

1966

LOANS OF PUBLIC FUNDS

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The exemption would be limited to otherwise qualified veterans who, by reason of a permanent and total service-connected disability incurred in the military or naval service of the United States, are blind in both eyes with visual acuity of 5/200 or less.

The measure would provide that a blind veteran who sells or otherwise disposes of his home, may apply the exemption to the next property he acquires and habitually occupies as his home. It also permits retroactive application of the exemption for the 1965-66 fiscal year in the manner provided by the Legislature.

Argument in Favor of Proposition No. 9

This amendment to the Constitution of California would correct a glaring inequity which has existed in our property tax laws concerning service-connected, totally blind veterans.

For many years we have had on our statute books the provision that veterans who are totally disabled from service-connected injuries; that is, injuries they have received as a result of service in the armed forces of the United States; of the

wheelchair variety, such as paraplegics, etc., shall receive a \$5,000 property tax exemption on their homes. Inadvertently there was not included in this group those people who received injuries while serving in the armed forces as a result of which they became totally blind. Certainly a totally blind war veteran is just as disabled as those who are confined to a wheelchair. This amendment would include the blind veterans of California who became blind as a result of service in the armed forces of their country in the same \$5,000 home exemption as that of the other service-connected, totally disabled veterans. Equity and justice would support the argument that the blind veteran should be put on the same exemption basis as the other totally disabled veterans.

The number of persons affected by this is relatively small—perhaps only forty or fifty in the whole State of California, but in order to do justice to those affected, this measure should be adopted.

EDWIN L. Z'BERG
Member, 9th Assembly District,
California State Legislature

10 **LOANS OF PUBLIC FUNDS. Legislative Constitutional Amendment.** Authorizes Legislature to provide by general law for the loaning of public funds without interest, or the payment of interest on loans made by others, to finance the repair, restoration, or replacement of private property damaged in area declared by Governor to be in a state of disaster.

YES	
NO	

(For Full Text of Measure, See Page 34, Part II)

General Analysis by the Legislative Counsel

A "Yes" vote on this measure is a vote to give the Legislature specific authority to provide, without regard to constitutional limitations, for interest-free loans of public funds for the purpose of financing the repair, restoration, or replacement of private property damaged or destroyed in an area declared to be in a state of disaster by the Governor. It would also permit the Legislature to provide for payment of interest on loans made from private funds for that purpose.

A "No" vote is a vote that the Legislature, in enacting such measures, must meet existing constitutional limitations.

For further details see below.

Detailed Analysis by the Legislative Counsel

The California Constitution now prohibits the Legislature from making any gift of public funds or lending or pledging the credit of the state, or authorizing such gifts or the lending of the credit of the state, in aid of any person or organization. These prohibitions do not apply where a statewide public purpose is served by the gift, loan, or pledge. Thus, the validity of legislation authorizing the lending or the making a gift of public funds in connection with the repair or replacement of private property damaged or destroyed in a disaster area, depends on whether or not such legislation serves a statewide public purpose.

This measure, if approved by the voters, would give the Legislature express authority to enact general laws, regardless of existing constitutional limitations, to authorize or provide for the lending

of public funds, without interest, or for the payment of interest on loans made by others, to finance the repair, restoration, or replacement of private property damaged or destroyed in any area or region declared by the Governor to be in a state of disaster, where the damage or destruction is a result of the condition which caused the Governor to declare the area or region to be in a state of disaster.

Argument in Favor of Proposition No. 10

Proposition No. 10 is a nonpartisan measure which merits the support of all Californians.

Your Yes vote on Proposition No. 10 would permit the enactment of legislation to enable private businesses and private individuals who are located in areas proclaimed by the Governor to be disaster areas to rebuild, repair or replace private property destroyed by calamity either through the means of (1) noninterest bearing loans made by the state or (2) the state providing for the payment of all or a portion of the interest on private loans made for such purpose.

The state would thus be enabled to act in the situation where the widespread damage and destruction of private property in areas or regions which the Governor declares to be in a state of disaster results in a reduction of the tax base of such areas or regions to such an extent that sufficient revenues cannot be raised by state and local public agencies in such areas or regions to carry on the ordinary functions of such agencies at a time when they are in need of extraordinary revenues to repair, restore, or replace public property which has been damaged or destroyed.

Private and public agencies do not have the financial resources or necessary authority to provide the loans to private property owners in areas or regions which the Governor has declared to be in a state of disaster which are necessary to finance the repair, restoration, or replacement of property which has been damaged or destroyed as a result of the condition which caused the Governor to declare such areas or regions to be in a state of disaster. The human misery and suffering of large numbers of the inhabitants of such areas or regions which results from the destruction of private property which provided them with shelter or a means of livelihood cannot, therefore, be alleviated within a reasonable time, which causes an increase in death and disease and welfare costs in such areas and regions and disrupts or seriously impairs the economy of not only such areas or regions, but also the economy of the entire state.

The loaning of state funds to finance the repair, restoration, or replacement of private property which has been damaged or destroyed as a result of the condition which caused the Governor to declare areas or regions to be in a state of disaster would preserve and protect the tax base of state and local agencies in such areas or regions, alleviate human misery and suffering of large numbers of Californians, reduce the incidence of death and disease, prevent increases in welfare costs, and prevent the disruption or serious impairment of the economy of not only such areas or regions, but also the economy of the entire state.

I urge all Californians to vote Yes on Proposition No. 10.

CARL L. CHRISTENSEN, Jr.
State Senator, Humboldt County
(Now Judge, Superior Court)

EUGENE G. NISBET
State Senator
San Bernardino County

Argument Against Proposition No. 10

A "No" vote is respectfully urged in connection with Senate Constitutional Amendment No. 8. This amendment to the Constitution would allow the Legislature to make a gift of public funds in the form of interest free loans or to actually pay the interest on loans extended by "others" to finance the repair, restoration or replacement of private property damaged or destroyed in an area declared to be in a state of disaster. Once the Legislature enacted such a law, the Governor would administer the law.

In the past it has been completely practical for the Legislature to enact specific legislation giving financial assistance for the repair, restoration or replacement of public property damaged or destroyed in an area which the Governor has declared to be in a state of disaster. Our present practice has enabled the Legislature to review the extent and the amount of damage, usually at a time when the damage can be ascertained with far more certainty than the estimates which are given at the time of the disaster. Setting up a permanent provision in the law through this Constitutional Amendment could very well lead to a much looser procedure, including a politically minded Governor declaring an area to be a disaster area when in fact it was not.

In addition, this proposed amendment opens the door for large scale expenditures of public funds never before authorized to repair private property. Such private property can and should be protected by insurance.

CLARK L. BRADLEY
State Senator
Santa Clara County

CHARLES WARREN
Member of the Assembly,
56th District,
California Legislature

11 **BOXING AND WRESTLING CONTESTS.** Amendment of Initiative. Submitted by Legislature. Provides Legislature may amend, revise, or supplement boxing and wrestling initiative act of November 4, 1924.

YES

NO

(For Full Text of Measure, See Page 34, Part II)

General Analysis by the Legislative Counsel

A "Yes" vote on this act is a vote to continue and expand the authority of the Legislature to amend, revise, or supplement the boxing and wrestling initiative act, if Proposition 1-a is approved.

A "No" vote is a vote to terminate the authority of the Legislature to amend, revise, or supplement the boxing and wrestling initiative act, if Proposition 1-a is approved.

For further details see below.

Detailed Analysis by the Legislative Counsel

Generally, when the Legislature proposes an amendment to an initiative act which has been adopted by the voters, the amendment must also be approved by the voters unless such amendment without voter approval is authorized in the Constitution or in the initiative act itself.

Section 25.7 of Article IV of the State Constitution now specifically authorizes the Legislature to amend, revise, or supplement the initiative act which regulates boxing and wrestling in this state, but denies the Legislature power to prohibit wrestling and 12-round boxing contests. However, the proposed revision of portions of the Constitution (Proposition 1-a at this election) would delete that authorization and prohibition from the Constitution. This act would vest to the Legislature unrestricted authority to amend, revise, or supplement the initiative act regulating boxing and wrestling by adding this authorization to the initiative act itself. It would become operative if the people adopt Proposition 1-a.

If Proposition 1-a and this act are both approved by the voters, the Legislature will retain its power to so modify the boxing and wrestling initiative with the authorization to do so included as a part of the initiative measure instead of the Constitu-

9 **VETERANS' TAX EXEMPTION FOR BLIND VETERANS.** Legislative Constitutional Amendment. Authorizes tax exemption on home of veteran who by reason of a permanent and total service-connected disability is blind. Limits such exemption to \$5,000. Exemption shall apply to 1965-1966 fiscal year.

YES

NO

(This amendment proposed by Assembly Constitutional Amendment No. 41, 1965 Regular Session, 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 they are **NEW**.)

PROPOSED AMENDMENT TO ARTICLE XIII

Sec. 1½b. 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 subdivision (a) of Section 1½ of this article, without regard to any limitation contained therein on the value of property owned by such person or his spouse, and who, by reason of a permanent and total service-

connected disability incurred in such military or naval service is blind in both eyes with visual acuity of 5/200 or less; 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 subdivision (a) of Section 1½ of this article.

Where such blind 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.

This section shall apply to such property for the 1965-1966 fiscal year in the manner provided by law.

10 **LOANS OF PUBLIC FUNDS.** Legislative Constitutional Amendment. Authorizes Legislature to provide by general law for the loaning of public funds without interest, or the payment of interest on loans made by others, to finance the repair, restoration, or replacement of private property damaged in area declared by Governor to be in a state of disaster.

YES

NO

(This amendment proposed by Senate Constitutional Amendment No. 8, 1965 Regular Session, 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 IV

31d. No provision of this Constitution shall be construed as a limitation upon the power of the

Legislature, by general law, to authorize or provide for the loaning of any public funds, without interest, or to authorize or provide for the payment of interest or a portion of the interest on loans extended by others, to finance the repair, restoration, or replacement of private property damaged or destroyed in any area or region which the Governor has declared to be in a state of disaster as a result of the condition which caused the Governor to declare such area or region to be in a state of disaster.

11 **BOXING AND WRESTLING CONTESTS.** Amendment of Initiative. Submitted by Legislature. Provides Legislature may amend, revise, or supplement boxing and wrestling initiative act of November 4, 1924.

YES

NO

(This law proposed by Assembly Bill No. 147, 1966 First Extraordinary Session, amends the boxing and wrestling initiative act of November 4, 1924, by adding Section 18608 to the Business and Professions Code; therefore the provisions thereof are printed in **BLACK-FACED TYPE** to indicate that they are **NEW**.)

PROPOSED LAW

SEC. 30. Section 18608 is added to the Business and Professions Code, to read:

18608. The Legislature may amend, revise, or supplement any part of that certain initiative act relating to boxing and wrestling, approved by the electors on November 4, 1924, as embodied in Chapter 2 (commencing with Section 18600) of Division 8 of the Business and Professions Code.