1972

THE STATE SCHOOL BUILDING AID AND EARTHQUAKE RECONSTRUCTION AND REPLACEMENT BOND LAW OF 1972

Rebuttal to Argument Against Proposition 1

The argument against this measure is based on statements that are completely false. The Veterans Bonds which are sold to enable veterans to buy homes at a lower interest rate are not borrowed at a high interest rate and loaned to the veteran at a lower rate. By law, the amount of interest charged to the veteran must be sufficient to pay back the money borrowed by the state. In other words, this is a completely self-supporting program and there is absolutely no cost to the state c any taxpayer. These facts are supportec annual certified audits.

The Veterans Home Loan Program has been an outstanding example of a program which has been repeatedly and enthusiastically endorsed by you, the voters of the state. The voters have recognized that the program has consistently provided worthwhile benefits to deserving veterans. I am certain that you will again resoundingly approve this measure.

EDWIN L. Z'BERG
Assemblyman, 9th District

2	**FOR THE STATE SCHOOL BUILDING AID AND EARTHQUAKE RECONSTRUCTION AND REPLACEMENT BOND LAW OF 1972.** This Act provides for a bond issue of three hundred fifty million dollars ($350,000,000) to provide capital outlay for construction or improvement of public schools.	
	AGAINST THE STATE SCHOOL BUILDING AID AND EARTHQUAKE RECONSTRUCTION AND REPLACEMENT BOND LAW OF 1972. This Act provides for a bond issue of three hundred fifty million dollars ($350,000,000) to provide capital outlay for construction or improvement of public schools.	

(For full text of measure, see page 2, Part II)

General Analysis by the Legislative Counsel

A "Yes" vote (a vote FOR BONDS) is a vote to authorize the issuance and sale of state bonds up to $350,000,000 to provide funds for public school buildings, to acquire land, equipment, and facilities therefor; for the rehabilitation, reconstruction, or replacement of unsafe school facilities; and for the repair of school facilities actually damaged by an earthquake after February 1, 1971.

A "No" vote (a vote AGAINST BONDS) is a vote to refuse to authorize the issuance and sale of state bonds for these purposes.

For further details, see below.

Detailed Analysis by the Legislative Counsel

This act, the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972, would authorize the issuance and sale of state bonds in an amount not to exceed $350,000,000. Bond proceeds would be used for financial assistance to school districts, under the State School Building Aid Law of 1952. Under that law funds are allocated to school districts to acquire school lands, buildings, and equipment. The allotments are generally repayable by the districts through either or both local bond issues or increased local tax rates.

(Continued on page 5, column 1)

Cost Analysis by the Legislative Analy

This Act authorizes the state to borrow $... million through the sale of general obligation bonds to provide funds to school districts for construction of school buildings. Of this total a maximum of $250 million could be used by school districts for the rehabilitation or replacement of unsafe school facilities or for the renovation of buildings recently damaged by earthquakes. The balance of $100 million would be available for the previously authorized state school building aid program. The bonds are general obligation in nature and pledge the full faith and credit of the state for their payment.

The State School Building Aid program was initiated in 1947 and the first bond act was approved in 1949. To date, a total of $1,890,000,000 in bonds has been authorized for this program. These have all been sold except $94,900,000, which are proposed to be sold during 1972. As of February 1, 1972, bonds totaling $586,575,000 had been redeemed and $1,208,525,000 were outstanding. The last sale of school building aid bonds totaling $50 million was made on September 8, 1971. The average interest rate on that sale was 4.4582 percent and the total interest cost over the life of those bonds will be $23,406,000.

The State School Building Aid progr... provides site acquisition, planning, and

(Continued on page 5, column 2)

Detailed Analysis by the Legislative Counsel

(Continued from page 4, column 1)

Of the total funds, not more than $250,000,000 would be set aside for rehabilitating, reconstructing, or replacing school facilities which are structurally unsafe under standards established by law, or for the purpose of repairing actual damage to school facilities caused by an earthquake after February 1, 1971, if no other state or federal funds are available for these purposes.

The act 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, with an annual appropriation from the General Fund in the State Treasury of the amount necessary to make the principal and interest payments on the bonds as they become due.

The bonds are to be sold at the times determined by the State Treasurer, in such amounts as may be authorized by the State School Building Finance Committee, based upon review of the requests of the State Allocation Board for funds. Sufficient bonds would have to be sold to make available for apportionment $75,000,000 on July 5, 1972, and $15,000,000 each month thereafter until the total is $350,000,000.

Statute Affected by the Above Measure

Under the provisions of Chapter 118 of the Statutes of 1971, $250,000,000 of the bond funds could be expended pursuant to the provisions of Chapter 118. That law provides for the rehabilitation and replacement of structurally inadequate school facilities and prescribes specific conditions under which school districts are eligible for allocation of state funds and establishes comprehensive procedures for administration of the law by the State Allocation Board.

Cost Analysis by the Legislative Analyst

(Continued from page 4, column 2)

struction loans to districts which (1) demonstrate a need for additional facilities based on enrollment projections, and (2) are bonded to capacity. To prevent excessive indebtedness, the amount of local bonds a district is permitted to have outstanding is limited by law to an amount equivalent to five percent of the district's assessed valuation. Once this bonding limit is reached, a district can no longer issue local bonds but must rely on state loans to provide building capital.

Both the state and school districts participate in the repayment of school building aid bonds. From the first sale of bonds in 1950 to June 30, 1973, total interest and redemption costs will amount to an estimated $1,229,594,206. Of this total, the state's portion is estimated to be $661,635,457, or 53.8 percent, and the school districts' portion $567,958,749, or 46.2 percent. Based on this repayment history, it can be estimated that $46.2 million (plus interest) of the $100 million assigned by this bond act to the regular State School Building Aid program would be repaid to the state. The districts would be forgiven the remaining $53.8 million (plus interest) which would become a state government cost.

This bond proposition differs from previous state school building aid bond acts by (1) reserving funds for earthquake safety measures, (2) extending the availability of funds to districts not normally eligible for state school building aid and (3) requiring funds to be matched by local school districts as follows. A district would be required to match state funds in the proportion which the district's assessed valuation bears to the statewide average assessed valuation. For example, if a district's assessed valuation per pupil corresponds with the state average it would be eligible to receive 60 percent of the total cost of a project from the state, and would receive a greater share, up to 80 percent, if its assessed valuation is below the statewide average. Repayments to the state would come directly from a special district tax. The conditions for borrowing and the repayment of the bond proceeds for earthquake safety are contained in Chapter 118, Statutes of 1971 (AB 109).

As a result of this tax, it is estimated that 90 percent of the loans would be fully repaid (with interest). The remaining ten percent, $25 million (plus interest), would be forgiven by the state. However, any portion of the $250 million not used by districts for earthquake safety measures would revert to the regular State School Building Aid program, which has a repayment history indicating that 46.2 percent of the repayment costs are borne by school districts and the remainder by the state.

Argument in Favor of Proposition 2

A YES vote on Proposition 2 is needed to insure the safety of the thousands of school children in California. Voting YES means nothing more than giving the State of California permission to loan money to school districts. School districts must repay the loans.

Scientists agree that California will continue to suffer major earthquakes. Across the State there are 1700 school buildings that might suffer substantial damage or total destruction from such quakes. Proposition 2 would make $250,000,000 in loan funds available to strengthen or replace those buildings.

Statutes are currently in effect requiring that all school buildings which do not meet earthquake structural safety standards be replaced or reconstructed by July 1, 1975. Many school districts have neither available funds nor bonding capacity to meet this requirement.

Proposition 2 will meet this need. School districts will be able to borrow the needed reconstruction funds from the State of California. All but the very poorest districts must repay in full. It is estimated that 90% of the borrowed money will be repaid.

The February 1971 earthquake in Los Angeles County points up the need to provide safer schools for our children. This quake alone caused the immediate and permanent closure of two elementary schools and one high school which had previously housed 4,780 students. Damage to the remaining buildings in the area led to the permanent closure of 95 more buildings which had housed 65,220 pupils.

The Los Angeles quake struck in the early hours of the morning. How much loss of life would there have been if the earthquake had occurred during school hours?

The great San Andreas Fault of California is strung out like a taut rubber band. It will give sooner or later as will other faults. Californians must be prepared to meet impending quakes with school buildings that will let our children live.

A YES vote on Proposition 2 will permit the State to loan money to districts allowing them to bring schools up to safety standards. In addition, Proposition 2 will provide $100,000,000 for loans to continue the State School Building Aid Law of 1952, which provides funds for loans to districts that are experiencing rapid growth and are bonded to capacity.

Without Proposition 2 children would continue to be housed in facilities that are unsafe and any delay in replacing the school buildings would only mean higher costs.

These loans are needed and the money will be repaid. For the safety of the school children of California a YES vote on Proposi 2 is vital.

JAMES W. DENT
Assemblyman, 10th District

LEROY F. GREENE
Assemblyman, 3rd District

Rebuttal to Argument in Favor of Proposition 2

No child should have to go to school in an unsafe building. But my quarrel is not with this. It is with the method of replacing those buildings and financing the new buildings.

California has the resources to close the school buildings declared unfit to withstand earthquakes, and still not be required to go to debt financing. New schools built to replace unsafe ones can be financed by loans out of current tax revenues to school districts, or by outright state grants to very poor districts. There is no need to pile on more new long-term debts requiring high-cost debt service, when the legislature is empowered to develop alternative financing for justified projects.

I reiterate, however, that the greater part of this bond issue would finance new school buildings that should not be built, or replace existing school buildings that are unneeded. With proper utilization of existing space imaginative thinking by school district n agers, California can avoid adopting this new debt burden. Therefore I suggest a "no" vote on this proposition.

JOHN L. HARMER
State Senator, 21st District

Argument Against Proposition 2

I have studied this bond proposal and recommend that the people of California reject it. Although school children should not be permitted to attend classes in patently unsafe buildings, there are many alternatives to increasing California's perilously high bonded indebtedness. As of December, 1970, California's outstanding general obligation bonds for all purposes exceeded $5.2 billion with an additional $670 million authorized but unsold.

A significant portion of this unparalleled amount of debt consists of school building bonds. Even though the proponents of this measure assure us that most of these proposed state bonds will be regarded as loans to the school districts which are to be repaid, this does not take into account the heavy debts which already burden local districts.

It is a fact that many school districts are now devoting so much of their taxing capacity (which is set by law) to retiring local bo that they are unable to repay existing s loans.

'opulation statistics and declining public ,ol enrollments suggest that California has more school buildings than are necessary to serve California's public school population throughout the 1970's. Sufficient safe school buildings exist to close poorly constructed or damaged schools entirely. $30 million in earthquake appropriations were passed by the Legislature in the December, 1971, special session which created the School Building Safety Fund. The Legislature obviously can continue to appropriate funds out of general revenues to replace buildings where it determines emergency situations exist, without going to long-term financing at present high rates of interest.

Voters will observe that only 71% of the money that would be appropriated by this bond issue goes to reconstruction of schools regarded as unable to withstand earthquakes, while 29% is new capital outlay. This is a wholly unjustified attempt to use an emotional and seemingly salutary purpose to build more new and unneeded schools, and to repair and renovate old buildings in school districts which cannot justify by enrollment projections the number of schools presently in ration.

'herefore, I recommend rejection of this measure so that the school districts will be obliged to maximize use of present buildings and resources. Secondly I propose the Legislature seek long-range alternatives to new capital outlay by adopting more effective time-utilization of existing buildings, including, where appropriate, full-day and year-round operation of school buildings.

JOHN L. HARMER
State Senator, 21st District

Rebuttal to Argument Against Proposition 2

Senator Harmer suggests that declining school enrollments would make available sufficient safe school buildings to house all of our children. There is no evidence to show this to be true and certainly those classrooms which might be available would not likely be in the areas where there is need to replace unsafe buildings. Surely he does not contemplate busing large groups of children from district to district or even county to county.

It is true that the bond issue serves a dual purpose, and it was deliberately developed that way. The bulk of the money (71%) will be used for reconstruction of unsafe schools. The cost of replacing all unsafe public schools approximates $1 billion. Recognizing school population trends, we do not seek to replace or repair all unsafe schools. Two hundred fifty million dollars in loans will help finance repair or replacement of needed but unsafe facilities.

The balance of the funds, $100 million, will be used for continuing loans to impoverished, rapidly growing school districts which are unable to construct new schools to house their children.

In both types of programs the school districts must justify their needs to the State Allocation Board. Present law does not permit loans unless it is proven that school-age children exist and that schools for them do not. Similarly, the law does not permit loans for repair or replacement of unsafe schools unless there is proof that they are both unsafe and that they are needed.

JAMES W. DENT
Assemblyman, 10th District

LEROY F. GREENE
Assemblyman, 3rd District

3 **RIGHT TO ASSISTANCE OF COUNSEL. Legislative Constitutional Amendment.** Amends Constitution to provide that a defendant has the right to have the assistance of counsel in any criminal prosecution. Deletes provision giving defendant the right to defend himself without counsel and authorizes Legislature to require a defendant in a felony case to have the assistance of counsel.	**YES**	
	NO	

(For full text of measure, see page 4, Part II)

General Analysis by the Legislative Counsel

A "Yes" vote on this measure is a vote to: (1) Eliminate from the California Constitution the provision giving a defendant in a criminal prosecution the right to defend him-'f in person; (2) Restate the provisions ing the accused the right to assistance of ,unsel and the right to be personally present with counsel; and (3) Authorize the Legislature to require that a defendant in a felony case have assistance of counsel.

A "No" vote is a vote to retain the constitutional provision giving the defendant in a criminal prosecution the right to appear and defend himself in person.

For further details, see below.

maining unpaid shall be returned into the General Fund in the State Treasury out of said Veterans' Farm and Home Building Fund of 1943 as soon thereafter as it shall become available, together with interest thereon from such dates of maturity until so returned at the same rate as borne by said bonds, compounded semiannually.

996.990. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this article, such an amount as will equal the following:

(a) Such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this article, as said principal and interest become due and payable.

(b) Such sum as is necessary to carry out the provisions of Section 996.991, which sum is appropriated without regard to fiscal years.

996.991. 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 have been authorized to be sold for the purpose of carrying out this article. Any amounts withdrawn shall be deposited in the Veterans' Farm and Home Building Fund of 1943. Any moneys made available under this article to the board shall be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this article, together with interest at the rate of interest fixed in the bonds so sold.

996.992. Upon request of the Department of Veterans Affairs, supported by a statement of the plans and projects of said department with respect thereto, and approved by the Governor, the Veterans' Finance Committee of 1943 shall determine whether or not it is necessary or desirable to issue any bonds authorized under this article in order to carry such plans and projects into execution, and, if so, the amount of bond[illegible]n to be issued and sold. Successive issues of bonds may be authorized and sold to carry out said plans and projects progressively, and it shall not be necessary that all the bonds herein authorized to be issued shall be sold at any one time.

996.993. So long as any bonds authorized under this article may be outstanding, the Director of Veterans Affairs shall cause to be made at the close of each fiscal year, a survey of the financial condition of the Division of Farm and Home Purchases, together with a projection of the division's operations, such survey to be made by an independent public accountant of recognized standing. The results of such surveys and projections shall be set forth in written reports and said independent public accountant shall forward copies of said reports to the Director of Veterans Affairs, the members of the California Veterans Board, and to the members of the Veterans' Finance Committee of 1943. The Division of Farm and Home Purchases shall reimburse said independent public accountant for his services out of any funds which said division may have available on deposit with the Treasurer of the State of California.

996.994. The committee may authorize the State Treasurer to sell all or any [illegible] of the bonds herein authorized at such [illegible]e or times as may be fixed by the State Treasurer.

996.995. Whenever bonds are sold, out of the first money realized from their sale, there shall be redeposited in the General Obligation Bond Expense Revolving Fund established by Section 16724.5 of the Government Code such sums as have been expended for the purposes specified in Section 16724.5 of the Government Code, which may be used for the same purpose and repaid in the same manner whenever additional sales are made.

2

FOR THE STATE SCHOOL BUILDING AID AND EARTHQUAKE RECONSTRUCTION AND REPLACEMENT BOND LAW OF 1972. This Act provides for a bond issue of three hundred fifty million dollars ($350,000,000) to provide capital outlay for construction or improvement of public schools.

AGAINST THE STATE SCHOOL BUILDING AID AND EARTHQUAKE RECONSTRUCTION AND REPLACEMENT BOND LAW OF 1972. This Act provides for a bond issue of three hundred fifty million dollars ($350,000,000) to provide capital outlay for construction or improvement of public schools.

This law proposed by AB 75 (Ch. 105), by act of the Legislature passed at the 1971 Regular Session, is submitted to the people in accordance with the provisions of Article XVI of the Constitution.

(This proposed law does not expressly amend any existing law; therefore, the provisions thereof are printed in **BOLDFACE TYPE** to indicate that they are **NEW**.)

PROPOSED LAW

ion 1. Chapter 15.8 (commencing witn Section 19946) is added to Division 14 of the Education Code, to read:

Chapter 15.8. State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972

19946. This act may be cited as the State School Building Aid and Earthquake Reconstruction and Replacement Bond Law of 1972.

19947. The State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of 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 chapter, and the provisions of that law are included in this chapter as though set out in full in this chapter. All references in this chapter to "herein" shall be deemed to refer both to this chapter and such law.

19948. As used in this chapter, and for the purposes of this chapter as used in the State General Obligation Bond Law, the following words shall have the following meanings:

(a) "Committee" means the State School Bı‥ding Finance Committee created by Sect 9510.

\‿, "Board" means the State Allocation Board.

(c) "Fund" means the State School Building Aid Fund.

19949. For the purpose of creating a fund to provide aid to school districts of the state in accordance with the provisions of the State School Building Aid Law of 1952, and of all acts amendatory thereof and supplementary thereto, and to provide funds to repay any money advanced or loaned to the State School Building Aid Fund under any act of the Legislature, together with interest provided for in that act, and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code the committee shall be and is hereby authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the aggregate amount of three hundred fifty million dollars ($350,000,000) in the manner provided herein, but not in excess thereof.

19950. All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby ·ed for the punctual payment of both ·ipal and interest thereof.

There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the state, as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

On the several dates of maturity of said principal and interest in each fiscal year, there shall be transferred to the General Fund in the State Treasury, all of the money in the fund, not in excess of the principal of and interest on the said bonds then due and payable, except as herein provided for the prior redemption of said bonds, and, in the event such money so returned on said dates of maturity is less than the said principal and interest then due and payable, then the balance remaining unpaid shall be returned into the General Fund in the State Treasury out of the fund as soon thereafter as it shall become available.

19951. All money deposited in the fund under Section 19611 of this code and pursuant to the provisions of Part 2 (commencing with Section 16300) of Division 4 of Title 2 of the Government Code, shall be available only for transfer to the General Fund, as provided in Section 19950. When transferred to the General Fund such money shall be applied as a reimbursement to the General Fund on account of principal and interest due and payable or paid from the General Fund on the earliest issue of school building bonds for which the General Fund has not been fully reimbursed by such transfer of funds.

19952. There is hereby appropriated from the General Fund in the State Treasury for the purpose of this chapter, such an amount as will equal the following:

(a) Such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this chapter, as said principal and interest become due and payable.

(b) Such sum as is necessary to carry out the provisions of Section 19953, which sum is appropriated without regard to fiscal years.

19953. For the purposes of carrying out the provisions of this chapter 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 purpose of carrying out this chapter. Any amounts withdrawn shall be

deposited in the fund to be allocated by the board in accordance with this chapter. Any moneys made available under this section to the board shall be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this chapter.

19954. Upon request of the board, supported by a statement of the apportionments made and to be made under Sections 19551 to 19689, inclusive, the committee shall determine whether or not it is necessary or desirable to issue any bonds authorized under this chapter in order to make such apportionments, and, if so, the amount of bonds then to be issued and sold. Seventy-five million dollars ($75,000,000) shall be available for apportionment on July 5, 1972, and fifteen million dollars ($15,000,000) shall become available for apportionment on the fifth day of each month thereafter until a total of three hundred fifty million dollars ($350,000,000) has become available for apportionment. Successive issues of bonds may be authorized and sold to make such apportionments progressively, and it shall not be necessary that all of the bonds herein authorized to be issued shall be sold at any one time.

19955. In computing the net interest cost under Section 16754 of the Government Code, interest shall be computed from the date of the bonds or the last preceding interest payment date, whichever is latest, to the respective maturity dates of the bonds then offered for sale at the coupon rate or rates specified in the bid, such computation to be made on a 360-day year basis.

19956. The committee may authorize the State Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the State Treasurer.

19957. All proceeds from the sale of the bonds herein authorized deposited in the fund, as provided in Section 16757 of the Government Code, except those derive[illegible]m premium and accrued interest, shall b[illegible]il-able for the purpose herein provided, but shall not be available for transfer to the General Fund pursuant to Section 19950 to pay principal and interest on bonds.

19958. With respect to the proceeds of bonds authorized by this chapter, all the provisions of Sections 19551 to 19689, inclusive, shall apply except:

(a) Any reference in Sections 19551 to 19689, inclusive, to "Section 16.5, Article XVI of the Constitution of this State" shall be deemed a reference to this chapter.

(b) Any reference in Sections 19551 to 19689, inclusive, to "Section 19704" shall be deemed a reference to "Section 19950."

19959. Out of the first money realized from the sale of bonds under this act, there shall be repaid any moneys advanced or loaned to the State School Building Aid Fund under any act of the Legislature, together with interest provided for in that act.

19959.5. Notwithstanding any provisions in this chapter to the contrary, of the moneys made available by this chapter not to exceed the sum of two hundred fifty million dollars ($250,000,000) or such amount thereof that the board may determine necessary therefor, shall be available under the provisions of Article 9 (commencing with Section 19700.51) of Chapter 10 of D[illegible]n 14 for the purpose of rehabilitating, [illegible]n-structing, or replacing school facilities which are unsafe by virtue of not being in compliance with Article 5 (commencing with Section 15501) of Chapter 2 of Division 11 or for the purpose of repairing actual damage to school facilities caused by an earthquake after February 1, 1971, and for which there are no other state or federal funds available for such restoration. These funds shall be made available to eligible school districts when the fiscal and other requirements prescribed by Article 9 are complied with.

3 **RIGHT TO ASSISTANCE OF COUNSEL.** Legislative Constitutional **Amendment.** Amends Constitution to provide that a defendant has the right to have the assistance of counsel in any criminal prosecution. Deletes provision giving defendant the right to defend himself without counsel and authorizes Legislature to require a defendant in a felony case to have the assistance of counsel.	**YES**	
	NO	

(This amendment proposed by Senate Constitutional Amendment No. 42, 1971 Regular Session, expressly amends an existing section of the Constitution; therefore, **EXISTING PROVISIONS** proposed to be **DELETED** or **REPEALED** are printed in ~~STRIKEOUT TYPE~~; and **NEW PROVISIONS** proposed to be **INSERTED** or **ADDED** are printed in **BOLDFACE TYPE.**)

PROPOSED AMENDMENT TO ARTICLE I

Sec. 13. In criminal prosecutions, in any court whatever, the party accused shall have the right to a speedy and public trial **and to have the assistance of counsel for his defense**; to have the process of the cour[illegible] to compel the attendance of witnesses [illegible]s behalf ~~; and to appear and defend, in p[illegible]n~~