

1954

## VERNON CITY CHARTER

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

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

**Analysis by the Legislative Counsel**

The California Constitution presently provides that no person who has been convicted of an infamous crime shall thereafter exercise the privileges of an elector in this State. The expression "infamous crime" includes all crimes punishable by imprisonment in a state prison as well as certain other offenses. If this constitutional amendment is adopted, the loss of voting rights, the right to hold public office and other privileges of an elector would be restricted to the period during which the person is paying the penalties imposed by law for the conviction, and when that period ends, such rights and privileges will revive.

This constitutional amendment does not affect the provision that no person convicted of the embezzlement or misappropriation of public money shall ever exercise the privileges of an elector in this State.

**Argument in Favor of Assembly Constitutional Amendment No. 28**

Proposition No. 12 will restore the right to vote to a person convicted of a felony after he has paid the penalties imposed by law for conviction of the felony. It has the endorsement of the Board of Corrections, a state agency given by law broad duties and responsibilities for studying the crime and delinquency problem in California.

Under our present constitution every person who is convicted of a felony loses his right to vote forever thereafter. This provision dates back to our original constitution adopted in 1849. Since then we have advanced a long way in our treatment of wrong doers.

We have established a modern penal system based upon the idea of rehabilitating prisoners so that they may, upon reformation, lead a normal life. The right to vote and to participate in civic and public affairs is certainly a part of that normal life.

In addition, under our present law every one who commits a felony does not lose his right to vote. If a person is charged with a felony, pleads guilty, is granted probation, and successfully completes probation he can come into court and get permission to change his plea to not guilty. In such case the original charge against him is dismissed and he does not lose his right to vote (Section 1203.4, Penal Code).

On the other hand, if a person is charged with a felony and either pleads guilty or is found guilty and is not given probation but is sentenced and serves his term, he loses his right to vote forever. Thus, of two persons equally guilty the matter of the loss of the right to vote is not dependent upon the fact of guilt, which is admitted in both cases, but depends upon whether or not probation is granted. This proposition will eliminate this artificial distinction.

When a convicted person has paid his debt to society by serving the term of his imprisonment the debt should be marked "Paid in

Full." The archaic provision which disfranchises him forever, regardless of the extent of his reformation, should be abolished.

Vote "Yes" on Proposition No. 12.

CHARLES J. CONRAD  
Assemblyman, 57th District

**Argument Against Assembly Constitutional Amendment No. 28**

Proposition No. 12 should NOT be adopted!

Ever since 1849 the Constitution of California has provided that no person convicted of an infamous crime shall ever exercise the privileges of an elector. This is a wise provision. It has stood the test of time. It should not be abandoned.

Proposition No. 12 seeks to change this, apparently on the theory that a person convicted of an infamous crime should be allowed to vote as soon as he has served his complete sentence. Persons who have experience with this problem will instantly see that the proposal is not only short-sighted but downright dangerous.

It is reasonable that even a person convicted of an infamous crime should not be permanently barred from exercising his political rights, provided society can be reasonably sure that he has been rehabilitated and has established his fitness to exercise those political rights. There are well established legal procedures to help him do this. And, when he has successfully fulfilled the requirements, he can get a full pardon from the Governor and have all of his political rights fully restored. Many persons have established their rehabilitation in this fashion. Many others are doing it at this time.

Political rights are precious things. When a person forfeits them by committing an infamous crime, it is far better for him and for society to have him earn their restoration than to give them back automatically, whether he deserves them or not, or whether he even wants them or not.

There is another concealed danger in Proposition No. 12 which voters should not overlook. When a person exercises "the privileges of an elector," as those words are used in the Constitution, he is not only entitled to vote, but he is entitled to become a candidate for and be elected to public office as well. If Proposition No. 12 passes, it will mean that a convicted embezzler, gambler or perjurer will be automatically qualified to run for public office as soon as he finishes his sentence. Under the present law he would have to establish his rehabilitation and fitness first. This is the way it should be.

The present law has been tried. It works well.

Proposition No. 12 is, at best, a dangerous experiment. The Constitution of California is not the place in which the voters of California can afford to experiment.

Vote NO on Proposition No. 12:

RAY H. LINDMAN  
Attorney-at-Law, Los Angeles

<b>13</b> <b>VERNON CITY CHARTER. Assembly Constitutional Amendment No. 20.</b> Authorizes City of Vernon in Los Angeles County to propose charter for adoption by city electors and ratification by Legislature. Limits power of originating future charter amendments to city council. Permits charter to define voting eligibility in city elections. If less than 135 registered voters reside in city on day of charter adoption election, permits charter to fix voting eligibility and eligibility for office without regard to residence and on basis of property ownership. Confines future annexations to uninhabited territory.	<b>YES</b>	
	<b>NO</b>	

(For Full Text of Measure, See Page 10, Part II)

**Analysis by the Legislative Counsel**

Article XI, Section 8, of the California Constitution authorizes a city of 3,500 inhabitants to frame a charter for its own government. The city of Vernon had a population of 417 by the 1950 Census. This proposed measure would authorize the city council of

Vernon to frame a city charter and submit it to the electors of the city in the usual manner for submitting such charters. It would authorize amendments to this charter only by proposals of the city council adopted by the electors eligible under the charter to vote for members of the council.

This measure would authorize the charter to define eligibility for election to the city council and to define who are electors for municipal purposes. If there are less than 135 registered electors residing in the city on the day of the charter election, such provisions of the charter need not comply with the requirements of Section 24 of Article I and Section 1 of Article II of the Constitution. The former section prohibits any property qualification for voting or holding public office and the latter section is the general provision of the Constitution governing eligibility to vote. On April 15, 1954, there were 111 registered electors residing in the city of Vernon according to the Registrar of Voters of the County of Los Angeles.

The measure would permit only uninhabited territory to be annexed to the city, and provides that the adoption of the charter shall not cause any change in any existing school district.

**Argument in Favor of Assembly Constitutional Amendment No. 20**

This amendment will permit the residents of Vernon, a city of the sixth class in Los Angeles County, to adopt a charter for their local government.

Vernon is like no other city in California. It has a small resident population and a daytime working population of 70,000.

These unusual conditions have created serious problems of city government and service which cannot be solved adequately under present laws.

The proposed amendment relates only to the City of Vernon and does not affect any other city or community in the State.

This is a non-controversial measure, passed by the Legislature at the request of the City Council and endorsed by Vernon residents and the Chamber of Commerce.

Please vote "YES."

FRANK G. BONELLI  
Member of Assembly, 52nd Assembly District

CHARLES W. LYON  
Member of Assembly, 59th Assembly District

HERBERT R. KLOCKSIEM  
Member of Assembly, 44th Assembly District

**Argument Against Assembly Constitutional Amendment No. 20**

The people of California should approach this proposition with caution. If adopted, it could be used to create an undemocratic form of city government, and to hurt school districts in and about the City of Vernon.

This measure permits a city charter under which the right to vote could be based upon a person's owning property in the city, irrespective of where the person might live. Also, it could permit non-resident persons to hold public office in the city. Inherent in the proposition is the possibility that people could vote in the cities of two different cities, and it could even be possible for a person to hold public office in two cities. Our Constitution now prohibits such undemocratic practices, but this measure provides that those established constitutional prohibitions and safeguards shall not apply in the case of a new charter for the City of Vernon.

So far as schools are concerned, there are factory and other property owners in the City of Vernon who are unhappy with the school taxes on their properties; but these tax moneys are needed to help pay for educating the children of people who work in Vernon's factories but live outside the city limits of Vernon. It is feared that this proposition could ultimately be used to keep school districts from getting needed revenue from City of Vernon properties. This proposition, in subdivision (e), gives the first impression that the new charter would not affect the school districts serving the City of Vernon. It says, "the adoption of such charter shall not cause any change in any existing school district." But note with caution the word "existing," and consider that the Los Angeles City School District, one of those which serves Vernon, is constantly being changed by annexations, secessions of territories, etc. You might well expect the courts to hold that what was an "existing" school district as of the date of the adoption of the new charter is technically not the school district that exists a few months later, after, say, a small annexation or a reorganization of a school district. An opinion rendered by the Legislative Counsel of the State of California, has this comment on this subdivision (e):

"It appears to us that the proposed subdivision applies only to school districts existing at the time of the adoption of the city charter and is probably intended to prevent any change in the districts arising by reason of the adoption of such charter. There is nothing in the proposal which would prevent any such school district from reorganizing, and if after the adoption of the city charter a change in the organization of school districts is made by any lawful method, the proposed constitutional amendment would not prevent an amendment to the Vernon city charter which might affect the reorganized school districts."

This proposition is fraught with uncertainties and possibilities of abuse. Its adoption would be a backward step in city government law and the democratic process.

STANFORD C. SHAW  
Member of Assembly, 72nd Assembly District, San Bernardino County

**COLLEGE EXEMPTION: PROPERTY UNDER CONSTRUCTION. Assembly Constitutional Amendment No. 53.** Describes tax exemption of college buildings under course of construction as being inclusive of land on which the building is located.

YES	
NO	

(For Full Text of Measure, See Page 10, Part II)

**Analysis by the Legislative Counsel**

This constitutional amendment would extend the college property tax exemption to land on which a building of an educational institution of collegiate grade in the course of construction is located if it is intended that the land and the building will be used for collegiate educational purposes. The exemption would be effective as of the first Monday in March, 1950, the date upon which the county property taxes for 1950-1951 became a lien.

The present college exemption applies to the building and equipment of any educational institution of collegiate grade and the grounds upon which the buildings are located, not exceeding 100 acres in area, and securities and income used exclusively for purposes of education and also to a building in the course of construction on or after the first Monday of March, 1950.

**Argument in Favor of Assembly Constitutional Amendment No. 53**

In 1952 the voters amended the Constitution to specifically exempt from taxation college buildings under construction. Before 1952 it had been contended by certain tax officials that such buildings were not exempt until completed and used, although for many

years college buildings (including the land on which they were situated) have been exempt when completed and used for educational purposes.

Some tax officials have now taken the ridiculous position that the 1952 amendment did not cover the land on which college buildings are being constructed, until the buildings 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 college buildings 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 educational institutions collegiate grade in California.

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

no person convicted while paying the penalties imposed by law for conviction of any infamous crime, nor person hereafter convicted of the embezzlement, appropriation of public money, and no person who shall not be able to read the Constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this State; provided, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a phys-

ical disability from complying with its requisitions, nor to any person who had the right to vote on October 10, 1911, nor to any person who was 60 years of age and upwards on October 10, 1911; provided, further, that the Legislature may, by general law, provide for the casting of votes by duly registered voters who expect to be absent from their respective precincts or unable to vote therein, by reason of physical disability, on the day on which any election is held.

**VERNON CITY CHARTER. Assembly Constitutional Amendment**

**13**

**No. 20.** Authorizes City of Vernon in Los Angeles County to propose charter for adoption by city electors and ratification by Legislature. Limits power of originating future charter amendments to city council. Permits charter to define voting eligibility in city elections. If less than 135 registered voters reside in city on day of charter adoption election, permits charter to fix voting eligibility and eligibility for office without regard to residence and on basis of property ownership. Confines future annexations to uninhabited territory.

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 ARTICLE XI

**Sec. 8.1. (a)** The City of Vernon, in the County of Los Angeles, may frame a charter for its own government. Any such charter shall be framed, or caused to be framed, by the legislative body of said city and the proposed charter shall be advertised submitted for its adoption to the electors of city in the manner provided in subsection (f) of Section 8 of this article, and if a majority of the qualified voters voting thereon shall vote in favor of such proposed charter, it shall be deemed to be ratified and shall be submitted to the Legislature for its rejection or approval, and if approved, thereafter filed, all in accordance with the applicable provisions of Section 8 of this article.

Any such charter once adopted may be amended only in the manner provided in this section. Such amendment shall be framed, or caused to be framed, by the legislative body and thereafter the proposed amendment shall be advertised and submitted for its adoption, in the manner provided in subsection (f) of Section 8 of this article, to a vote of those persons eligible under the charter to vote for members of the legislative body of said city, and if a majority of those entitled to vote thereon shall vote in favor of such proposed amendment, it shall be deemed to be ratified and shall be submitted to the Legislature for its rejection or approval, and if approved, thereafter filed, all in accordance with

the applicable provisions of Section 8 of this article.

(b) The charter may provide the manner in which, the method by which, the times at which, and the terms for which the members of the legislative body of the City of Vernon shall be elected, who may be eligible for election to the legislative body, and shall define the electors of the city for the purpose of voting for members of the legislative body, for other elective officers, on incurring an indebtedness or liability exceeding in any year the income and revenue provided for such year, and for the purpose of exercising the powers of initiative and referendum; in the event there are less than 135 registered voters residing in said city on the day of the election on the charter by the electors of said city, such provisions may be made without regard to, or without being subject to, the provisions of Section 24 of Article I and Section 1 of Article II of this Constitution.

(c) Subject only to the restrictions and limitations provided in any such charter and in this Section 8.1, it shall be competent in any such charter framed under the authority of this section to provide that the City of Vernon may make and enforce all laws and regulations in respect to municipal affairs, and in respect to other matters it shall be subject to general laws.

(d) Only uninhabited territory, as defined by the general laws of the State, may be annexed to said city.

(e) The adoption of such charter shall not cause any change in any existing school district.

(f) Except as hereinabove provided any such charter for said city shall be consistent with and subject to other provisions of this Constitution.

**COLLEGE EXEMPTION: PROPERTY UNDER CONSTRUCTION.**

**14**

**Assembly Constitutional Amendment No. 53.** Describes tax exemption of college buildings under course of construction as being inclusive of land on which the building is located.

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 XIII

**Sec. 1a.** Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its build-

ings and equipment, its grounds within which its buildings are located, not exceeding 100 acres in area, its securities and income used exclusively for the purposes of education.

The exemption granted by this section applies to and includes a building in the course of construction on or after the first Monday of March, 1950, and the land on which the building is located, if the same property is intended when completed to be used exclusively for the purposes of education.