

1960

TERMS OF OFFICE

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handicapped veterans from losing their exemption.

RICHARD T. HANNA
75th Assembly District
Orange County

WILLIAM BIDDICK, JR.
12th Assembly District
San Joaquin County

4	YES	
	NO	

TERMS OF OFFICE. Senate Constitutional Amendment No. 1 (1960 First Extraordinary Session). Permits Legislature to provide terms of office not to exceed eight years for members of any state agency created by it to administer the State College System of California.

(For Full Text of Measure, See Page 6, Part II)

Analysis by the Legislative Counsel

This measure would amend Section 16 of Article XX of the Constitution. It would authorize the Legislature to provide terms of office of up to eight years for the members of any state agency which it creates in the field of public higher education to manage the State College System of California.

Such an authorization would constitute an exception to the present provisions of Section 16 of Article XX of the Constitution, which now prohibit the Legislature from fixing the term of any officer or commissioner at more than four years.

At its 1960 First Extraordinary Session, the Legislature enacted the Donahoe Higher Education Act (Stats. 1960, 1st Ex. Sess., Ch. 49). This legislation established the State College System and provided for its administration by a board to be known as the Trustees of the State College System of California. The terms of the trustees were fixed at four years but they will become eight year terms under the provisions of that act if this constitutional amendment is adopted by the people. This measure, therefore, would fix the terms of the trustees at eight years, commencing on March 1, 1961. (Education Code, Section 22601.5, as added by Chapter 49.)

Argument in Favor of Senate Constitutional Amendment No. 1 (1960 First Extraordinary Session)

This constitutional amendment is a part of the Master Plan for Higher Education as developed through a study team of distinguished educators and embodied in Senate Bill No. 33 (Miller), enacted by the 1960 Session of the Legislature. Whereas the Legislature chose to establish the Master Plan in statutory form rather than using the Constitution for that purpose, an existing constitutional limitation on the length of terms of office which the Legislature may establish made this constitutional amendment necessary.

Included in the Master Plan is the establishment of a governing board for the state colleges designated as the Trustees of the State College System of California. The board is composed of four ex officio members: the Governor, Lieutenant Governor, Superintendent of Public Instruction and the chief executive officer of the State College System. There are also 16 appointive members appointed by the Governor, except that the members, as of the effective date of the Act, of the

State Board of Education shall serve ex officio as and among the first appointive members.

The Master Plan statute also provides that the terms of the appointive trustees shall be eight years. This constitutional amendment is required to enable the Legislature to establish terms up to eight years for boards of higher education governing the state colleges. It is traditional in this country that governing boards of public collegiate institutions shall be appointed for terms in excess of four years, by reason of the complexity of the institutions and the need for continuity of policy in the decisions made by the boards. The importance which is attached to this historic Master Plan and the role of the new Trustees of the State College System makes it vital that this limited authority be given to the Legislature.

This would not in any way alter or affect the terms of members of the Board of Regents of the University of California. Vote YES.

GEORGE MILLER, JR.
State Senator, 17th District

Argument in Favor of Senate Constitutional Amendment No. 1 (1960 First Extraordinary Session)

The 1960 Special Session of the Legislature enacted the essential elements of the Master Plan for Higher Education in California to economically provide excellent educational facilities and opportunities for our exploding student population.

In addition to defining the functions of the University of California, state colleges and junior colleges, the Master Plan created an independent board, designated as the Trustees of the State College System of California, to administer the state college system.

In enacting the legislation effectuating the Master Plan for Higher Education, considerable attention was given to the length of term of the members of any state agency created in the field of public higher education which is charged with the management, administration and control of the State College System of California.

The present constitutional limitation of 4 years for such members was felt to be too short; a proposed term of 16 years, as in the case of the Regents of the University of California, too long. This Constitutional Amendment would enable the Legislature to provide a more practical and realistic term of 8 years.

A YES vote is recommended.

DONALD L. GRUNSKY, State Senator
Santa Cruz and San Benito Counties
Chairman, Senate Fact Finding
Committee on Education
ERNEST R. GEDDES, Assemblyman
49th District
California Legislature

Argument Against Senate Constitutional Amendment No. 1 (1960 First Extraordinary Session)

The desire of officials to freeze themselves into their jobs is not only undemocratic, but also

shows a lack of confidence in their own worth. If their work in the job proves their ability, they can be assured that a thankful people will see that they continue in office. On the other hand if they are lacking in capacity they can then be replaced. A United States Congressman holds office for 2 years, so 4 years should be ample for members of the Board of Trustees. VOTE NO.

WM. T. McMANUS
9461 Vons Drive
Garden Grove, California

5 COMPENSATION OF LEGISLATORS. Senate Constitutional Amendment No. 31.

Sets salary of members of the State Legislature at \$750 per month. Provides that increased compensation provided by this amendment shall not increase retirement benefits for those legislators already retired.

YES

NO

(For Full Text of Measure, See Page 6, Part II)

analysis by the Legislative Counsel

This measure would amend Section 2(b) of Article IV of the Constitution to increase the monthly compensation paid to Members of the Legislature from \$500 to \$750.

The constitutional amendment would provide, also, that the retirement benefits payable to persons who have retired under the Legislators' Retirement System prior to the operative date of the measure shall not be increased as the result of such increased compensation. The operative date of this amendment, if adopted by the voters, will be November 8, 1960.

Under the Legislators' Retirement System retirement allowances are based upon the compensation payable, at the time the allowances fall due, to the current incumbent of the office (Sec. 9359.1, Gov. C.). Thus, under the existing law if the compensation of Members of the Legislature is increased, the retirement allowances paid to retired legislators under the Legislators' Retirement System would be automatically increased. This measure would prevent such an increased retirement allowance for former legislators who have retired prior to November 8, 1960.

Argument in Favor of Senate Constitutional Amendment No. 31

California legislators are among the most underpaid lawmakers in the nation, according to a survey conducted under supervision of the Citizens Legislative Advisory Commission.

The Citizens Legislative Advisory Commission is composed of a cross section of the press, business, industry, labor, the professions, educators, and legislative representatives. These citizens have had considerable experience with state legislation. Their task was to suggest ways and means to improve the legislative process.

As part of the assignment, the Commission employed a professional survey organization to interview the state legislators, press, legislative representatives, and others who could testify from first-hand knowledge what the job of being an

Assemblyman or Senator in California really requires in the way of time and ability.

Based upon this factual study, the Commission found:

1. The tremendous growth of California is without parallel in the entire United States, and this factor alone makes the legislative work load very heavy. Growth is constant, not intermittent, and the Legislature must keep pace to keep State government responsive to the needs of the people.

2. Combined with the growth of the state as a whole has come an unbelievable expansion of metropolitan areas which present a greater number and variety of legislative problems.

3. Legislators in these metropolitan districts have a full-time job—attending to the problems of their districts and looking after the needs of their constituents. The survey showed that almost all of our Assemblymen and Senators spend three-fourths or more of their time on the job.

4. Increasing demands on the time of the average legislator is causing many good men to leave the office. To do the job right means that a professional man must sacrifice his practice and the man engaged in any business must depend upon others to carry on for him. While the satisfaction of public service, well performed, is rewarding, it will not pay the family's bills, nor will it compensate for the two homes a legislator must maintain during much of his term of office.

Good men and women should not be forced to give up public service in the Legislature because they cannot afford the financial sacrifice. Democracy shortchanges itself when it allows this to happen. It discredits the very branch of State government which is directly representative of and responsive to the people.

The Citizens Legislative Advisory Commission, after long study of the problem, felt that a step in the right direction was to reduce the financial sacrifice involved in the legislative job by increasing the pay. Thereby it is hoped that good men can run for the office and can continue in office when elected.

It was for this reason, and as a result of a study of the job of being a legislator in California,

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 or 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.

Second—That Section 11¼a be added to Article XIII, to read:

Sec. 11¼a. 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 Section 11¼ of this article, without regard to any limitation contained therein on the value of property owned by such person or 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 Section 11¼ of this article.

Where such totally disabled person sells or otherwise disposes of such property and thereafter acquires, with or without the assistance of the Government of the United States, any other property which such totally disabled person occupies habitually as a home, the exemption allowed pursuant to the first paragraph of this section shall be allowed to such other property.

TERMS OF OFFICE. Senate Constitutional Amendment No. 1 (1960 First Extraordinary Session). Permits Legislature to provide terms of office not to exceed **4** eight years for members of any state agency created by it to administer the State College System of California.

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 XX

SEC. 16. When the term of any officer or commissioner is not provided for in this Constitution, the term of such officer or commissioner may be declared by law; and, if not so declared, such officer or commissioner shall hold his position as such officer or commissioner during the pleasure of the authority making the appointment; but in no case shall such term exceed four years; provided, however, that in the case of any officer or employee of

any municipality governed under a legally adopted charter, the provisions of such charter with reference to the tenure of office or the dismissal from office of any such officer or employee shall control; and provided further, that the term of office of any person heretofore or hereafter appointed to hold office or employment during good behavior under civil service laws of the State or of any political division thereof shall not be limited by this section.

The Legislature may provide terms of office for not to exceed eight years for the members of any state agency created by it in the field of public higher education which is charged with the management, administration, and control of the State College System of California.

COMPENSATION OF LEGISLATORS. Senate Constitutional Amendment No. 31. Sets salary of members of the State Legislature at \$750 per month. Provides that increased compensation provided by this amendment shall not increase retirement benefits for those legislators already retired.

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

That the first paragraph of subdivision (b) of Section 2 of Article IV be amended to read:

(b) Each Member of the Legislature shall receive for his services the sum of ~~five~~ hundred dol-