

1940

PERMITTING STATE TO OWN SHARES IN MUTUAL WATER COMPANIES

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PERMITTING STATE TO OWN SHARES IN MUTUAL WATER COMPANIES California Proposition 11 (1940).
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PERMITTING STATE TO OWN SHARES IN MUTUAL WATER COMPANIES. Assembly Constitutional Amendment 71. Adds section 31d to Article IV of Constitution. Declares State may hold and hereafter acquire shares of stock in mutual water companies when incident to ownership of land heretofore or hereafter acquired by State or necessary to secure water supply required by State institution, department or agency. Declares State, when holding such stock, entitled to rights, powers and privileges and subject to obligations and liabilities conferred or imposed by law upon other stockholders in same company.

YES

NO

(For full text of measure, see page 16, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 71

Section 31 of Article IV of the Constitution prohibits the Legislature from authorizing the State, or any political subdivision thereof, to become a stockholder in any corporation whatever, but authorizes irrigation districts to acquire and hold the stock of corporations owning water rights subject to the same obligations and liabilities as are imposed by law on all other stockholders in such corporation. Section 31b of the same article authorizes the city of Escondido to acquire and hold the stock of mutual water companies subject to similar conditions. Section 31c of the same article extends the identical power to any city of the fifth or sixth class.

This amendment merely authorizes the State to exercise the same power "when the ownership of such stock is incident to the ownership

of land heretofore or hereafter acquired by the State or necessary to secure a water supply required by a State institution, department or agency." Many State institutions, hospitals and agencies of State government, due to deficiency in rainfall which has prevailed throughout the State in recent years, and for other causes, are faced with serious shortage of water supply. Frequently the most feasible means for securing the necessary water is and will be to acquire stock in a mutual water company. The sole purpose of this measure is to authorize such very necessary procedure. No reasonable objection can be advanced against it.

GODFREY A. ANDREAS,
Member of the Assembly,
Seventy-second District.

HUGH M. BURNS,
Member of the Assembly,
Thirty-sixth District.

PERMITTING STATE TO OWN SHARES IN MUTUAL WATER COMPANIES. Assembly Constitutional Amendment 71. Adds section 31d to Article IV of Constitution. Declares State may hold and hereafter acquire shares of stock in mutual water companies when incident to ownership of land heretofore or hereafter acquired by State or necessary to secure water supply required by State institution, department or agency. Declares State, when holding such stock, entitled to rights, powers and privileges and subject to obligations and liabilities conferred or imposed by law upon other stockholders in same company.

YES	
NO	

Assembly Constitutional Amendment No. 71—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31d, relating to the ownership by the State of shares in mutual water companies.

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. 31d. Notwithstanding anything contained elsewhere in this Constitution, the State may hold and hereafter acquire shares of the capital stock of any mutual water company or corporation when the ownership of such stock is incident to the ownership of land heretofore or hereafter acquired by the State or necessary to secure a water supply required by a State institution, department or agency. The State, when holding such stock, shall be entitled to all the rights, powers and privileges, and shall be subject to all the obligations and liabilities conferred or imposed by law upon other holders of such stock in the same company.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-third regular session commencing on the second day of January, 1939, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding to Article IV thereof a new section, to be numbered 31d and to read as follows:

(This proposed amendment does not expressly amend any existing section of the Constitution, but

LEGISLATIVE COMMITTEES. Assembly Constitutional Amendment 2. Adds section 37 to Article IV of Constitution. Authorizes either house of Legislature by resolution to appoint committees to ascertain facts and make recommendations as to subjects within legislative scope, joint committees for such purposes consisting of members of both houses to be created by concurrent resolutions; declares such resolutions may authorize such committees to act either during sessions or after final adjournment, and have such powers and duties as provided by resolutions creating them or by law or legislative rules. Declares committee members shall receive no additional compensation except expenses necessarily incurred.

YES	
NO	

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding section 37 to Article IV, relating to the Legislature.

elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding section 37 to Article IV thereof, to read as follows:

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fifty-third regular session commencing on the second day of January, 1939, two-thirds of the members

(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.)