

1946

## SALARY OF THE GOVERNOR

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**SALARY OF THE GOVERNOR. Assembly Constitutional Amendment No. 35.**

**10**

Amends Section 22, Article V of the Constitution. Authorizes Legislature to fix the Governor's salary. Provides that Governor's salary can not be less than \$10,000 per year. Prohibits increase or decrease after regular session of Legislature in 1947 of salary of Governor, Lieutenant Governor, Controller, Secretary of State, Superintendent of Public Instruction or Treasurer during their terms of office.

YES

NO

(For full text of measure, see page 10, Part II)

**Argument in Favor of**

**Assembly Constitutional Amendment No. 35**

This measure, which is submitted to the people by a unanimous vote of the State Legislature, should have a *yes* vote.

When adopted this measure will permit the Legislature to fix the salary of the Governor. It does not in itself change the Governor's salary—it merely authorizes the Legislature to determine what that salary is to be. This is in line with the authority which the Legislature has been given by vote of the people in 1934 as to the Attorney General and in 1944 as to the Lieutenant Governor, Treasurer, Secretary of State, Controller and Superintendent of Public Instruction.

By permitting legislative review of the Governor's salary a flexibility is obtained contrasted with the present provision which has resulted in the Governor's salary remaining so fixed that it has been changed only once in the last 67 years. Under this measure the Legislature may raise or lower the salary of the Governor to reflect the changing economic conditions as it may now for all other State officers or employees.

Since the last change in 1908 the duties of the Governor have increased many times. The population of the State has increased from approximately 1,700,000 to over 9,000,000. The complexity of State Government and the responsibilities of the office have increased even more rapidly. During this 38-year period the salary has actually been decreased by the imposition of income taxes by both the State and Federal Governments.

The Legislature has always had the authority to fix the salary of State judges and members of the Board of Equalization. The Congress of the United States has always had this same authority with reference to the salary of all officers of the Government of the United States, including the salary of the President himself.

The salary paid the Governor of this State is two-fifths that paid the Governor of New York; one-half that paid the Governor of New Jersey and less than that paid the Governors of Pennsylvania, Illinois, Connecticut, Texas or Louisiana.

The salary now being paid the Governor of the State of California is the same as that being paid the Lieutenant Governor, Treasurer, Secretary of State, Controller and Superintendent of Public Instruction and is less than that received by the Attorney General, Director of Finance, Director of Public Works, Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts in Los Angeles, San Francisco, Alameda and San Mateo Coun-

ties. It is the same as the salary paid to Judges of the Municipal Courts in Los Angeles, San Francisco, Long Beach and Santa Monica.

This measure proposes nothing new. It follows the precedent already twice approved by the voters of this State. It is in line with the provisions of the Constitution with regard to other State officers. It gives the Legislature the same power now enjoyed by Congress with reference to Federal officers. It should be approved. *Vote Yes.*

C. DON FIELD, Assemblyman, 43d Dist.

**Argument Against**

**Assembly Constitutional Amendment No. 35**

The purpose of Assembly Constitutional Amendment No. 35 is to take from the people of California the right to fix the salary of one State official, the Governor, and to delegate that power to the State Legislature. The Constitution was written for the purpose of setting out certain rights that belong to the people, and, generally, when an amendment to the Constitution is offered, it is for the purpose of curtailing or limiting those rights. Assembly Constitutional Amendment No. 35 is very definitely of that nature. In the last few years, a great many of the constitutional rights of the people have been taken away from them and placed in bureaus or legislative bodies which is contrary to our traditional form of Government. The farther away the control of expenditure is from the people, the greater is the extravagance.

If the Governor thinks his salary should be increased, he should state in Assembly Constitutional Amendment No. 35 what that increase should be. There is no doubt in my mind that if such a constitutional amendment were offered, making reasonable and equitable adjustment, it would be adopted by a very substantial vote. On the other hand, should Assembly Constitutional Amendment No. 35 be adopted, and the power of adjusting the Governor's salary be given to the Legislature, the Governor will be tempted to grant special favors to the Assemblymen and Senators in order to receive the salary increase he desires. I might state that the Governor is well compensated for the service he renders the State of California and the people. He receives \$10,000 salary annually, and a generous appropriation for his mansion, office, and staff of secretaries and clerks.

Vote *No* on Assembly Constitutional Amendment No. 35, and hold on to what few constitutional rights you still enjoy as a voter and citizen.

JOHN B. PELLETIER,  
Assemblyman, 44th Dist.

<b>8</b>	<b>COUNTY SUPERINTENDENTS OF SCHOOLS. ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 17.</b> Adds Section 3.1 to Article IX of the Constitution. Requires that qualifications and salary of County Superintendents of Schools shall be fixed by the Legislature rather than by local authorities. Permits the Legislature to prescribe different qualifications and salary for each county.	YES	
		NO	

(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. 3.1.** Notwithstanding any provision of this Constitution to the contrary, the Legislature shall prescribe the qualifications required of county superintendents of schools and shall fix their salaries, and for these purposes shall classify the several counties in the State.

<b>9</b>	<b>STATE SUPERINTENDENTS OF PUBLIC INSTRUCTION. ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 36.</b> Adds Section 2.1 to Article IX of the Constitution. Creates offices of one Deputy Superintendent of Public Instruction and three Associate Superintendents of Public Instruction to be appointed by the State Board of Education upon nomination of Superintendent of Public Instruction for four-year terms without regard to civil service regulations. Permits appointment of additional Associate Superintendents of Public Instruction subject to State civil service.	YES	
		NO	

(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. 2.1.** The State Board of Education, on nomination of the Superintendent of Public Instruction, shall appoint one Deputy Superintendent of Public Instruction and three Associate Superintendents of Public Instruction who shall be exempt from State civil service and whose terms of office shall be four years. This section shall not be construed as prohibiting the appointment, in accordance with law, of additional Associate Superintendents of Public Instruction subject to State civil service.

<b>10</b>	<b>SALARY OF THE GOVERNOR. ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 35.</b> Amends Section 22, Article V of the Constitution. Authorizes Legislature to fix the Governor's salary. Provides that Governor's salary can not be less than \$10,000 per year. Prohibits increase or decrease after regular session of Legislature in 1947 of salary of Governor, Lieutenant Governor, Controller, Secretary of State, Superintendent of Public Instruction or Treasurer during their terms of office.	YES	
		NO	

(This proposed amendment expressly amends an existing section 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

**Sec. 22.** Notwithstanding anything contained elsewhere in this Constitution, the compensation for the services of the Governor, 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 ten thousand dollars (\$10,000) per annum, for the Governor, and not less than five thousand dollars (\$5,000) per annum for each of the other State officers named herein. Except by an act passed at the Fifty-seventh Regular Session of the Legislature, the compensation of no State officer named herein shall be increased nor diminished during his term of office.

<b>11</b>	<b>FAIR EMPLOYMENT PRACTICES ACT. INITIATIVE.</b> Declares State policy that all persons have the right of equal opportunity to secure employment. To effect such policy makes it unlawful to refuse to hire, to discharge, or to discriminate in conditions of employment against any person because of race, religion, color, national origin or ancestry. Establishes a commission to prevent such unlawful practices by conciliation or order and by education. Provides for judicial review of commission's orders. Appropriates sum for commission.	YES	
		NO	

(This proposed law does not expressly amend any existing law; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW**.)

PROPOSED LAW

The people of the State of California do enact as follows:

**Section 1.** This act may be referred to as the "California Fair Employment Practice Act."

**Sec. 2.** All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life, and liberty; acquiring, possessing and protecting property; and pursuing and obtaining safety and happiness. The opportunity to obtain and hold employment without discrimination because of race, religion, color, national origin or ancestry is hereby recognized and declared to be such a civil and constitutional right.

**Sec. 3.** The people of the State of California declare that existing practices of discrimination involving race, religion, color, national origin or ancestry are a matter of State concern because they

- (1) Foment strife and unrest;
- (2) Threaten the rights and privileges of all of us;
- (3) Affect substantially and adversely the interests of employees, and employers, thus depriving the State of the fullest utilization of its capacities for development and advance;
- (4) Menace the institutions, foundations and traditions of our free democratic state and society;

This act shall be deemed an exercise of the police power of the State for the protection of the public welfare, prosperity, health and peace of the people of the State of California. The people declare that the protection and safeguarding of the right and