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BUSINESS LOANS FOR VETERANS

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to be generally agreed that such a practice is to be deplored. I would most solemnly warn the voters to ponder seriously the consequences of initiating the practice of guaranteeing the minimum salaries of public employees in the State Constitution. The group is thus protected, why should not all groups be protected?

I urge that all voters study carefully not only the text of the proposed constitutional amendment but also the text of the present constitutional provisions which the amendment will supplant. A careful study will reveal, I believe, at least five changes of major significance. The language of the proposed constitutional provisions is not always clear. In fact, it accomplishes much more radical innovations than the amendment's proponents admit in their public discussions. One may also question the fairness of including five changes in one constitutional amendment with the design of forcing the voter to approve some change he may object to in order to endorse a change he desires.

Finally, I would suggest that the generous increase in State funds for public education made mandatory by Proposition No. 3 should be accompanied by rigorous requirements of sound educational practice. When the taxpayers of California pay hundreds of millions of dollars per biennium for public education, they have a right to demand that public school graduates be soundly trained in the fundamentals, in American history and ideals, and that school courses and textbooks no longer be the subject of continual experimentation by educational crackpots.

In urging a negative vote on Proposition No. 3 I do so only with the warning that the defeat of No. 3 in itself will solve no problems. We must all take a greater interest in public education.

JOHN HAROLD SWAN
Junior College teacher and
attorney at law
Member California State
Senate, 1941-1945

4 BUSINESS LOANS FOR VETERANS. Assembly Constitutional Amendment No. 37. Amends Section 31, Article IV of the Constitution. Permits loans to veterans for purpose of enabling veterans to buy a business, land, buildings, supplies, equipment, machinery or tools, to be used by the veteran in pursuing a gainful occupation. Provides that such aid is exempt from prohibition against giving or lending the credit of the State in aid of any person.

YES	
NO	

(For full text of measure, see page 8, Part II)

**Argument in Favor of
Assembly Constitutional Amendment No. 37**

An overwhelming number of returning servicemen have indicated their desire to enter or reenter the form of little business or agricultural activity of their own. The Federal Government through the GI Bill has recognized this desire by providing a method whereby it guarantees loans up to a limited amount under certain conditions for the purchase of farms or farm equipment, or for establishing businesses.

Assembly Constitutional Amendment No. 37 is a proposal to amend the Constitution to permit legislative action by the State of California to provide additional assistance to fill the need where Federal and private sources fail. The present Constitution permits use of State money or credit in aiding veterans in the purchase of homes or farms. A. C. A. 37 will extend this provision to include business, land, buildings, tools, equipment, machinery and supplies which may assist the veteran in pursuing a gainful occupation of his own.

Our servicemen have gallantly preserved their stake in the future. It is a solemn obligation of the State to assist them now to achieve those economic opportunities for which they fought. Part of this obligation is the opportunity to obtain a direct and adequate loan without too much red tape.

Other States have taken action to supplement with local assistance the funds provided under Federal law. For example, New Jersey in 1944 adopted a program to guarantee loans up to 90 per cent made by local banks to establish or reestablish qualified veterans in business or professions.

Although these plans have been in operation less than a year, their experience statistics show

that where due caution is exercised by the lending agency and properly qualified applicants are rendered assistance, a high degree of successful enterprises result.

We are entering an era when unlimited economic opportunities will abound. It is an accepted postwar objective that high production goals must exceed the 1940 level by as much as 35 per cent to 45 per cent in order to maintain prosperity. Studies by the Committee For Economic Development, the United States Department of Labor, and the Bureau of Labor Statistics indicate the possibilities of expanded and new businesses. High in the aims of our servicemen are these expectations. But business means money, and the average GI will not have accumulated a sufficient reserve to insure himself a reasonable chance in a highly competitive field.

The passage of A. C. A. 37 plus legislative action at the next session of the Legislature, will provide not only the necessary financial assistance to the veteran but also wise counsel, business information, and valuable guidance. With prudent State action and concrete assistance, instead of empty phrases and unfulfilled promises, we can build among our servicemen faith in our democratic way of life and hope in the future of our great State. Assembly Constitutional Amendment No. 37 will accomplish a small but definite part of a total program. We urge its adoption by the people of California and all other phases of the veterans' program that will make complete our assurance that "they who have served us well will not be let down."

AUGUSTUS F. HAWKINS
Assemblyman, 62d Dist.
GLENN M. ANDERSON
Assemblyman, 46th Dist.

BUSINESS LOANS FOR VETERANS. Assembly Constitutional Amendment No. 37.
 Amends Section 31, Article IV of the Constitution. Permits loans to veterans for purpose of enabling veterans to buy a business, land, buildings, supplies, equipment, machinery or tools, to be used by the veteran in pursuing a gainful occupation. Provides that such aid is exempt from prohibition against giving or lending the credit of the State in aid of any person.

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution, therefore, **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE**.)

PROPOSED AMENDMENT TO THE CONSTITUTION

"Provided, further, that nothing contained in this Constitution shall prohibit the use of State money or credit, in aiding veterans

who served in the military or naval service of the United States during time of war, in the acquisition of, or payments for, (1) farms or homes, or in projects of land settlement or in the development of such farms or homes or land settlement projects for the benefit of such veterans, or (2) any business, land or any interest therein, buildings, supplies, equipment, machinery, or tools, to be used by the veteran in pursuing a gainful occupation."

CREATION OF COURT FOR TAX APPEALS. ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 39. Adds Sections 4d and 4e to, and amends Section 1 of, Article VI of the Constitution. Creates Court of Tax Appeals consisting of three judges selected in the same manner as Justices of the Supreme Court. Gives court jurisdiction over appeals from the superior court in all cases involving the legality, imposition or collection of taxes and assessments. Decisions of court to be subject to review by the Supreme Court. Authorizes Legislature to provide for review by this new court of State administrative agencies' determinations in tax matters.

YES	
NO	

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

PROPOSED AMENDMENT TO THE CONSTITUTION

First—That Section 1 of Article VI be amended to read:

Section 1. The judicial power of the State shall be vested in the Senate, sitting as a court of impeachment, in a Supreme Court, District Courts of Appeal, a Court of Tax Appeals, superior courts, such municipal courts as may be established in any city or city and county, and such inferior courts as the Legislature may establish in any incorporated city or town, township, county or city and county

Second—That Section 4d be added to Article VI, to read:

Sec. 4d. The Court of Tax Appeals shall consist of three justices, one of whom shall be the presiding justice thereof, and as such shall be nominated, appointed, and elected, as the case may be.

The justices of the court shall be nominated, appointed, and elected in the same manner as are the justices of the Supreme Court and shall serve for the same terms of office, except that when the court is first established, the term of office of one justice shall be four years, of another justice, eight years, and of the third justice, 12 years. When he nominates each justice upon the establishment of the court, the Governor shall designate the term of office for which the appointment is proposed. For the purpose only of determining the expiration of each such term, each term shall be deemed to commence on the first day of January, 1947.

Justices of the Court of Tax Appeals shall be subject to impeachment as provided in Section 18 of Article IV of this Constitution. The provisions of Sections 4, 4c, 10, 12, 16, 18, 21, 23, and 24 of Article VI of this Constitution shall be applicable to the Court of Tax Appeals and to the justices thereof to the same extent and in the same manner as said provisions are applicable to the District Courts of Appeal and the justices thereof.

The salaries of the justices shall be the same as the salaries of the justices of District Courts of Appeal and shall be paid at the same time and in the same manner.

The presence of two justices shall be necessary for the transaction of any business by the court except such as may be done in

chambers and the concurrence of two justices shall be necessary to pronounce a judgment.

In cases wherein the presiding justice is not acting, the other justices shall designate one of their number to perform the duties and exercise the powers of presiding justice.

Third—That Section 4e be added to Article VI, to read:

Sec. 4e. The Court of Tax Appeals shall have appellate jurisdiction on appeal from the superior courts in all causes involving the legality, imposition or collection of taxes and assessments in which the superior courts are given original jurisdiction, notwithstanding any other provision of law. In addition to any of its powers prior to the adoption of this section, the Legislature shall have power unrestricted by other provisions of this Constitution to provide that the determination of any public officer or board of state-wide jurisdiction involving the legality, imposition or collection of taxes or assessments shall be reviewed in the first instance by the Court of Tax Appeals and to establish the nature and extent of such review.

The Court of Tax Appeals shall also have jurisdiction in all cases, matters, and proceedings pending before the Supreme Court or District Courts of Appeal that may be ordered by the Supreme Court to be transferred to the Court of Tax Appeals for hearing and decision. The Court of Tax Appeals shall have the power to issue all writs necessary or proper to the complete exercise of its jurisdiction.

No appeal taken to the Court of Tax Appeals shall be dismissed for the reason only that the same was not taken to the proper court, but the cause shall be transferred to the proper court upon such terms as to costs or otherwise as may be just, and shall be proceeded with therein as if regularly appealed thereto.

All laws allowing, providing for or regulating appeals to the Supreme Court and District Courts of Appeal, including rules made in pursuance thereof, shall apply to the Court of Tax Appeals insofar as such laws and rules are consistent with the provisions of this Constitution pertaining to the Court of Tax Appeals until the Legislature shall provide otherwise. If the Legislature authorizes proceedings in the Court of Tax Appeals for the review in the first instance by said court of the determination of any public officer or board of state-wide jurisdiction involving the legality, imposition or collection of taxes or assessments, such proceedings shall be in accordance with rules of procedure specially provided for that purpose.