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MAKING STATE BOARD OF EDUCATION
ELECTIVE; ABOLISHING
SUPERINTENDENT OF PUBLIC
INSTRUCTION; PROVIDING FOR
DIRECTOR OF EDUCATION

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| <p>11 MAKING STATE BOARD OF EDUCATION ELECTIVE; ABOLISHING SUPERINTENDENT OF PUBLIC INSTRUCTION; PROVIDING FOR DIRECTOR OF EDUCATION. Initiative. Repeals section 2, amends section 7, Article IX of Constitution. Abolishes office of Superintendent of Public Instruction. Declares State Board of Education shall consist of ten members, each elected from a district for ten year term, each district comprising two congressional districts. Prescribes rotation in office. Empowers board to fill membership vacancies, appointee holding until next general election. Requires board appoint Director of Education, removable at pleasure, and fix his salary; Superintendent of Public Instruction continuing in office until appointed director qualifies.</p> | YES | |
| | NO | |

(For full text of measure, see page 25, part II)

Argument in Favor of Initiative Proposition No. 11

Amendment 11 enables the voters to elect their own State Board of Education and gives to the people direct control of State school affairs.

Through Amendment 11 the State Board of Education will select the Director of Education in the same manner that city and district superintendents are now selected by local boards of education.

It imposes no additional expense on the taxpayers.

It gives every district in the State, large and all, rural and city, equal representation on State Board of Education.

Amendment 11 guarantees a unified and harmonious State Department of Education. It separates the State school system from State politics.

Amendment 11 provides for a board of ten elected by the people from ten districts for a ten-year period who serve without salary, each member of which is elected from two adjoining congressional districts. This guarantees that all of the people of the State, rural and city, from Del Norte County to Imperial, will have representation upon the State Board of Education, a representation which they have never had under the present organization.

Serving without salary guarantees members on this board who are interested in the welfare of children. Being elected for a ten-year period assures that sound continuous policies once established will continue in force and not be constantly disrupted by political changes in the personnel of the board.

This elected board will select its executive officer who will serve as Director of Education for the State of California and who will be in a position to give his entire time to the professional work of public education in this State. At present the State Superintendent has to give much of his time to making speeches throughout the State in order that he may be well enough known to be reelected when his four-year term expires.

The State Board of Education under Amendment 11 will guarantee adequate representation to all the schools in the State—rural as well as city schools. Under the present system of the Governor appointing a State board, the appointments are practically always from those centers which have the largest number of votes.

The argument will be made by some interested individuals that if we have an elected State Board of Education, members of that board will be elected by interested groups and organizations in the State. This is an insult to the intelligence of the electorate of California. The fathers, mothers, and teachers of children can and will elect outstanding civic leaders who are interested in the welfare of children and in the future progress of our State. Let us have faith in the people of the great State of California. The people can be trusted to elect a State Board of Education which will determine the educational policies of our State and carry those policies out with efficiency and an intelligent economy.

WILLARD E. GIVENS,

City Superintendent of Schools, Oakland, and President, California Teachers Association.

SUSAN M. DORSEY,

Former Superintendent of Schools, City of Los Angeles.

Argument Against Initiative Proposition No. 11

At last the interests seeking the destruction of State printing of school textbooks for the children of California are showing their hand. California's splendid record in this respect has attracted the attention of other commonwealths, and there is fear among certain publishers that other States may follow our example.

For the last fifty years the State printing plant at Sacramento has manufactured textbooks, and, since 1912, furnished them free to the children in the elementary schools of this State at an annual average cost to the taxpayers of but FIFTY-TWO CENTS per pupil for all the basic books used during any one year.

The State printing plant represents an investment of one million dollars, and has been saving the taxpayers of California some three hundred thousand dollars a year.

The saving made on the State printing of textbooks as compared with the publishers' wholesale price f.o.b. San Francisco for the past few years is as follows:

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| 1927 ----- | 42% |
| 1928 ----- | 36% |
| 1929 ----- | 47% |
| 1930 ----- | 39% |
| 1931 ----- | 32% |
| 1932 ----- | 37% |
| 1933 ----- | 40% |

The above speaks eloquently of the savings to taxpayers as against the importation of Eastern printed books.

No student of government can find a valid objection to the present set-up of the State Board of Education. The members are appointed by the Governor and confirmed by the Senate, and they have worked in harmony with the State Department of Education.

Under the proposed plan of electing ten members of the board, it would necessitate the expenditure of a considerable sum in campaigning. Members receive no salary, therefore would not be in position to spend money for election purposes.

Hence the inference is plain that antagonistic interests would do all in their power to elect friendly members of the board, thus reestablishing the old order of politics governing the schools that was wiped out years ago.

Some Eastern book publishers, it must be remembered, have REFUSED to lease their plates to the State printing plant. Another glance at the little table of savings on State-printed books over publishers' price is the probable incentive for the desired change.

There isn't any good reason why any particular group of educators should insist upon the election of their board members any more than the laboring group, for instance, should insist upon the election of the Labor Commission, or the State employees insist on the election of the Civil Service Commission.

Further, it is already provided under section 7, Article IX of the Constitution that "the Legislature shall provide for the APPOINTMENT or ELECTION of a State Board of Education." Therefore, this initiative is unnecessary.

May we ask for a supporting NO vote on this vicious proposal, which if it succeeds will mean greatly increased cost of school books.

HARRY HAMMOND,
State Printer.

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| <p>INTEREST RATES. Assembly Constitutional Amendment 79. Prescribes seven per cent per annum as interest rate upon loan or forbearance of money, goods or things in action, accounts after demand and judgments; permits written contract for rate not exceeding ten per cent per annum, but forbids any charges whereby borrower pays over ten per cent. Exempts from such restrictions building and loan associations, industrial loan companies, credit unions, pawnbrokers, personal property brokers, banks, and various non-profit cooperative associations, and others, of character therein mentioned. Permits Legislature regulate said exempted classes, prescribe their maximum interest rate per annum and regulate their charges on loans.</p> | YES |
| | NO |

(For full text of measure, see page 26, part II)

Argument in Favor of Assembly Constitutional Amendment No. 79

This measure seeks to rectify the errors of the Usury Law and cure its deficiencies.

Fifteen years have elapsed in which the Usury Law has been well tested. Its inadequacy is blatantly apparent. Its purpose has not been fulfilled. The loan shark still prospers and collects interest grossly in excess of the specified legal rate. Interest disguised as "charges" is currently exacted at rates that range as high as *eighteen hundred per cent* per annum. The brazenness of the rapacious money

leader is astounding; his ruthlessness is boundless.

The reason for the possibility of such evasion is the impracticability of the present law. Prohibition, as such, is impractical. An act may be forbidden and penalties imposed for violations thereof, but the only cure is the enactment of a measure sufficiently flexible to permit the law's adjustment to the needs of various classes. The named exceptions in the present amendment, to wit, building and loan corporations, industrial loan companies, credit unions, pawnbrokers, personal property brokers, banks and agricultural lending agencies, have

[Eighteen]

MAKING STATE BOARD OF EDUCATION ELECTIVE; ABOLISHING SUPERINTENDENT OF PUBLIC INSTRUCTION; PROVIDING FOR DIRECTOR OF EDUCATION. Initiative. Repeals section 2, amends section 7, Article IX of Constitution. Abolishes office of Superintendent of Public Instruction. Declares State Board of Education

11 shall consist of ten members, each elected from a district for ten year term, each district comprising two congressional districts. Prescribes rotation in office. Empowers board to fill membership vacancies, appointee holding until next general election. Requires board appoint Director of Education, removable at pleasure, and fix his salary; Superintendent of Public Instruction continuing in office until appointed director qualifies.

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| YES | |
| NO | |

Sufficient qualified electors of the State of California have presented to the Secretary of State a petition and request that the proposed amendment to the Constitution hereinafter set forth be submitted to the people of the State of California for their approval or rejection at the next ensuing general election. The proposed amendment to the Constitution is as follows:

(This proposed amendment expressly amends and repeals existing sections of the Constitution; therefore, EXISTING PROVISIONS proposed to be DELETED OR REPEALED are printed in STRIKE-OUT TYPE; and NEW PROVISIONS proposed to be INSERTED are printed in BLACK-FACED TYPE.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

SECTION 1. Section 2 of Article IX of the Constitution of California is hereby repealed.

Sec. 2. A Superintendent of Public Instruction shall, at each gubernatorial election after the adoption of this Constitution, be elected by the qualified electors of the state. He shall receive a salary equal to that of the Secretary of State, and shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election.

Sec. 2. Section 7 of Article IX of the Constitution of California is hereby amended to read as follows:

Sec. 7. There is a State Board of Education which shall hereafter consist of ten members who shall be elected at the next general election following the adoption of this amendment. At each general State election thereafter the vacancies caused by the expiration of the terms of members of the State Board of Education shall be filled.

One member of the State Board of Education shall be elected from each of the following districts: District 1, comprising all the territory embraced in congressional districts 1 and 3; district 2, comprising all the territory embraced in congressional districts 2 and 9; district 3, comprising all the terri-

tory embraced in congressional districts 4 and 5; district 4, comprising all the territory embraced in congressional districts 6 and 7; district 5, comprising all the territory embraced in congressional districts 8 and 10; district 6, comprising all the territory embraced in congressional districts 11 and 12; district 7, comprising all the territory embraced in congressional districts 13 and 14; district 8, comprising all the territory embraced in congressional districts 15 and 16; district 9, comprising all the territory embraced in congressional districts 17 and 18; district 10, comprising all the territory embraced in congressional districts 19 and 20. The congressional districts herein mentioned are the congressional districts as they existed November 6, 1934.

The members of said board shall be elected for ten year terms, the term of each member to commence on the first Monday after the first day of January next succeeding his election, provided that of the members first elected, those elected from districts 1 and 6 shall serve for two years, those elected from districts 2 and 7 shall serve for four years, those elected from districts 3 and 8 shall serve for six years, those elected from districts 4 and 9 shall serve for eight years, those elected from districts 5 and 10 shall serve for ten years. Thereafter all members shall be elected for ten year terms.

The terms of office of the members of the State Board of Education in office at the commencement of the terms of office of the members of the board first elected hereunder shall expire upon the commencement of said terms.

If any vacancy occur in the State Board of Education, the remaining members of the State Board of Education shall appoint a person from the district from which his predecessor in office was elected or appointed. Said appointee shall hold office until the election and qualification of a person to fill the vacancy, the person so elected to hold office for the unexpired term. Said election shall take place at the next general State election after the occurrence of such vacancy.

Said State Board of Education shall appoint a director of education who shall hold office at the pleasure of said board, and shall fix his salary.

In addition to such duties as are prescribed in this section, said board shall have such other duties and powers as the Legislature may prescribe.

The Legislature shall provide for the appointment or election of a State Board of Education; and said board The State Board of Education shall provide, compile, or cause to be compiled, and adopt, a uniform series of textbooks for use in the day and evening elementary schools throughout the State. The State board may cause such textbooks, when adopted, to be printed and published by the Superintendent of State Printing, at the State Printing Office; and wherever and however such textbooks may be printed and published, they shall be furnished and distributed by the State free of cost or any charge whatever, to all children attending the

day and evening elementary schools of the State, under such conditions as the Legislature shall prescribe. The textbooks, so adopted, shall continue in use not less than four years, without any change or alteration whatsoever which will require or necessitate the furnishing of new books to such pupils. and said State board shall perform such other duties as may be prescribed by law.

The Legislature shall provide for a board of education in each county in of the State. The county superintendents and the county boards of education shall have control of the examination of teachers and the granting of teachers' certificates within their respective jurisdictions.

The Superintendent of Public Instruction shall hold office in accordance with the laws of this State as they existed prior to November 6, 1934, until the State Board of Education shall have appointed a Director of Education and he shall have qualified.

INTEREST RATES. Assembly Constitutional Amendment 79. Prescribes seven per cent per annum as interest rate upon loan or forbearance of money, goods or things in action, accounts after demand and judgments; permits written contract for rate not exceeding ten per cent per annum, but forbids any charges whereby borrower pays over ten per cent: **12** Exempts from such restrictions building and loan associations, industrial loan companies, credit unions, pawnbrokers, personal property brokers, banks, and various nonprofit cooperative associations, and others, of character therein mentioned. Permits Legislature regulate said exempted classes, prescribe their maximum interest rate per annum and regulate their charges on loans.

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| YES | |
| NO | |

Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 22, relating to legal rate of interest.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XX thereof a new section to be numbered 22, and to read as follows:

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.)

[Twenty-six]

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 22. The rate of interest upon the loan or forbearance of any money, goods or things in action, or on accounts after demand or judgment rendered in any court of the State, shall be seven per cent per annum but it shall be competent for the parties to any loan or forbearance of any money, goods or things in action to contract in writing for a rate of interest not exceeding ten per cent per annum.

No person, association, copartnership or corporation shall by charging any fee, bonus, commission, discount or other compensation receive from a borrower more than ten per cent per annum upon any loan or forbearance of any money, goods or things in action.

However, none of the above restrictions shall apply to any building and loan association as defined in and which is operated under that certain act known as the "Building and Loan Association Act," approved May 5, 1931, as amended, or to any corporation incorporated in the manner prescribed in and operating under that certain act entitled "An act defining industrial loan companies, providing