two thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that a new section be added to article two of the constitution of this state to be numbered sec-

tion two and three-fourths, and to read as follows:

**PROPOSED AMENDMENT.**

Sec. 2 $\frac{1}{2}$ . Any candidate for a judicial, school, county, township, or other nonpartisan office who at a primary election shall receive votes on a majority of all the ballots cast for candidates for the office for which such candidate seeks nomination, shall be elected to such office. Where two or more candidates are to be elected to a given office and a greater number of candidates receive a majority than the number to be elected, those candidates shall be elected who secure the highest votes of those receiving such majority, and equal in number to the number to be elected. Where a different method of election is provided by a freeholders' charter, the charter provision shall govern.