

1970

THE RECREATION AND FISH AND WILDLIFE ENHANCEMENT BOND ACT

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even one payment, these victims may themselves begin a life of crime in a futile attempt to repay the loan.

With the enormous profits currently obtained through loan sharking the present penalty of a misdemeanor is completely inadequate.

This legislation should not be confused with another proposition on this ballot which is sponsored by certain lending institutions for the purpose of making needed changes in the law.

Vote YES on Proposition 19.

CHARLES J. CONRAD,
Speaker pro Tempore of
the Assembly

JOHN T. KNOX,
Member of the Assembly
Eleventh District

Argument Against Proposition 19

There can certainly be no argument which defends loan-sharking in itself. I voted against this measure primarily because the bill seemed to say that any person who was not licensed by the State was prohibited from charging more than 10½ percent for any small loan.

On the other hand, if the person or company is licensed by the State, they may charge up to 36 percent interest. Why should a bank, savings and loan, or industrial loan company be able to charge people three times for their money just because the State says they can? Apparently, the State presently has the power to give a license to charge exorbitant rates of interest.

The money still comes from the pockets of low and modest income people whose only crime is not having enough money to be able to pay the sudden heavy cost of medical, home, or automobile expense.

LEO J. RYAN,
Assemblyman, 27th District

20 **FOR THE RECREATION AND FISH AND WILDLIFE ENHANCEMENT BOND ACT.** This act provides for a bond issue of sixty million dollars (\$60,000,000) to be used to meet the recreation and fish and wildlife enhancement requirements of the people of this state by planning and developing facilities for recreation and fish and wildlife enhancement purposes.

AGAINST THE RECREATION AND FISH AND WILDLIFE ENHANCEMENT BOND ACT. This act provides for a bond issue of sixty million dollars (\$60,000,000) to be used to meet the recreation and fish and wildlife enhancement requirements of the people of this state by planning and developing facilities for recreation and fish and wildlife enhancement purposes.

(For Full Text of Measure, See page 3, Part II)

General Analysis by the Legislative Counsel

A "Yes" vote (a vote FOR THE RECREATION AND FISH AND WILDLIFE ENHANCEMENT BOND ACT) is a vote to authorize the issuance and sale of state bonds in total amount not to exceed \$60,000,000 for planning and developing facilities at state water projects for recreation and fish and wildlife enhancement.

A "No" vote (a vote AGAINST THE RECREATION AND FISH AND WILDLIFE ENHANCEMENT BOND ACT) is a vote to refuse to authorize the issuance and sale of state bonds for such purposes.

For further details, see below.

Detailed Analysis by the Legislative Counsel

This act, the Recreation and Fish and Wildlife Enhancement Bond Act, would authorize
(Continued on page 8, column 1)

Cost Analysis by the Legislative Analyst *

This ballot proposition authorizes a general obligation bond issue of \$60,000,000 to carry out the purposes of the existing Davis-Dolwig Act. These purposes are to pay the cost of onshore recreation facilities at the various units of the State Water Project and to provide new or increased (enhanced) fish and wildlife resources and access at reservoirs or along the waterways of the State Water Project.

The Davis-Dolwig Act states that the Legislature should appropriate General Fund money to finance recreation and fish and wildlife.
(Continued on page 8, column 2)

* Section 3566.3 of the Elections Code requires the Legislative Analyst to prepare an impartial analysis of each measure on the ballot which in his opinion involves additional cost.

Detailed Analysis by the Legislative Counsel

(Continued from page 7, column 1)

the issuance and sale of state bonds in total amount not to exceed \$60,000,000.

Bond proceeds would be used for planning and developing facilities for recreation and fish and wildlife enhancement in connection with state water projects. The act provides that not more than \$54,000,000 of the bond proceeds would be allocated to the Department of Parks and Recreation for the design and construction of recreation facilities, and not more than \$6,000,000 of the proceeds would be allocated to the Department of Fish and Game and the Wildlife Conservation Board for the design and construction of fish and wildlife enhancement features and fishing access sites.

The act creates the Recreation and Fish and Wildlife Enhancement Finance Committee, consisting of the Governor or his designee, the State Controller, the Director of Finance, the State Treasurer, and the Secretary of the Resources Agency, which shall, upon request of the Secretary of the Resources Agency, determine whether or not it is necessary or desirable to issue bonds for the purposes of the act, and, if so, the amount of bonds then to be issued and sold. The Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of unsold bonds authorized to be sold by the committee for the purposes of carrying out this act, to be repaid out of bond proceeds. However, bond proceeds could be expended only for projects for which funds are appropriated by the Legislature in a separate section of the Budget Act, except that appropriations for Wildlife Conservation Board projects which are developed cooperatively with and maintained by local government would not be required to be contained in this separate section.

The act further provides that the bonds, when sold, are to be general obligations of the state for the payment of which the full faith and credit of the state is pledged. It annually appropriates from the General Fund in the State Treasury the amount necessary to make the principal and interest payments on the bonds as they become due. The bonds would be issued and sold pursuant to the State General Obligation Bond Law.

Cost Analysis by the Legislative Analyst

(Continued from page 7, column 2)

life enhancement facilities at water projects constructed by the state. The required money has not been available from the General Fund and therefore all the needed appropriations have not been provided on a timely basis. This proposal would finance the planning and development of the remaining facilities with a bond issue. The bond issue would consist of \$54,000,000 to be appropriated by the Legislature as needed in a separate section of the Budget Bill to the Department of Parks and Recreation for onshore recreation facilities. The remaining \$6,000,000 is to be appropriated by the Legislature for use by the Wildlife Conservation Board, but these projects are not required to be in a separate section of the Budget Bill or to be itemized. No part of the construction costs of reservoirs or aqueducts could be financed from the bond issue.

Bulletin 117 of the Department of Water Resources indicates that in 1967 when the Resources Agency reviewed the proposed program for recreation and fish and wildlife enhancement at units of the State Water Project, the estimated cost over a fifty-year period was \$176.6 million. Since that time, the scope of the proposed facilities has been reduced substantially. At present, some camping, day use and boating facilities of a limited nature have been constructed at Frenchman, Antelope, Lake Davis, and Oroville. Day use and boating facilities have been constructed at Thermalito, Los Banos, San Luis and Del Valle. Significant appropriations have been made to initiate design and construction at Castaic and Silverwood. Although a start has been made in providing facilities at the various units of the State Water Project, in most cases funds are short of needs. Virtually no funds have been expended for fish and wildlife enhancement to date.

The Department of Parks and Recreation has prepared a tentative schedule of bond proceed expenditures. The schedule extends from 1971-72 to 1976-77 and shows expenditures averaging approximately \$10 million per year distributed over State Water Project units from the Upper Feather River to Perris Reservoir. The Wildlife Conservation Board has indicated locations of expenditures without showing amounts for the years 1971-72 to 1975-76. The proceeds from this bond issue cannot be used for development at existing units or new acquisitions of the State Park System.

The amounts required annually to pay principal and interest on bonds sold under this authority are appropriated from the General Fund.

Argument in Favor of Proposition 20

Proposition 20 provides the money to build recreation facilities at the lakes and on selected sites of the streams and canals of the California Water Project. This project includes 18 lakes and some 800 miles of streams and canals in Northern, Central and Southern California. To make these available as recreation sites for the millions of Californians who need them we must have access roads, parking places, camping and picnic sites, fish stocking programs and facilities for fishing, boating, swimming and just enjoying the out-of-doors.

It is a necessity to develop these sites, not a luxury. Without the physical facilities to handle large crowds, the fire and pollution hazards would force large expenditures by federal, state and local governments to close or police these sites.

There are 20 million people in California and more to come. Literally millions will be looking to these lakes, streams, and canals for their enjoyment of outdoor recreation and fish and wildlife resources that can be created with funds from this bond issue.

The issue is now squarely before the voters of California. Either we provide the funds for the developments now or delay them for many years—perhaps permanently.

The best way to provide the funds needed now is by a bond issue. A bond issue is repaid over many years. Thus the recreation and fish and wildlife costs as well as the benefits can be shared by both present and future generations.

It is argued that the bonds bear interest and that this increases the cost. So far as it goes, this is true but it is only part of the story. The longer we delay in providing these facilities the more they will cost because of the constantly rising price level.

The State Water Project is now 90% complete or under construction. The lakes, and canals are either built or soon will be. Recreation use of these areas by people will follow.

So, in the final analyses we are faced with two alternatives. We can provide adequate recreational facilities at these sites in order to fully enjoy and protect them. Or, we will be forced to spend large sums of money trying to keep people away from the lakes and canals, and fight the fires and clean up the pollution which will occur when they use the sites without adequate facilities.

The only logical course of action is to provide recreational development funds NOW.

Your yes vote for Proposition 20 will make this possible.

WILLIAM E. COOMBS,
State Senator

WILLIAM PENN MOTT JR.,
Director, Department of
Parks and Recreation

VERNON SMITH, President
California Wildlife Federation

Rebuttal to Argument in Favor of Proposition 20

One might properly expect more candor and less sophistry in the arguments of the proponents for this bond issue. While "800 miles of streams," lakes and canals are gratuitously described as the object of this Proposition, nowhere is there given any inventory of any lake, stream or canal proposed to be improved and made available to the public. The specific amounts to be spent out of this bond issue for each project are already known and committed. Why are they not disclosed?

If a list of immediate recreation needs in California were also to be made known it would become immediately evident that the improvement of reservoir sites, which alone is the purpose of this issue, would be far below these immediate priorities. We are vitally in need of recreational facility development. There is no question about that. But to tax the people of California for limited use reservoir sites in a few counties does not with integrity address itself to the far more important and immediate recreational needs of our state.

These reservoir sites are already publicly owned. The immediate recreational priority in California is acquisition of lands that shortly will otherwise be lost to us forever. Furthermore, any general state bond issue should relate to the needs of all California and not be dedicated to creating a desired political image by refurbishing the financially deficient State Water Project through completing water projects under the guise of "recreational" bond issue.

JOHN A. NEJEDLY
Senator, 7th District

Argument Against Proposition 20

This bond proposition now presented to the voters of California should be understood. In November of 1960, the people of California were asked to approve a bond issue of one billion seven hundred and fifty million dollars for a State Water Project. Particular emphasis was placed upon the "recreational benefits" of specific facilities in order to persuade voters to support this project. While the language of the State Water Project was not sufficiently precise to create a legal obligation, the moral responsibility was quite clear and the voters understood that the recreational benefits extolled would, in fact be provided.

Because of grossly inadequate initial financing, all sources of financing that have been injected into this deficient State Water Project have failed to provide funds for recreational use of project facilities, and even to complete the State Water Project at least \$300,000,000.00 in additional financing will be required.

It is important as well to understand the State Water Project facilities that are to be improved for "recreational purposes" from the proceeds of this bond issue. Seventy-one percent of the proceeds of Proposition 20 are to improve only five reservoir areas in Southern California, a determination deliberately made to attract Southern California voters because of this overwhelming local benefit while the taxes for these facilities must be paid for by the people of California, the vast majority of whom, including most Southern California residents, will never have practical access to these limited recreation developments.

Recreational uses of project facilities which were exaggerated in order to receive support for the project, will not be provided unless the voters of California approve additional bond issues to provide such recreational facilities or general funds of the State are made available. Absent such sources, the potential recreational uses of project facilities may never be realized for, as has been said before, the State Water Project is presently unable to fund necessary storage and transport facilities, let alone develop the ancillary recreational facilities.

A vote in favor of Proposition 20 is in fact a vote for additional funds for the State Water Project to provide recreational uses of State Water Project facilities that were understood by the voters in 1960 to be included in the project costs. One might be constrained to accept this fact and vote for Proposition 20 knowing that recreational facilities will probably never otherwise be provided at State Water Project facilities despite assurances in

1960 to the contrary. However, the taxpayers of California should thoroughly understand what in fact has occurred and will occur as additional bond issues will be attempted in the future, and recognize the specific geographical limitations of this issue. Even more, the voters should recognize the failure of the State Water Project to provide in fact meaningful recreational opportunities absent continuing general fund commitments or general obligation bond issues to provide funds to develop recreational uses, the claimed provision of which was understood to be an original purpose of the State Water Plan.

JOHN A. NEJEDLY
Senator, 7th District

Rebuttal to Argument Against Proposition 20

The argument in opposition to Proposition 20 reflects more of an opposition to the State Water Project than to this plan for providing financing for facilities on Water Project sites already developed.

Some people seek to imply the State Water Project Bonds in 1960 were intended to provide funds to develop recreational facilities. Actually, the project was primarily designed and constructed to provide water for the dry areas of the state. Concurrently, it was intended to make use of the opportunity to provide badly needed recreational facilities for a rapidly growing population.

On the other hand it cannot be fairly said that there was expressed or implied any true legal or moral responsibility to fund recreational facilities from the 1960 bond issue. It has long been recognized that the funds provided by the 1960 Bond Act would be necessary to build the basic water project facilities and that recreational development would have to be funded from other sources. In fact, the Legislature made this clear when it passed the Davis-Dolwig Act in 1961.

The issue before the voters is not the State Water Project. That is already an accomplished fact.

The real question is whether the voters of California are willing to pay for developing the recreational opportunities created by the plan. If they are, then Proposition 20 is a practical way to do it at present day prices instead of waiting for inflation to multiply the cost several times.

Vote YES on Proposition 20.

WILLIAM E. COOMBS,
State Senator

Wm. PENN MOTT, JR., Director
Department of Parks and Recreation

VERNON SMITH, President
California Wildlife Federation

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(This law proposed by Senate Bill 1268, 1970 Regular Session, adds a new article to the Water Code; therefore, **NEW PROVISIONS** proposed to be **ADDED** are printed in **BOLDFACE TYPE**.)

PROPOSED LAW

SECTION 1. Article 5.5 (commencing with Section 11922) is added to Chapter 10 of Part 3 of Division 6 of the Water Code, to read:

Article 5.5. Recreation and Fish and Wildlife Enhancement Bond Act

11922. The Legislature finds and declares that due to insufficient funds recreation and fish and wildlife enhancement facilities of state water projects are generally inadequate to accommodate the demands made upon them at the present time and will become critically inadequate as time progresses and that this condition is not in accordance with the policy of the Legislature as set forth in Sections 11900 and 11901.

11922.1. The Legislature further finds and declares that a guaranteed source of funding is necessary in order to carry out the intent of this chapter.

11922.2. The purpose of this article is to provide funds to assist in meeting the costs of planning and developing facilities for recreation and fish and wildlife enhancement in connection with state water projects pursuant to the provisions of this chapter as the same may now or hereafter be amended.

Funds made available pursuant to this article shall only be used for facilities of the State Water Facilities as defined in subdivision (d) of Section 12934.

11922.3. The expenditures of the proceeds of bonds issued pursuant to this article shall be as hereafter provided by the Legislature. All proposed appropriations for the program contemplated by this article shall be included section in the Budget Bill for each fiscal year for consideration by the Legislature, and shall bear the following caption: "Re-

creation and Fish and Wildlife Enhancement Bond Act Program." Such section shall contain separate items for each project for which an appropriation is made, except Wildlife Conservation Board projects which are developed cooperatively with and maintained by local government. Wildlife Conservation Board Bond Act projects shall be subject to existing statutory procedures and legislative review and shall be listed in the Wildlife Conservation Board's annual report as the: "Recreation and Fish and Wildlife Enhancement Bond Act Program". Such appropriations shall be subject to all of the limitations contained in the Budget Bill and to all other fiscal procedures prescribed by law with respect to the expenditure of state funds. Such section shall contain proposed appropriations only for the programs contemplated by this article, and, except as otherwise provided, no funds derived from the bonds authorized by this article may be expended pursuant to an appropriation not contained in such section of the Budget Act.

11922.4. Bonds in the total amount of sixty million dollars (\$60,000,000), or so much thereof as is necessary, of which not more than fifty-four million dollars (\$54,000,000) shall be allocated to the Department of Parks and Recreation for the design and construction of recreation facilities and not more than six million dollars (\$6,000,000) shall be allocated to the Department of Fish and Game and the Wildlife Conservation Board for design and construction of fish and wildlife enhancement features and fishing access sites pursuant to this chapter, may be issued and sold to provide a fund to be used for carrying out the purposes of this article and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. Such bonds shall, when sold, be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of Cali-

fornia are hereby pledged for the punctual payment of both principal and interest on such bonds as such principal and interest become due and payable.

11922.5. There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal and interest on bonds issued and sold pursuant to this article, as such principal and interest become due and payable. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, such sum in addition to the ordinary revenues of the state as shall be required to pay the principal and interest on such bonds maturing in such year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of such revenue to do and perform each and every act which shall be necessary to collect such additional sum.

11922.6. The proceeds of bonds issued and sold pursuant to this article, together with interest earned thereon, if any, shall be deposited in the Recreation and Fish and Wildlife Enhancement Fund, which fund is hereby created. All money deposited in the fund which is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

11922.7. The Recreation and Fish and Wildlife Enhancement Finance Committee is hereby created to carry out the purposes of this article. The committee consists of the Governor or his designee, the State Controller, the Director of Finance, the State Treas-

urer, and the Secretary for Resources. As used in this article, and for the purposes of this article as used in the State General Obligation Bond Law, "committee" means the Recreation and Fish and Wildlife Enhancement Finance Committee. The Secretary of the Resources Agency is hereby designated as the board for the purposes of this article and for the purposes of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3, Division 4, Title 2 of the Government Code).

11922.8. Insofar as it is not inconsistent with the express provisions of this article, the State General Obligation Bond Law [Chapter 4 (commencing with Section 16720) of Part 3, Division 4, Title 2 of the Government Code], is adopted for the purpose of the issuance, sale, and repayment of, and otherwise providing with respect to the bonds authorized to be issued by this article, and the provisions of that law are included in this article as though set out in full in this article.

11922.9. For the purposes of carrying out the provisions of this article the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purposes of carrying out this article. Any amounts withdrawn shall be deposited in the Recreation and Fish and Wildlife Enhancement Fund. Any moneys made available under this section shall be returned to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out the provisions of this article.

CERTIFICATE OF SECRETARY OF STATE

State of California, Department of State
Sacramento, California

I, H. P. Sullivan, Secretary of State of the State of California, do hereby certify that the foregoing measures will be submitted to the electors of the State of California at the GENERAL ELECTION to be held throughout the State on November 3, 1970, and that the foregoing pamphlet is correct.

Witness my hand and the Great Seal of the State, at office in Sacramento, California, the twenty-fourth day of August, 1970.



H. P. Sullivan
SECRETARY OF STATE