

1970

## APPROPRIATION FOR PUBLIC SCHOOLS

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By requiring the budget to be enacted by June 15 of each year, instead of July 1, the state could stop flirting with the possibility of chaos which could result from the starting of a new fiscal year without a budget.

The Legislative Analyst, the chief fiscal advisor to the Legislature, has stated that there is no practical reason why the budget process cannot be accelerated.

The Legislature can function in the best interests of the people and effectively exercise control over the expenditure of taxes only by having the time to consider carefully and weigh each proposed expenditure to insure that the people receive a full dollar of service for each tax dollar.

Recent history has demonstrated that under existing constitutional requirements, the Legislature does not have the necessary time. As this measure would grant that time, reason, sound fiscal practice and good government indicate that you give this measure a "Yes" vote.

ROBERT W. CROWN,  
Assemblyman,  
14th Assembly District  
Vice Chairman, Ways and  
Means Committee

STEPHEN P. TEALE  
3rd Senatorial District  
Chairman, Joint Legislative  
Budget Committee

**Argument Against Proposition 3**

Although earlier adoption of a state budget is desirable, Proposition 3 is not the answer because it would be impossible to administer.

First it would be impossible for an incoming governor to present a budget within the proposed deadline of 10 days after the Legislature convenes. Thus he would have to accept the budget of the outgoing governor. An

incoming governor should be given some time to review the budget which had to be prepared by his predecessor before presenting it to the Legislature.

A second major difficulty arises because of the full-time Legislature which meets until August or later and after July 1 passes many supplemental appropriation measures. Because these measures do not become law until about December it would be almost impossible for any governor to include these in a budget which had to be presented to the Legislature by January 10.

At best a governor could submit an incomplete budget and meaningful budget hearings by the Legislature could not begin until more information could be obtained. On both estimated revenues and estimated expenditures, figures could only be tentative and unreliable by January 10. Often these figures do not solidify until after June 15, the date Proposition 3 sets as the deadline for adopting a new budget.

Proposition 3 does not go far enough if its goals of early adoption of a state budget are to be achieved. To be successful there must also be a cutoff date for supplemental appropriation measures to become law. There should be a procedure for submitting the traditional budget in segments so the Legislature can receive reliable information as rapidly as possible. Without reliable information on revenues and actual expenditures, the budget review responsibilities of the Legislature will be weakened and have less meaning.

Vote NO on Proposition 3. If the legislators still believe changes as proposed in Proposition 3 are necessary, they can re-submit them to the voters with more safeguards to see that the budget process is strengthened.

CHARLES J. CONRAD  
Speaker pro Tempore  
of the Assembly

<b>APPROPRIATION FOR PUBLIC SCHOOLS.</b> Legislative Constitutional		<b>YES</b>	
<b>4</b>	Amendment. Authorizes Legislature to make appropriation for public schools prior to passage of budget bill if delayed.	<b>NO</b>	

(For Full Text of Measure, See Page 5, Part II)

**General Analysis by the Legislative Counsel**

A "Yes" vote on this measure is a vote to authorize the Legislature, if the Budget Bill is not enacted within 130 days after introduction, to pass by a two-thirds vote and without prior recommendation by the Governor, a Senate bill or an Assembly bill, or both, appropriating money to the State School Fund and providing for its disbursement.

A "No" vote on this measure is a vote to continue to prohibit any such bill from being

passed prior to enactment of the Budget Bill, unless recommended as an emergency bill by the Governor.

For further details, see below.

**Detailed Analysis by the  
Legislative Counsel**

The Constitution now provides that if the Budget Bill introduced at a regular session has been enacted, neither house of the

lature may pass any other appropriation bill except emergency bills recommended by the Governor or appropriations for salaries and expenses of the Legislature.

This measure would authorize the chairman of the committee of each house charged with the responsibility of considering the subject of education to introduce within the first 30 days of each regular session a bill containing the recommendations of the committee, to appropriate money to the State School Fund and providing for the disbursement of such appropriation. If the Budget Bill is not passed within 130 days after its introduction, the Legislature could pass by a two-thirds vote in each house, either or both of such bills without the prior approval of the Governor.

#### **Argument in Favor of Proposition 4**

Vote "YES" on Proposition 4 to provide for the timely enactment of the annual state school finance measure! Spare your local school officials the agony and inefficiency of setting budgets in June and then learning in August or September how much the State has appropriated.

Currently, state school aid bills must await the passage of the general Budget Bill and compete with hundreds of other measures for attention. Consequently, the school assistance bill is not enacted until long after the fiscal year begins, making it impossible for school districts to plan with assurance.

Proposition 4 presents a solution. It provides for the early introduction of a school finance measure by the Chairmen of the Senate and Assembly Education Committees at each session of the Legislature. The bills may be passed ahead of the Budget Bill in late June by a two-thirds vote of the Senate and the Assembly.

In practice, Proposition 4 would put the school finance bill into the two-house conference process simultaneously with the Budget Bill. This would permit the principal school finance bill to receive approval along with the Budget Bill before July 1.

This measure provides adequate safeguards to protect the "Executive Budget" system we have in California in that the approval for early passage would apply only to the two bills and would require a two-thirds vote, near-final revenue and expenditure data would be available, and the Governor would maintain veto power on the measures.

Help the school districts plan ahead. Give us the authority to enact a school bill in time for districts to plan for its use.

We urge a "YES" vote.

VICTOR V. VEYSEY, Chairman  
Assembly Education Committee  
Assemblyman, 75th District

MARCH K. FONG, Member  
Assembly Education Committee  
Assemblywoman, 15th District

#### **Rebuttal to Argument in Favor of Proposition 4**

Contrary to the innuendos by the proponents of this Proposition, the budget bill, which the Constitution requires to be approved before June 30 of each year, contains the appropriation for school finance. The school assistance bill contains only additional money to supplement that amount already authorized by the budget.

Local school officials could easily be spared the agony of finding efficient means to plan uses for the additional money appropriated by the school assistance bill without this Proposition. The Legislature may now, without constitutional change, approve the school assistance bill as late as September and make it effective the following June, giving school officials 10 months lead time for planning.

Proposition 4 could open the door to deficit financing. The proponents have shown no valid need for this change. It will do nothing to provide a better education for our children. Vote "NO" on Proposition 4.

ROBERT H. BURKE, Member  
Assembly Education Committee  
Assemblyman, 70th District

#### **Argument Against Proposition 4**

Proposition 4 is simply the attempt of certain interests to circumvent the budget process for their own self-benefit. It will do nothing to provide a better education for our children. Vote "NO" on Proposition 4.

Proposition 4 will prevent equal consideration of all budgetary needs of the State. It could result in future irresponsible fiscal planning and budget deficits. It would give two select members of the Legislature power to override the budgetary control now constitutionally held by the Governor.

The desire for this constitutional change has been caused by the excessive eagerness of

education interests for more and more additional money at an earlier and earlier date. These interests have demanded that increased funds for education be made available immediately as they become known. The Legislature has complied with this demand in the past. But now these same interests are complaining they must know earlier how much additional money will be available for their use.

Proposition 4 will allow the Legislature to appropriate additional money for schools prior to the enactment of the budget and without regard for the Governor's budget, without regard for other State needs, and without regard for the source of the funds. The premature fiscal decision authorized by this Proposition could result in complete loss of the State's fiscal integrity. It will do nothing to provide a better education for our children. Vote "NO" on Proposition 4.

ROBERT H. BURKE,  
Member of the Assembly,  
70th District

**Rebuttal to Argument Against  
Proposition 4**

The statements that Proposition 4 "will prevent equal consideration of all budgetary needs . . . could result in future irresponsible fiscal planning and . . . would give two select members of the Legislature power to override the budgetary control now constitutionally held by the Governor" are not true.

Proposition 4 simply permits a school finance measure to be considered at the same

time and on the same basis as other budgetary needs are considered. Current constitutional provisions actually prevent school finance legislation from being considered on an equal basis with other budgetary needs because school finance is normally considered after all other proposed state expenditures are agreed upon.

Proposition 4 would allow a school finance measure to precede under certain circumstances the state budget by a maximum of 30 days and cannot logically be construed as leading to "future irresponsible fiscal planning."

The proposition would in no way alter the traditional relationship between the Executive and Legislative branches. The allusion of the opponents to two select members of the Legislature having power to override the Governor's budgetary control is misleading.

Proposition 4 simply authorizes the Chairman of the Education Committee in each house to author a bill which may be passed to the Governor prior to the enactment of the budget only in the event that a budget bill has not been enacted 130 days after its introduction and only with the concurrence of two-thirds of the membership of each house. The Governor still may exercise his veto power.

ASSEMBLYMAN VICTOR V. VEY,  
Chairman, Assembly Education Committee

MARCH K. FONG,  
Assemblywoman, 15th District

<b>5</b>	<b>REGENTS UNIVERSITY OF CALIFORNIA: PUBLIC MEETINGS.</b> Legislative Constitutional Amendment. Requires meetings of the Regents to be public, with exceptions and notice requirements as Legislature may provide.	<b>YES</b>	
		<b>NO</b>	

(For Full Text of Measure, See Page 6, Part II)

**General Analysis by the Legislative Counsel**

A "Yes" vote on this measure is a vote to require in the Constitution that all meetings of the Regents of the University of California be public, subject to such exceptions and notice requirements as may be provided by statute.

A "No" vote on this measure is a vote against including in the Constitution a requirement that meetings of the Regents of the University of California be public.

For further details, see below.

**Detailed Analysis by the  
Legislative Counsel**

Section 9 of Article IX of the Constitution now vests the administration of the University of California in the Regents of the University of California subject only to such legislative control as may be necessary to in-

sure compliance with the terms of the endowments of the university and the security of its funds. This measure amends the Constitution to require that all meetings of the regents be open to the public, subject to such exceptions and notice requirements as are provided by the Legislature by statute.

**Statutes Contingent Upon Adoption  
of Above Measure**

*The text of Chapter 1224 of the Statutes of 1969, which was enacted to become operative if and when the above revision is approved, is on record in the office of the Secretary of State in Sacramento and is contained in the 1969 published statutes. A digest of that chapter is as follows:*

Requires meetings of Regents of University of California to be open to the public. Authorizes the holding of special meetings so

responsibility of considering the subject of education may introduce a bill, embodying the recommendations of the committee, making an appropriation to the State School Fund and providing for the disbursement of such appropriation. Neither of the bills may be passed by either house until the budget bill is enacted, or until 130 calendar days after the introduction of the budget bill. Where 130 days have elapsed after the introduction of the budget bill, and the budget bill has not been enacted, notwithstanding Section 12 of this article either or both of such bills may be passed by either or both houses prior to the enactment of the budget bill upon concurrence of two-thirds of the membership of each house. This section shall not affect the power of the Legislature to

pass pursuant to the recommendations of the Governor any bill for the support of the public elementary and secondary schools of the state as an emergency bill in accordance with Section 12 of this article.

Second—That if this measure and Assembly Constitutional Amendment No. 6 of the 1969 Regular Session are both adopted by the people, Section 12.1 of Article IV shall be added in the form shown in this resolved clause and not as shown in Assembly Constitutional Amendment No. 6 of the 1969 Regular Session of the Legislature.

Third—That Section 12 of Article IV not be amended by Assembly Constitutional Amendment No. 6 of the 1969 Regular Session of the Legislature.

APPROPRIATION FOR PUBLIC SCHOOLS. Legislative Constitutional		YES	
<b>4</b>	Amendment. Authorizes Legislature to make appropriation for public schools prior to passage of budget bill if delayed.		
		NO	

(This amendment proposed by Assembly Constitutional Amendment No. 6, 1969 Regular Session, expressly amends an existing section of the Constitution, and adds a new section thereto; therefore, **EXISTING PROVISIONS** proposed to be **DELETED** are printed in **STRIKEOUT TYPE**; and **NEW PROVISIONS** proposed to be **INSERTED** or **ADDED** are printed in **BOLD-FACE TYPE**.)

**PROPOSED AMENDMENTS TO ARTICLE IV**

First—That Section 12 of Article IV be amended to read:

SEC. 12. (a) Within the first 30 days of each regular session, the Governor shall submit to the Legislature, with an explanatory message, a budget for the ensuing fiscal year containing itemized statements of recommended state expenditures and estimated state revenues. If recommended expenditures exceed estimated revenues, he shall recommend the sources from which the additional revenues should be provided.

(b) The Governor and the Governor-elect may require a state agency, officer or employee to furnish him whatever information he deems necessary to prepare the budget.

(c) The budget shall be accompanied by a budget bill itemizing recommended expenditures. The bill shall be introduced immediately in each house by the chairmen of the committees that consider appropriations. Until the budget bill has been enacted, neither house may pass any other appropriation bill, except emergency bills recommended by the Governor, or appropriations for the salaries and expenses of the Legislature, or the ap-

propriation bill provided for by Section 12.1 of this article.

(d) No bill except the budget bill may contain more than one item of appropriation, and that for one certain, expressed purpose. Appropriations from the general fund of the State, except appropriations for the public schools, are void unless passed in each house by rollecall vote entered in the journal, ~~two~~ **two-thirds** of the membership concurring.

Second—That Section 12.1 be added to Article IV, to read:

**Sec. 12.1. Within the first 30 calendar days of each regular session, the chairman of the committee of each house charged with the responsibility of considering the subject of education may introduce a bill, embodying the recommendations of the committee, making an appropriation to the State School Fund and providing for the disbursement of such appropriation. Neither of the bills may be passed by either house until the budget bill is enacted, or until 130 calendar days after the introduction of the budget bill. Where 130 days have elapsed after the introduction of the budget bill, and the budget bill has not been enacted, either or both of such bills may be passed by either or both houses prior to the enactment of the budget bill upon concurrence of two-thirds of the membership of each house. This section shall not affect the power of the Legislature to pass pursuant to the recommendations of the Governor any bill for the support of the public elementary and secondary schools of the State as an emergency bill in accordance with Section 12 of this article.**