

1935

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Proposed Amendments to Constitution

TO BE SUBMITTED TO THE ELECTORS
OF THE STATE OF CALIFORNIA AT
THE SPECIAL ELECTION TO BE HELD

Tuesday, August 13, 1935

TOGETHER WITH

Arguments Respecting the Same

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Compiled by
FRED B. WOOD
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And Distributed by
FRANK C. JORDAN
Secretary of State

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SACRAMENTO, 1935

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NOTICE

In setting forth in Part II hereof the text of the proposed constitutional amendments, NEW provisions proposed to be ADDED to the Constitution are printed in BLACK-FACED TYPE.

PART I—ARGUMENTS

| | | |
|---|-----|--|
| <p>LEGALIZING STATE BUILDING BOND ACT OF 1935. Senate Constitutional Amendment 26. Adds section 11 to Article XVI of Constitution. Approves and legalizes State Building Bond Act of 1935, passed by Legislature, and the issuance and sale of \$13,950,000 of state bonds and use of proceeds thereof, all as provided in said act which authorizes such bonds to provide funds for certain major construction and improvements including improvements to various state buildings and construction of a new state prison in southern part of State.</p> | YES | |
| <p>1 of state bonds and use of proceeds thereof, all as provided in said act which authorizes such bonds to provide funds for certain major construction and improvements including improvements to various state buildings and construction of a new state prison in southern part of State.</p> | NO | |

(For full text of amendment, see page 5, Part II)

Argument in Favor of Senate Constitutional Amendment No. 26

The purpose of this constitutional amendment is to ratify the State Building Bond Act of 1935 to permit the State of California to issue \$13,950,000 in bonds for the purpose of constructing buildings at state institutions, state prisons, and other state buildings.

The state hospitals, homes, and prisons are in a deplorably overcrowded condition. Patients and other inmates are occupying quarters, in many cases, designed to house only half the present numbers. It is necessary that patients sleep upon floors, in basements, and in old structures long since condemned as fire hazards. This condition has resulted from the lack of funds in the state treasury and from the great increase in the inmates brought about by the depression.

While the proposed bond issue will not provide money enough to relieve entirely the congested condition in the state institutions, it will help to alleviate the problem.

The increase in population in state hospitals requires the establishment of a complete new hospital approximately every three years.

During the past two years, because of financial stress, the state was able to provide for few new building projects.

Over eighty-five per cent of the proposed bond issue will be used to construct additional patient units at each of the seven state hospitals, state homes, and prisons throughout the state. The balance of the money will be used to provide additional required office space at the State Capitol and at the State Building in Los Angeles.

[Two]

The adoption of this constitutional amendment will enable the state to participate in the public works program so that the amount provided by the state bonds may be increased materially. The projects contemplated are located in all sections of the state and will afford a very considerable relief of unemployment.

The signers of this argument, representing all sections of the state, urge you to "VOTE YES."

THOS. F. SCOLLAN,
Nineteenth Senatorial District,
Sacramento County.

WALTER H. DUVAL,
Thirty-third Senatorial District,
Ventura County.

CHRIS N. JESPERSEN,
Twenty-ninth Senatorial District,
San Luis Obispo County.

WILLIAM F. KNOWLAND,
Sixteenth Senatorial District,
Alameda County.

W. P. RICH,
Tenth Senatorial District,
Yuba County.

EDGAR W. STOW,
Thirty-first Senatorial District,
Santa Barbara County.

RALPH E. SWING,
Thirty-sixth Senatorial District,
San Bernardino County.

| | | |
|---|--|-----|
| AUTHORIZING STATE'S BORROWING MONEY IN ANTICIPATION OF TAXES AND REVENUES. Senate Constitutional Amendment 18. Adds section to Constitution. Approves and legalizes legislature's act entitled "An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation." Authorizes State's borrowing, as in said act provided, for general fund appropriations, up to fifty per cent of taxes and revenues paid into general fund during preceding fiscal year; requires money so borrowed with interest be paid from general fund within one year of date borrowed; if default, indebtedness continues payable from general fund. | | |
| 2 | | YES |
| | | NO |

(For full text of amendment, see page 6, Part II)

Argument in Favor of Senate Constitutional Amendment No. 18.

Under the present financial condition the State of California finds it necessary to register warrants issued against the general fund. These warrants carry five per cent interest from the date they are registered until paid.

The adoption of Senate Constitutional Amendment No. 18 will permit the state to borrow money from banks at one per cent or less in anticipation of the collection of taxes and revenues, which are payable into the general fund in the state treasury.

Ample safeguards are placed around such borrowings. Not more than fifty per cent of the amount of all taxes and revenues paid into the general fund during the preceding fiscal year may be borrowed by the state and all such borrowings must be repaid within one year.

The adoption of this amendment will not result in increasing the debt of the state.

Expenditures are limited to appropriations made by law. The proposed borrowings would merely afford a cheaper and more efficient method of taking care of a debt which would otherwise be handled through the more costly and laborious registered warrant method.

Savings in interest charges alone would amount to more than \$1,500,000 in the next two years. In addition, there will be savings in the cost of registering and advertising the redemption of hundreds of thousands of registered warrants if this amendment is adopted.

This is strictly an economy measure and each voter is urged to "VOTE YES."

WALTER H. DUVAL,
Thirty-third Senatorial District,
Ventura County.

DAN E. WILLIAMS,
Twenty-sixth Senatorial District,
Sousa County.

| | |
|--|-----|
| RECTOR DAM PROJECT. Assembly Constitutional Amendment 90. Adds new section to Constitution. Authorizes State to contract with Rector Dam Authority for water for any State agency supported wholly or partly by public funds and pledging of State's credit therefor in amount not exceeding the sum the authority heretofore or hereafter agrees to pay the Federal government, over not exceeding fifty years, for any loan accepted by said authority. Declares power to enter such contract contingent upon a Federal loan or grant to authority for project; authorizes authority to accept such grant or loan and to construct and maintain project. | YES |
| | NO |

(For full text of amendment, see page 6, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 90

Assembly Constitutional Amendment No. 90 is an amendment to the state constitution to authorize the Director of Finance to enter a contract with the Rector Dam Authority to secure water for state institutions.

There are four state institutions situated in the Napa Valley which are badly in need of water. The state owns a water site there which is capable of furnishing all these institutions well if a dam can be constructed in Rector Canyon to conserve the water supply but the state has never had sufficient funds to build the dam required.

At this session of the legislature, a bill was passed which created a state agency known as the Rector Dam Authority for the purpose of securing a PWA loan and grant to build the dam required. Under the federal agreement, the federal government will make a direct gift or grant of 30 per cent of the money required to build the dam and construct the pipelines to the state institutions. The balance of the money will be a loan from the federal government to the state which will be secured by a contract between the authority and the State Director of Finance. By this means the state will purchase water from the Rector Dam Authority at

the same rates she would have to pay private companies and at the end of the contract would own her own dam on state property and the state institutions will be assured of a perpetual water supply for all time without further cost.

The project is also a fine unemployment relief project as most of the labor in constructing the rock-filled dam will be hand labor and the labor is estimated at about 70 per cent of the project.

The federal administrator has praised the project as one of the most worthy in the state and it has been endorsed unanimously by all veterans' organizations.

It is a project which will give the state the water so badly needed at an economical price as the federal government is giving one outright and by use of the contract method, the debt can be retired out of current revenues from year to year without placing any bonded indebtedness upon the state.

It has no opposition, being a state dam on state-owned property for state institutions. There are no riparian rights or other difficulties and the amendment should have a unanimous vote from the people.

ERNEST C. CROWLEY,
 Assemblyman, Fifth District.
EDWARD CRAIG,
 Speaker of the Assembly.

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PART II—APPENDIX

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| <p>LEGALIZING STATE BUILDING BOND ACT OF 1935. Senate Constitutional Amendment 26. Adds section 11 to Article XVI of Constitution. Approves and legalizes State Building Bond Act of 1935, passed by Legislature, and the issuance and sale of \$13,950,000</p> <p>1 of state bonds and use of proceeds thereof, all as provided in said act which authorizes such bonds to provide funds for certain major construction and improvements including improvements to various state buildings and construction of a new state prison in southern part of State.</p> | YES | |
| | NO | |

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 11, relating to a bond issue for certain major construction and improvements.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of 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 XVI thereof a new section to be numbered 11 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**.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 11. The issuance and sale of bonds of the State of California and the use and disposition of the proceeds of the sale of said bonds as provided in the State Building Bond Act of 1935 as passed by the Senate and Assembly at its fifty-first session of the Legislature and approved by the Governor, authorizing the issuance and sale of said bonds in the sum of thirteen million nine hundred fifty thousand dollars for the purpose of providing a fund to be used and disbursed for the purpose of certain major construction and improvements therein specified, is hereby authorized and directed and the said State Building Bond Act of 1935 is hereby approved, adopted, legalized, ratified, validated and made fully and completely effective. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this section shall not prevent such legislative action. Nothing in this Constitution contained shall be a limitation upon the provisions of this section.

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|--|------------|--|
| <p>AUTHORIZING STATE'S BORROWING MONEY IN ANTICIPATION OF TAXES AND REVENUES. Senate Constitutional Amendment 18. Adds section to Constitution. Approves and legalizes legislature's act entitled "An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation." Authorizes State's borrowing, as in said act provided, for general fund appropriations, up to fifty per cent of taxes and revenues paid into general fund during preceding fiscal year; requires money so borrowed with interest be paid from general fund within one year of date borrowed; if default, indebtedness continues payable from general fund.</p> | <p>YES</p> | |
| <p>2</p> | <p>NO</p> | |

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, 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 XIII thereof a new section to be numbered 17, 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.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 17. Notwithstanding any other provision of this Constitution, the State may borrow money to meet appropriations from the general fund in the State treasury in anticipation of the collection of taxes and revenues which by law are payable into the general fund in the State treasury, up to fifty per cent of the amount of all taxes and revenues paid into the general fund during the preceding fiscal year. All moneys borrowed in anticipation of taxes and revenues together with interest thereon shall be paid from the general fund within one year from the date such money is borrowed by the State, but if not so paid, shall, nevertheless, continue to be payable from the general fund.

The provisions of an act entitled "An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation," passed at the fifty-first session of the Legislature, are hereby confirmed, ratified and declared to be fully and completely effective; but said act may at any time be amended or repealed by the Legislature.

| | | |
|--|------------|--|
| <p>RECTOR DAM PROJECT. Assembly Constitutional Amendment 90. Adds new section to Constitution. Authorizes State to contract with Rector Dam Authority for water for any State agency supported wholly or partly by public funds and pledging of State's credit therefor in amount not exceeding the sum the authority</p> | <p>YES</p> | |
| <p>3 heretofore or hereafter agrees to pay the Federal government, over not exceeding fifty years, for any loan accepted by said authority. Declares power to enter such contract contingent upon a Federal loan or grant to authority for project; authorizes authority to accept such grant or loan and to construct and maintain project.</p> | <p>NO</p> | |

Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Con-

stitution of said State by adding to Article XVI thereof a new section to be numbered 12, relating to the Rector Canyon Dam project.

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, 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 XVI thereof a new section to be numbered 12, 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.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 12. Notwithstanding any other provisions of this Constitution, the Director of Finance is hereby authorized on behalf of the State of California to enter into a contract with the Rector Dam Authority for the delivery or furnishing of water by said authority to any State institution or institutions, or other agencies supported in whole or in part by public funds, upon such terms and conditions as the director shall prescribe, and to pledge the credit of the State for that pur-

pose in an amount not exceeding the sum heretofore or hereafter agreed to be paid by the Rector Dam Authority to the United States of America or any agency or department thereof, over a period of not to exceed fifty years, for any loan made to and accepted by the authority in accordance with law. The making of said contract shall be contingent upon the granting to the Rector Dam Authority by the United States of America or an agency or department thereof of a grant or loan or grant and loan for the erection of the dam and the construction of a system for the distribution of the water of Rector Creek in the county of Napa, State of California, and the Rector Dam Authority is hereby authorized to enter into the above mentioned contract with the Department of Finance, to negotiate and accept in the name of the State such grant or loan, and to construct and maintain said dam and system of distribution.

The provisions of this section are self-executing, and require no legislative action in furtherance thereof, but the Legislature may provide by law for the carrying out of the provisions of this section.

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| | | |
|--|-----|--|
| <p>LEGALIZING STATE BUILDING BOND ACT OF 1935. Senate Constitutional Amendment 26. Adds section 11 to Article XVI of Constitution. Approves and legalizes State Building Bond Act of 1935, passed by Legislature, and the issuance and sale of \$13,950,000 of state bonds and use of proceeds thereof, all as provided in said act which authorizes such bonds to provide funds for certain major construction and improvements including improvements to various state buildings and construction of a new state prison in southern part of State.</p> | YES | |
| 1 | NO | |
| <p>AUTHORIZING STATE'S BORROWING MONEY IN ANTICIPATION OF TAXES AND REVENUES. Senate Constitutional Amendment 18. Adds section to Constitution. Approves and legalizes legislature's act entitled "An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation." Authorizes State's borrowing, as in said act provided, for general fund appropriations, up to fifty per cent of taxes and revenues paid into general fund during preceding fiscal year; requires money so borrowed with interest be paid from general fund within one year of date borrowed; if default, indebtedness continues payable from general fund.</p> | YES | |
| 2 | NO | |
| <p>RECTOR DAM PROJECT. Assembly Constitutional Amendment 90. Adds new section to Constitution. Authorizes State to contract with Rector Dam Authority for water for any State agency supported wholly or partly by public funds and pledging of State's credit therefor in amount not exceeding the sum the authority heretofore or hereafter agrees to pay the Federal government, over not exceeding fifty years, for any loan accepted by said authority. Declares power to enter such contract contingent upon a Federal loan or grant to authority for project; authorizes authority to accept such grant or loan and to construct and maintain project.</p> | YES | |
| 3 | NO | |

CERTIFICATE OF SECRETARY OF STATE

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, CALIFORNIA.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the foregoing three constitutional amendments will be submitted to the electors of the State of California at the special election to be held throughout the State on the thirteenth day of August, 1935.

Witness my hand and the great seal of State, at office in Sacramento, California, the twenty-sixth day of June, A.D. 1935.




 Secretary of State