

1960

TERMS OF ASSEMBLYMEN

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TERMS OF ASSEMBLYMEN. Assembly Constitutional Amendment No. 15. Provides that terms of members of Assembly elected in 1960 and thereafter shall be four years; one-half of members elected in 1960 shall vacate office at expiration of second year, so that half of the members of the Assembly shall be elected every two years.

YES

NO

(For Full Text of Measure, See Page 5, Part II)

Analysis by the Legislative Counsel

The 80 Members of the Assembly are now elected for a term of two years under the provisions of Section 3 of Article IV of the Constitution. Under this measure, which would amend that section, the terms of Members of the Assembly would be increased to four years. The seats of the 40 Assemblymen elected from odd-numbered Assembly districts in 1960 would be vacated, however, at the end of two years. This would provide four-year staggered terms thereafter, with one-half of the 80 Members of the Assembly being elected in November of each even-numbered year.

This constitutional amendment would also repeal obsolete provisions in Section 3 which were needed to place the 1879 Constitution into operation. To this extent it has the same effect as the amendment to Section 3 of Article IV proposed by Proposition 12, but in respect to the length of terms of Members of the Assembly this measure conflicts with Proposition 12. If both measures are adopted by the voters, however, this constitutional amendment will prevail since Proposition 12 contains a specific provision to that effect. (The paragraph numbered "Sixteenth" in Proposition 12.)

Argument in Favor of Assembly Constitutional Amendment No. 15

This proposition deserves the active support and a "yes" vote by all Californians for a number of important reasons.

1. It would save millions of dollars for the taxpayers of our State.
2. It would accelerate the operations of our republican form of government and our democratic processes.
3. It would encourage the highest type of men and women to follow careers as elected representatives in State government.
4. It would handcuff "influence peddlers" who endeavor to obtain legislative preferment for their clients.
5. Its passage would add to the prestige of the State of California among all of the other States of the Union.
6. It would assist in the adoption of sound legislation covering all areas of human relationships.
7. It has the support of outstanding members of all political parties, all agencies of organized labor and management, educators, veterans, farm groups, churchmen, professional and fraternal organizations, and leaders among all other representative and important segments of our California way of life.

Competent authorities have estimated that a four-year term for Members of the California

State Assembly would result in the saving of millions of dollars in taxpayer money because a four-year term would eliminate the present costly and cumbersome system of a statewide election for these 80 public officials every 24 months. A two-year term of office for an elected state official is ludicrous in our modern complex form of government. There is considerable truth in the remark that a freshman legislator barely has time enough in which to learn where to hang his hat before he is required to return to the hustings in an effort to defend his record in office.

Fewer elections would encourage political parties to offer their best qualified candidates for the consideration of voters. Political party responsibility would rise to a new high level.

It is well known that public servants whose terms of office run for four or more years are less susceptible to the blandishments of pressure groups than those who must seek re-election every 24 months.

This proposal would represent a striking example of California's liberalized form of government and would serve as a beacon for less enlightened States of the Union. Legislators who remain in office for four or more years are able to devote more time, better thinking, and more constructive efforts on the job than those who are constantly harassed by the necessity of continually campaigning while pursuing their legislative duties.

The swift pace of our new interplanetary age is revolutionizing every facet of human relationships—including lawmaking. Not only new ideas, but a complete revamping of our political machinery is utterly necessary if we hope to cope successfully with the intricacies of our nuclear age.

The approval of this proposition by our voters will enable our elected representatives in the California State Assembly to play their assigned roles in this new age in a constructive, progressive and capable manner.

ALAN G. PATTEE
Assemblyman, 34th District
Monterey County

CARLEY V. PORTER
Assemblyman, 69th District
Los Angeles County

Argument Against Assembly Constitutional Amendment No. 15

This measure should be defeated.

The adoption of this measure will in no way be of benefit to the people of California. On the contrary it takes away from the people the right they have always had in California, namely the right to elect an entire new lower house of the Legislature each two years. This is a traditional and important right, one that our forefathers in their wis-

dom, provided in both our State and Federal Constitutions. I submit it has successfully stood the test of time.

The only benefit to be derived from this measure is by Assemblymen who will be spared the trouble and expense of having to submit their records to the people each two years. Such a change will in no way improve legislation, instead it will tend to make the Legislature less responsive to the will of the people in whom the final legislative power is supposed to rest. If service in the Legislature has become too great a financial burden to those who are not blessed with independent wealth, as many observers believe it has, the remedy is to request the voters to approve an

increase in salaries—not to increase the length of the term of office to avoid the expense of an election.

This measure simply makes the Assembly in second Senate. Those who believe in our traditional American legislative system of having all of one house of the Legislature subject to biennial review by the voters will vote "no" on this measure.

S. C. MASTERSON
Member of the Assembly
Eleventh District
Contra Costa County
(Now Judge, Superior Court,
Contra Costa County)

DISABLED VETERANS' TAX EXEMPTION. Assembly Constitutional Amendment No. 21. Permits totally disabled veteran entitled to \$5,000 exemption on a home to transfer it to subsequently acquired home.

3

YES	
NO	

(For Full Text of Measure, See Page 5, Part II)

Analysis by the Legislative Counsel

The Legislature now has authority to exempt from property taxes the homes of veterans of this State who, as a result of service in the Army, Navy, Marine Corps, Coast Guard or Revenue Marine (Revenue Cutter) Service of the United States, are permanently and totally disabled due to the loss, or loss of use, of both lower extremities from specified causes. Present authority is limited, however, to exempting homes acquired with the assistance of the Federal Government.

This constitutional amendment would amend Section 1 1/4 of Article XIII without change except that the last paragraph thereof would constitute a new Section 1 1/4a. The new section would extend the exemption to any home acquired and occupied by such a totally disabled veteran after disposing of the home acquired with Federal assistance, whether or not the new home is acquired with such assistance.

Proposition No. 11 also would amend Section 1 1/4 of Article XIII and would add a Section 1 1/4a to that article. The two measures are therefore in conflict and in the event that both are adopted by the voters, the one receiving the higher vote will prevail.

Argument in Favor of Assembly Constitutional Amendment No. 21

In 1954 the electorate approved a special \$5,000 tax exemption for certain paraplegic veterans. The present exemption is limited to those veterans who received special assistance in the form of a grant from the Federal Government for the construction of homes specially equipped with ramps, modified plumbing fixtures, etc. Under existing law the exemption applies only to the first home upon which the federal grant was made. If a veteran sells this home and buys another, then, he loses the exemption.

Experience has shown that a fixed pattern is followed in the process of rehabilitation of the

paraplegic veteran. Upon discharge from the hospital, the veteran will require additional out-patient services of the hospital and will locate his family near the hospital facility. During the ensuing year, he will complete this out-patient care and go into some professional or craft training program in this same community and will make his total adjustment to society. Invariably, thereafter, he will find better job opportunities in his newly chosen craft or profession in other localities. He then must dispose of his residence and locate his family in a place where he will then make his home and become an independent citizen. By making this inevitable move, he loses the benefits that were intended under the present existing law.

In addition to the above, there are several situations in which the paraplegic veteran could lose his first home through action taken by governmental agencies such as the following example.

The Veterans Administration closed their hospital in Van Nuys which served many of these veterans. Their out-patient treatment was transferred to Long Beach Veterans Hospital. This meant that many veterans in the Van Nuys area had to relocate somewhere in the Long Beach area and in this required change, they lost their exemption. Others have been dislocated by eminent domain actions brought by the Highway Department, Flood Control or other governmental agencies, and again, through no fault of their own, lost their exemption in the process of relocation.

This amendment allows the veteran to sell or dispose of the original home and still receive the exemption, provided the veteran habitually occupies the other dwelling as a home. In 1957 there were 466 paraplegic veterans receiving the exemption. In the absence of another war, the passage of this constitutional amendment will not result in an increase in the amount of property exempt from taxation, but it will prevent many of these

ment Bond Act," there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act, and those voting for said act shall do so by placing a cross opposite the words "For the California Water Resources Development Bond Act," and those voting against the said act shall do so by placing a cross opposite the words "Against the California Water Resources Development Bond Act." Provided, that where the voting of said general election is done by means of voting machines used pursuant to law in such manner as to carry out the intent of this section, such use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The Governor of this State shall include the submission of this act to the people, as afore-

said, in his proclamation calling for said general election.

Sec. 4. The votes cast for or against the California Water Resources Development Bond Act shall be counted, returned and canvassed and declared in the same manner and subject to the same rules as votes cast for state officers; and if it appears that said act shall have received a majority of all the votes cast for and against it at said election as aforesaid, then the same shall have effect as hereinbefore provided, and shall be irrevocable until the principal and interest of the liabilities herein created shall be paid and discharged, and the Governor shall make proclamation thereof; but if a majority of the votes cast as aforesaid are against this act then the same shall be and become void.

2 **TERMS OF ASSEMBLYMEN.** Assembly Constitutional Amendment No. 15. Provides that terms of members of Assembly elected in 1960 and thereafter shall be four years; one-half of members elected in 1960 shall vacate office at expiration of second year, so that half of the members of the Assembly shall be elected every two years.

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution; therefore **EXISTING PROVISIONS** proposed to be **DELETED** are printed in **STRIKEOUT TYPE**, and **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE**.)

PROPOSED AMENDMENT TO ARTICLE IV

Sec. 3. Members of the Assembly shall be elected every two years, beginning on the first Tuesday after the first Monday in November, eighteen hundred and eighty, and thereafter, members of the Assembly shall be chosen biennially, and their term of office shall be two years, 1960, 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 1960 from the odd-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.

the first Tuesday after the first Monday in November, eighteen hundred and eighty. Thereafter, members of the Assembly shall be chosen biennially, and their term of office shall be two years, 1960, 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 1960 from the odd-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.

3 **DISABLED VETERANS' TAX EXEMPTION.** Assembly Constitutional Amendment No. 21. Permits totally disabled veteran entitled to \$5,000 exemption on a home to transfer it to subsequently acquired home.

YES	
NO	

(This proposed amendment expressly amends an existing section of the Constitution and adds a new section thereto; therefore **EXISTING PROVISIONS** proposed to be **DELETED** are printed in **STRIKEOUT TYPE**, and **NEW PROVISIONS** proposed to be **ADDED** are printed in **BLACK-FACED TYPE**.)

PROPOSED AMENDMENTS TO ARTICLE XIII

First—That Section 1¼ of Article XIII be amended to read:

Sec. 1¼. 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, 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