

1954

## TERMS OF STATE OFFICERS

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**Argument in Favor of Assembly Constitutional Amendment No. 54**

1952 the voters amended the Constitution to specifically exempt from taxation churches under construction. Before 1952 it had been contended by certain tax officials that such churches were not exempt until completed and used, although for many years churches (including the land on which they were situated) have unquestionably been exempt when completed and used for religious worship.

Some tax officials have now taken the ridiculous position that the 1952 amendment did not cover the land on which churches are being constructed, until the churches on such land are completed and used. This absurd contention is made even though the land was exempt before construction started and will be exempt after construction is completed.

The only purpose of this amendment is to make clear that the exemption, as amended by the voters in 1952, was intended to include and does include land on which churches are being constructed.

A "yes" vote on this amendment will clarify the interpretation of the exemption, assure the elimination of an illogical discrimination and encourage the development of churches in California.

G. DELBERT MORRIS  
Assemblyman, 63rd Assembly  
District, Los Angeles, California

**Argument in Favor of Assembly Constitutional Amendment-No. 54**

A question has arisen as to whether or not the land on which a church in course of construction is situated is exempt from taxation and whether the equipment of such a church or a completed church is exempt from taxation.

At the November, 1952, general election the voters unequivocally indicated that a church in course of construction should be exempt from taxation. (The real property on which a completed church was situated was already exempt from taxation.) This measure will assure that the land on which a church in course of construction is situated is clearly exempt from taxation and effectuate the intent of the voters at the 1952 general election.

It will also make clear that the equipment of a church, including a church in course of construction, will be exempt from taxation.

The members of both houses of the Legislature unanimously voted to submit this constitutional amendment to the voters, and your Yes vote is requested in order to place this constitutional amendment in effect.

THOMAS M. ERWIN  
Assemblyman, 50th Assembly  
District

**TERMS OF STATE OFFICERS. Assembly Constitutional Amendment No. 1. Fixes**  
 10 terms of Assemblymen at four instead of two years, one-half of members being elected every second year. Fixes terms of State Senators at six instead of four years, approximately one-third being elected every two years. Limits future Governors to two successive terms.

YES	
NO	

(For Full Text of Measure, See Page 8, Part II)

**Analysis by the Legislative Counsel**

This measure would extend the term of office of Members of the Assembly from two to four years and would extend the term of office of Members of the Senate from four to six years. It provides for the election of half of the Assembly members and for the election of approximately one-third of the Senate members every two years. It further provides that no person, except the incumbent of the office of Governor at the time this measure takes effect, shall be eligible for the office of Governor for more than two successive terms.

The Constitution now provides that the term of office of Members of the Assembly shall be two years, all members being elected every even-numbered year. This measure would provide that Members of the Assembly shall be chosen for a term of four years and that one-half of the members shall be elected every even-numbered year. Members elected in 1956 and thereafter would be chosen for a term of four years, but the seats of the 40 Assembly members elected from the even-numbered districts in 1956 would be vacated at the expiration of the second year of their term at the end of 1958. Their successors would be elected for a term of four years.

The Constitution now provides that the term of office of Members of the State Senate shall be four years, one-half of the members being elected every even-numbered year. This measure would provide that Members of the State Senate shall be chosen for a term of six years, and that approximately one-third shall be elected every even-numbered year. Of the 20 senators from even-numbered districts to be elected in 1954, the terms of 13 (Districts 2-26) would be vacated at the end of 1958 and the terms of the remaining 7 (Districts 28-40) would be vacated at the end of 1960. Of the 29 senators from odd-numbered districts to be elected in 1956, the terms of 6 (Districts 1-11) would be vacated at the end of 1960 and the terms of the remaining 14 (Districts 13-39) would be vacated at the end of 1962. Their successors would be elected for term of six years.

**Argument in Favor of Assembly Constitutional Amendment No. 1**

A yes vote on Proposition No. 10 will insure the retention of more skilled and experienced legislators.

Over the past ten-year period the State Assembly has witnessed an average turn-over each session of 25 per cent of its membership. The Senate, although its members are elected on staggered terms of four years, experienced a turn-over of 27 per cent for this same ten-year period.

This large turn-over in the two houses of the Legislature is caused mainly by members refusing to continue to run for office because the present short terms require continuous and costly campaigning. This, in fact, discourages many citizens who are highly qualified to run for state legislative offices.

How little experience a California legislator gets during his term is well exemplified when a comparison is made with the term of a Maryland legislator. In California, where the Legislature meets in general session but once every two years, the legislator actually participates in only one general and one budget session. On the other hand, since the Maryland Legislature meets annually and all its legislators serve four-year terms, Maryland legislators participate in four regular sessions during their terms. The present terms of legislative office in California are not long enough to permit the legislator to acquaint himself fully with the legislative process.

Longer terms of office will permit the legislator to become more familiar with California law and the complicated procedures of law-making. The legislator will thus be more closely acquainted with the organization and duties of government agencies and better informed on the problems with which the State Government is concerned and upon which he must legislate. Long terms will provide the legislator with more experience, which in turn will tend to develop his independence from pressure groups.

To insure an experienced Legislature, this proposition provides for overlapping terms for Assemblymen and Senators so that at no time will the Assembly or the Senate be composed of all new

and inexperienced members. One-half of the membership of the Assembly would be elected every two years and approximately one-third of the membership of the Senate would be elected every two years.

In other states and in cities and counties there has been a marked trend in recent years to lengthen the terms of office of members of the legislative branch.

The 22nd Amendment to the Constitution, which recently was ratified by the states, limits the term of the office of the President of the United States to two consecutive terms. Proposition No. 10 also provides a similar limitation on the term of the Office of Governor, exempting the incumbent Governor at the time this proposition would take effect.

This provision would free the Governor from narrow partisan considerations in the conduct of his office. He would no longer be forced to use his gubernatorial powers, especially the patronage power, to achieve renomination and re-election. In general, this limitation encourages rotation in the highest political office in the State and thus permits the rise of new leadership and continuation of the two-party system.

This proposition enjoys bi-partisan support, and many statewide business, labor and professional groups have endorsed this amendment.

L. H. LINCOLN (R)  
Assemblyman, 15th District

DOROTHY M. DONOHUE (D)  
Assemblyman, 33th District

**Argument Against Assembly Constitutional Amendment No. 1**

A.C.A. No. 1 contains three basic alterations to the Constitution each of which would tend to decrease the control of the People their State Government.

Taken in order, the first would double the length of terms of Assemblymen. At present, members of the lower house have the same terms as Congressmen, namely two years. Down through the years, this has seemed the best suited. Certainly, the proposed increase to four years would not increase the People's Control.

The second would set six years for State Senators instead of the present four. This would likewise make the Senators less responsive to the public will. However, it would give State Senators the same length of terms as U. S. Senators. Upper houses, both National and State, are designed to permit a certain detached viewpoint. While this change seems less undesirable than the four year term for Assemblymen, in the absence of any particular benefit, it also should be rejected.

The third would limit future Governors to two four year terms. Since the reasons outlined above for Legislators terms do not apply to this restriction upon the Executive, it is submitted that this proposal might well be placed in some future amendment. It can then be judged upon its merit independent of the length of legislative terms.

The more we revere our National and State Constitutions, the more should we oppose any amendment not proved to be unmisakably in the interest of the People.

The more you, the People, wish to control your Legislature, the more should you vote "NO" on A.C.A. 1.

FRANK LUCKEL  
Assemblyman, 1036 Savoy St., San Diego 7, Cal.

**TAXATION: EXEMPTION FOR DISABLED VETERANS. Assembly Constitutional Amendment No. 2.** Authorizes tax exemption on home acquired with Federal assistance by veteran who has permanent and total service-connected disability consisting of loss or loss of use of both lower limbs. Limits such exemption to \$5,000.

11

YES	
NO	

(For Full Text of Measure, See Page 9, Part II)

**Analysis by the Legislative Counsel**

This measure would authorize the Legislature to provide an increased property tax exemption for the homes of veterans who are residents of this State and who by reason of permanent and total service-connected disabilities incurred in the armed services have received assistance from the Federal Government in the acquisition of such homes. A veteran receiving this proposed tax exemption would not be entitled to the present veterans' property tax exemption.

The exemption may not extend to more than one home nor exceed \$5,000 for any person or for any person and his spouse.

The service of the veteran must have been during a period which would qualify him for the existing veterans' property tax exemption and the disability of the veteran must be due to the loss, or loss of use, of both lower extremities from specified causes which preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.

This exemption, for those veterans who qualify, would be in lieu of the existing exemption from property taxation of \$1,000 which is provided by the first paragraph of the section of the Constitution proposed to be amended by this measure. The existing exemption does not apply if the veteran or his wife own property of the value of \$5,000 or more.

The Legislature at its 1953 Regular Session provided, effective upon approval of this constitutional amendment, for the tax exemption authorized by it (Stats. 1953, Ch. 1219).

**Argument in Favor of Assembly Constitutional Amendment No. 2**

This measure authorizes the legislature to provide a tax exemption on the homes of less than 500 paraplegic veterans who have lost the use of both legs in military service and who received the special federal grant in acquiring a home with special ramps, plumbing, and other facilities for their wheelchairs. The exemption is limited to veterans who have lost both legs, or the use of both legs, by reason of total permanent disability incurred in the military or naval service of the United States. It applies only to a home acquired with special assistance from the United States. These veterans, the most disabled of all, are supported entirely by their veterans pension, yet in many cases, because of the necessary special ramps and plumbing facilities in these houses, they are denied the standard \$1,000 veterans exemption which the rest of us enjoy. The exemption is limited to \$5,000. The companion measure which passed the legislature to give effect to this constitutional amendment limits the exemption very definitely to homes with such special fixtures, and further, to residents of California. This amendment passed the Assembly by a vote of 68-0 and the Senate by 30-0.

BRUCE F. ALLEN  
29th District Assemblyman

JOHN B. COOKE  
Member of Assembly, 37th Assembly District

<b>8</b> <b>TAX EXEMPTION OF COMMERCIAL AND FISHING VESSELS.</b> <b>Senate Constitutional Amendment No. 32.</b> Provides that local property tax exemption of California-registered vessels, otherwise due to expire January 1, 1955, shall continue, but will include vessels engaged in commercial deep-sea fishing outside State territorial waters, as well as freight and passenger vessels. Exemption will be limited to vessels of more than 100 tons burden.	<b>YES</b>	
	<b>NO</b>	

(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 ARTICLE XIII

**Sec. 4(a).** All vessels of more than 100 tons burden registered at any port in this State and engaged in the transportation of freight or passengers or in commercial deep-sea fishing operations outside the territorial waters of this State shall be exempt from taxation except for state purposes.

<b>9</b> <b>CHURCH EXEMPTION: PROPERTY UNDER CONSTRUCTION.</b> <b>Assembly Constitutional Amendment No. 54.</b> Provides that tax exemption of church buildings in the course of erection includes building equipment and the land on which the building is located.	<b>YES</b>	
	<b>NO</b>	

(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 ARTICLE XIII

**Sec. 14.** All buildings and equipment, and so much of the real property on which they are situated and as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, or in

the case of a and any building and its equipment in the course of erection, the same is together with the land on which it is located as may be required for the convenient use and occupation of the building, if such building, equipment and land are intended to be used solely and exclusively for religious worship, shall be free from taxation; provided, that no building so used or, if in the course of erection, intended to be so used, its equipment or the land on which it is located, which may be rented for religious purposes and rent received by the owner therefor, shall be exempt from taxation.

<b>10</b> <b>TERMS OF STATE OFFICERS.</b> <b>Assembly Constitutional Amendment No. 1.</b> Fixes terms of Assemblymen at four instead of two years, one-half of members being elected every second year. Fixes terms of State Senators at six instead of four years, approximately one-third being elected every two years. Limits future Governors to two successive terms.	<b>YES</b>	
	<b>NO</b>	

(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 AMENDMENTS TO ARTICLES IV AND V

First, That Section 3 of Article IV of the Constitution of the State be amended to read as follows:

**Sec. 3.** Members of the Assembly shall be elected in the year 1879, at the time and in the manner now provided by law. The second election of members of the Assembly after the adoption of this Constitution shall be on the first Tuesday after the first Monday in November, 1880. Thereafter, Members of the Assembly shall be chosen biennially, and their term of office shall be two years 1956, and thereafter, shall be chosen for a term of four years; and each election shall be on the first Tuesday after the first Monday in November; unless otherwise ordered by the Legislature. The seats of 40 Members of the Assembly elected in the year 1956 from the even-numbered districts shall be vacated at the expiration of the second year, so that half of the Members of the Assembly shall be elected every two years.

Second, That Section 4 of Article IV of the Constitution of the State is amended to read:

**Sec. 4.** Senators shall be chosen in the manner and for the term of four years prescribed in Section 5 hereof, at the same time and places as Members of the Assembly, and no person shall be a member of the Senate or Assembly who has not been a citizen and inhabitant of the State three years, and of the district for which he shall be chosen one year, next before his election.

Third, That Section 5 of Article IV of the Constitution of the State is amended to read:

**Sec. 5.** The Senate shall consist of 40 members, and the Assembly of 80 members, to be elected by districts, numbered as hereinafter provided. The seats of the 20 Senators elected in the year 1892 from the odd-numbered districts shall be vacated at the expiration of the second year, so that one-half of the Senators shall be elected every two years; provided, that all the Senators elected at the first election under this Constitution shall hold office for the term of three years. The seats of 13 Senators elected in the year 1954 from the even-numbered Districts 2 to 26, inclusive, shall be vacated at the expiration of the fourth year; those of the seven Senators elected in the year 1954 from the even-numbered Districts 28 to 40, inclusive, shall be vacated at the expiration of the sixth year; those of the six Senators elected in the year 1956 from the odd-numbered Districts 1 to 11, inclusive, shall be vacated at the end of the

fourth year and those of the 14 Senators elected in the year 1956 from the odd-numbered Districts 13 to 39, inclusive, shall be vacated at the expiration of the sixth year, so that approximately one-third of the Senators shall be elected every two years. Thereafter the terms of all Senators shall be six years.

Fourth, That Section 2 of Article V of said Constitution be amended to read:

Sec. 2. The Governor shall be elected by the quali-

fied electors at the time and places of voting for Members of the Assembly, and shall hold his office four years from and after the first Monday after the first day of January subsequent to his election, and his successor is elected and qualified. No person except the incumbent of the Office of Governor at the time this provision takes effect shall be eligible for the Office of Governor for more than two successive terms.

**TAXATION: EXEMPTION FOR DISABLED VETERANS. Assembly Constitutional Amendment No. 2.** Authorizes tax exemption on home acquired with Federal assistance by veteran who has permanent and total service-connected disability consisting of loss or loss of use of both lower limbs. Limits such exemption to \$5,000.

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 ARTICLE XIII

Sec. 14. The property to the amount of one thousand dollars (\$1,000) of every resident of this State who has served in the Army, Navy, Marine Corps, Coast Guard or Revenue Marine (Revenue Cutter) Service of the United States (1) in time of war, or (2) in time of peace, in a campaign or expedition for service in which a medal has been issued by the Congress of the United States, and in either case has received an honorable discharge therefrom, or who after such service of the United States under such conditions has continued in such service, or who in time of war is in such service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, or lacking such amount of property in his own name, so much of the property of the wife of any such person as shall be necessary to equal said amount; and the property to the amount of one thousand dollars (\$1,000) of the widow resident in this State, or if there be no such widow, of the widowed mother resident in this State, of every person who has so served and has died either during his term of service or after receiving an honorable discharge from said service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, and the property to the amount of one thousand dollars (\$1,000) of pensioned widows, fathers, and mothers, resident in this State, of soldiers, sailors and marines who served in the Army, Navy, Marine Corps, Coast Guard or

Revenue Marine (Revenue Cutter) Service of the United States shall be exempt from taxation; provided, this exemption shall not apply to any person named herein owning property of the value of five thousand dollars (\$5,000) or more, or where the wife of such soldier or sailor owns property of the value of five thousand dollars (\$5,000) or more. No exemption shall be made under the provisions of this section of the property of a person who is not legal resident of the State; provided, however, all real property owned by the Ladies of the Grand Army of the Republic and all property owned by the California Soldiers Widows Home Association shall be exempt from taxation.

The Legislature may exempt from taxation, in whole or in part, the property, constituting a home, of every resident of this State who, by reason of his military or naval service, is qualified for the exemption provided in the first paragraph of this section without regard to any limitation contained therein on the value of property owned by such person his wife, and who, by reason of a permanent and total service-connected disability incurred in such military or naval service due to the loss, or loss of use, as the result of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, has received assistance from the Government of the United States in the acquisition of such property; except that such exemption shall not extend to more than one home nor exceed five thousand dollars (\$5,000) for any person or for any person and his spouse. This exemption shall be in lieu of the exemption provided in the first paragraph of this section.

**VOTING ELIGIBILITY. Assembly Constitutional Amendment No. 28.** Removes voting disqualification of person convicted of infamous crime after he has completed paying penalties imposed by law for such conviction.

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 ARTICLE II

Section 1. Every native citizen of the United States of America, every person who shall have acquired the rights of citizenship under and by virtue of the Treaty of Queretaro, and every naturalized citizen thereof, who shall have become such 90 days prior to any election, of the age of 21 years, who shall have been a resident of the State one year next preceding the day of the elec-

tion, and of the county in which he or she claims his or her vote 90 days, and in the election precinct 54 days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; provided, any person duly registered as an elector in one precinct and removing therefrom to another precinct in the same county within 54 days, or any person duly registered as an elector in any county in California and removing therefrom to another county in California within 90 days prior to an election, shall for the purpose of such election be deemed to be a resident and qualified elector of the precinct or county from which he so removed until after such election; provided, further, no alien ineligible to citizenship, no idiot, no insane person,