

1948

AGED AND BLIND AID

Follow this and additional works at: http://repository.uchastings.edu/ca_ballot_props

Recommended Citation

AGED AND BLIND AID California Proposition 4 (1948).
http://repository.uchastings.edu/ca_ballot_props/474

This Proposition is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Propositions by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.

Argument Against Initiative Proposition No. 3

All of the engineers and train crewmen to a man are opposed to the adoption of ballot Proposition No. 3, so are a large majority of the members of our State Legislature, and all for very good reasons:

1. Proposition No. 3 contains the same provisions as bills the Railroads had introduced at the 1943 and 1947 sessions of the Legislature. At both sessions the bills received all due consideration in lengthy and exhaustive hearings. On both occasions by an overwhelming vote our Legislators rejected repealing the Full Crew Law because the Railroads could not prove their case on the basis of truths and facts.

2. The principles of operating trains over difficult terrain, in inclement weather, have changed very little but engines and cars are much larger now. Both are still subject to many mechanical failures, so the same potential dangers still exist.

3. The Railroads for the third time are now appealing to the voters with the same misleading propaganda that they used with the State Legislators in efforts to prejudice their votes.

After War No. 2 got underway, thousands of railroad employees and their sons and daughters joined the armed forces and this caused a manpower shortage. At personal risk of their welfare, the remaining employees prevailed upon the Legislature to adopt the employees' amendment to the Railroads' repeal bill, which gave the Railroad Commission authority to permit railroads to deviate from the law so that troops and munitions would flow without interruption to war fronts.

On June 30, 1943, such orders of deviation were made and below is the official record taken from the Commission's Annual Reports showing the enormous accident rate increase during the period of No Full Crew Law, and how it immediately plummeted downward when the orders were re-

voked and the law fully reinstated March 1, 1946.

(PERIOD TRAINS WERE OPERATED WITH LESS THAN FULL CREWS)

Last 6 months of 1943—accident increase over 1942-----35.02%
 12 months of 1944—accident increase over 1943-----3.02%
 12 months of 1945—accident increase over 1944-----22.20%

(OPERATING UNDER FULL CREW LAW TEN MONTHS OF 1946)

Accident decrease under 1945-----13.48%

These unbiased official records present a truthful picture of the power of the Full Crew Law to protect lives and limbs of the public and trainmen. *It is especially so when one considers that the 13.48% reduction of casualties occurred in ten months of time instead of a whole year.*

The opening statement of the Commission's 1946 first post-war report has this to say regarding studies of transportation hazards by its Safety Division:

"Governmental administrative authorities transportation personnel, and economic organizations have a common interest in public mass transportation accident prevention, and in any comparative data which might show year-by-year trends in the frequency of casualties.

"California, second in area and now second in population of all the states, with high traffic concentrations and mountainous terrain, presents an extensive sample of public transportation accident experience under increasingly difficult conditions."

VOTE NO ON NO. 3.

WE NEED MORE SAFETY—NOT LESS

F. G. PELLETT.

State Representative,

Trainmen's Brotherhood

4 AGED AND BLIND AID. Initiative Constitutional Amendment. Adds Article XXV to Constitution. Increases maximum aid from \$60 to \$75 monthly for aged persons, and from \$75 to \$85 monthly for blind persons. Makes continuing appropriations from State Treasury to finance same. Changes eligibility standards; lowers age and residence requirements for aged aid; increases income and property exemptions permitted to recipients of aged and blind aid. Makes Director, Department Social Welfare, elective office; names first director. Places aid program entirely under State administration, eliminating county functions. Prescribes administrative procedures. Creates lien against State Treasury for cost of aid and administration.

YES	
NO	

(For full text of measure, see page 2, Part II)

Argument in Favor of Initiative Proposition No. 4

Our Government is showering billions of dollars upon the needy throughout the world with no questions asked and few conditions required.

Meanwhile, our own needy blind and aged are struggling to exist on aid which was inadequate even before inflation. In California, we have 182,925 old age recipients subsisting on an average of only \$57 a month; and the 6,988 needy blind on an average of \$72 a month, doled out to them. The misery and suffering of these poor unfortunate fellow citizens is deplorable.

The Aged and Blind Aid amendment will raise the aged to \$75 a month and the blind to \$85. Because of the recent increase voted by Congress for old age and blind assistance to this state, amounting to \$11,000,000 a year, the total annual increase under our measure in old age payments would be only \$21,951,000; the increase in blind aid would amount to \$419,280. Add to these figures \$9,000,000 to cover payments to 10,000 new cases who might qualify, and the total increase to the state is only \$31,370,280 a year. The high death rate among the aged, keeps the cost of the program at a constant level despite new applicants. There will be approximately a \$15,000,000 annual saving to home and property owners which will result from state administration of the program. These actual cost figures are far different from the fantastic estimates of opponents.

An effort has been made to mislead people into believing that oldsters will migrate to California,

should aid be increased. The Federal Social Security Administration gives the lie to this propaganda through a survey which proves that oldsters do not move to secure higher pensions.

A humane provision of the Aged and Blind Aid amendment, recommended by the Federal Social Security Agency, is the repeal of the mis-named "Responsible Relatives" clause. The amendment does not prohibit relatives from supporting aged and blind members of their families; it encourages such support. It will eliminate the harassing of recipients whose children cannot or will not contribute to their support.

Making the office of State Welfare Director elective will insure welfare laws being administered justly. This post is now a political appointment, but we believe this office should be responsible to the people.

By voting the Aged and Blind Aid amendment into the State Constitution, California will achieve a permanent solution to its needy aged and blind problem.

In the midst of ministering to the needs of the rest of the world, it is unthinkable that we continue to forget our own poor and under-privileged. Federal statistics prove that 75 out of every 100 persons in the United States are dependent upon some form of public monies when they reach the age of 65. Therefore, few today—can have any assurance that they will not be in need in case of blindness or old age. Why not help needy Americans for a change?

Vote YES on Proposition Number 4!

GEORGE H. McLAIN, Chairman
 Citizens' Committee for Old Age Pensions
FRANK E. GARDNER, Chairman
 Legislative Committee of California Blind
MYRTLE WILLIAMS, Secty.-Treas.
 California Institute of Social Welfare
JOHN W. EVANS,
 Assemblyman, 65th Dist.
GORDON R. HAHN,
 Assemblyman, 66th Dist.

Argument Against Initiative Proposition No. 4
 Proposition No. 4 should be defeated for the following main reasons:

1. It freezes into the Constitution, at present inflated levels, the specific amount of aged and blind aid, thus making it impossible to adjust the payments to the changing business cycle and to economic conditions. Proposed payments would be out of line with all other states, and could only be adjusted by direct vote of the people.
2. Old age and blind aid, together with the costs of administration, are made a first lien against all monies in the State Treasury. This means that proposed pension payments and administration costs would have a prior claim on all State monies, including the gas tax and other special funds, ahead of school costs, teachers' salaries, State employees' salaries, State bond retirement, etc.
3. It increases taxes \$125,000,000 next year in California—an average tax increase of \$42.00 for every family. Within twelve years, taxes will be increased by \$235,000,000 a year.
4. It threatens to destroy the present system of aid to needy aged and blind in California. Its wide-open provisions will attract to California the aged and blind by the thousands from all over the United States, which would build up such a tremendous pension load in California that the entire system in this State will break down. Out-of-State migrants would thus lead to destruction and loss of present aid now enjoyed by our deserving needy aged and blind.
5. It violates all principles of states' rights by giving authority to Congress or Federal Security

Administration in Washington to amend our State Constitution without a vote of our own people.

6. It sets up a large, new State department to administer the act, but at the same time, it does not repeal or do away with any of the present administrative agencies. This results in duplicating costs and increased taxes.

7. It delegates all policy making and operation of aged and blind aid for the next two years to one of three people actually to be named and written into the Constitution and does not provide for the election of a director until 1950. By providing for an *elected* director after 1950, it would expose the rights and benefits of the aged and blind to political maneuvering every four years and make pensions a continuous political football.

8. It exposes the aged and blind to having unlimited fees charged against them by those helping to secure their pensions. Present law prohibits accepting remuneration for helping qualified pensioners secure their benefit payments.

9. It removes several important safeguards the people of California now have against unwarranted increases in the number of people claiming old age assistance.

10. Present California pension laws are known to be in conformity with requirements of the Federal Social Security Law; but if this amendment is found to be out of conformity, California will lose millions of dollars in Federal funds which we must have to finance aged and blind aid.

VOTE NO ON PROPOSITION NO. 4

RAY B. WISER, President, California Farm Bureau Federation
ARTHUR J. WILL, Superintendent of Charities, County of Los Angeles
WILLIAM A. PIXLEY, Chairman of the Board, Property Owners Association of California, Inc.
JAMES L. BEEBE, Attorney at Law, Los Angeles, California

5 **COMPENSATION OF LEGISLATORS. Assembly Constitutional Amendment No. 7.** Amends Section 23 of Article IV of the Constitution. Eliminates present provision that members of the Legislature shall receive salaries of \$100 per month. Provides that members of the Legislature shall receive such compensation as may be fixed by law, plus mileage fixed by law but not to exceed five cents per mile.

YES	
NO	

(For full text of measure, see page 4, Part II)

Argument in Favor of Assembly Constitutional Amendment No. 7

The salaries of State Senators and Assemblymen were fixed at \$100 a month by a vote of the people more than twenty years ago and have remained at that figure ever since!

The above statement is itself sufficient to bring support for this proposed constitutional amendment from all voters who want their State run efficiently by able men.

Recently (1946) the voters demonstrated awareness that California cannot be run on antiquated principles, by approving a constitutional amendment to make sessions of the Legislature obligatory annually instead of every two years.

Twenty years ago, annual legislative sessions perhaps weren't necessary to take care of the State's business. And twenty years ago, a salary of \$100 a month may have been enough for the men charged with running what has since become the third largest State in the Union.

This constitutional amendment proposes that the outdated provision freezing legislators' salaries at \$100 shall be reworded to give the Legislature power to set by law the compensation of Assemblymen and Senators, just as it now sets the salaries of the Governor, Secretary of State, members of the State Supreme Court and all other elective State officials.

Foreseeing that this fixed, rigid, \$100 salary provision in the constitution might be changed by the voters, the State Senate in the last session

passed a bill (S. B. 1564) setting Legislators' salaries at \$3000 per year, to take effect with passage of this Constitutional amendment.

SB 1564 was approved by Governor Earl Warren, is now on the statute books, and will give both Senators and Assemblymen \$250 monthly with approval of this Constitutional amendment.

With the phenomenal growth of California, its public problems have broadened and intensified, requiring more able men to handle the tremendous legislative problems, and more of the time of each man elected.

From 1920 to 1930 only three days were required for special sessions of the Legislature. The 1947 special session consumed 163 calendar days.

The regular sessions have gradually increased in length, those since 1933 being by far the longest in the history of the State. During 1947 our Legislators were required to spend approximately the first six months of the year in Sacramento, a good share of the rest of the year with committee affairs and problems of their districts.

The management of this State has simply passed beyond the stage where it can be directed by inexperienced persons on a part time basis. The Legislature is, in effect, the board of directors of one of the world's greatest corporations. At the last Legislative session it allocated expenditures of more than a billion dollars.

To expect the directors of such a vast corporation to serve for \$100 a month is obviously unreasonable and unsound public policy.

ment of such number of brakemen as will result in feather-bed practices.
Section 2. Section 6902 of the Labor Code is hereby amended to read as follows:

6902. No common carrier operating more than four trains each way per day of 24 hours on any main track or branch line of railroad within this State, or on any part of such main track or branch line, shall run or permit to be run, on any part of such main track or branch line, any freight, mixed, or work train on which there is not employed at least one conductor and the following:

- (a) One engineer and one fireman for each steam locomotive where the train is propelled or drawn by steam.
- (b) One motorman for each train propelled or run by electricity.
- (c) One motor or power control man for each train propelled by motive power other than steam or electricity.
- (d) Two brakemen.

(e) Three brakemen for 50 cars; four brakemen for 76 cars and an additional brakeman for every additional 26 cars on any such train running on a track which attains a grade of less than 1 per cent for more than one-half mile.

(f) Three brakemen for 50 cars and an additional brakeman for every 26 cars or fraction of 26 greater than 12 cars on any such train running on a track which attains a grade of more than 1 per cent and less

than 1 1/2 per cent for more than one-half mile.

(g) Three brakemen for 50 cars and an additional brakeman for every 15 cars or fraction of 15 greater than seven cars on any such train running on a track which attains a grade of more than 1 1/2 per cent for more than one-half mile.

Until the ninety-first day after final adjournment of the Fifty-seventh Regular Session of the Legislature or until the cessation of hostilities in all wars in which the United States is now engaged, whichever first occurs, the Railroad Commission may, upon the application of a carrier after hearing held upon notice thereof, issue a permit granting and allowing variations from the requirements of subdivisions (c), (f) or (g), specifying therein the scope and extent of such allowable variations; and the conditions under which allowable; if the commission finds that the requirements of subdivisions (c), (f) and (g), or certain of these requirements, operate in impairment of the war effort and if it further finds that the variations from such requirements specified in the permit will be helpful in furthering the war effort without unreasonably increasing the risk of impairing the health or safety of the employees or of the traveling public, in view of the emergency; and the Railroad Commission may at any time revoke, suspend or modify any such permit upon proof being made that the terms and conditions thereof have been violated or that the variations specified in the permit are no longer necessary.

4 **AGED AND BLIND AID.** Initiative Constitutional Amendment. Adds Article XXV to Constitution. Increases maximum aid from \$60 to \$75 monthly for aged persons, and from \$75 to \$85 monthly for blind persons. Makes continuing appropriations from State Treasury to finance same. Changes eligibility standards; lowers age and residence requirements for aged aid; increases income and property exemptions permitted to recipients of aged and blind aid. Makes Director, Department Social Welfare, elective office; names first director. Places aid program entirely under State administration, eliminating county functions. Prescribes administrative procedures. Creates lien against State Treasury for cost of aid and administration.

YES

NO

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new article thereto; therefore, the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW**.)

PROPOSED AMENDMENT TO THE CONSTITUTION
ARTICLE XXV

Old Age Security and Security for the Blind Law

Section 1. The purpose of this article is to increase the amount of old age security to the needy aged of this State from its present maximum of \$60 per month to \$75 per month, and to increase the security to the needy blind from its present maximum of \$75 per month to \$85 per month and other provisions designed to improve the applicant's or recipient's way of life.

Increased cost of living has made the present amount of security to the needy aged and blind of this State inadequate, and in order to provide for the protection, care, and assistance to the people of the State in need and to promote the welfare and happiness of all of the people of the State, the increase of assistance to the needy aged and needy blind as provided by this article is necessary.

It is also the purpose of this article that this assistance shall be administered promptly and humanely, with due regard for the preservation of family life, and without discrimination on account of race, religion, or political affiliation; and that assistance shall be so administered as to encourage self respect, self reliance, and the desire to be a good citizen useful to society.

It is the purpose of this article to give security to every aged and blind person eligible under this article and who is needy, according to the provisions laid down by the Federal Government.

This article shall be cited as the Old Age Security and Security for the Blind Law, and all references to same shall be Old Age Security and Security for the Blind.

All security given under this article shall be absolutely inalienable by any assignment, sale, attachment, execution, or otherwise. In case of bankruptcy the security shall not pass through any trustee or other person acting on behalf of creditors.

No officer or employee of the State shall make any demand on any person to contribute to the support of the applicant for, or recipient of, old age security or blind security under this article, or to agree so to contribute or shall threaten any such person with any legal action against him or with any penalty against him whatsoever.

Nothing in this article shall prevent any applicant from exercising any rights to sue for support that he may have under any other provisions of law and security shall not be withheld unless he exercises such rights.

As used in this article, security shall mean any grants provided to an individual under this article.

Sec. 2. The amount of security to which any applicant for old age security shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, seventy-five dollars (\$75) per month. If, however, in any case

it is found the actual need of an applicant exceeds seventy-five dollars (\$75) per month, such applicant shall be entitled to receive old age security in an amount, not to exceed seventy-five dollars (\$75) per month, which when added to his income (including value of currently used resources, but excepting casual income and inconsequential resources) from all other sources shall equal his need.

The amount of security to which any applicant for blind security shall be entitled, shall be when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources eighty-five dollars (\$85) per month. If, however, in any case it is found the actual need of an applicant exceeds eighty-five dollars (\$85) per month, such applicant shall be entitled to receive blind security in an amount not to exceed eighty-five dollars (\$85) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

Sec. 3. For the purposes of this article, income and earnings of an applicant shall not be deemed income or resources of the applicant and shall not be deducted from the amount of old age security and blind security to which the applicant would otherwise be entitled; except if the net income and earnings exceed \$360 annually.

This section shall take effect if, when, and to the extent that amendments to the Federal statutes or rules and regulations of The Federal Security Administrator take effect, permitting this State to give effect to this section without thereby rendering this State ineligible to receive Federal grants in aid for old age and blind security in this State.

Sec. 4. The Director of the Department of Social Welfare shall prescribe the form of application, the manner and form of all reports, and such additional rules and regulations as are necessary for the carrying out of the provisions of this article, and not inconsistent therewith. The Director of the Department of Social Welfare shall make such reports in such form and containing such information as the Federal Security Administrator may from time to time require, and shall comply with such provisions as the Federal Security Administrator may from time to time find necessary to assure the correctness and verification of such report.

The Director of the Department of Social Welfare shall be elected by the people for a term of four years, beginning in 1950, at a salary of not less than twelve thousand dollars (\$12,000) per year, plus the usual necessary expenses.

The Director of the Department of Social Welfare shall administer all of the functions now imposed upon him by law and such other duties as the Legislature may from time to time provide.

The Director of the Department of Social Welfare may appoint, with the consent of the Senate, a committee or board of not to exceed seven (7) members, to aid and assist in the program under his jurisdiction. The committee or board so appointed shall serve at the pleasure of the Director of the Department of Social Welfare. The compensation of the members shall be set by the Legislature.

Members of the committee or board shall receive necessary expenses incurred in the course of their duties.

The Director of the Department of Social Welfare shall be empowered to act for the State in any matters required by the Federal Government that have to do with his line of duties.

Until the election of the Director of the Department of Social Welfare in 1960, Mrs. Myrtle Williams, 420 Avondale, Monterey Park, shall be Director; if she declines to act, Assemblyman Gordon R. Hahn, of Los Angeles County, shall be Director; if he declines to act, Assemblyman John W. Evans, of Los Angeles County, shall be the Director.

Sec. 5. Old age security shall be granted under this article to any person who is a citizen of the United States and comes within the description in subdivision a or b and within the description in subdivision c:

(a) Is 65 years of age or over and has been a resident of the State of California for at least five years within the nine years immediately preceding his application for old age security, or

(b) Is 63 years of age or over but has not yet reached his 65th birthday, and has been a resident of the State for at least ten years within the fifteen years immediately preceding his application for old age security.

If and when and during such time as the Federal Government shall provide or make available to this State grants in aid to persons who have attained the age of 60 years, the ages contained in this section shall be reduced to 60 years and those who come within all the descriptions hereinafter contained shall be eligible for old age security under this article.

Unless and until the Federal Government makes available payments to Group (b), total payments to said Group (b) shall be assumed by the State of California.

The residence requirement in this section shall automatically conform to any changes required by the Federal Government in order to maintain compliance with the Federal Social Security provisions.

(c) Is not, at the time of receiving such security, an inmate of any public home for the aged, or any public home, or any public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a public hospital not exceeding two calendar months in duration. Any such inmate, however, may make an application for security under this article and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon while he is such an inmate, and, if he is otherwise qualified under the terms of this article, such application shall be approved. Payment of security granted shall commence within one month following such approval and the applicant may remain an inmate until he receives his first monthly payment whereupon he shall cease to be such inmate. Persons who are inmates of a boarding home or other institution not supported in whole or in part by public funds shall be granted security but no such security shall be granted if such persons are cared for under a contract for a period of time exceeding one month.

Notwithstanding any provision of subdivision (c) of this section to the contrary, security shall be granted to any person who is an inmate of a home or institution maintained by any fraternal, benevolent, or nonprofit organization, if the organization has not been paid for the life care and maintenance of the person through assessment of or dues of said inmate or otherwise, whether or not the person has agreed or promised to pay for his maintenance in the event that he receives any pension, bequest, devise, or other inheritance.

If on the first day of the month a recipient of security is eligible for security though an inmate of an institution or hospital, he is entitled to receive security for the month. If a recipient of aid becomes ineligible for security due to confinement in an institution or hospital, the order suspending his security may provide that the security shall be restored to him when the recipient ceases to be an inmate without further order from the Director of the Department of Social Welfare.

Sec. 6. No security under this article shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record, exceeds fifteen hundred dollars (\$1500).

The term personal property shall not include a policy or policies of life insurance on the life of the applicant or recipient which has or have been in effect at least 12 months prior to the date of application if the present surrender value of the policy or policies to the applicant or recipient does not exceed one thousand dollars (\$1,000). Premiums paid by others on life insurance policies shall not be deemed income or resources of the applicant or recipient.

For the purposes of this article, the interest of an applicant or recipient in an estate as heir, devisee, or legatee shall not be considered property of the applicant or recipient until it has been distributed to him and is available for expenditure or disposition by him; and the interest of a beneficiary of a trust shall not be considered to be property of the beneficiary until it has been made available for expenditure or disposition by him.

For the purposes of this article, the term "personal property" shall not include personal effects of the applicant or recipient. Personal effects include clothing, personal jewelry, furniture, motor vehicle, household equipment, food stuffs and fuel, interment plots as defined in Section 7023 of the Health and Safety Code, or insurance for funeral

or interment expenses or similar purposes, or contract rights connected therewith.

For the purposes of this article only, the ownership of stock in a water company not appurtenant to the land shall be considered real property to the extent of and in the amount necessary to obtain water for agricultural purposes.

For the purposes of this article, estates for years, when used for the purpose of providing a place of residence for the owners thereof and when such estate is for a period of not less than 10 years, shall be considered real property.

For the purposes of this article, any place of abode of an applicant or recipient, whether house, boat, trailer, or other habitation, shall be considered real property.

No security under this article shall be granted or paid to any person who owns real property the assessed value of which as assessed by the county assessor, less all encumbrances thereon of record, exceeds three thousand five hundred dollars (\$3,500) at the time such person makes application for security.

Sec. 7. Application for security under this article shall be made to the Department of Social Welfare at the department office nearest to the residence of the applicant. An applicant shall apply in person unless he is physically unable to do so, in which event the application may be made by his authorized representative in his behalf. This application may be made in writing or reduced to writing upon the standard form prescribed by the Director of Social Welfare, and a copy of his application shall be furnished to each applicant at the time of application. The form shall contain questions, the answers to which will provide the information necessary to establish eligibility for security under this article.

Application for security under this article may be made within 60 days prior to the date on which the applicant will attain the minimum age of eligibility for such security, and the application shall be promptly investigated and acted upon; but in no event shall the security, if granted, be commenced as of a date prior to the date on which the applicant attains the minimum age of eligibility therefor.

The State Department of Social Welfare, directly or through an authorized investigator shall upon receipt of an application for security, promptly without any unnecessary delay and with all diligence make the necessary investigation. Such investigation shall be completed within 60 days after receipt of application.

Money received by a recipient of old age and/or blind security from the condemnation sale of his home shall not be deemed personal property within the provisions of this article, until the expiration of 12 months from the date of the receipt of said money.

For the purposes of this article, money derived from the sale of real property shall be considered real property for a period of six months from the date of its receipt by the vendor.

Sec. 8. Within 10 days after the completion of the investigation of his application, every applicant shall be given an itemized report setting forth the amount of deductions, if any, and old age and/or blind security granted to him, and if his security is computed on the basis of his excess need, the budget allowances made in determining the amount of security granted to him. The pricing established for food, clothing, incidentals and personal needs, household operations and transportation shall be based upon the current price of articles of a high standard quality.

No rule or regulation shall be adopted by the Director of the Department of Social Welfare, which results in discrimination against practitioners of any type of therapy, treatment by prayer or spiritual means or other treatment or any branch of the healing arts.

No political subdivision shall discriminate against an applicant or recipient of security or charge said person for hospitalization or health services.

Sec. 9. If this article is adopted by the people, it shall take effect five days after the date of the official declaration of the vote by the Secretary of State and become operative upon the first day of the first month following the fourth day after the date of the official declaration of the vote.

Until this article becomes both effective and operative the provisions of the Welfare and Institutions Code as in effect prior to the effective date of this article shall remain operative.

All provisions of the Welfare and Institutions Code not in conflict with this article shall remain operative until amended or repealed by the Legislature.

Upon the operative date the Director of the Department of Social Welfare shall succeed to and be entitled to the possession and control of all county records, books, papers, equipment and other personal property belonging to the State and used in connection with the administration of the aid to the aged and aid to the blind under the Welfare and Institutions Code on that date and upon request the county shall give the Director of Social Welfare possession of such records, books, papers, equipment, and other personal property.

Payments to those qualified to receive security under this article shall be mailed or disbursed on or before the first day of each month.

The amount of security provided herein shall be paid to all eligible applicants and recipients as of the first day of January, 1949. If, however, the department is unable by that date to make adjustments in the

payment of the security to any person eligible as of that date, the adjustment in the amount of the security shall be made retroactive to that date.

Sec. 10. The amount required to meet the allowances made by this article and administration thereof shall constitute a lien against all moneys in the State Treasury, and the amount required for the payment or payments of the allowances herein required is hereby appropriated; in addition there is hereby appropriated the required amount of the cost of administration.

Sec. 11. No law shall be passed prohibiting or restricting the applicants or recipients of security under this article from securing and employing persons to represent them to secure the rights herein and hereafter established.

Sec. 12. If the Constitution is amended by the repeal of Sections 12 and 13 of Article XVI the liens, mortgages, and other encumbrances thereby released shall not be revived, and no law shall be passed providing for any such liens, mortgages, or other encumbrances as a condition for qualifying for the security herein granted.

5 **COMPENSATION OF LEGISLATORS. Assembly Constitutional Amendment No. 7. Amends Section 23 of Article IV of the Constitution. Eliminates present provision that members of the Legislature shall receive salaries of \$100 per month. Provides that members of the Legislature shall receive such compensation as may be fixed by law, plus mileage fixed by law but not to exceed 5 cents per mile.**

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. 23. The members of the Legislature shall receive for their

services the sum of one hundred dollars each for each month of the term for which they are elected, to be paid monthly in the even numbered years and to be paid during the regular legislative session in the odd numbered years at such times such compensation as may be provided by law and mileage to be fixed by law, all paid out of the State Treasury, such mileage not to exceed five cents (\$0.05) per mile.

6 **REGULATION OF COMMERCIAL FISHING. Initiative. Amends Fish and Game Code. Prohibits use of nets, traps, set lines or other appliances in commercial fishing in fish and game districts in which San Francisco Bay and tributary and connecting bays and streams are situated, for purpose of establishing said waters as recreational fishing area. Excepts commercial fishing for crabs, clams and oysters, and certain other named varieties. Prohibits possession of nets, traps and set lines in said waters, with certain exceptions. Excepts Clear Lake and Lake Almanor. Repeals inconsistent provisions of Fish and Game Code.**

YES

NO

(This proposed law expressly repeals existing sections of and adds a new section to the existing law; therefore, **EXISTING PROVISIONS** proposed to be **REPEALED** are printed in **STRIKE-OUT TYPE**; and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE**.)

PROPOSED LAW

An act to establish the waters of San Francisco Bay, the Sacramento and San Joaquin Rivers, and the waters contributory thereto as a recreational fishing area and for that purpose to repeal Sections 860, 861, 865, 878, 879, 880, 881, 882, 903, 945, 949, 950.5, and 955 of, and to add Section 860 to, The Fish and Game Code, relating to the use and possession of nets, traps and other appliances for taking fish in the waters of San Francisco Bay and the waters connected therewith or tributary or contributory thereto.

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

Section 1. It is the purpose of this act to establish the waters of San Francisco Bay, the Sacramento and San Joaquin Rivers, and the waters contributory thereto as a recreational fishing area.

Section 2. Sections 860, 861, 865, 878, 879, 880, 881, 882, 903, 945, 949, 950.5, and 955 of the Fish and Game Code are repealed.

860. In District 12B, salmon may be taken with nets allowed to be used in said district, as follows:

(a) Between November 15th and June 15th.

(b) Between August 10th and sunrise on September 26th.

861. In district 12C, salmon may be taken with nets between November 15 and June 15, with nets allowed to be used in said district.

865. Unless otherwise provided, it is unlawful to use any net except a gill net or a trammel net to take shad. Such nets may be used to take shad only as follows:

(1) They may be used in District 12B, excluding all sloughs except Broad Slough, between March 15th and May 31st.

(2) Until May 16, 1941, they may be used in District 12C, excluding all sloughs, between February 15th and May 15th.

(3) They may not be used between sunrise Saturday and sunset of the following Sunday.

878. In district 11, drift gill nets may be used, subject to the following restrictions:

(a) The cork line must not be submerged more than 2 fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than 2 fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.

(b) The length of the meshes must be either 2½ inches or less, or 2½ inches or more. The meshes must be approximately the same size, and must not vary in length more than 2 inches.

(c) They may not be used where any part of the net is nearer than 200 feet to the point where the surface of the water joins the land.

879. In district 10, drift gill nets may be used, subject to the following restrictions:

(a) They may be used to take herring, smelt and other small fish.

(b) The cork line must not be submerged more than 2 fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than 2 fathoms in length, and the points of

attachment of said lines on the cork line must not be more than 10 fathoms apart.

(c) The length of meshes must not exceed 2½ inches in length. The meshes of any gill net must be approximately the same size.

(d) They may not be used where any part of the net is nearer than 200 feet to the point where the surface of the water joins the land.

880. In District 12B, drift gill nets may be used, subject to the restrictions contained in this chapter, and the following restrictions:

(a) The cork line must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.

(b) The meshes of any gill net must be at least seven and one-half inches in length, except that between March 15th and May 31st the meshes of such nets may be not less than five and one-half inches in length.

881. In District 12C, drift gill nets may be used, subject to the restrictions contained in this chapter, and the following restrictions:

(a) The cork line must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork lines must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.

(b) The meshes of any gill net must be at least seven and one-half inches in length.

882. In district 13, drift gill nets may be used to take herring, smelt and other small fish, subject to the following restrictions:

(a) The cork line must not be submerged more than 2 fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than 2 fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.

(b) The length of the meshes must not exceed 2½ inches in length. The meshes must be approximately the same size.

(c) They may not be used where any part of the net is nearer than 200 feet to the point where the surface of the water joins the land.

890. In district 12B and district 12C trammel nets may be used subject to the provisions of this chapter, and the following restrictions:

(a) The cork lines must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than ten fathoms apart.

(b) The meshes of any trammel net must be at least seven and one-half inches in length except that between February 15 and May 15 the meshes of such nets may be not less than five and one-half inches in length.

945. In district 11, beach nets may be used.

949. Flye nets made of cotton twine, the meshes of which are not less than two and one-half inches in length, provided, however, a one-