

# Proposed Amendments to Constitution

AND

# Propositions

TO BE SUBMITTED TO THE ELECTORS OF THE STATE OF  
CALIFORNIA AT THE SPECIAL ELECTION TO BE HELD

**Tuesday, June 27, 1933**

TOGETHER WITH

## Arguments Respecting the Same

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CALIFORNIA STATE PRINTING OFFICE  
HARRY HAMMOND, STATE PRINTER  
SACRAMENTO, 1933

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### NOTICE

In setting forth in Part II hereof the text of the proposed Constitutional Amendments, NEW provisions proposed to be ADDED to or INSERTED in the Constitution are printed in BLACK-FACED TYPE; EXISTING provisions of the Constitution proposed to be DELETED or REPEALED are printed in STRIKE-OUT TYPE.

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# PART I

## ARGUMENTS

<p><b>TAXATION. Senate Constitutional Amendment 30.</b> Limits State appropriations. Commencing 1935 requires property of public utility companies assessed by State Board of Equalization and taxed locally for local purposes as other property, taxing their franchises and income for State purposes like business corporations; authorizes</p> <p><b>1</b> legislation limiting county ad valorem taxes, allocating State taxes to meet resulting deficiency. Requires local assessments at full cash value. Limits yearly expenditures by local subdivisions until July, 1935, unless time extended by Legislature. Regulates taxation of banks and insurance companies. Empowers Legislature to provide any form of taxation not prohibited by Constitution.</p>	YES	
	NO	

(For full text of measure, see page 1, part II)

### Argument in Favor of Senate Constitutional Amendment No. 30

California in common with other States is facing a tax crisis that imperils our economic stability. The ownership of property has become a liability and progress towards recovery is impossible unless this situation is corrected at an early date. Our prosperity has always been dependent upon the ability to interest prospective residents in the ownership of homes and farms and the development thereof.

The entire credit structure of the State is based upon land values. Much of the difficulty that now confronts us is the tremendous amount of frozen assets that can not be liquidated because of the terrific burden of unsound and confiscatory taxation.

Senate Constitutional Amendment Number 30 is a well considered revision of California's revenue system that is submitted to the voters of this State for the purpose of equalizing taxation and affording relief to taxpayers. Effective January 1, 1935, this plan provides for the repeal of the so-called Amendment No. 1 adopted in 1910. This will return \$1,900,000,000 actual value of public utility property to the tax rolls for the support of local government.

The State assumes the county arbitrary matching school cost requirements of \$30 for elementary schools and \$60 for the high schools per pupil in average daily attendance, thereby relieving local taxpayers to the extent of \$37,000,000 annually. This will effect an average reduction of \$0.71 in the tax rate on all property taxed locally.

This measure further provides for a limitation upon governmental expenditures during

the next two years, which may be extended by the Legislature, whereby no county, municipality or district can increase its expenditures by more than five per centum over the prior year's budget. The State itself is limited in its general fund expenditures, other than for schools, to five per centum for a two-year period. Not more than twenty-five per centum of the State's local requirements can ever be levied on the property of the people for the support of State Government.

Vote YES on Number One on the ballot and save California's homes and farms from confiscatory taxation.

RALPH E. SWING,  
 WILL R. SHARKEY,  
 BERT B. SNYDER,  
 JERROLD L. SEAWELL,  
 JAMES M. ALLEN,  
 E. H. TICKLE,  
 A. L. PIEROVICH,  
 BRADFORD S. CRITTENDEN,  
 J. I. WAGY,  
 JOHN B. MCCOLL,  
 R. R. INGELS,  
 F. L. GORDON,  
 JOE RILEY,  
 WALTER H. DUVAL,  
 HAROLD J. POWERS,  
 H. L. PARKMAN,  
 W. P. RICH,  
 J. M. INMAN,  
 LEONARD J. DIFANI,

Members of the California State Senate.

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<b>UNEMPLOYMENT RELIEF BONDS. Senate Constitutional Amendment</b>		
<b>41.</b> Adds Section 9 to Article XVI of Constitution. Ratifies the	YES	
<b>2</b> Unemployment Relief Bond Act of 1933, which authorizes the issuance and sale of \$20,000,000 St. bonds to provide a fund for loans to counties and municipalities for unemployment relief.	NO	

(For full text of measure, see page 9, part II)

**Argument in Favor of Senate Constitutional Amendment No. 41**

The \$20,000,000 which will be raised by this bond issue will be used solely for unemployment relief, and is intended to last until July 1, 1935. The money will be loaned by the State to counties and municipalities administering relief to the unemployed. These loans will have to be returned to the State over a period of ten years, beginning in 1937.

The money will be expended under the supervision of the nonsalaried and nonpolitical State Emergency Relief Commission, the same Commission which administers the Federal funds for unemployment relief in California.

An enabling act has already been passed by the 1933 Legislature, which will go into effect should this bond issue be voted. This enabling act provides that should any county or municipality fail to return the loan, then the State will be authorized to withhold from the county the amount of the loan, in ten (10) equal installments, from the gasoline tax allotment which would ordinarily go to the county; the installments to begin in 1937.

This provision safeguards the State, and permits the county, if it chooses, to have the use of the funds without the imposition of taxes upon local property owners. On the other hand, the State does not have to levy taxes to furnish the money, because of this provision.

The \$20,000,000 in bonds will be sold to the Reconstruction Finance Corporation, as needed, to meet the demands for loans from counties and municipalities. This Federal money will be used to match Federal funds which will be given directly for relief to this State.

The problem of unemployment is national, State and local. Until the latter part of 1932, the counties and municipalities of the State have borne the whole burden of caring for the unemployed. Since then, the Federal Government, through the Reconstruction Finance Corporation, has been advancing funds for unemployment relief to the various counties of the State. The Federal Government has been doing this in the expectation that the State of California, as a State, would join in the program of unemployment relief by appropriating a substantial sum of money to help its political subdivisions care for their destitute unemployed.

It is not assumed that \$20,000,000 will be sufficient to care for all of our unemployed during the next two years; but if this bond issue is voted, the Federal Government will continue to extend financial aid for unemployment relief to California. This bond issue, together with Federal aid, will enable us to furnish assistance to those who are jobless through no fault of their own.

According to the California State Unemployment Commission, there are now in the State of California over 800,000 unemployed. These, together with their dependents, number over 1,800,000 persons. Hundreds of thousands of these people have been reduced to the lowest levels of subsistence, and are compelled to live at the point of starvation, and in constant fear of eviction.

The people of other States, such as New Jersey and Illinois, have approved bond issues for the relief of their destitute unemployed. In addition, the Legislatures of Oklahoma, Rhode Island, Pennsylvania, Wisconsin and Ohio have appropriated funds for unemployment relief.

The law places the burden of caring for indigent persons upon the counties, but the California counties can no longer continue, without assistance from the State, to cope with the widespread distress and destitution caused by unemployment.

It is necessary that we furnish this State aid in order to meet requirements of the National Government, which specify that if we are to continue receiving gifts of Federal money for our destitute, we in California must provide some financial relief on our own part.

**VOTE "YES" ON THIS PROPOSITION.**

**ROY FELLOW,**  
State Senator, Fourteenth District.

**RAY W. HAYS,**  
State Senator, Thirtieth District.

**DAN E. WILLIAMS,**  
State Senator, Twenty-sixth District.

**CHARLES KING,**  
State Senator, Twenty-seventh District.

<b>HORSE RACING. Assembly Constitutional Amendment 119.</b> Adds Section 25a to Article IV. Ratifies Act of present Legislature which creates California Horse Racing Board empowered to regulate and license horse racing, horse race meetings, and wagering on results thereof by pari mutuel method conducted only by licensees within <b>3</b> race track enclosure on racing days; basing license fees on percentage of wagering pools; classifies counties by population and regulates racing periods therein; allocates portion of net receipts for California State Fair and other fairs and expositions. Legislature apportioning balance biennially to State institutions therein mentioned or for unemployment relief.	YES	
	NO	

(For full text of measure, see page 9, part II)

**Argument in Favor of Assembly Constitutional Amendment No. 119**

Proposition No. 3 applies only to horse racing. It provides for the regulation and the safeguarding of existing racing and wagering thereon in California so as to assure the State of California an income from racing and to guarantee to the public an honest and correct return on moneys wagered.

This amendment looks the facts in the face. It recognizes the fact, which every thinking citizen knows, that we do have wagering in California.

Adoption of this amendment does not "bring gambling back." The human desire to gamble can not be stamped out by legislation. Centuries of history prove this fact. Those who oppose this measure on moral grounds fail to recognize this fact. Men and women have wagered from time immemorial upon contests of physical strength; races; on wheat and cotton futures; on hope for rises on stock and bond prices and upon prospective increases in land and home values.

Let us regulate that which we know exists and will continue so to do. If this amendment is not adopted the State is throwing aside a million dollars annually, a sum which can be used for the support of many institutions. One hundred thousand dollars will go to keep open the eighty-year-old California State Fair now threatened to be closed for lack of financial support. Funds from racing will go to the support of citrus fruit fairs and expositions, such as the San Bernardino Orange Show, and similar citrus shows, in which Orange, Riverside, Imperial, Ventura, Tulare, Los Angeles and other counties are vitally interested. County, district, or combined district and county fairs, and State institutions of learning for training our youth in agriculture and animal husbandry will profit from racing receipt funds. Relief of unemployment will be aided from the same funds.

The State will receive four per cent on all taxes and also substantial sums from the

license fees to be collected. This will amount to more than two million dollars each biennially.

Wagering will be confined to licensed race track enclosures—thus aiding in the elimination of pool rooms and such other undesirable places. Under the pari mutuel system of wagering the pari mutuel machine functions much the same as a cash register plus a mechanical means to record the amount of money wagered and to definitely assure an honest distribution of funds.

This amendment is not the proposal disapproved by the people in 1932. That amendment was loosely drawn, applied even to college track meets, and was disapproved by a majority of those interested in racing and the restoration of racing to its former high position in California. Legislation contemplated under the authority, which would be granted if the voters approve proposition No. 3 will provide strict supervision of both racing and wagering under a California Horse Racing Board appointed by the Governor.

Regulated racing will place the sport on a high plane. It will attract tourists to California, bring employment to thousands and prove a boon to the thoroughbred breeding industry.

Approval of this measure will keep in California large sums of money that is now spent in Mexico.

A "no" vote on this amendment will neither stop nor prevent betting or racing. It will allow both to continue unregulated and uncontrolled while the State is deprived of a just and needed revenue and the taxpayers are deprived of tax relief for which they are crying.

A "YES" vote will bring millions of dollars to the farmers for the purchase of hay and grain; and will save the State Fair and other similar expositions. It will substitute truth for hypocrisy.

THOMAS A. MALONEY,  
 Assemblyman, Twentieth District.  
 CLARE WOOLWINE,  
 Assemblyman, Forty-fourth District.

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**Argument Against Assembly Constitutional Amendment No. 119**

Twice within recent years measures similar to this have been on the ballot and have been decisively defeated.

Only last November 50 of our 58 counties in the State of California voted "No" on the proposition and defeated it by a majority of 52,000.

Substantially, the same arguments were used by the proponents of the measure as are used at this time. It was urged then that the measure would bring increased revenue to the State, that it would lower the rate of taxation, that it would relieve the burden of our taxpayers, bring employment, benefit stock raisers, fruit growers and the war veterans of the State.

The people noted the argument, tore away the camouflage, saw that the primary purpose of the measure was not to encourage agriculture, or to stimulate interest in horse-breeding, or to promote the permanent prosperity of the people in the hour of their dire distress. They discerned that the paramount purpose of such claims was to lend respectability to the outlaw business of race-track gambling, a vicious influence wholly detrimental to the common good. They realized that the efforts of the promoters were directed to the legalization of a sordid vice, the linking up of the State with illicit gambling enterprises for financial return and voted down the measure with a telling vote.

The purpose of the promoters is the same today. But no matter whether the form of betting be "pari mutuel" or some other form, the people will not be led into "a partnership with gamblers." They are convinced that if

any benefits might be derived from the legalization of race-track gambling they would be far outweighed by the baneful moral and economic results and will vote accordingly.

If ever there was a time when people should be encouraged to think soberly and to live economically, it is now. They need their money to spend with their local merchants for the benefit of their families.

Open race-track gambling lures the unsuspecting, tempts the occasional gambler, offers to the confirmed gambler the immediate opportunity for loss of his money, and brings in its train embezzlement, defalcations, imprisonment, wrecked homes, and demoralized communities.

The percentage of profit in this plan of gambling is fixedly in favor of the promoter, who can not lose. Therefore the uniform opinion of business men is that when the young man begins to succumb to the allurements of gambling the time for his dismissal is at hand for his end is certain.

Mr. Harry Chandler, Editor of the *Los Angeles Times*, has written in *The Christian Science Monitor*: "I can not understand how any intelligent business man can fail to see that no permanent economic prosperity can come as the result of a condition which is itself unmoral such as horse racing and gambling."

The *Los Angeles Examiner* states "Tia Juana is the meeting place and hideout of thieves, gamblers, race track touts, dope gangsters and violators of women."

This is *not* what we desire in Califor

Vote "No."

ELEANOR MILLER,  
Member of the Assembly, Forty-seventh District.

**EXEMPTING EDUCATIONAL INSTITUTIONS FROM TAXATION.**

Assembly Constitutional Amendment 47. Amends Section 1a of Article XIII. Exempts from taxation the buildings and equipment of any educational institution not conducted for profit, and its securities and income used exclusively for educational purposes; if such institution be of collegiate grade, also exempts its grounds within which its buildings are located, not exceeding one hundred acres in area. If such institution be a private institution of less than collegiate grade, the exemption of such grounds is limited to ten acres.

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YES

NO

(For full text of measure, see page 10, part II)

**Argument in Favor of Assembly Constitutional Amendment No. 47**

This is a tax economy measure which will save the taxpayers of California approximately thirty-two million dollars next year and from ten to twelve millions each year thereafter. Because of the financial depression which they did not create some six hundred private non-profit schools owned by fraternal societies and church bodies of various denominations are now

struggling for their very existence. If they are compelled to close their doors the cost of educating over one hundred thousand children now being educated at no expense to the taxpayers, will be thrown upon the State. This means the immediate expenditure of twenty million dollars to build schools to accommodate these children.

In addition to this, it means the expenditure of from twelve to thirteen million dollars each year thereafter. At the outset it is impossible that we distinguish between what this mea-

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proposes to *do* and what it does *not* propose to do. It does not propose to relieve from taxation any private school which is conducted for profit.

The abstract justice of the proposal and its sound governmental philosophy have been recognized in every State in the Union except California. No other State taxes private nonprofit schools. The supporters of measure number 4 propose to bring California into line with the just, wise, and economical policy of the rest of the country. If the government incurs no expense in connection with a necessary service where that service is being rendered by a private agency, without cost to government, it certainly can not justly impose a tax upon such free service.

After giving this tax problem most diligent study, the California Assembly passed the measure by a unanimous vote. The total taxes

received from these schools is less than three hundred seventy-five thousand dollars. Compare this revenue with a saving of approximately thirty-two million next year and twelve to thirteen each year thereafter and the wisdom of the proposed measure becomes apparent at once.

In the interest of fair play, of sound tax economy for the overburdened taxpayers, let us not penalize those who at their own expense are doing the work which otherwise would be a burden upon the taxpayers of this State.

We therefore, ask you to

VOTE "YES" ON NUMBER 4.

CHARLES W. DEMPSTER,  
Assemblyman, Sixty-first District.

FRANK G. MARTIN,  
Assemblyman, Forty-eighth District.

<p><b>ASSESSING PROPERTY DAMAGED BY EARTHQUAKE IN LOS ANGELES AND ORANGE COUNTIES.</b> Assembly Constitutional Amendment 101. Adds Section 8a to Article XIII. Requires assessors</p> <p><b>5</b> of Los Angeles and Orange Counties to assess real and personal property damaged or destroyed by earthquakes of March 10, 1933, and hereafter and prior to first Monday of July, 1933, according to condition and value after damage or destruction rather than according to condition and value on first Monday of March, of said year.</p>	YES
	NO

(For full text of measure, see page 11, part II)

**Argument in Favor of Assembly Constitutional Amendment No. 101**

The purpose of this amendment is to minimize the hardship resulting from the earthquake of March 10, 1933, and subsequent earthquakes occurring prior to the first Monday of July, 1933, which resulted in widespread destruction and damage of property throughout the counties of Los Angeles and Orange. The amendment applies only to said counties and provides that the owners of property injured or destroyed by such earthquake or earthquakes may make a statement of their property according to its value subsequent to said earthquakes and not according to its value as of the first Monday of March. Normally, property is assessed according to its value on the first Monday of March. Under this rule, the multitudes of people in the stricken area would be required to pay taxes upon a valuation which was destroyed four days later. The fact that the value existed and was owned by the property owner on the 6th of March should not, according to any reason of equity or fairness, require payment of taxes upon such value when the value was destroyed four days later and such property did not receive the benefits of government according to its original value but according to its depre-

ciated balance for the entire balance of the year. The amendment is limited to specific situation and event, and as to the two named counties alone, and can result in no general unsettlement of assessed valuation, or even as to the counties in question for any subsequent year. It is pointed towards the remedy of a hardship existing in the current year and can not affect other counties or subsequent years.

This amendment will not change any existing section of the Constitution but will simply add a new section applicable to this particular case.

VOTE YES ON PROPOSITION NUMBER 5.

HARRY B. RILEY,  
Assemblyman, Seventy-first District.

JAMES B. UTT,  
Assemblyman, Seventy-fourth District.

**Argument Against Assembly Constitutional Amendment No. 101**

This legislation is prompted by a wave of sympathy. Sympathy may be a proper stimulus to legislation but never a proper reason for it unless such sympathy be broad enough to

include all who suffer similarly from similar cause. If legislation is good that applies to property damage caused by earthquake in the counties of Los Angeles and Orange between March 10th and July 1st, of 1933, it should apply with equal propriety to situations where damage comes by reason of causes other than earthquake; should apply to areas of the State outside of Los Angeles and Orange counties, and for dates other than those specified in this measure.

There can be no criticism of the purpose of this measure. It is open, however, to criticism because of a lack of proper vision of the tax problem, its method and probable effect. It seeks to remedy a particular situation by the same process that has brought about an intolerable situation, namely: the overburdening of common property with taxation to the point of confiscation. It is in effect a tax exemption measure. Exemptions have in the last many years constituted the major changes in our tax system. In every case unexempted property takes on the burden lifted from exempted property. The Tax Research Bureau finds that from twenty to twenty-five per cent of the common property of the State is now exempted. Three-fourths of the common property of the State now pays three-fourths of the total tax while producing only one-fourth of the total income. Tax exemption is never merely tax exemption. It always produces increased tax-

tion somewhere and really amounts to a tax levy. It seeks to correct an injustice by the imposition of injustice.

The proponents of this measure did not think clear through their problem and provide for an equitable distribution of the tax they seek to lift from those who suffered damage by earthquake. Unfortunately we all find difficulty in taking our eyes off of common property as the main source of taxes in a period of changed economic conditions wherein such a theory is no longer tenable.

It will be argued that the Riley Plan will remedy the overtaxing of common property. This plan sets a limit to the amount of taxes that may be raised from real estate but, so long as we regard common property as the "back log" of our tax system, this limit will be, in effect, a minimum that must be raised from common property and any exemption of any sort would result in an increase in the percentage charged to common property which is arbitrarily, and without rhyme or reason, charged with one-half of the total tax.

The overburdening of real property by taxes has had a lot of verbal recognition but we go right along on the theory that is responsible for the thing we have in recent months complained so loudly about.

S. E. ROBINSON,

Assemblyman, Seventy-seventh District.

**STATE BONDS FOR REFINANCING IRRIGATION AND RECLAMATION DISTRICTS. Assembly Constitutional Amendment 16.** Ratifies District Finance Act of 1933. Authorizes \$55,000,000 State bonds to refinance irrigation and reclamation districts by purchasing and canceling their outstanding bonds when recommended by California Districts Securities Commission, State receiving therefor districts' refunding bonds coinciding as nearly as practicable in maturity dates and amounts with State bonds issued; permits State to resell refunding bonds; prohibits district issuing additional bonds without Commission's consent while refunding bonds outstanding; empowers Commission to levy district assessments to pay refunding bonds should district not levy same.

YES

NO

(For full text of measure, see page 11, part II)

**Argument in Favor of Assembly Constitutional Amendment No. 16**

Assembly Constitutional Amendment Number 16 is the first comprehensive attempt to reduce the bonded indebtedness of the State of California and give to the taxpayers the benefit of the present depressed price of bonds. It will be accomplished without the ultimate expenditure by the State of California of a single dollar.

It ratifies the District Finance Act of 1933, which in turn sets up the following procedure: The taxpaying public has felt the full effect of over-capitalized projects in the last few years

and it has become evident that it is impossible to pay in full these obligations. This fact is appreciated by the bondholder as well as the taxpayer. Irrigation and reclamation district bonds have been selling as low as a few cents on a dollar, yet a potential lien of 100 cents, plus high rates of interest for the maturity period of bonds has crushed any hope of rehabilitating these districts, and as a result the producing areas of the State of California are jeopardized and all interests are joining in this attempt to prevent a complete collapse of agricultural California.

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The importance to the State of California of having the areas embraced within the existing irrigation and reclamation districts will be appreciated when it is understood that approximately 80 per cent of California agriculture lies within the boundaries of these districts and approximately 700,000 people reside therein, not to mention those living in adjacent cities which are directly dependent upon these areas.

There are \$135,000,000 outstanding bonds in these irrigation and reclamation districts. They can be purchased for not over \$55,000,000 and it is provided, upon the voting of the \$55,000,000 bond issue, that the outstanding bonds of any district, upon the request of that district, shall be appraised by the District Securities Commission of California. This Commission consists, at the present time, of Attorney General U. S. Webb, State Engineer Edward Hyatt, State Superintendent of Banks Edward Rainey, Mr. Bert Vogel of Fresno, and Mr. George Dowd of Imperial County.

Upon the appraisal of the value of the bonds by this Commission, notice is given that the State will pay the appraised price only if substantially all of the bondholders agree to take it. This will prevent any bondholder securing more than the other. If substantially all of the bondholders agree to accept the appraised price, the given district is notified of this fact and then that district has the opportunity of ratifying the program by voting refunding bonds payable to the State of California and bearing  $\frac{1}{4}$  per cent more interest than the State bonds; thereby giving to the State of California ample money to administer this act without expense to the State.

When the district votes the refunding bonds the old irrigation district bonds are retired by the proceeds from the State bonds, and the State of California takes the refunding bonds as security for the State bonds. In other words, as security for the payment of the \$55,000,000 the State of California will have the security now behind the \$135,000,000 of bonds, and obviously, under such a set of circumstances will be adequately protected.

It is a self-evident fact that prosperity in California can not return, nor can our State be put upon a sound basis until agriculture is revived and there can be no question but that this program will accomplish this and accordingly provide employment for thousands.

J. E. THORP,  
Assemblyman, Twelfth Assembly District.

C. RAY ROBINSON,  
Assemblyman, Thirty-third Assembly  
District.

#### Argument Against Assembly Constitutional Amendment No. 16

The people of California are asked in this constitutional amendment to establish a new

principle in public finance and to assume the financial responsibility for the irrigation districts of the State. This amendment is the forerunner of Assembly Bill No. 241 which permits the issuance of fifty-five millions of dollars in bonds. These bonds are to be used to refinance and refund the defaulted irrigation districts.

It is true that many irrigation districts are bankrupt and that great hardship has fallen upon both landholders and bondholders, but to establish the principle that all the people shall pledge their property and earnings to refinance these districts is indeed a serious step.

Some of these districts are the result of exploitation and supersalesmanship. They lack the fundamental essentials of a successful project in their conception. Have we, the people, any reason to believe that to refinance these districts even upon a more favorable interest rate will reestablish them as going concerns? If they are not reestablished as such, the obligation re-created by the refinance program runs against all the people, not alone against the property of the district.

Assembly Bill No. 241, page 5, line 11, provides that the bonds so issued, indorsed and sealed when sold shall constitute a valid and binding obligation upon the State. The logic of this amendment carries us to a point where other thousands of property owners suffering under the tremendous burden of special assessments may likewise ask and expect of the people that they, too, shall share in the bounty of statewide credit.

Assembly Bill No. 241 on page 7 allows with the consent of the refunding commission the district to issue additional bonds over and above the refunding bonds. A contingency thus is presented that may destroy what value exists in the district and impair the bonds issued under the refunding act.

Shall the people of California thus pledge their credit, impair the borrowing power of every city, of every publicly owned utility, and every municipal project to relieve a situation that is a result of exploitation and supersalesmanship?

1. It asks you to pledge your property and your earnings to refinance a specific industry and project.

2. It establishes California as a partner in each defaulted irrigation district.

3. It establishes the principle of State's responsibility of shouldering individual debts.

4. It impairs the credit of the State and restricts that credit in such fashion that essential governmental functions may be curtailed.

5. It is unsound public finance for it is the duty of government to carry out the functions of government and not to enter the field of private finance.

FRANK W. WRIGHT,  
Assemblyman Fiftieth District.

<b>DECLARING EFFECTIVE DATES OF ACTS OF LEGISLATURE.</b>	
<p><b>Assembly Constitutional Amendment 108.</b> Adds Section 1a to Article IV. Declares all acts passed by Legislature at fiftieth (present) regular session on or before July 16, 1933, effective ninety days after</p>	YES
<p><b>7</b> Declares all such acts not effective immediately subject to referendum, requiring referendum petitions be presented to Secretary of State within ninety days after May 22, 1933. Constitutional provisions not conflicting herewith made applicable to all acts of said regular session of Legislature.</p>	NO

(For full text of measure, see page 12, part II)

**Argument in Favor of Assembly Constitutional Amendment No. 108**

Assembly Constitutional Amendment Number 108 is made necessary by the fact that the Legislature recessed instead of adjourned. It was necessary for the Legislature to recess rather than adjourn so that matters passed on at the special election might be considered upon reconvening. The Constitution provides that all statutes shall become effective ninety days after final adjournment, and this amendment changes this provision to meet the present emergency and provides that they shall become effective ninety days after May 22.

The Legislative Session, reflecting the emergency of the times, passed many measures cal-

culated to bring immediate relief to our stricken people, in many instances bringing direct savings to our distressed taxpayers amounting to millions of dollars, preservation of our homes and employment for thousands. This legislation was an attempt to remedy pressing and immediate needs and its enactment into law at the earliest possible moment becomes day by day of more paramount importance, and for this reason your favorable consideration is respectfully requested.

CLIFFORD C. ANGLIM,  
Assemblyman, Tenth Assembly District.

C. RAY ROBINSON,  
Assemblyman, Thirty-third District.

<p><b>COUNTY GOVERNMENT. Senate Constitutional Amendment 16.</b> Repeals Sections 4 and 9, amends Section 5, Article XI. Requires Legislature to regulate compensation of supervisors, district attorneys and auditors; supervisors to regulate compensation of other officers in county (except Municipal Court judges), and number, appointment, terms and compensation of deputies and employees. Prohibits increase of compensation or extension of term after election or during term. Permits allowance of additional deputies or increase in their compensation. Validates Political Code Section 4056d, enacted by present Legislature, relating to supervisors' powers and duties as to county and township officers, deputies and employees.</p>	YES
<p><b>8</b></p>	NO

(For full text of measure, see page 13, part II)

**Argument in Favor of Senate Constitutional Amendment No. 16.**

This is a county home rule measure, giving the county board of supervisors power over the compensation of all county and township officers other than of themselves and of district attorneys and auditors. It also gives the board complete authority over the number, method of appointment, terms of office and employment,

and compensation of all deputies, assistants, and employees.

The taking of these powers from the State Legislature, which as a matter of fact passes so-called "county government bills" almost entirely on the recommendations of the local grand juries and boards of supervisors, and the placing of the responsibility on the supervisors, will bring the matter closer home, and will make possible adjustments of salaries and

personnel in accordance with local desires, and without the delay now necessary to present the subject to the Legislature. The effect is to bring flexibility, efficiency and economy in county government.

Increases in the compensation of officers are prohibited after election and during the term of office, but decreases may be made at any time, as at present. Deputies' and assistants' salaries may be decreased or increased at will by the supervisors. This assures responsible home rule.

The act which is validated by this constitutional amendment carries out its purposes, and

provides that present State laws fixing salaries shall be effective solely as local ordinances, and may be superseded by ordinance hereafter adopted, subject to the regular initiative and referendum powers of the people.

A vote yes will be a vote for home rule and economy and efficiency.

J. I. WAGY,  
 ANDREW R. SCHOTTKY,  
 HARRY A. PHERRY,  
 BEN HULSE.

Members of the California State Senate.

<b>DIVERTING GASOLINE TAX FUNDS FOR BIENNIUM ENDING JUNE 30, 1933. Question submitted to electors by Legislature as follows:</b>		YES	
<b>9</b>	1. Shall the Legislature divert \$8,779,750 from the gasoline tax funds to the general fund for payment of bond interest and redemption on outstanding highway bonds for the biennium ending June 30, 1933?	NO	
<b>DIVERTING GASOLINE TAX FUNDS FOR BIENNIUM ENDING JUNE 30, 1935. Question submitted to electors by Legislature as follows:</b>		YES	
<b>10</b>	2. Shall the Legislature divert \$8,449,326 from the gasoline tax funds to the general fund for payment of bond interest and redemption on outstanding highway bonds for the biennium ending June 30, 1935?	NO	

**Argument in Favor of Propositions 9 and 10**

The People of California in 1909, 1915, and 1919 voted three highway bond issues totaling \$73,000,000. In spite of the oft-repeated assertions that our present highway system was built by the proceeds of the gas tax the fact is that all of these seventy-three millions went into the construction of our present highway system and that this bond money was still being spent for highway construction in the year 1927—four years after the adoption of the gas tax system. The motorists at the present time, therefore, are getting the benefit of the proceeds of these State highway bonds expended both before and after the adoption of the present gasoline tax in 1923.

Although the avowed purpose of the gas tax was to provide for all highway expenditures, both principal and interest of these highway bonds have been and are being paid out of the general fund of the State, and not from gas tax revenues. To and including June 30, 1933, the general fund of the State has con-

tributed \$59,885,881.17 towards the payment of these highways bonds. The amount of these highway bonds still outstanding totals \$55,850,000 and unless these bonds are paid from highway fund sources, a total of \$95,804,713 must be raised from general fund sources in the course of the next thirty-one years to retire these bonds.

It is only logical that these highway bonds which provide part, at least, of the money to build our present highway system should be paid for by the motorists and truckmen who are making use of the highway system rather than by the taxpayers of the State generally.

The State faces an admitted deficit for the next biennium of approximately \$50,000,000 and no one knows for certain just how this deficit will be met. It must however, be met by some means or the result will be State bankruptcy and a collapse of necessary governmental functions. Surely under these circumstances it is only fair, both as a matter of principle and expediency, that the interest and redemption of State highway bonds for the four years—1931

to 1935—amounting to approximately \$17,000,000 should be paid from gas tax revenues and the general fund deficit reduced by that amount.

DAVID F. BUSH,  
State Senator, Twenty-second District.  
BRADFORD S. CRITTENDEN,  
State Senator, Twentieth District.  
WILLIAM E. HARPER,  
State Senator, Fortieth District.  
EDWARD H. TICKLE,  
State Senator, Twenty-fifth District.  
ANDREW R. SCHOTTKY,  
State Senator, Twenty-fourth District.  
HARRY A. PERRY,  
State Senator, Third District.  
WALTER H. DUVAL,  
State Senator, Thirty-third District.

#### Argument Against Propositions 9 and 10

This proposal to divert gas tax money to other than the purposes for which it was intended by the people is the opening attack to divert this fund for general fund needs now and for all future time. It is a raid pure and simple upon easily collected funds—easily collected because those paying have done so willingly with the realization of the benefits that accrue from such form of special tax.

Already the owner of a motor vehicle pays more in this State in taxes than any other class of taxpayer. Besides various Federal excise taxes upon gasoline, oils and lubricating greases, the motorist pays taxes ranging from local license fees for commercial vehicles to the annual State registration fees for all motor vehicles. He is also required to pay the personal property tax on his automobile, which revenue is used for the support of local government. In addition to these other taxes the motor vehicle owner of California pays a gasoline tax amounting to a special sales tax of 20 per cent, which revenue is at the present time devoted solely to street and highway maintenance and construction.

Diversion of the \$17,229,076 of special gas tax funds to the general fund means double taxation to the motorist.

The former highway bonds, redemption of which is sought by these diversions, are no different than any other State bonds, whether for buildings, for harbor improvements, or for any public work. They were all contracted for on the distinct understanding that they would be retired out of the general fund of the State. They are definite obligations against the revenues of the general fund.

When the gasoline tax was voted, the electorate of the State sanctioned the "pay-as-you-go-plan" of highway construction. This meant that thereafter those who used the highways would pay for them. The roads built under the original bond issue have long since disintegrated and have had to be rebuilt by the gas tax on the "pay-as-you-go-plan."

[Twelve]

It has been argued that 32 states in the Union already have diverted gas tax money for general purposes because of the prevailing economic stress.

This argument contains but a half truth inasmuch as taxes collected upon gasoline in most of those states is assessed upon all gasoline used, without farm, industrial, marine or other exemption as is allowed in California.

Diversion of \$17,229,076 for relief of the general fund will throw out of employment 10,630 men for a year and add general distress to the State of California.

Ninety-one cents of every dollar paid for highway construction work goes directly into the pockets of labor.

Proponents of diversion of gas tax money would have the citizens of this State believe that failure on their part to authorize such diversion will result in an ad valorem tax. This is not the case. The people have before them at this coming special election a new tax system upon which they are requested to vote. In addition, the Legislature will reconvene in July, and, with the mandate of the people before them, set up a tax system which, keen financial minds are convinced, will not call for an ad valorem tax.

To lose \$17,000,000 means bringing highway construction and maintenance of the State to halt, crippling of commerce and manufacture, and throwing thousands of citizens upon public charity, already burdened to a breaking point. And so we cite to you that the present is no time to cut down on construction of public works. Under these trying conditions of depression, with more than 800,000 unemployed in California and with more than a million and a half destitute and being supported by charitable organizations, the stimulation of public works ought to be encouraged. The National Government has declared itself for public construction on an enlarged scale to combat unemployment and destitution.

Why continue the depression?

We ask you to vote "No" on propositions "9" and "10," and in that way safeguard the gasoline tax fund for the purpose for which it was originally authorized.

ROY FELLOW,  
State Senator, Fourteenth District.  
ARTHUR H. BREED,  
President pro tempore of the Senate.  
BEN HULSE,  
State Senator, Thirty-ninth District.  
THOMAS McCORMACK,  
State Senator, Fifteenth District.  
JOHN B. McCOLL,  
State Senator, Fifth District.  
J. M. INMAN,  
State Senator, Nineteenth District.  
J. I. WAGY,  
State Senator, Thirty-fourth District.

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**PART II**  
**APPENDIX**

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**TAXATION. Senate Constitutional Amendment 30.** Limits State appropriations. Commencing 1935 requires property of public utility companies assessed by State Board of Equalization and taxed locally for local purposes as other property, taxing their franchises and income for State purposes like business corporations; authorizes legislation limiting county ad valorem taxes, allocating State taxes to meet resulting deficiency. Requires local assessments at full cash value. Limits yearly expenditures by local subdivisions until July, 1935, unless time extended by Legislature. Regulates taxation of banks and insurance companies. Empowers Legislature to provide any form of taxation not prohibited by Constitution.

YES

NO

Senate Constitutional Amendment No. 30.—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to be numbered 34a to Article IV, by amending section 12 of Article XI, by adding a new section to be numbered 20 to Article XI, by amending sections 14, 15 and 16, by adding three new sections to be numbered 14½, 15½ and 16½, and by repealing sections 12½ and 18 of Article XIII, relating to taxation.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fiftieth regular session, commencing on the second day of January, 1933, two-thirds of all the members elected to each of the houses thereof voting in favor hereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows:

(This proposed amendment expressly amends and repeals existing sections of and adds new sections to the Constitution; therefore EXISTING PROVISIONS proposed to be DELETED are printed in STRIKE-OUT TYPE; and NEW PROVISIONS proposed to be INSERTED are printed in BLACK-FACED TYPE.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

First—That a new section to be numbered 34a, be added to Article IV, to read as follows:

**Sec. 34a.** Appropriations from the general fund of the State for any biennium, exclusive of appropriations for the support of the public school system, shall not exceed by more than five per centum the appropriations from such fund, exclusive of such public school appropriations, for the preceding biennium unless two-thirds of all the members elected to each house of the Legislature vote in favor thereof; provided, that no amount appropriated in excess of such five per centum shall become a part of the base for determining the maximum appropriation for a succeeding biennium. Should the appro-

priations in the budget act for any biennium exceed the limitations herein prescribed, and such budget act be not passed by such two-thirds vote, the several items of appropriation therein shall be deemed reduced by that percentage which the excess amount of appropriation bears to the total appropriation. Should the prescribed limit for any biennium be exceeded by reason of any other appropriation or appropriations from the general fund, then the appropriation first passed by the Legislature without such two-thirds vote, which exceeds such prescribed limitation, shall be deemed reduced by the amount of such excess, and all other subsequent appropriations from the general fund not passed by such two-thirds vote shall be void. Nothing herein contained shall prevent the Governor from vetoing any bills or reducing any appropriation therein or any appropriation reduced as herein provided.

Not more than twenty-five per cent of the total appropriations from all funds of the State shall be raised by means of taxes on real and personal property according to the value thereof.

Second—That section 12 of Article XI be amended to read as follows:

**Sec. 12.** Except as otherwise provided in this Constitution, the Legislature shall have no power to impose taxes upon counties, cities, towns or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

All property subject to taxation shall be assessed for taxation at its full cash value.

Third—That a new section, to be numbered 20, be added to Article XI, to read as follows:

**Sec. 20.** The expenditures, other than expenditures to pay interest and redemption charges on bonds heretofore or hereafter issued, of any county, city and county, municipality, district or other political subdivision of this State, whether or not operating under freeholders charters, shall not in any year

exceed by more than five per centum the expenditures, other than expenditures to pay interest and redemption charges on bonds heretofore or hereafter issued, of such county, city and county, municipality, district or other political subdivision for the preceding year unless previously authorized by two-thirds vote of the qualified electors of any such county, city and county, district or other political subdivision, or by a majority vote of the electors of any such municipality voting at an election held for that purpose or unless previously authorized by the State Board of Equalization in such manner as may be provided by law; provided that no amount expended in excess of such five per centum shall become a part of the base for determining the maximum expenditure for a succeeding year; provided further, however, that any county, city and county, municipality, district, or other political subdivision of this State that decreases the amount of its expenditures in any year or years may increase, in any subsequent year or years, the amount of its expenditures by the amount, or any fraction thereof, so reduced, or by an amount not more than five per centum of the amount expended in the year immediately preceding. The limitations imposed in this paragraph shall be effective until June 30, 1935, but the Legislature may impose thereafter the same limitations for such period or periods as it may determine; provided, however, that the limitation upon expenditures imposed or authorized by this section shall not apply to expenditures by or on behalf of publicly owned public utilities, including publicly owned facilities operated for the promotion and accommodation of commerce and navigation, irrigation districts, county water districts reclamation districts, municipal utility districts or metropolitan water districts organized or existing under the laws of this State or to expenditures arising out of any gift, bequest or donation.

On and after January 1, 1935, the Legislature shall have power, by two-thirds vote of all the members elected to each of the two houses, to limit the amount of taxes which may be imposed upon real and personal property according to the value thereof for county or city and county purposes.

The Legislature shall pass all laws necessary to carry into effect the provisions of this section,

Fourth—That section 14 of Article XIII be amended to read as follows:

Sec. 14. Taxes levied, assessed and collected as hereinafter provided upon railroads, including street railways, whether operated in one or more counties; sleeping car, dining car, drawing-room car and palace car companies; refrigerator, oil, stock, fruit, and other car-loading and other car companies operating upon railroads in this State; companies doing express business on any railroad, steamboat, vessel or stage line in this State; telegraph companies; telephone companies;

companies engaged in the transmission or sale of gas or electricity; insurance companies; banks, banking associations; savings and loan societies; and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for State purposes, and shall be levied, assessed and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint stock associations, companies, and corporations.

(a) All railroad companies, including street railways, whether operated in one or more counties; all sleeping car, dining car, drawing-room car, and palace car companies; all refrigerator, oil, stock, fruit and other car-loading and other car companies, operating upon the railroads in this State; all companies doing express business on any railroad, steamboat, vessel or stage line in this State; all telegraph and telephone companies; and all companies engaged in the transmission or sale of gas or electricity shall annually pay to the State a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof used exclusively in the operation of their business in this State, computed as follows: Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation of such companies, and each thereof within this State. When such companies are operating partly within and partly without this State, the gross receipts within this State shall be deemed to be all receipts on business beginning and ending within this State, and a proportion, based upon the proportion of the mileage within this State to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this State.

The percentages above mentioned shall be as follows: On all railroad companies, including street railways, four per cent; on all sleeping car, dining car, drawing-room car, palace car companies, refrigerator, oil, stock, fruit, and other car-loading and other car companies, three per cent; on all companies doing express business on any railroad, steamboat, vessel or stage line, two per cent; on all telegraph and telephone companies, three and one-half per cent; on all companies engaged in the transmission or sale of gas or electricity, four per cent. Such taxes shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property above enumerated of such companies except as otherwise in this section provided; provided, that nothing herein shall be construed to release any such company from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any of the municipal authorities of this State.

aa: Subject to the power vested in the Legislature by this Constitution to change the rate in this section prescribed, the percentage of tax in the last paragraph of subdivision a of section fourteen of article thirteen



of this Constitution levied on all separately operated steam railroads that do not exceed two hundred fifty

miles in length and that are not operated as a part of another railroad or railroad system owning or operating a line or lines of railroad in excess of two hundred fifty miles in length shall be five and one-quarter per cent fixed upon their gross receipts from the operation ascertained as in this Constitution provided; provided, however, that in the event that it shall be hereafter finally determined by the courts that the classification herein made is inconsistent with or repugnant to the provisions of the United States Constitution or prejudicial to the rights of the State to tax other steam railroad companies operating longer lines of railways at a different and higher rate of tax, then this amendment shall be void, and the rate of tax levied upon the railroads herein included and all steam railroads shall be seven per cent, or such other rate as may hereafter be adopted, fixed upon their gross receipts from operation ascertained as in this Constitution provided.

ab. Subject to the power vested in the Legislature by this Constitution to change the rate in this section prescribed, the percentage of tax in the last paragraph of subdivision a of section 14 of article thirteen of this Constitution levied on all street railways, herein defined to include interurban electric railways and gasoline propelled railways, shall be four and one-quarter per cent fixed upon their gross receipts from operation ascertained as in this Constitution provided; provided, however, that in the event that it shall be hereafter finally determined by the courts that the classification herein made is inconsistent with or repugnant to the provisions of the United States Constitution or prejudicial to the rights of the State to tax other railroad companies at a different and higher rate of tax, then this amendment shall be void and the rate of tax levied upon the railroads herein included and all other railroads shall be as prescribed in said subdivision a of section 14 of article thirteen of this Constitution, or such other rate or rates as may hereafter be adopted, fixed upon their gross receipts from operation ascertained as in this Constitution provided.

All pipe lines, flumes, canals, ditches and aqueducts not entirely within the limits of any one county, and all property, other than franchises, owned or used by (1) railroad companies including street railways, herein defined to include interurban electric railways, whether operating in one or more counties, (2) sleeping car, dining car, drawing-room car, and palace car companies, refrigerator, oil, stock, fruit and other car-loaning and other car companies operating upon the railroads in the State, (3) companies doing express business on any railroad, steamboat, vessel or stage line in this State, (4) telegraph and telephone companies, (5) companies engaged in the transmission or sale of gas or electricity, shall be assessed annually by the State

Board of Equalization, at the actual value of such property.

All property so assessed by said board shall be subject to taxation to the same extent and in the same manner as other property.

All companies herein mentioned and their franchises, other than insurance companies and their franchises, shall be taxed in the same manner and at the same rates as mercantile, manufacturing and business corporations and their franchises are taxed pursuant to section 16 of this article; provided, that nothing herein shall be construed to release any company mentioned in this section from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any political subdivision or municipality of this State; provided further, that no excise, or income tax or any other form of tax or license charge shall be levied or assessed upon or collected from the companies, or any of them, mentioned in the first paragraph of this section, in any manner or form, different from, or at a higher rate than that imposed upon or collected from mercantile, manufacturing and business corporations doing business within this State.

The Legislature shall have the power to provide for the assessment, levy and collection of taxes upon all forms of tangible personal property, all notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, not exempt from taxation under the provisions of this Constitution, in such manner, and at such rates, as may be provided by law, and in pursuance of the exercise of such power the Legislature, two-thirds of all of the members elected to each of the two houses voting in favor thereof, may classify any and all kinds of personal property for the purposes of assessment and taxation in a manner and at a rate or rates in proportion to value different from any other property in this State subject to taxation and may exempt entirely from taxation any or all forms, types or classes of personal property.

The total tax imposed on notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages and any legal or equitable interest therein in pursuance of the provisions of this section shall not be at a rate in excess of four-tenths of one per cent of the actual value of such property and no tax burden shall be imposed upon any personal property either tangible or intangible which shall exceed the tax burden on real property in the same taxing jurisdiction in proportion to the actual value of such property.

44. Every insurance company or association doing business in this State shall annually pay to the State a tax, assessed by the State Board of Equalization, of one and one-half two and six-tenths per centum upon the amount of the gross premiums other than

gross premiums from ocean marine insurance, received upon its business done in this State, less return premiums and reinsurance in companies or associations authorized to do business in this State; provided, that there shall be deducted from said one and one-half two and six-tenths per centum upon the gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this State. This tax shall be in lieu of all other taxes and licenses, State, county, and municipal, upon the property of such companies or their property, except county and municipal taxes on upon their real estate and except as otherwise in this section provided; provided, that when by the laws of any other State or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies, of this the State, doing business in such other State or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other State or country so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the Legislature upon insurance companies of such other State or country doing business in this State.

(c) The shares of capital stock of all banks, organized under the laws of this State, or of the United States, or of any other State and located in this State, shall be assessed and taxed to the owners or holders thereof by the State Board of Equalization, in the manner to be prescribed by law, in the city or town where the bank is located and not elsewhere. There shall be levied and assessed upon such shares of capital stock an annual tax, payable to the State, of one per centum upon the value thereof. The value of each share of stock in each bank, except such as are in liquidation, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank. This tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon such shares of stock and upon the property of such banks, except county and municipal taxes on real estate and except as otherwise in this section provided. In determining the value of the capital stock of any bank there shall be deducted from the value, as defined above, the value, as assessed for county taxes, of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. The banks shall be liable to the State for this tax and the same shall be paid to the State by them on behalf of the stockholders in the manner and at the time proscribed by law, and they shall have a lien upon the shares of stock and upon

any dividends declared thereon to secure the amount so paid.

The moneyed capital, reserve, surplus, undivided profits and all other property belonging to unincorporated banks or bankers of this State, or held by any bank located in this State which has no shares of capital stock, or employed in this State by any branches, agencies, or other representatives of any banks doing business outside of the State of California, shall be likewise assessed and taxed to such banks or bankers by the said Board of Equalization, in the manner to be provided by law and taxed at the same rate that is levied upon the shares of capital stock of incorporated banks, as provided in the first paragraph of this subdivision. The value of said property shall be determined by taking the entire property invested in such business, together with all the reserve, surplus, and undivided profits, at their full cash value, and deducting therefrom the value as assessed for county taxes of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property of the banks and bankers, mentioned in this paragraph, except county and municipal taxes on real estate and except as otherwise in this section provided. It is the intention of this paragraph that all moneyed capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in the first paragraph of this subdivision. In determining the value of the moneyed capital and property of the banks and bankers mentioned in this subdivision, the said State Board of Equalization shall include and assess to such banks all property and everything of value owned or held by them, which go to make up the value of the capital stock of such banks and bankers, if the same were incorporated and had shares of capital stock.

The word "banks" as used in this subdivision shall include banking associations, savings and loan societies and trust companies, but shall not include building and loan associations.

(d) All franchises, other than those expressly provided for in this section, shall be assessed at their actual cash value, in the manner to be provided by law, and shall be taxed at the rate of one per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the State.

(e) Out of the revenues from the taxes provided for in this section, together with all other State revenues, there shall be first set apart the moneys to be applied by the State to the support of the public school system and the State University. In the event that the above named revenues are at any time deemed insufficient to meet the annual expenditures of the State, including the above named expenditures for educational purposes, there may be levied, in ti

manner to be provided by law, a tax, for State purposes, on all the property in the State including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in subdivisions a, b, and d of this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township or district, before the adoption of this section. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for State purposes.

(f) All the provisions of this section shall be self-executing and the Legislature shall pass all laws necessary to carry this section into effect, and shall provide for a valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the State Board of Equalization and any other officers in connection with the administration thereof. The rates of taxation fixed in this section shall remain in force until changed by the Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts and gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section; and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the Legislature. Until the year 1918 the State shall reimburse any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation. The Legislature shall provide for reimbursement from the general funds of any county to districts therein where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for State purposes only.

(g) No injunction shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such manner and at such time as may now or hereafter be provided by law.

Every insurer transacting the business of ocean marine insurance in this State shall annually pay to the State a tax, assessed by the State Board of Equalization, measured by that proportion of the underwriting profit of such insurer from such insur-

ance written in the United States, which the gross premiums of the insurer from such insurance written in this State bear to the gross premiums of said insurer from such insurance written within the United States, at the rate of five per centum, which tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon such insurer, except taxes upon real estate, and such other taxes as may be assessed or levied against such insurer on account of any other class of insurance written by it. The Legislature shall define the terms "ocean marine insurance" and "underwriting profit," shall provide for the assessment, levy, collection, and enforcement of said tax.

The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may by law change the rate or rates of taxes herein imposed upon insurance companies.

The word "companies" as used in this section shall include persons, partnerships, joint stock associations, companies and corporations.

Nothing herein contained shall be construed to subject to assessment and taxation property which is exempt from taxation under other provisions of this Constitution.

Fifth--That section 15 of Article XIII be amended to read as follows:

Sec. 15. Taxes levied, assessed and collected as hereinafter provided upon companies owning, operating or managing any automobile, truck or auto truck, jitney bus, stage or auto stage used in the business of transportation of persons or property as a common carrier for compensation over any public highway in this State between fixed termini or over a regular route; other than busses used exclusively for the transportation of pupils to or from any public school, when owned or operated by the school or school district, shall be entirely and exclusively for highway purposes, and shall be levied, assessed and collected in the manner hereinafter provided. The word "companies," as used in this section, shall include persons, partnerships, joint stock associations, companies and corporations.

(a) All such companies engaged in the business of transportation of persons, or persons and baggage, or persons and express, or persons, baggage and express where the same is transported on the same automobile, jitney bus, stage or auto stage transporting said persons shall annually pay to the State a tax upon their franchises, cars, equipment, and other property, or any part thereof, used exclusively in the operation of their business in this State, equal to four and one-quarter per cent of the gross receipts from operations of such companies, and each thereof, within this State.

All such companies operating trucks or auto trucks engaged in the business of transporting property shall annually pay to the State a tax upon their franchises, trucks or auto trucks, equipment, and other property,

or any part thereof, used exclusively in the operation of their business in this State, equal to five per cent of the gross receipts from operations of such companies, and each thereof, within this State.

When such companies are operating partly within and partly without this State, the gross receipts within this State shall be deemed to be all receipts on business beginning and ending within this State, and a proportion, based upon the proportion of the mileage within this State to the entire mileage over which such business is done, of receipts on all business passing through into or out of this State.

Such taxes shall be in lieu of all other taxes and licenses, State, county and municipal, upon the property above enumerated of such companies, provided, that nothing herein shall be construed to release any such company from the payment of any amount to be paid or required by law to be paid for any special privilege or franchise heretofore granted by any of the municipal authorities of this State.

The revenues from the taxes provided for in this section shall be deposited in the general fund and shall be applied and the same are hereby appropriated one-half to the State of California to be devoted exclusively to the maintenance and repair of public highways within this State; the remaining one-half shall be apportioned among the respective counties of this State, in the proportion that the number of motor vehicles registered within such county for the preceding calendar year bears to the total number of motor vehicles registered in the State of California under the motor vehicle act of such State for the preceding year, and such sums so paid to said counties shall be devoted exclusively to the maintenance and repair of public highways within such county. In the event that all other State revenues are at any time deemed insufficient to meet the annual expenditures of the State, there may be levied in the manner to be provided by law, a tax, for State purposes, on all the property in the State, including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township, or district on the first day of October, one thousand nine hundred twenty-five. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes hereunder.

(b) All the provisions of this section shall be self-executing, and the Legislature shall pass all laws necessary to carry this section into effect, and shall provide for the valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the State Board of Equalization and any other officers in connection with the administration thereof.

[Six]

The rates of taxation fixed in this section shall remain in force until changed by the Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section.

(c) No injunction shall ever issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such a manner and at such time as may now or hereafter be provided by law.

Out of the revenue from State taxes for which provision is made in this article, together with all other State revenues, there shall first be set apart the moneys to be applied by the State to the support of the public school system and the State university. The Legislature shall provide for the raising of revenue by any form of taxation not prohibited by this Constitution in amounts sufficient to meet the expenditures of this State not otherwise provided for and in amounts sufficient to apportion, and shall apportion, to each county or city and county of this State, an amount equal to the entire amount required to be raised by each such county or city and county respectively under the provisions of section 6 of Article IX of this Constitution; provided, however, that all sums so apportioned shall be considered as though derived from county and city and county school taxes for the support of county and city and county government and not money provided by the State within the meaning of said section, nor shall any revenues so apportioned be regarded as appropriations from the funds of the State within the meaning of section 34a of Article IV of this Constitution.

If the Legislature limits the amount of revenue which may be raised from taxes upon the real and personal property according to the value thereof in pursuance of its power so to do under section 20 of Article XI of this Constitution, then the Legislature shall provide for the raising of revenue by any form of taxation not prohibited by this Constitution in amounts sufficient to apportion and shall apportion to each county and city and county an amount equal to the deficiency in the revenues thereof resulting from such limitation, as such deficiency shall be determined by law; provided, however, that no tax shall be levied by the Legislature in pursuance of this section upon property in proportion to the

value thereof in excess of the limitation for which provision is made in section 34a of Article IV of this Constitution with reference to taxes for State purposes on real and personal property and further provided that no taxes upon property in proportion to the value thereof shall be levied in pursuance of this section for the support of any county or city and county government.

No injunction or writ of mandate or other legal or equitable process shall ever issue in any suit, action or proceeding in any court against this State, or any officer thereof, to prevent or enjoin the collection of any tax levied under the provisions of this article; but after payment thereof action may be maintained to recover, with interest, in such manner as may be provided by law, any tax claimed to have been illegally collected.

Sixth—That section 16 of Article XIII be amended to read as follows:

Sec. 16. Notwithstanding any other provisions of this Constitution: 1. (a) Banks, including national banking associations, located within the limits of this State, shall annually pay to the State a tax according to or measured by their net income, which shall be in lieu of all other taxes and licenses, State, county and municipal, upon such banks, or the shares thereof, except taxes upon their real property, at the rate to be provided by law. The amount of the tax shall be equivalent to four per cent of their net income.

(b) The Legislature two-thirds of all the members elected to each of the two houses voting in favor thereof, in lieu of such tax, may provide by law for any other form of taxation now or hereafter permitted by the Congress of the United States respecting national banking associations; provided, that such form of taxation shall apply to all banks located within the limits of this State.

(c) If it be finally determined that any tax levied upon or respecting any bank, national banking association, or the shares thereof, is invalid, said bank or association, or the shares thereof, shall be reassessed in conformity with any method provided by law. No claim against the State for refund or rebate of taxes paid shall be allowed without first deducting therefrom the amount of any such unpaid reassessment.

2. (a) All financial, mercantile, manufacturing and business corporations doing business within the limits of this State, subject to be taxed pursuant to subdivision (d) of section 14 of this article, in lieu of the tax thereby provided for, shall annually pay to the State for the privilege of exercising their corporate franchises within this State a tax according to or measured by their net income. The amount of such State tax shall be equivalent to four per cent of their net income. Such tax shall be subject to offset, in a manner to be prescribed by law, in the

amount of personal property taxes paid by such corporations to the State or political subdivisions thereof, but the offset shall not exceed ninety per cent of such State tax. In any event, each such corporation shall pay an annual minimum tax to the State, not subject to offset, of twenty-five dollars.

(b) The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may provide by law for the taxation by any other method authorized in this Constitution of the corporations, or the franchises, subject to be taxed pursuant to subdivision (a) of paragraph 2 of this section or subdivision (d) of section 14 of this article.

3. The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may change by law the rates of tax, or the percentage, amount or nature of offset provided for in paragraphs 1 and 2 hereof.

4. Notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, of the classes now taxable to the owner thereof and not otherwise taxed under subdivisions (a) or (b) of section 14 or under section 15 of this article, shall be declared in a manner to be prescribed by law and shall be taxed upon their actual value at the rate of three-tenths of one per cent. The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may by law change the rate or rates upon any one or more of the classes of property herein enumerated; provided that no rate shall exceed four-tenths of one per cent. Said tax shall be in lieu of all other property taxes thereon, and the proceeds of said tax shall not go to the State but to such political subdivisions thereof, and in such manner, as may be provided by law.

5. The Legislature shall define "corporations" and "doing business"; shall define "net income," and may define it to be the entire net income received from all sources; shall provide for the allocation of income, for the assessment, levy and collection of the aforesaid taxes, and for reassessment in the event of the invalidity of any tax under 2 (a) or 2 (b) hereof. Said taxes shall become a lien on the first Monday in March of 1929 and of each year thereafter. The Legislature shall pass laws necessary to carry out this section. The acts of the forty-eighth session of the Legislature passed pursuant to this section shall be effective immediately upon their passage.

2. The Legislature may provide by law for the taxation of corporations, their franchises, or any other franchises, by any method not prohibited by this Constitution or the Constitution or laws of the United States.

3. Any tax imposed pursuant to this section must be under an act passed by not less than two-thirds vote of all the members elected to each of the two houses of the Legislature.

[Seven]

Seventh—That sections 12½ and 18 of Article XIII be repealed.

Sec. 12½. The Legislature, subject to section one of article four shall have power to provide for the assessment, levy and collection of taxes upon all notes, debentures, shares of capital stock, bonds, solvent credits or mortgages, not exempt from taxation under the provisions of this Constitution; in a manner, at a rate or rates or in proportion to value different from any other property in this State subject to taxation; taxes imposed by any act of the Legislature adopted pursuant to the powers hereby conferred shall be in lieu of all other property taxes, State, county, municipal or district, upon such property. The Legislature shall provide for an equitable distribution of such taxes to the county, municipality or district in which such property is taxed; provided, that the rate or rates of taxation of such securities, and penalties, shall not exceed those assessed or imposed upon other property in this State not exempt from taxation; and that when the same shall have been fixed by the Legislature, they shall not be altered except by vote of two-thirds of all the members elected to each of the two houses voting in favor thereof.

Nothing in this act shall be construed to apply to any property the taxation of which is provided for in section fourteen of this article nor to authorize the assessment or taxation of any property now exempt from taxation under this Constitution.

Sec. 18. Every insurer transacting the business of ocean marine insurance in this State shall annually pay to the State a tax measured by that proportion of the underwriting profit of such insurer from such insurance written in the United States, which the gross premiums of the insurer from such insurance written in this State bear to the gross premiums of said insurer from such insurance written within the United States, which tax shall be in lieu of all other taxes and licenses, State, county and municipal, upon such insurers, except taxes upon real property, and such other taxes as may be assessed or levied against such insurer on account of any other class of insurance written by it. The Legislature shall define the terms "ocean marine insurance" and "underwriting profit," shall provide for the assessment, levy, collection and enforcement of said tax, and, two-thirds of all the members elected to each of its two houses voting in favor thereof, fix the rate of said tax.

Eighth—That all laws now in effect under which taxes are levied or imposed shall be continued in effect until altered or repealed by the Legislature; provided, however, that immediately upon adoption of the foregoing constitutional amendments it shall be the duty of the Legislature to pass all laws necessary to carry into effect the provisions of said amendments and to repeal or amend all laws inconsistent therewith.

Ninth—That a new section, to be numbered 14½, be added to Article XIII, to read as follows:

Sec. 14½. The provisions of section 14 of this article as they read on May 1, 1933, shall remain fully operative to and including December 31, 1934, notwithstanding any other provision in this Constitution. From and after January 1, 1935, said provisions shall no longer be of any force and effect; provided, however, that any taxes assessed in pursuance thereof, prior to said date, shall remain fully collectible.

Tenth—That a new section, to be numbered 15½, be added to Article XIII, to read as follows:

Sec. 15½. The provisions of section 15 of this article as they read on May 1, 1933, shall remain operative for the purpose of the assessment and collection of State taxes as therein contemplated to and including December 31, 1934, but nothing in this section shall be construed as making inoperative the provisions of said section as amended subsequent to said date, in so far as they relate to other matters. From and after January 1, 1935, the provisions of section 15 of this article as they read on May 1, 1933, shall no longer be of any force and effect; provided, however, that nothing herein contained shall be construed to affect the collection or distribution of taxes assessed under said section prior to January 1, 1935.

Eleventh—That a new section to be numbered 16½ be added to Article XIII, to read as follows:

Sec. 16½. The provisions of paragraph 4 of section 16 of this article, as they read on May 1, 1933, shall remain operative to and including December 31, 1934, notwithstanding any other provision in this Constitution. From and after January 1, 1935, the provisions of said paragraph 4 shall no longer be of any force and effect; provided, however, that all taxes assessed thereunder, prior to January 1, 1935, shall remain fully collectible.

<b>2</b>	<b>EMPLOYMENT RELIEF BONDS. Senate Constitutional Amendment 41.</b> Adds Section 9 to Article XVI of Constitution. Ratifies the Unemployment Relief Bond Act of 1933, which authorizes the issuance and sale of \$20,000,000 State bonds to provide a fund for loans to counties and municipalities for unemployment relief.	YES	
		NO	

Senate Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 9, relating to loans to counties and municipalities for unemployment relief.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered 9, and to read as follows:

(This proposed amendment 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 THE CONSTITUTION.

**Sec. 9.** The issuance and sale of bonds of the State of California and the use and disposition of the proceeds of the sale of said bonds, all as provided in the Unemployment Relief Bond Act of 1933 as passed by the Senate and Assembly at the fiftieth session of the Legislature and approved by the Governor, authorizing the issuance and sale of said bonds in the sum of twenty million dollars for the purpose of providing a fund to be used and disbursed for the purpose of loans to counties and municipalities for unemployment relief, is hereby authorized and directed, and the said Unemployment Relief Bond Act of 1933 is hereby approved, adopted, legalized, ratified, validated and made fully and completely effective. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this Constitution contained shall be a limitation upon the provisions of this section.

<b>3</b>	<b>HORSE RACING. Assembly Constitutional Amendment 119.</b> Adds Section 25a to Article IV. Ratifies Act of present Legislature which creates California Horse Racing Board empowered to regulate and license horse racing, horse race meetings, and wagering on results thereof by pari mutuel method conducted only by licensees within race track enclosure on racing days; basing license fees on percentage of wagering pools; classifies counties by population and regulates racing periods therein; allocates portion of net receipts for California State Fair and other fairs and expositions, Legislature apportioning balance biennially to State institutions therein mentioned or for unemployment relief.	YES	
		NO	

Assembly Constitutional Amendment No. 119—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article IV thereof a new section to be numbered 25a, relating to the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its

fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article IV a new section to be numbered 25a, and to read as follows:

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions

[Nine]

thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 25a. The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results thereof. The provisions of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to

create the California Horse Racing Board for regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," are hereby confirmed, ratified, and declared to be fully and completely effective; provided, that said act may at any time be amended or repealed by the Legislature.

**EXEMPTING EDUCATIONAL INSTITUTIONS FROM TAXATION.**

**4** **Assembly Constitutional Amendment 47.** Amends Section 1a of Article XIII. Exempts from taxation the buildings and equipment of any educational institution not conducted for profit, and its securities and income used exclusively for educational purposes; if such institution be of collegiate grade, also exempts its grounds within which its buildings are located, not exceeding one hundred acres in area. If such institution be a private institution of less than collegiate grade, the exemption of such grounds is limited to ten acres.

YES	
NO	

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1a of Article XIII thereof, relating to exemption of educational institutions from taxation.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by amending section 1a of Article XIII thereof to read as follows:

(This proposed amendment expressly amends an existing section of the Constitution; therefore EXISTING PROVISIONS proposed to be DELETED,

if any, are printed in STRIKE-OUT TYPE; and NEW PROVISIONS proposed to be INSERTED are printed in BLACK-FACED TYPE.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 1a. Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding one hundred acres in area, its securities and income used exclusively for the purposes of education. Any private educational institution of less than collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding ten acres in area, its securities and income used exclusively for the purposes of education.



<b>5</b>	<b>ASSESSING PROPERTY DAMAGED BY EARTHQUAKE IN LOS ANGELES AND ORANGE COUNTIES.</b> Assembly Constitutional Amendment 101. Adds Section 8a to Article XIII. Requires assessors of Los Angeles and Orange counties to assess real and personal property damaged or destroyed by earthquakes of March 10, 1933, and thereafter and prior to first Monday of July, 1933, according to condition and value after damage or destruction rather than according to condition and value on first Monday of March, of said year.	YES	
		NO	

Assembly Constitutional Amendment No. 101—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 8a, relating to taxation.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fiftieth session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding to Article XIII thereof a new section, to be numbered 8a, to read follows:

(This proposed amendment 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 THE CONSTITUTION.

**Sec. 8a.** Notwithstanding anything in this Constitution otherwise providing, every taxpayer in the county of Los Angeles and in the county of Orange, who at twelve o'clock meridian on the first Monday of March, 1933, was the owner, or had in his possession, or under his control, any property which was thereafter damaged or destroyed by the earthquake of March 10, 1933, or any other earthquake or earthquakes occurring thereafter, and prior to the first Monday of July, 1933, shall make and deliver to the county assessor a statement, under oath, setting forth specifically all such real and personal property, according to its condition and value after said damage or destruction, rather than according to its condition and value at twelve o'clock meridian on the first Monday of March of said year; and the county assessors of said counties, regardless of whether or not such statement of such damaged or destroyed property is made, shall assess the same according to its condition and value after said damage or destruction, rather than according to its condition and value at twelve o'clock meridian on the first Monday of March of said year. The provisions of this section shall be self-executing.

<b>6</b>	<b>STATE BONDS FOR REFINANCING IRRIGATION AND RECLAMATION DISTRICTS.</b> Assembly Constitutional Amendment 16. Ratifies District Finance Act of 1933. Authorizes \$55,000,000 State bonds to refinance irrigation and reclamation districts by purchasing and canceling their outstanding bonds when recommended by California District Securities Commission, State receiving therefor districts' refunding bonds coinciding as nearly as practicable in maturity dates and amounts with State bonds issued; permits State to resell refunding bonds; prohibits district issuing additional bonds without Commission's consent while refunding bonds outstanding; empowers Commission to levy district assessments to pay refunding bonds should district not levy same.	YES	
		NO	

Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to article sixteen thereof a new section to be numbered 9, authorizing the Legislature to provide for assistance by the State

in the refinancing of irrigation and reclamation districts, and approving and ratifying the District Finance Act of 1933.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its

regular session commencing on the second day of January, 1933, two-thirds of the members elected to each of the two houses thereof voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof, a new section to be numbered 9, to read as follows:

(This proposed amendment 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 THE CONSTITUTION.**

**Sec. 9.** The issuance and sale of bonds of the State in the total principal sum of fifty-five million

dollars and the use and disposition of the proceeds of the sale thereof as provided in the District Finance Act of 1933, is, hereby authorized, regardless of any other provision in this Constitution said act is hereby approved and ratified and made fully and completely effective. All provisions of this section are self-executing and do not require legislative action in furtherance thereof but this does not prevent such legislative action except that no amendments by the Legislature shall be enacted which will affect the liability of the State for any indebtedness incurred under said act or impair the security which must be deposited with the State to insure the retirement of any such State indebtedness.

**DECLARING EFFECTIVE DATES OF ACTS OF LEGISLATURE.**

**7** **Assembly Constitutional Amendment 108.** Adds Section 1a to Article IV. Declares all acts passed by Legislature at fiftieth (present) regular session on or before July 16, 1933, effective ninety days after May 22, 1933, except acts effective immediately under Constitution. Declares all such acts not effective immediately subject to referendum, requiring referendum petitions be presented to Secretary of State within ninety days after May 22, 1933. Constitutional provisions not conflicting herewith made applicable to all acts of said regular session of Legislature.

YES	
NO	

**Assembly Constitutional Amendment No. 108—A** resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State by adding to said article a new section, to be numbered section 1a, relating to the time of taking effect of acts passed at the fiftieth regular session of the Legislature.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that Article IV of the Constitution be amended by adding thereto a new section, to be numbered section 1a, to read as follows:

(This proposed amendment 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 THE CONSTITUTION.**

**Sec. 1a.** All acts passed by the Legislature at its fiftieth regular session on or before July 16, 1933, shall go into effect ninety days after May 22, 1933, except acts which under the provisions of section 1 of Article IV of this Constitution go into effect immediately. All such acts which do not go into effect immediately shall be subject to all the referendum provisions of section 1 of Article IV of this Constitution, except that the petition therein required to be presented to the Secretary of State must be so presented within ninety days after May 22, 1933. The provisions of this Constitution not in conflict herewith shall otherwise apply to all bills and acts of the fiftieth regular session of the Legislature.

**COUNTY GOVERNMENT. Senate Constitutional Amendment 16.** Repeals Sections 4 and 9, amends Section 5, Article XI. Requires Legislature to regulate compensation of supervisors, district attorneys and auditors; supervisors to regulate compensation of other officers in county (except Municipal Court judges), and number, appointment, terms and compensation of deputies and employees. Prohibits increase of compensation or extension of term after election or during term. Permits allowance of additional deputies or increase in their compensation. Validates Political Code Section 4056d, enacted by present Legislature, relating to supervisors' powers and duties as to county and township officers, deputies and employees.

8

YES	
NO	

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State repealing sections 4 and 9 of Article XI thereof and amending section 5 of said article, relating to county government.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fiftieth regular session commencing on the second day of January, 1933, two-thirds of all the members elected, to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that sections 4 and 9 of Article XI of the Constitution of said State be repealed and that section 5 of said article be amended to read as follows:

(This proposed amendment expressly amends an existing section and repeals two existing sections of the Constitution; therefore EXISTING PROVISIONS proposed to be DELETED are printed in STRIKE-OUT TYPE; and NEW PROVISIONS proposed to be INSERTED are printed in BLACK-FACED TYPE.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

Sec. 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to duties, and may also establish fees to be charged and collected by such officers for services performed in their respective offices in the manner and for the uses provided by law; boards of supervisors, district attorneys and of auditors in the respective counties and for this purpose may classify the counties by population; and it shall provide for the strict accountability of county and township officers and for all fees which may be collected by them; and for

all public and municipal moneys which may be paid to them, or officially come into their possession. It may regulate the compensation of grand and trial jurors in all courts within the classes of counties herein permitted to be made. The board of supervisors in the respective counties shall regulate the compensation of all officers in said counties other than boards of supervisors, district attorneys, auditors, and judges of municipal courts, and shall regulate the number, method of appointment, terms of office or employment, and compensation of all deputies, assistants, and employees of the counties.

The provisions of this section shall not be construed to abridge, modify or otherwise affect the provisions of sections 7½, 7½a and 8½ of this article, relating to county or city and county charters. That certain act entitled "An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of boards of supervisors with respect to county and township officers; deputies, assistants and employees," as enacted by the Legislature at its fiftieth session, is hereby validated and made fully and completely effective.

The compensation of any county, township or municipal officer shall not be increased after his election or during his term of office, nor shall the term of any such officer be extended beyond the period for which he was elected or appointed. The provisions of this section shall not prevent the allowance of any new or additional deputy or assistant to the principal in any county office during his term, nor shall they prevent any increase in the compensation of any deputy or assistant to such principal at any time.

The provisions of this section shall not abridge, modify or otherwise limit the power of the Legislature by general and uniform laws to prescribe the qualifications of any county officer or of any deputy or assistant, or to prescribe the method of appointment of any person so qualified.

Sec. 4. The Legislature shall establish a system of county governments, which shall be uniform throughout the State; and by general laws shall provide for township organizations, under which any county may

organize whenever a majority of the qualified electors of such county, voting at a general election, shall so determine; and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county and the local affairs of the several townships therein shall be managed and transacted, in the manner prescribed by such general laws.

Sec. 9. The compensation of any city, county, town or municipal officer shall not be increased after

his election or during his term of office; provided, however, that the Legislature may provide by general laws that such additional deputies or assistants may be necessary and proper be allowed to the principal in any county office during his term and that the Legislature may also provide that the compensation of such deputy or assistant be increased during the term of office of such principal. The term of any such officer shall not be extended beyond the period for which he is elected or appointed.

**DIVERTING GASOLINE TAX FUNDS FOR BIENNIUM ENDING JUNE 30, 1933. Question submitted to electors by Legislature as follows:**

**9** 1. Shall the Legislature divert \$8,779,750 from the gasoline tax funds to the general fund for payment of bond interest and redemption on outstanding highway bonds for the biennium ending June 30, 1933?

YES	
NO	

**DIVERTING GASOLINE TAX FUNDS FOR BIENNIUM ENDING JUNE 30, 1935. Question submitted to electors by Legislature as follows:**

**10** 2. Shall the Legislature divert \$8,449,326 from the gasoline tax funds to the general fund for payment of bond interest and redemption on outstanding highway bonds for the biennium ending June 30, 1935?

YES	
NO	

**ORDER OF MEASURES ON THE BALLOT AND PAGE  
IN THIS APPENDIX**

No.	Page	No.	Page
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2. Unemployment Relief Bonds .....	9	7. Effective Dates of Statutes .....	12
3. Horse Racing .....	9	8. County Government .....	13
4. Exempting Educational Institutions from Taxation .....	10	9. Gasoline Tax Diversion .....	14
5. Assessing Property Damaged by Earth- quake .....	11	10. Gasoline Tax Diversion .....	14

**PROPOSITIONS SUBMITTED BY LEGISLATURE**

Gasoline Tax Diversion, 1931-1933 .....	14
Gasoline Tax Diversion, 1933-1935 .....	14

**SUMMARY OF MEASURES SUBMITTED TO ELECTORS**

(Total Number 10)

**CONSTITUTIONAL AMENDMENTS PROPOSED BY LEGISLATURE**

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S.C.A. 30 Taxation .....	1	A.C.A. 47 Exempting Educational Institu- tions from Taxation .....	10
S.C.A. 41 Unemployment Relief Bonds .....	9	A.C.A. 101 Assessing Property Damaged by Earthquake .....	11
		A.C.A. 108 Effective Dates of Statutes .....	12
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**RECAPITULATION**

**AMENDMENTS TO CONSTITUTION BY ARTICLES AND SECTIONS**

Art. IV. Sec. 1a Added .....	12
Art. IV. Sec. 25a Added .....	9
Art. IV. Sec. 34a Added .....	1
Art. XI. Sec. 4 Repealed .....	13
Art. XI. Sec. 5 Amended .....	13
Art. XI. Sec. 9 Repealed .....	13
Art. XI. Sec. 12 Amended .....	1
Art. XI. Sec. 20 Added .....	1
Art. XIII. Sec. 1a Amended .....	10
Art. XIII. Sec. 8a Added .....	11
Art. XIII. Sec. 12 <sub>1</sub> Repealed .....	1
Art. XIII. Sec. 14 Amended .....	1
Art. XIII. Sec. 14 <sub>2</sub> Added .....	1
Art. XIII. Sec. 15 Amended .....	1
Art. XIII. Sec. 15 <sub>2</sub> Added .....	1
Art. XIII. Sec. 16 Amended .....	1
Art. XIII. Sec. 16 <sub>2</sub> Added .....	1
Art. XIII. Sec. 18 Repealed .....	1
Art. XVI. Sec. 9 Added .....	11
Art. XVI. Sec. 9 Added .....	9

[Fifteen]

## Manner in Which Proposed Constitutional Amendments and Other Measures Will Be Designated and Appear on the Ballot

<p><b>TAXATION. Senate Constitutional Amendment 30.</b> Limits State appropriations. Commencing 1935 requires property of public utility companies assessed by State Board of Equalization and taxed locally for local purposes as other property, taxing their franchises and income for State purposes like business corporations; authorizes</p> <p><b>1</b> legislation limiting county ad valorem taxes, allocating State taxes to meet resulting deficiency. Requires local assessments at full cash value. Limits yearly expenditures by local subdivisions until July, 1935, unless time extended by Legislature. Regulates taxation of banks and insurance companies. Empowers Legislature to provide any form of taxation not prohibited by Constitution.</p>	YES	
<p><b>UNEMPLOYMENT RELIEF BONDS. Senate Constitutional Amendment 41.</b> Adds Section 9 to Article XVI of Constitution. Ratifies the</p> <p><b>2</b> Unemployment Relief Bond Act of 1933, which authorizes the issuance and sale of \$20,000,000 State bonds to provide a fund for loans to counties and municipalities for unemployment relief.</p>	YES	
<p><b>HORSE RACING. Assembly Constitutional Amendment 119.</b> Adds Section 25a to Article IV. Ratifies Act of present Legislature which creates California Horse Racing Board empowered to regulate and license horse racing, horse race meetings, and wagering on results thereof by pari mutuel method conducted only by licensees within</p> <p><b>3</b> race track enclosure on racing days; basing license fees on percentage of wagering pools; classifies counties by population and regulates racing periods therein; allocates portion of net receipts for California State Fair and other fairs and expositions. Legislature apportioning balance biennially to State institutions therein mentioned or for unemployment relief.</p>	YES	
<p><b>EXEMPTING EDUCATIONAL INSTITUTIONS FROM TAXATION. Assembly Constitutional Amendment 47.</b> Amends Section 1a of Article XIII. Exempts from taxation the buildings and equipment of any educational institution not conducted for profit, and</p> <p><b>4</b> its securities and income used exclusively for educational purposes; if such institution be of collegiate grade, also exempts its grounds within which its buildings are located, not exceeding one hundred acres in area. If such institution be a private institution of less than collegiate grade, the exemption of such grounds is limited to ten acres.</p>	YES	
	NO	
	NO	

<p><b>ASSESSING PROPERTY DAMAGED BY EARTHQUAKE IN LOS ANGELES AND ORANGE COUNTIES. Assembly Constitutional Amendment 101. Adds Section 8a to Article XIII. Requires assessors</b></p> <p><b>5</b> of Los Angeles and Orange Counties to assess real and personal property damaged or destroyed by earthquakes of March 10, 1933, and thereafter and prior to first Monday of July, 1933, according to condition and value after damage or destruction rather than according to condition and value on first Monday of March, of said year.</p>	YES	
<p><b>STATE BONDS FOR REFINANCING IRRIGATION AND RECLAMATION DISTRICTS. Assembly Constitutional Amendment 16. Ratifies District Finance Act of 1933. Authorizes \$55,000,000 State bonds to refinance irrigation and reclamation districts by purchasing and canceling their outstanding bonds when recommended by California Districts Securities Commission, State receiving therefor districts' refunding bonds coinciding as nearly as practicable in maturity dates and amounts with State bonds issued; permits State to resell refunding bonds; prohibits district issuing additional bonds without Commission's consent while refunding bonds outstanding; empowers Commission to levy district assessments to pay refunding bonds should district not levy same.</b></p> <p><b>6</b></p>	YES	
<p><b>DECLARING EFFECTIVE DATES OF ACTS OF LEGISLATURE. Assembly Constitutional Amendment 108. Adds Section 1a to Article IV. Declares all acts passed by Legislature at fiftieth (present) regular session on or before July 16, 1933, effective ninety days after</b></p> <p><b>7</b> May 22, 1933, except acts effective immediately under Constitution. Declares all such acts not effective immediately subject to referendum, requiring referendum petitions be presented to Secretary of State within ninety days after May 22, 1933. Constitutional provisions not conflicting herewith made applicable to all acts of said regular session of Legislature.</p>	YES	
<p><b>COUNTY GOVERNMENT. Senate Constitutional Amendment 16. Repeals Sections 4 and 9, amends Section 5, Article XI. Requires Legislature to regulate compensation of supervisors, district attorneys and auditors; supervisors to regulate compensation of other officers in county (except Municipal Court judges), and number, appointment, terms and compensation of deputies and employees. Prohibits increase of compensation or extension of term after election or during term. Permits allowance of additional deputies or increase in their compensation. Validates Political Code Section 4056d, enacted by present Legislature, relating to supervisors' powers and duties as to county and township officers, deputies and employees.</b></p> <p><b>8</b></p>	YES	
	NO	

<b>DIVERTING GASOLINE TAX FUNDS FOR BIENNIUM ENDING JUNE 30, 1933. Question submitted to electors by Legislature as follows:</b> <b>9</b> 1. Shall the Legislature divert \$8,779,750 from the gasoline tax funds to the general fund for payment of bond interest and redemption on outstanding highway bonds for the biennium ending June 30, 1933?	YES	
	NO	

<b>DIVERTING GASOLINE TAX FUNDS FOR BIENNIUM ENDING JUNE 30, 1935. Question submitted to electors by Legislature as follows:</b> <b>10</b> 2. Shall the Legislature divert \$8,449,326 from the gasoline tax funds to the general fund for payment of bond interest and redemption on outstanding highway bonds for the biennium ending June 30, 1935?	YES	
	NO	

**CERTIFICATE OF SECRETARY OF STATE**

STATE OF CALIFORNIA, DEPARTMENT OF STA  
SACRAMENTO, CALIFORNIA.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the foregoing ten measures will be submitted to the electors of the State of California at a special election to be held throughout the State on the twenty-seventh day of June, 1933.

Witness my hand and the great seal of State, at office in Sacramento, California, the thirteenth day of May, A.D. 1933.



  
 Secretary of State