

1934

CONSTITUTIONAL CONVENTION

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<p>CONSTITUTIONAL CONVENTION. Assembly Concurrent Resolution 17. Recommends that electors vote for or against a convention for purpose of revising State Constitution. If majority votes for such convention Governor shall issue proclamation that such convention has been called and Legislature at its next session shall provide for holding such convention at State Capitol within three months after such election and for election of delegates thereto; such revised Constitution to be submitted to electors for their approval or rejection.</p>	For the Convention	
	Against the Convention	

(For full text of measure, see page 12, part II)

Argument in Favor of Assembly Concurrent Resolution No. 17

Assembly Concurrent Resolution No. 17 has for its objective the holding of a convention to revise the Constitution of California. The time has come for a new State Constitution. The present Constitution under which our State government is run was adopted in 1879 when we were practically a mining and agricultural commonwealth. Since that time we have developed into a manufacturing and commercial State with great metropolitan centers that have brought entirely new social problems. Since the adoption of our present Constitution, many matters of general legislation have been enacted into the Constitution which should essentially consist of the "frame of government," leaving to the legislative body the enactment of statutory law. The profound changes in our economic life involved in the "new deal," together with its new philosophy of the relation between government and business, call for a rewriting of our fundamental "frame of government," based upon a careful and constructive definition of the powers and limitations upon the legislative, judicial and executive branches of the government. A Constitution which seeks to legislate will inevitably be outgrown. This is our situation today in California. A Constitution should be so prepared as to be subject to modifications to meet changing conditions and needs. With the initiative, the referendum and the recall firmly established in the groundwork of our political structure, some simplification of our Constitution, resulting in increased usefulness and clarity, is not only possible, but desirable. Many of the restrictions now imposed upon the Legislature and practically all

of the statutory material therein, may be safely eliminated, because the people, through the initiative, referendum and recall, can control legislation effectively without resort to, or need of, constitutional restrictions or provisions.

A constitutional convention is the historical and time-honored method of revising an old Constitution or drafting a new one. If the constitutional convention is authorized, it will be a body made up of delegates from every part of the State and working with the aid of a trained personnel. It will subject any proposed revision to the scrutiny of such delegates, representing all the diverse interests and sections of the State. The result of such a convention would be a Constitution not only satisfactory from the point of view of constitutional principles, but also in accord with the constitutional developments peculiar to this State, and would be an understandable document because of improvements in form and arrangement, and elimination of inconsistent and obsolete provisions. The present hardships of our citizens and real property owners to meet their taxes will be ameliorated and taxes reduced and further economy can be made by the Legislature.

The new Constitution, of course, could not be adopted by the convention, but could only be formulated or framed there. The Constitution formulated by the convention will have to be submitted to the vote of the people of the State for their adoption or rejection. A vote for this measure is a vote for an improved Constitution, and a "new deal" conformed to our modern form of social life. Vote Yes.

JOHN T. RAWLS,
Member of Assembly, 68th District.

WILLIAM W. HOFFMAN,
Member of Assembly, 15th District.

service under temporary appointment for a longer total period than six months in any one calendar year.

Sec. 7. Nothing herein contained shall prevent

or modify the giving of preferences in appointments and promotions in the State civil service to veterans and widows of veterans as is now or hereafter may be authorized by the Legislature.

CONSTITUTIONAL CONVENTION. Assembly Concurrent

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Resolution 17. Recommends that electors vote for or against a convention for purpose of revising State Constitution. If majority votes for such convention Governor shall issue proclamation that such convention has been called and Legislature at its next session shall provide for holding such convention at State Capitol within three months after such election and for election of delegates thereto; such revised Constitution to be submitted to electors for their approval or rejection.

For the Convention	
Against the Convention	

Assembly Concurrent Resolution No. 17—A resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the State vote at the next general election for the calling of a convention to revise the Constitution, and to provide the number and the qualification, compensation, and manner of electing the delegates to such convention.

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California, at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all the members elected to each house concurring, hereby recommends that the electors of this State vote at the next general election upon the proposition to call a convention to revise the State Constitution, such proposition to read as follows:

(This proposed proposition does not expressly amend any existing proposition; therefore, the provisions thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.)

PROPOSED PROPOSITION.

Section 1. Two-thirds of the members elected to each branch of the Legislature for the fiftieth regular session of the Legislature of the State of California, commencing on the second day of January, 1933, do hereby recommend to the electors of the State to vote at the next general election for or against a convention for the purpose of revising the Constitution of the State. Such vote to be taken for the reason that two-thirds of the members elected to each branch of the Legislature, at said regular fiftieth session, deem it necessary to revise such Constitution. At such next general election the ballot used shall, in addition to the other names and mat-

ters required by law to be printed thereon, contain the words "For the convention," and the words "Against the convention" written or printed thereon in a suitable place with the appropriate space for each elector to designate his intention with respect to such proposition. The election officers at each and every voting precinct in the State shall make and ascertain, and make returns of the number of votes cast in favor of a convention and the number of votes cast against a convention, as aforesaid, in like manner and with the same particularity as votes are required by law to be counted and returned, and an abstract thereof shall be transmitted by each and every county clerk of the State, and each and every registrar of voters in any county, or city and county, of the State, to the Secretary of State, in the same manner, and within the same time that votes for State officers are now by law required to be transmitted.

Sec. 2. The Secretary of State shall have authority to compel the mailing of such returns, and when received, shall prepare and lay before the Governor of the State a complete abstract of the whole number of votes cast "for" and "against" a convention. If it shall appear from the returns of the county clerks and registrar of voters that a majority of the electors voting at such general election on the proposition for a convention shall have voted in favor of calling such convention, it shall be the duty of the Governor to forthwith issue his proclamation, announcing the fact that such convention has been called; and thereupon, it shall be the duty of the Legislature at its session next after such election, to provide by law for the election of delegates to such convention, and for the holding thereof at the State Capitol. Such convention to meet within three months from the date of the election calling it, and shall continue in session until it shall have completed the work of revision and provided for submitting same to the electors for approval or rejection.