

1962

## GENERAL LEGISLATIVE SESSIONS

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**GENERAL LEGISLATIVE SESSIONS. Assembly Constitutional Amendment****8**

**No. 21.** Permits legislative bills to be heard by committees 20 rather than 30 days after introduction at a general session. Allows Legislature to take a recess not to exceed 10 calendar days, which shall not be counted in computing duration of general session.

**YES****NO****For Full Text of Measure, See Page 13, Part II****Analysis by the Legislative Counsel**

This measure would amend Section 2 of Article IV of the Constitution to reduce the time which must expire after a bill is introduced in the Legislature before it may be heard in committee. The existing provision requires a 30-day waiting period and this amendment would reduce this to 20 days.

It would also permit the Legislature to take one recess of not more than 10 calendar days at a general session which would not be counted in computing the constitutional limitation on the duration of such a session. That limitation is now 120 calendar days, excluding Saturdays and Sundays but not excluding any recess.

**Argument in Favor of Proposition No. 8**

Assembly Constitutional Amendment No. 21 seeks to cure defects in the present law by reducing the waiting time before legislative bills may be heard in committee by the respective houses and providing that a 10-day recess may be taken during the session.

This proposed legislation was adopted by the Legislature after a careful study of the present constitutional procedure and after a trial of the present law during two general sessions of the Legislature.

At the General Election of November 4, 1958, Article IV, Sec. 2 of the State Constitution was amended providing that all general sessions in odd-numbered years shall not exceed 120 calendar days in duration, not including Saturdays or Sundays. This section also provides that at the general session no bill, other than the Budget Bill, shall be heard in any committee or acted upon by either house until 30 calendar days have elapsed following the date the bill was introduced, providing that this provision may be dispensed with by the consent of three-fourths of the members of the house.

Assembly Constitutional Amendment No. 21, if adopted, would reduce from 30 to 20 days the waiting period between the time a bill is introduced and the time a bill may be heard in committee.

Those favoring the adoption of this amendment believe that after the introduction of a bill, 20 days of waiting before a bill may be heard in committee is ample, and that the 10 days saved could be used to greater advantage in the closing days of the session for the consideration of proposed legislation.

The proposed amendment retains the same safeguard that exists in the present law, providing that this provision of the Constitution may not be suspended except by a three-fourths vote of the members.

The amendment of 1958 eliminated the 30-day constitutional recess. The present law makes no provision for a recess. This proposed

amendment would allow the Legislature a 10-day recess, which would not be counted in the 120 calendar days constitutional limitation on the length of the session.

It is contemplated that the 10-day recess would occur during the latter part of the session, providing an interval for the legislators and the electorate to study and analyze the bills introduced. The recess would also allow time for the compilation and printing of the different legislative publications which provide the legislators and the public with information relative to proposed legislation.

The members of the legislature urge the adoption of Assembly Constitutional Amendment No. 21 in order to remedy the deficiencies in the present procedure.

**JACK SCHRADER**  
Member of the  
California Legislature

**Argument Against Proposition No. 8**

This measure would allow committees of the Legislature to hear bills 20 days after their introduction instead of waiting 30 days, and would also provide for a ten-day recess in general sessions.

While the Constitution places no limitation upon the introduction of bills, it presently provides that no bill except the budget bill may be acted upon by either house, nor heard in committee, until 30 calendar days have elapsed following its introduction. This provision may be dispensed with by consent of three-fourths of the members of the house concerned.

Hearings are an important part of the legislative process and provide the chief opportunity for exchange of opinion between citizens and legislators. It is at hearings by legislative committees that interested citizens and groups present their arguments for and against bills. It takes time to gather information, marshal opinions and points of view, and prepare statements. Special interest groups that are highly organized and professionally staffed would not be so much affected by shortening of the interval between introduction and hearings on bills, but a wide range of citizens, groups, and associations interested in legislation find it difficult to apprise themselves of pending bills and get citizen response in 30 days. It would be almost impossible for them to do so in 20 days.

Since there are thousands of bills, all of which must be printed before they are heard, many of them would, in reality, have less than 20 days for consideration. When great numbers of bills are introduced within a short period of time, as happens in the middle of the session, the State Printing Office falls behind in printing and distributing them. Moreover, there are

hundreds of amendments to bills that must also be printed and distributed. Legislators, their staffs, and interested citizens must have copies of bills before they can study them. A shorter time for study would increase the chance for bills to slip through without careful examination.

In 1958 California voters amended the Constitution to eliminate the mandatory 30-day recess. The waiting period before bills can be heard provides a sufficient opportunity for citizens to let their representatives know their opinions of the bills. At a time when legislators had to return home by horse and buggy to talk to their constituents, the recess made good

sense; nowadays the speed and ease of travel and communication make a recess an unnecessary interruption of the session.

Lawmakers should have time to draft laws in the best interest of the citizens of the State. Technical staffs should have time to analyze bills and their effects. Citizens should have time to consider and evaluate proposed legislation. Vote NO on Proposition 8.

LEAGUE OF WOMEN VOTERS  
OF CALIFORNIA

MRS. LAUFFER T. HAYES  
President

**GENERAL OBLIGATION BONDS. Assembly Constitutional Amendment No. 9.** Authorizes Legislature to establish "General Obligation Bond Proceeds Fund" and to place proceeds of all general obligation bond issues in said fund. Requires separate account for proceeds of each issue and permits payment only in accordance with law authorizing the issuance. Authorizes Legislature to abolish any general bond fund in the State Treasury if transferred into "General Obligation Bond Proceeds Fund" and it may later re-establish such fund.

|            |  |
|------------|--|
| <b>YES</b> |  |
| <b>NO</b>  |  |

**For Full Text of Measure, See Page 14, Part II**

**Analysis by the Legislative Counsel**

This constitutional amendment would add Section 1.5 to Article XVI of the Constitution to authorize the Legislature to create a "General Obligation Bond Proceeds Fund" in the State Treasury and to provide for the proceeds from the sale of state general obligation bonds, whether previously issued or to be issued in the future, to be paid into or transferred to this fund. Separate accounts would be required to be maintained in this fund for the proceeds of each bond issue, and the money in each such account would be required to be paid out in accordance with the particular bond act under which the bonds were issued.

The measure would authorize the Legislature to abolish any state bond fund when the bond proceeds in it are transferred to the General Obligation Bond Proceeds Fund. However, legislative action taken pursuant to this authorization would not prevent the Legislature from re-establishing any such state bond fund so abolished and transferring the bond proceeds back to such fund.

**Argument in Favor of Proposition No. 9**

A YES vote on this constitutional amendment would help streamline the state's bond fund accounting. It would enable the Legislature, if it so desires, to replace existing individual funds with a single fund for general obligation bonds.

This would eliminate the obvious red tape connected with keeping separate funds rather than accounts in a single fund. It would simplify accounting and reporting procedures, but it would not sacrifice any of the controls now in effect. The amendment states specifically that proceeds of each bond issue could be spent only for the purposes authorized by the voters in approving the particular bond issue.

Recognized authorities in the field of public administration and finance pointed out as early as 1936 the existence of numerous separate funds tends to complicate and confuse the state financial picture. A number of Legislative committees have reached the same conclusion. The Assembly Interim Committee on Ways and Means last year, after detailed studies, recommended this constitutional amendment.

A YES vote will help bring businesslike accounting procedures to this area of state government while at the same time assuring the continuance of present safeguards on bond funds.

JESSE M. UNRUH  
Speaker of the Assembly  
65th Assembly District

CHARLES J. CONRAD  
Assemblyman for 57th District

MILTON MARKS  
Assemblyman for 21st District

fore such board concerning this section or any other section of the Constitution or legislative act authorizing the allocation of funds to school districts for purposes the same or substantially the same as those enumerated in this section.

The Legislature shall require each district receiving an allocation of money from the sale of bonds pursuant to this section for the purposes prescribed in subdivision (a) of this section to repay such money to the State on such terms and in such amounts as may be within the ability of the district to repay.

The Legislature may require each district receiving an allocation of money from the sale of bonds pursuant to this section for the purposes prescribed in subdivision (b) of this section to repay such money to the State on such terms and in such amounts as the Legislature deems proper.

The people of the State of California in adopting this section hereby declare that it is in the interests of the State and of the people thereof for the State to aid school districts of the State in providing necessary school sites and buildings for the pupils of the public school system, such system being a matter of general concern inasmuch as the education of the chil-

dren of the State is an obligation and function of the State.

SEC. 21. The issuance and sale of bonds of the State of California, not exceeding in the aggregate the sum of four hundred million dollars (\$400,000,000), and the use and disposition of the proceeds of the sale of said bonds, all as provided in the Veterans Bond Act of 1960 (Article 5h of Chapter 6 of Division 4 of the Military and Veterans Code) authorizing the issuance and sale of state bonds in the sum of four hundred million dollars (\$400,000,000) for the purpose of providing a fund to be used and disbursed to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943, and all acts amendatory and supplemental thereto are hereby authorized and directed and said Veterans Bond Act of 1960 is hereby approved, adopted, legalized, ratified, validated, and made fully and completely effective upon the effective date of this amendment to the Constitution. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this Constitution contained shall be a limitation upon the provisions of this section.

**CONSTITUTION REVISION. Assembly Constitutional Amendment No. 14.** Empowers Legislature to propose a revision of the Constitution to be voted on by the people. Provides that revision if approved by majority of electors voting shall be the Constitution or part of the Constitution if the revision revises only a part of the Constitution.

**7**

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 XVIII**

SECTION 1. Any amendment or amendments to, or revision of, this Constitution may be proposed in the Senate or Assembly, and if two-thirds of all the members elected to each of the two houses shall vote in favor thereof, such proposed amendment, or amendments, or revision shall be entered in their Journals, with the yeas and nays taken thereon; and it shall

be the duty of the Legislature to submit such proposed amendment, or amendments, or revision to the people in such manner, and at such time, and after such publication as may be deemed expedient. Should more amendments than one be submitted at the same election they shall be so prepared and distinguished, by numbers or otherwise, that each can be voted on separately. If the people shall approve and ratify such amendment or amendments, or any of them, or such revision, by a majority of the qualified electors voting thereon such amendment or amendments shall become a part of this Constitution, and such revision shall be the Constitution of the State of California or shall become a part of the Constitution if the measure revises only a part of the Constitution.

**GENERAL LEGISLATIVE SESSIONS. Assembly Constitutional Amendment No. 21.** Permits legislative bills to be heard by committees 20 rather than 30 days after introduction at a general session. Allows Legislature to take a recess not to exceed 10 calendar days, which shall not be counted in computing duration of general session.

**8**

YES

NO

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

**PROPOSED AMENDMENT TO ARTICLE IV**

First—That the fifth paragraph of subdivision (a) of Section 2 of Article IV is amended to read:

At the general session, no bill, other than the Budget Bill, shall be heard by any committee until 20 calendar days have elapsed following the date the bill was first introduced, or shall be acted upon by either house until 30 calendar days have elapsed following the date the bill was first introduced; provided, that this provision may be dispensed with by the consent of three-fourths of the members of the house.

Second—That subdivision (d) is added to Section 2 of Article IV, to read:

(d) In addition to any other recess, Legislature may take one recess of not more than 10 calendar days at a general session which shall not be counted in computing the limitation on the duration of general sessions.

**GENERAL OBLIGATION BONDS. Assembly Constitutional Amendment No.**

9

40. Authorizes Legislature to establish "General Obligation Bond Proceeds Fund" and to place proceeds of all general obligation bond issues in said fund. Requires separate account for proceeds of each issue and permits payment only in accordance with law authorizing the issuance. Authorizes Legislature to abolish any general bond fund in the State Treasury if transferred into "General Obligation Bond Proceeds Fund" and it may later re-establish such fund.

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 XVI**

Sec. 15. The Legislature may create and establish a "General Obligation Bond Proceeds Fund" in the State Treasury, and may provide for the proceeds of the sale of general obligation bonds of the State heretofore or hereafter issued, including any sums paid as accrued interest thereon, under any or all acts authorizing the issuance of such bonds, to be paid into or transferred to, as the case may be, the "General Obligation Bond Proceeds Fund." Accounts shall be maintained in the "General Obligation Bond Proceeds Fund" of all moneys deposited in the State Treasury to the credit of that fund

and the proceeds of each bond issue shall be maintained as a separate and distinct account and shall be paid out only in accordance with the law authorizing the issuance of the particular bonds from which the proceeds were derived. The Legislature may abolish, subject to the conditions of this section, any fund in the State Treasury heretofore or hereafter created by any act for the purpose of having deposited therein the proceeds from the issuance of bonds if such proceeds are transferred to or paid into the "General Obligation Bond Proceeds Fund" pursuant to the authority granted in this section; provided, however, that nothing in this section shall prevent the Legislature from re-establishing any bond proceeds fund so abolished and transferring back to its credit all proceeds in the "General Obligation Bond Proceeds Fund" which constitute the proceeds of the particular bond fund being re-established.

**WELFARE EXEMPTION: LEASED PROPERTY. Assembly Constitutional Amendment No. 24.**

10

Permits extension of welfare tax exemption for religious, hospital or charitable purposes to property leased for a period of 99 years (excluding houses or dwellings), such exemption to be applicable only to improvements by lessee in accordance with procedures and limitations adopted by Legislature. Provides that exemption for leased property shall only be effective in counties so providing by ordinance.

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. 1e. In addition to such exemptions as are now provided in this Constitution, the Legislature may exempt from taxation all or any portion of property used exclusively for religious, hospital or charitable purposes and owned or leased for a period of 99 years by community chests, funds, foundations or corporations organized and operated for religious,

hospital or charitable purposes, not conducted for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual. As used in this section, "property used exclusively for religious, hospital or charitable purposes" shall include a building and its equipment in the course of construction on or after the first Monday of March, 1954, together with the land on which it is located as may be required for the use and occupation of the building, to be used exclusively for religious, hospital or charitable purposes.

In the case of leased property, the exemption shall extend only to value added to the property.