

1949

# CONSTITUTIONAL CONVENTION OF 1878-1879

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<b>5</b>	<b>CONSTITUTIONAL CONVENTION OF 1878-1879. Assembly Constitutional Amendment No. 67.</b> Repeals Section 19 of Article XX of Constitution, relating to payment of expenses of State Constitutional Convention of 1878-1879.	YES	
		NO	

(For full text of measure, see page 12, Part II)

**Argument in Favor of Assembly Constitutional Amendment No. 67**

Section 19 of Article XX of the Constitution of California pertains to the payment of expenses and per diem to delegates of the Constitutional Convention of 1879. Since the termination of the work of that convention and the subsequent adoption of the constitution which the convention pro-

posed, this section has ceased to have any force or effect although it had been necessary originally to foreclose any adverse action by the Legislature. Inasmuch as the section is now merely surplusage and there is no known opposition to its repeal a "YES" vote is herewith recommended.

LAUGHLIN E. WATERS  
Assemblyman, 58th Dist.

<b>6</b>	<b>EFFECTIVE DATE OF 1933 STATUTES. Assembly Constitutional Amendment No. 68.</b> Repeals Section 1a of Article IV of Constitution, as adopted in 1933, relating to the effective date of statutes enacted at the 1933 Regular Session of the Legislature.	YES	
		NO	

(For full text of measure, see page 12, Part II)

**Argument in Favor of Assembly Constitutional Amendment No. 68**

This measure simply repeals a section of the Constitution which has become obsolete and has no present or prospective effect. It repeals Section 1a of Article IV which made special provision for the taking effect of the statutes enacted at the 1933 Regular Session of the Legislature. That

session recessed from May 12 to July 17, 1933, in order to permit a vote on the Riley-Stewart tax plan and other matters at the special election of June 27, 1933. The section has served its purpose and is now obsolete.

Vote YES on A. C. A. 68.

ERNEST C. CROWLEY  
Assemblyman, 5th Dist.

<b>69</b>	<b>REVISION OF TAX PROVISIONS. Assembly Constitutional Amendment No. 69.</b> Repeals Sections 1.6, 8a, 14½, 14¾, 15½ and 16½, amends Sections 14 and 14¾, adds Section 18, of Article XIII of Constitution. Deletes inoperative provisions relative to former method of taxing insurance companies. Deletes inoperative provisions relating to effective dates of former changes in state tax system, tax exemption of San Francisco Bay Exposition, and tax reassessment following 1933 earthquake. Provides that repeals and deletions of existing provisions shall not affect previously assessed taxes.	YES	
		NO	

(For full text of measure, see page 13, Part II)

**Argument in Favor of Assembly Constitutional Amendment No. 69**

This constitutional amendment was recommended by the Joint Legislative Interim Committee on Constitutional Revision, and was unanimously passed by the Legislature. It deletes useless and archaic matters dealing with taxation from our State Constitution.

Article XIII, Section 1.6, which exempts the property of the Golden Gate International Exposition of 1939 from taxation, is deleted. There is no further need for this section in our Constitution.

Article XIII, Section 8-a, is deleted. This is a special section of our Constitution adopted in 1933 to relieve taxpayers of Los Angeles and Orange Counties from the payment of taxes upon property destroyed by the earthquake of March 10, 1933. It is obvious that there is no further need for this section.

Article XIII, Section 14½, is deleted. This section sets the time when the provisions of Section (Riley-Stewart tax plan adopted June 27, 1933) should become operative. The date set was January 1, 1935. Since that time is long past, there is no further need for that section.

In Article XIII, Sections 14, 14¾, and 14¾, pro-

vide for the taxation of insurance companies. Only Section 14¾ is operative.

Three paragraphs of Section 14 are deleted. These paragraphs set up the method of taxing insurance companies prior to December 31, 1937, and have not been operative since that time. They were superseded by Section 14¾, which provided the method of taxing insurance companies between January 1, 1938, and December 31, 1942.

Section 14¾ has not been operative since that date and is repealed.

Section 14¾ replaced Section 14¾, and sets up the present method for taxing insurance companies. It remains intact, except for the deletion of the transition schedules setting up sliding scale of rates and real estate deductions affecting the years from 1943 through 1946, and the paragraph setting the effective date of the section as December 31, 1942. These provisions are obviously obsolete.

Article XIII, Section 15½, sets the time when certain provisions of Section 15 were to take effect. These provisions of Section 15 were superseded by an amendment adopted November 5, 1946, and Section 15½ is therefore deleted.

Article XIII, Section 16½, is deleted. This section deals with the effective date of an amend-

done for said city and county during the forty-first, forty-second, forty-third, forty-fourth, and fiftieth fiscal years, and for unpaid teachers' salaries for the fiftieth fiscal year, out of the income and revenue of any succeeding year or years, the amount to be paid in full of said claims not to exceed in the aggregate the sum of five hundred thousand dollars, and that no statute of limitations shall apply in any manner to these claims; and provided, further, that the city of Vallejo, Solano county, may pay its existing indebtedness, incurred in the construction of its waterworks; whenever two-thirds of the electors thereof, voting at an election held for that purpose, shall so decide; and that no statute of limitations shall apply in any manner; provided, further, that the city of Venice may pay all of its indebtedness incurred during the years nineteen hundred fourteen, nineteen hundred fifteen and nineteen hundred sixteen in excess of the income and revenue for said years, the amount to be paid in full of said indebtedness not to exceed in the aggregate the sum of sixty thousand dollars, whenever two-thirds of the voters thereof voting at an election held for that purpose shall so decide, and that no statute of limitations shall apply in any manner. Any indebtedness or liability incurred contrary to this provision, with the exceptions hereinbefore recited, shall be void. The city and county of San Francisco, the city of San Jose, and the town of Santa Clara may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred by it, to commence at a time after the incurring of such indebtedness of no more than a period of one-fourth of the time of maturity of such indebtedness, which shall not exceed seventy-five years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void; and provided, further, that the county of Alameda may, upon the assent of two-thirds of the qualified electors thereof voting at an election to be held for that purpose, incur a bonded indebtedness of not to exceed one million dollars, and the legislative authority of

said county of Alameda shall issue bonds therefor and grant and turn over to the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California, March 22, 1910, the proceeds of said bonds for stock in said company or under such other terms and conditions as said legislative authority may determine, the same to be used and disbursed by said exposition company for the purposes of an exposition to be held in the city and county of San Francisco to celebrate the completion of the Panama canal; said bonds, so issued, to be of such form and to be redeemable, registered and converted in such manner and amounts, and at such times not later than forty years from the date of their issue as the legislative authority of said county of Alameda shall determine; the interest on said bonds not to exceed five per centum per annum; and said bonds to be exempt from all taxes for State, county and municipal purposes and to be sold for not less than par at such times and places; and in such manner, as shall be determined by said legislative authority; the proceeds of said bonds, when sold, to be payable immediately upon such terms or conditions as said legislative body may determine, to the treasurer of said Panama-Pacific International Exposition Company, upon demands of said treasurer of said exposition company, without the necessity of the approval of such demands by other authority, than said legislative authority of Alameda county, the same to be used and disbursed by said Panama-Pacific International Exposition Company for the purposes of such exposition, under the direction and control of said exposition company; and the legislative authority of said county of Alameda is hereby empowered and directed to levy a special tax on all taxable property in said county each year after the issue of said bonds to raise an amount to pay the interest on said bonds as the same become due; and to create a sinking fund to pay the principal thereof when the same shall become due.

**CONSTITUTIONAL CONVENTION OF 1878-1879. Assembly Constitutional Amendment**  
**5** No. 67. Repeals Section 19 of Article XX of Constitution, relating to payment of expenses of State Constitutional Convention of 1878-1879.

YES	
NO	

(This proposed amendment expressly repeals an existing section of the Constitution, therefore, the **EXISTING SECTION** proposed to be **REPEALED** is printed in **STRIKEOUT TYPE**.)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 19. Nothing in this Constitution shall prevent the Legislature from providing, by law, for the payment of the expenses of the Convention framing this Constitution, including the per diem of the Delegates for the full term thereof.

**EFFECTIVE DATE OF 1933 STATUTES. Assembly Constitutional Amendment No. 68.**  
**6** Repeals Section 1a of Article IV of Constitution, as adopted in 1933, relating to the effective date of statutes enacted at the 1933 Regular Session of the Legislature.

YES	
NO	

(This proposed amendment expressly repeals an existing section of the Constitution, therefore, the **EXISTING SECTION** proposed to be **REPEALED** is printed in **STRIKEOUT TYPE**.)

PROPOSED AMENDMENT TO THE CONSTITUTION

Sec. 1a. All acts passed by the Legislature at its fiftieth regular session on or before July 16, 1933, shall go into effect ninety days after May 22, 1933, except acts which under the provisions of

section 1 of Article IV of this Constitution go into effect immediately. All such acts which do not go into effect immediately shall be subject to all the referendum provisions of section 1 of Article IV of this Constitution, except that the petition therein required to be presented to the Secretary of State must be so presented within ninety days after May 22, 1933. The provisions of this Constitution not in conflict herewith shall otherwise apply to all bills and acts of the fiftieth regular session of the Legislature.