

1944

PUBLIC OFFICERS AND EMPLOYEES.
REINSTATEMENT AFTER MILITARY
SERVICE

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PUBLIC OFFICERS AND EMPLOYEES. REINSTATEMENT AFTER MILITARY SERVICE. Senate Constitutional Amendment No. 10. Adds section 3.5 to Article XX, Constitution. Authorizes Legislature to provide for reinstatement of public officers and employees, who resign to serve in armed forces of United States or of this State. Validates present statutes conferring such rights. Defines classes of officers and employees affected.

YES	
NO	

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

Argument in Favor of Senate Constitutional Amendment No. 10

This is an enabling amendment to permit the Legislature fully to carry out its policy of protecting officers and employees absent on service with the armed forces in their right to return to their positions.

The propriety and justice of this policy are not open to question.

The Federal Government, in the Soldiers and Sailors Civil Relief Act of 1940, has assured returning veterans of their right to return to their private employments. This act does not apply to public officers or employees.

The California Legislature has enacted statutes extending the fullest protection of this kind to the employees of the State.

Constitutional difficulties stand in the way of extending the same protection to certain other classes of public officers and employees, including officers and employees of local governmental agencies, judicial officers, legislative officers, and officers whose offices are established by the Constitution.

The Legislature has enacted legislation to cover all of these classes but the validity of such legislation is doubtful without the adoption of such a measure as this.

This measure simply puts all classes of public officers and employees on the same footing in respect to their right to return to their jobs after military service. It extends to certain classes of public officers and employees the same rights now had by other classes of public officers and employees and similar to those of the employees of private enterprise.

The right of a veteran to return to his former position should be assured to all without discrimination.

Protect the rights of those who are fighting for us.

Vote YES.

GEORGE J. HATFIELD,
Senator,
Twenty-fourth District.
BYRL R. SALSMAN,
Senator,
Eighteenth District.

LEGISLATURE. SESSIONS. BUDGET. Senate Constitutional Amendment No. 25. Amends sections 2 and 34 of Article IV, Constitution. Provides for annual session of Legislature of not to exceed 60 days. Provides for budget and appropriation bill to cover all proposed expenditures of the State for one fiscal year succeeding session of Legislature, instead of budget and appropriation covering two fiscal years.

YES	
NO	

(For full text of measure, see page 7, Part II)

Argument in Favor of Senate Constitutional Amendment No. 25

Over two-thirds of the members of the California State Legislature are convinced that the only way in which the State of California can be given a sound, business-like, financial control over expenditures, and a proper review of the operations of State Government, is to provide for regular annual sessions of the State Legislature.

No longer is it possible in our rapidly-changing economic and social affairs to forecast business conditions which will prevail in this State almost two and a half years before such events take place. Under the present antiquated method of having the Legislature meet in regular session

only once in every two years, it is impossible to give the required consideration to the ever-changing conditions in unemployment; social welfare; pensions to the needy aged, blind, and orphans; and the many other problems which affect vitally the lives of the citizens of our State. Special sessions called by the Governor to consider only items designated by him do not solve the problem. Such special sessions are often political, unsatisfactory, and costly.

Annual legislative sessions should give Californians no cause for alarm. The Legislature has actually been in session at some time every year since 1925 with the exception of two years.

No industrial concern would attempt to operate its business with a board of directors meeting only once every two years to adopt an expendi-

[Five]

That the Legislature of the State of California at its Fifty-fifth Regular Session commencing on the fourth day of January, 1943, two-thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California, that Section 22 be added to Article V of the Constitution of said State, 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. 22. Notwithstanding anything contained elsewhere in this Constitution, the compensation for the services of the Lieutenant Governor, the State Controller, Secretary of State, Superintendent of Public Instruction and State Treasurer may be fixed at any time by the Legislature at an amount not less than five thousand dollars (\$5,000) per annum.

TAXATION EXEMPTION OF RELIGIOUS, HOSPITAL, AND CHARITABLE ORGANIZATIONS. Assembly Constitutional Amendment No. 17. Authorizes Legislature to exempt from property taxes property used for religious, hospital, or charitable purposes and owned by agencies organized for such purposes, which are not conducted for profit and no part of the earnings of which inure to the benefit of any individual.

YES

NO

Assembly Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by adding a new section numbered 1c to Article XIII thereof, relating to taxation.

Resolved by the Assembly of the State of California, the Senate concurring, That the Legislature of the State of California at its Fifty-fifth Session, commencing on the fourth day of January, 1943, 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 a new section, to be numbered 1c, to Article XIII thereof, to read:

(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. 1c. In addition to such exemptions as are now provided in this Constitution, the Legislature may exempt from taxation all or any portion of property used exclusively for religious, hospital or charitable purposes and owned by community chests, funds, foundations or corporations organized and operated for religious, hospital or charitable purposes, not conducted for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

PUBLIC OFFICERS AND EMPLOYEES. REINSTATEMENT AFTER MILITARY SERVICE. Senate Constitutional Amendment No. 10. Adds section 3.5 to Article XX, Constitution. Authorizes Legislature to provide for reinstatement of public officers and employees, who resign to serve in armed forces of United States or of this State. Validates present statutes conferring such rights. Defines classes of officers and employees affected.

YES

NO

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 3.5 to Article XX thereof, relating to public officers and employees, and authorizing the Legislature to provide for the rights of such officers and employees after service in the armed forces.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its Fifty-fifth Regular Session commencing on the fourth day of January, 1943, 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

amended by adding Section 3.5 to Article XX thereof, to read:

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. 3.5. Notwithstanding any other provision of this Constitution, the Legislature by general law may provide for the reinstatement and reentry into public office within the terms for which they were elected, and the reinstatement in public employment, respectively, of public officers and employees who have resigned or who resign their offices or employments to serve or to continue to serve in the armed forces of the United States or in the armed forces of this State. The Legislature may determine the extent to which such provisions shall be given retroactive effect.

As used in this section, "public officers and employees" includes all of the following:

- (a) Members of the Senate and of the Assembly.

(b) Justices of the Supreme Court and the district courts of appeal, judges of the superior courts and of the municipal courts, and all other judicial officers.

(c) All other State officers and employees, whether or not within the State civil service, including all officers for whose selection and term of office provision is made in the Constitution and laws of this State.

(d) All officers and employees of any county, city and county, city, township, district, political subdivision, authority, commission, board, or other public agency within this State.

Every person elected or appointed to any public office or employment within this State holds such office or employment subject to the right of reentry or reinstatement which may be granted to a former holder of the office or employment pursuant to this section.

All laws enacted prior to the adoption of this section providing for the right of public officers and employees to reenter office or to be reinstated in employment after service in the armed forces of the United States or of this State shall have the same force and effect as if they had been enacted after the adoption of this section.

LEGISLATURE. SESSIONS. BUDGET. Senate Constitutional Amendment No. 25. Amends sections 2 and 34 of Article IV, Constitution. Provides for annual session of Legislature of not to exceed sixty days. Provides for budget and appropriation bill to cover all proposed expenditures of the State for one fiscal year succeeding session of Legislature, instead of budget and appropriation covering two fiscal years.

YES	
NO	

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State, relating to the Legislature.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its Fifty-fifth Regular Session commencing on the fourth day of January, 1943, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State so as to read as follows, respectively:

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

PROPOSED AMENDMENT TO THE CONSTITUTION.

First: That Section 2 of Article IV of the State Constitution be amended to read:

Sec. 2. The sessions of the Legislature shall be ~~biennial; annual, unless~~ The Governor shall may, in the interim, convene the Legislature, by proclamation, in extraordinary session. All sessions, other than extraordinary, shall commence at 12 o'clock M., on the first Monday after the first day of January next succeeding the election of its members in March, and shall continue in session for a period not exceeding 30 60 days thereafter. ~~whereupon a recess of both houses must be taken for not less than thirty days. On the reassembling of the Legislature, no bill shall be introduced in either House without the consent of three-fourths of the members thereof, nor shall more than two bills be introduced by any one member after such reassembling.~~

The compensation of the Members of the Legislature provided by Section 23 of this article shall be paid during each annual regular legislative session at such times as may be provided by law.

Second: That Section 34 of Article IV of the State Constitution be amended to read:

Sec. 34. The Governor shall, within the first ~~thirty five~~ days of each regular session of the Legislature and prior to its recess, submit to the Legislature,