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Aged And Blind Aid

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№: 1949-A-1

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE ELECTORS

The Attorney General has prepared a title and summary of the chief purposes and points of the proposed measure, as follows:

AGED AND BLIND AID. INITIATIVE CONSTITUTIONAL AMENDMENT. Adds Article XXVII, repeals Article XXV, State Constitution. Reinstates plan of Old Age Security and Aid to Blind, and method of administration thereof, in existence prior to adoption of Article XXV, except that maximum aid payments are retained at present level of \$75 per month for aged persons and \$85 per month for blind persons, with participation by the State and the counties. Authorizes Legislature to increase or decrease amount of payments to aged and to blind, and otherwise to amend or repeal existing laws.

STATE OF CALIFORNIA,
COUNTY (~~or City and County~~) of *Mendocino* } ss.

To the Honorable Secretary of the State of California:

We, the undersigned, registered, qualified electors of the State of California, residents of *Mendocino* County (~~or City and County~~), present to the Secretary of State this petition and hereby propose an amendment to the Constitution of the State of California by adding Article XXVII thereto repealing Article XXV thereof, re-enacting and reviving all Constitutional provisions repealed by said Article XXV, re-enacting and reviving all laws relating to Old Age Security and Aid to Blind as in effect at the time of the passage of said Article XXV, amending Sections 2020, 2025, 3025, 3084, 3420 and 3472 as re-enacted and revived herein, and vesting in the Legislature the power to amend or repeal such laws, to read as hereinafter set forth in full and petition that the same be submitted to the electors of the State of California for their adoption or rejection, at the next succeeding general election or at any special election called by the Governor of the State of California prior to such general election or as provided by law. The proposed constitutional amendment reads as follows:

**ARTICLE XXVII
REPEAL OF ARTICLE XXV OLD AGE SECURITY AND SECURITY FOR THE BLIND**

Section 1. Article XXV of amendment to the Constitution of the State of California is hereby repealed.

Section 2. All provisions of this Constitution which were repealed by Article XXV of amendment to this Constitution because they were in conflict therewith, if any, are hereby re-enacted, revived and declared to be fully and completely effective.

Section 3. (a) All laws which were repealed by Article XXV of amendment to this Constitution because they were in conflict therewith are hereby re-enacted, revived and declared to be fully and completely effective.

(b) All of the provisions of Chapters 1, 2, and 3 of Division III of the Welfare and Institutions Code of the State of California relating to Old Age Security and Chapters 1, 2, and 3 of Part 1 of Division V of the Welfare and Institutions Code of the State of California relating to Aid to Blind as in effect at the time of the passage of Article XXV of amendment to the Constitution of the State of California are hereby re-enacted, revived and declared to be fully and completely effective.

(c) Nothing contained in paragraph (b) of this Section shall be construed to limit in any way the provisions contained in paragraph (a) of this Section.

(d) All of the laws re-enacted, revived and declared to be fully and completely effective by this Section may, at any time, be amended or repealed by the Legislature.

Section 4. (a) Section 2020 of the Welfare and Institutions Code of the State of California is amended to read as follows:

2020. *Amount of aid allowed.* The amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, seventy-five dollars (\$75) per month. If, however, in any case it is found the actual need of an applicant exceeds seventy-five dollars (\$75) per month, such applicant shall be entitled to receive aid in an amount, not to exceed seventy-five dollars (\$75) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

(b) Section 2025 of the Welfare and Institutions Code of the State of California is amended to read as follows:

2025. *Increase or decrease of federal contributions: Change in amount of aid: Maximum and minimum: Legislative intent.* If, when, and during such times as the United States Government increases or decreases its contributions in assistance of the aged in this State above or below the amount being paid on January 1, 1947, or above or below the amount payable as a result of any such increase or decrease, the amount of the grant of aid provided for in this article shall be increased or decreased by an amount equal to such increase or decrease by the United States Government, but in no event shall the total aid granted under this chapter be more than seventy-five dollars (\$75) nor less than sixty-five dollars (\$65) per month. It is the intent of the Legislature that any change in contributions by the United States Government, whether increase or decrease, shall result in a corresponding change in the amount of this grant, within the limits established by this section.

(c) Section 3025 of the Welfare and Institutions Code of the State of California is amended to read as follows:

3025. *State appropriations to counties.* There is hereby appropriated out of any money in the State Treasury not otherwise appropriated to every county in the State, maintaining, supporting, or caring for, as hereinafter provided in this chapter, any needy blind person, resident of such county, aid not in excess of seven hundred sixty-five dollars (\$765) per annum for each such needy blind person so maintained, supported and cared for, or aid not in excess of one thousand and twenty dollars (\$1020) per annum in the event such needy blind person has no county residence as provided in this chapter.

(d) Section 3084 of the Welfare and Institutions Code of the State of California is amended to read as follows:

3084. *Order for aid: Issuance: Amount: Payment.* If the county board of supervisors is satisfied that the applicant is entitled to aid under the provisions of this chapter, it shall, without delay, issue an order therefor.

The amount of aid to which any applicant shall be entitled shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, eighty-five dollars (\$85) per month. If, however, in any case it is found the actual need of an applicant exceeds eighty-five dollars (\$85) per month such applicant shall be entitled to receive aid in an amount, not to exceed eighty-five dollars (\$85) per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.



The aid granted under this chapter shall be paid monthly, in advance, out of such funds as may be designated by the board of supervisors on warrant of the county auditor of the county. Payments of aid shall be commenced as of the first day of the month in which the application is granted, unless otherwise directed by the State Social Welfare Board in cases in which an appeal is taken; but in any event the beginning of aid shall not antedate the date of application.

(e) Section 3420 of the Welfare and Institutions Code of the State of California is amended to read as follows:

3420. *State appropriation.* There is hereby appropriated out of any money in the State Treasury not otherwise appropriated to every county in the State, maintaining, supporting, or caring for, as hereinafter provided in this chapter, any blind person, resident of such county, aid not in excess of eight hundred fifty dollars (\$850) per annum for each such blind person so maintained, supported and cared for, or aid not in excess of one thousand twenty dollars (\$1020) per annum in the event such blind person has no county residence as provided in this chapter.

(f) Section 3472 of the Welfare and Institutions Code of the State of California is amended to read as follows:

3472. *Order for aid: Amount: Income not to be considered: Computation of additional income.* If the county board of supervisors is satisfied that the applicant is entitled to aid under the provisions of this chapter, it shall, without delay, issue an order therefor. The amount of aid to which any applicant shall be entitled shall be, when added to the net income of the applicant from all other sources, eighty-five dollars (\$85) per month.

Net income from any of the following sources of a combined total value not exceeding eight hundred dollars (\$800) per annum shall not be considered for any purpose:

- (a) Income from applicant's labor or services;
- (b) The value of foodstuffs produced by the applicant or his family for his use or that of his family;
- (c) The value of firewood and/or water produced on the premises of the applicant or given to him by another for the applicant's use;
- (d) The value of gifts;
- (e) The value of the use and occupancy of premises owned and occupied by the applicant;
- (f) The net income from real and personal property owned by the applicant.

Income in addition to the above specified shall be computed on the basis of net income.

All laws of this state that are inconsistent with any of the provisions of this Section 4 including all laws re-enacted and revived and declared to be fully and completely effective by this Article are hereby repealed.

All or any Sections of the Welfare and Institutions Code of the State of California hereby amended, may be further amended or may be repealed by the Legislature.

Section 5. If this Article is adopted by the people, it shall take effect five days after the date of the official declaration of the vote by the Secretary of State and become operative upon the first day of the third month following the last day of the month in which occurs the date of the official declaration of the vote.

Until this Article becomes both effective and operative the provisions of Article XXV of Amendment to this Constitution as in effect prior to the effective date of this Article shall remain operative.

Section 6. If any portion, section or clause of this Article shall for any reason be declared unconstitutional or invalid, such declaration or adjudication shall not affect the remainder of this Article.