

1940

## SALE OR LEASE OF STATE PARK LANDS CONTAINING OIL OR GAS DEPOSITS

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<b>13</b>	<b>SALE OR LEASE OF STATE PARK LANDS CONTAINING OIL OR GAS DEPOSITS. Senate Constitutional Amendment 33.</b> Adds section 26 to Article XX of Constitution. Empowers Legislature to authorize sale of State park lands containing oil or gas deposits exceeding value of lands for recreational purposes. Empowers State Lands Commission with consent of State Park Commission, or such other State officer or agency as Legislature may provide, to execute leases, easements or contracts for extraction and removal of such deposits. Directs proceeds from sales, leases, easements or contracts be deposited in general fund subject to appropriation by Legislature for any purpose.	YES	
		NO	

(For full text of measure, see page 17, Part II)

**Argument in Favor of Senate Constitutional Amendment No. 33**

This measure is designed to protect the interests of the State in the event that oil and gas deposits should be discovered beneath lands which are owned by the State as part of the State Park System.

The discovery of oil or gas in the vicinity of a State park and the resulting erection of derricks and production of oil from privately-owned lands adjacent to the park would normally result in a two-fold loss to the State. Not only would the wells on private lands drain oil and gas from beneath the State lands, but the drilling and producing activities on the private lands in many instances would wholly or partly destroy the value of the State lands for park purposes.

At the present time, lands which have been acquired by the State for park purposes can not be used for any other purpose, regardless of the fact that they might contain valuable oil and gas deposits which would be drained by private interests or that the value of the lands for park purposes might be destroyed or greatly diminished.

This measure proposes to provide two remedies.

The amendment authorizes the Legislature to provide for the sale of park lands under circumstances where it appears that the value of oil and gas deposits under any such lands may exceed its value for recreational purposes.

As an alternative, the State Lands Commission, which consists of the Lieutenant Governor, the Controller, and the Director of Finance, may lease all or part of such park lands for the production of oil and gas. All such operations are required to be conducted so as to cause the least possible interference with the use of the lands for park purposes.

The money received by the State from any such sale or under any lease shall be deposited

in the general fund in the State treasury, but may be appropriated by the Legislature for the acquisition and maintenance of State parks or for any other purposes, within the discretion of the Legislature.

We believe this measure is for the best interests of the State, and we recommend that the voters give it favorable consideration.

ED. FLETCHER,  
Senator, Fortieth District.

J. C. GARRISON,  
Senator,  
Twenty-second District.

**Argument Against Senate Constitutional Amendment No. 33**

This dangerous and ill-considered proposal strikes at the very heart of the California State Park System. In 1928 by overwhelming popular vote (over 3 to 1) a system of parks worthy of this wonderful State was authorized and the provisions written into the State Constitution so that its integrity would be assured for all time. The State voted \$6,000,000.00 to buy these parks but also provided that one-half the value of each park had to be given from outside sources. As a result, individuals, cities and counties gave over \$7,000,000.00 in value to the State. California has now the finest State Park System in America. Its seventy parks include the tallest trees in the world (Coast Redwoods), some of the largest trees in the world (Calaveras Grove of Big Trees), some of the finest beaches in the world (Southern and Central California), mountains, lakes, and historic monuments.

Senate Constitutional Amendment No. 33, if carried, would undermine this entire system, as the entering wedge for a series of attacks on its integrity and permanency. Promises to generous donors of millions of dollars would be disregarded. Many such gifts are memorials to the dead. Yet under the terms of this destruc-

tive and short-sighted amendment any Legislature at any time can sell or lease any of our State parks and thus permanently destroy these priceless values. The only check is that in the opinion of the Legislature (and it is the sole judge), the parks must be more valuable for oil and gas than for recreation. To make matters worse, under this amendment the money from such sales does not have to be used for buying other parks but may be used "for any other purpose." Thus, the millions of dollars generously donated for parks could be used for any other purpose the Legislature sees fit. Could there be a more flagrant violation of a sacred trust? This would put an end to private gifts.

Slant drilling now provides a perfectly feasible method of extracting oil and gas from beneath the surface of beaches and other parklands without destroying the surface. What need is there to sell the surface when this is the fact? This deliberate attempt to sell off our parks is only one of many which will be urged for their commercialization and destruction.

Conservation organizations and leaders throughout the State are strongly opposed to

this amendment. Among those that have gone on record are: California State Park Commission, Sierra Club, Save-the-Redwoods League, Federation of Western Outdoor Clubs, California State Chamber of Commerce (Conservation Section), Tamalpais Conservation Club, Sempervirens Club of San Jose, Richard Sachse, Director, State Department of Natural Resources; Matthew M. Gleason, Chairman, California State Park Commission; Joseph R. Knowland, Chairman of the State Park Commission from 1936 to 1939; Shoreline Planning Association.

Vote "NO" on Senate Constitutional Amendment No. 33.

WILLIAM E. COLBY,  
Chairman of the California State  
Park Commission from 1927 to  
1936.

GEOFFREY FRANCIS MORGAN,  
President,  
Shoreline Planning Association.

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 37. In order to expedite the work of the legislature, either house of the Legislature may by resolution provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control, and joint committees for such purposes, consisting of members of both houses, may be created by concurrent resolutions.

The resolution creating any such committee may authorize it to act either during sessions of the Legislature or after final adjournment. Any such committee shall have such powers and perform such duties as may be provided by the resolution creating it and in addition shall have such powers and perform such duties as may be provided by law or by the rules of the Legislature or either house thereof.

Members of such committees shall not receive any additional compensation for their services other than

their salaries as members of the Legislature, but each house of the Legislature may provide for the payment of the expenses necessarily incurred by any such committee or the members thereof either from its contingent fund or from any money provided by law for that purpose.

Nothing in this section shall be deemed to authorize additional or increased expenditures for legislative help at any regular, special or extraordinary session of the Legislature in excess of the limitations imposed by section 23a of this article, nor shall the creation of any committee as provided herein be deemed to extend the period of any legislative session. For the purpose of so limiting and determining expenditures for legislative help, any such session shall be deemed to be continuous from the first day of the session until the final adjournment thereof and to terminate on such final adjournment.

**13 SALE OR LEASE OF STATE PARK LANDS CONTAINING OIL OR GAS DEPOSITS.** Senate Constitutional Amendment 33. Adds section 26 to Article XX of Constitution. Empowers Legislature to authorize sale of State park lands containing oil or gas deposits exceeding value of lands for recreational purposes. Empowers State Lands Commission with consent of State Park Commission, or such other State officer or agency as Legislature may provide, to execute leases, easements or contracts for extraction and removal of such deposits. Directs proceeds from sales, leases, easements or contracts be deposited in general fund subject to appropriation by Legislature for any purpose.

YES	
NO	

Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XX thereof a new section to be numbered 26, relating to State parks.

Resolved by the Senate, the Assembly 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 XX thereof a new section, to be numbered 26 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. 26. The Legislature may authorize the sale of lands comprising a part of the State park system whenever it appears that such lands contain valu-

able deposits of oil or gas, and that the value of such deposits may exceed the value of the lands for recreational purposes.

The State Lands Commission, with the consent of the State Park Commission, shall have power to execute leases, easements or contracts for the extraction and removal of such deposits of oil and gas from such lands or portions thereof in accordance with law. All such operations authorized by the State Lands Commission shall be conducted in such manner as to cause the least possible interference with the use of such lands for park purposes. The proceeds from any sale or sales, lease, easement, or contract shall be deposited in the general fund of the State, but the Legislature may appropriate the proceeds, or any part thereof, for acquisition and maintenance of State parks, or for any other purpose.

The provisions of this section are self-executing but the Legislature may enact legislation supplemental thereto and in furtherance of the purposes thereof and may, in its discretion, provide for the execution of leases, easements or contracts by a different State officer or agency than the State Lands Commission.