

1946

PUBLIC SCHOOLS

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3 PUBLIC SCHOOLS. Initiative Constitutional Amendment. Amends same sections of Constitution and simplifies allocation of school funds in same manner as Proposition No. 13. Establishes minimum salary of twenty-four hundred dollars per year for teachers. Increases State support for public schools to one hundred and twenty dollars per year for each pupil in average daily attendance, ninety dollars of which shall be given to local school districts. Authorizes local authorities to determine amount of money to be raised by school district taxes. Prohibits transfer of any school or college to any authority not under the Public School System.

YES

NO

(For full text of measure, see page 6, Part II)

Argument in Favor of Initiative Proposition No. 3

California's population, swollen by the greatest migration in American history, has jumped more than 2,000,000 during the past six years—and is still increasing.

A million babies have been born in California during the same six-year span—and birth rates are still soaring.

As a result of these skyrocketing increases in population and births—and a dangerously dwindling teacher supply—California's Public School System is confronted with the most serious crisis in its history.

Proposition 3 is designed to cope with that crisis, to avert a breakdown in our Public School System—and to safeguard the educational future of California's children.

Seeking to assure an adequate supply of teachers, and to enable the schools to expand their facilities and meet their greatly increased overhead, this proposition provides:

1. That every full-time teacher in California shall be paid a minimum salary of \$2,400 per year.
2. That State support of the public schools shall be at the rate of \$120 a year for every pupil in average daily attendance.

The acute teacher shortage which now exists clearly demonstrates the urgent, imperative need of an adequate salary guarantee which will give young people an incentive to enter the teaching profession. Thousands of additional teachers are desperately needed; yet the number of candidates for teaching credentials in California teacher-training institutions has dropped to about one-third of the prewar average.

California schools have been kept open only by calling thousands of retired teachers back into service and by lowering the qualifications for teaching credentials during the emergency. Even with these extreme measures, children are being herded into classes crowded far beyond the capacity for proper instruction. And there are more than 1,000 classrooms in which teachers and classroom facilities are doing "double duty," with one group of children reporting for school on an early shift—and a second group occupying the same desks on a swing shift.

The crisis is real and unmistakable.

Enrollment in California's elementary schools, already sharply increased, will be doubled within the next eight years—and if California children are not to be denied their birthright, the number of teachers must be doubled also. The problem in high schools and junior colleges is almost equally acute, with tens of thousands of war veterans returning to complete their education.

California must recruit 40,000 additional teachers during the next eight years—5,000 new teachers every year!—if educational standards

are to be maintained and children are to be properly trained. That challenge can only be met if Proposition 3 is enacted.

This is not a partisan issue. The slogan—"Both Parties Agree on Amendment 3"—is based on the action of both the Democratic and Republican State Conventions in giving this measure unanimous endorsement. Proposition 3 has been endorsed by the California Congress of Parents and Teachers, by veterans' organizations, all branches of Organized Labor, farm groups, and scores of business, civic and fraternal organizations.

*Safeguard the birthright of your children!
Vote "Yes" on Proposition 3!*

ROY W. CLOUD
State Secretary, California
Teachers Association

MRS. ROLLIN BROWN
State President, California
Congress of Parents and Teachers

ROY E. SIMPSON
State Superintendent of Public
Instruction

THOMAS J. RIORDAN
Past State Commander,
American Legion

Argument Against Initiative Proposition No. 3

In candor it should be admitted that the reason why Proposition No. 3 appears on the ballot is that California citizens generally have not taken the active interest in public education which should be manifested in a Democracy. It is unfortunately true that teachers' salaries have been far too low, that they are too low today in this period of inflation, that school districts have in many cases reached the limit of their taxing power, that many vital functions of a modern educational program have of necessity been eliminated because of lack of funds. As Californians we should with a real sense of shame admit that public indifference, neglect, and ignorance have all contributed to make the task of teachers and school administrators tremendously difficult.

We may admit all of the foregoing, I believe, and yet question the wisdom of incorporating into the Constitution all of the provisions of the proposed amendment.

Teachers obviously should be paid much more than \$2,400 per year. But approval of the \$2,400 figure does not necessarily mean that such an amount should be guaranteed teachers by a constitutional provision. There is room for an honest difference of opinion on the desirability of riveting into the Constitution a minimum salary any public employee. Political scientists s

[Four]

to be generally agreed that such a practice is to be deplored. I would most solemnly warn the voters to ponder seriously the consequences of initiating the practice of guaranteeing the minimum salaries of public employees in the State Constitution. The group is thus protected, why should not all groups be protected?

I urge that all voters study carefully not only the text of the proposed constitutional amendment but also the text of the present constitutional provisions which the amendment will supplant. A careful study will reveal, I believe, at least five changes of major significance. The language of the proposed constitutional provisions is not always clear. In fact, it accomplishes much more radical innovations than the amendment's proponents admit in their public discussions. One may also question the fairness of including five changes in one constitutional amendment with the design of forcing the voter to approve some change he may object to in order to endorse a change he desires.

Finally, I would suggest that the generous increase in State funds for public education made mandatory by Proposition No. 3 should be accompanied by rigorous requirements of sound educational practice. When the taxpayers of California pay hundreds of millions of dollars per biennium for public education, they have a right to demand that public school graduates be soundly trained in the fundamentals, in American history and ideals, and that school courses and textbooks no longer be the subject of continual experimentation by educational crackpots.

In urging a negative vote on Proposition No. 3 I do so only with the warning that the defeat of No. 3 in itself will solve no problems. We must all take a greater interest in public education.

JOHN HAROLD SWAN
Junior College teacher and
attorney at law
Member California State
Senate, 1941-1945

4 BUSINESS LOANS FOR VETERANS. Assembly Constitutional Amendment No. 37. Amends Section 31, Article IV of the Constitution. Permits loans to veterans for purpose of enabling veterans to buy a business, land, buildings, supplies, equipment, machinery or tools, to be used by the veteran in pursuing a gainful occupation. Provides that such aid is exempt from prohibition against giving or lending the credit of the State in aid of any person.

YES	
NO	

(For full text of measure, see page 8, Part II)

**Argument in Favor of
Assembly Constitutional Amendment No. 37**

An overwhelming number of returning servicemen have indicated their desire to enter or reenter the form of little business or agricultural activity of their own. The Federal Government through the GI Bill has recognized this desire by providing a method whereby it guarantees loans up to a limited amount under certain conditions for the purchase of farms or farm equipment, or for establishing businesses.

Assembly Constitutional Amendment No. 37 is a proposal to amend the Constitution to permit legislative action by the State of California to provide additional assistance to fill the need where Federal and private sources fail. The present Constitution permits use of State money or credit in aiding veterans in the purchase of homes or farms. A. C. A. 37 will extend this provision to include business, land, buildings, tools, equipment, machinery and supplies which may assist the veteran in pursuing a gainful occupation of his own.

Our servicemen have gallantly preserved their stake in the future. It is a solemn obligation of the State to assist them now to achieve those economic opportunities for which they fought. Part of this obligation is the opportunity to obtain a direct and adequate loan without too much red tape.

Other States have taken action to supplement with local assistance the funds provided under Federal law. For example, New Jersey in 1944 adopted a program to guarantee loans up to 90 per cent made by local banks to establish or reestablish qualified veterans in business or professions.

Although these plans have been in operation less than a year, their experience statistics show

that where due caution is exercised by the lending agency and properly qualified applicants are rendered assistance, a high degree of successful enterprises result.

We are entering an era when unlimited economic opportunities will abound. It is an accepted postwar objective that high production goals must exceed the 1940 level by as much as 35 per cent to 45 per cent in order to maintain prosperity. Studies by the Committee For Economic Development, the United States Department of Labor, and the Bureau of Labor Statistics indicate the possibilities of expanded and new businesses. High in the aims of our servicemen are these expectations. But business means money, and the average GI will not have accumulated a sufficient reserve to insure himself a reasonable chance in a highly competitive field.

The passage of A. C. A. 37 plus legislative action at the next session of the Legislature, will provide not only the necessary financial assistance to the veteran but also wise counsel, business information, and valuable guidance. With prudent State action and concrete assistance, instead of empty phrases and unfulfilled promises, we can build among our servicemen faith in our democratic way of life and hope in the future of our great State. Assembly Constitutional Amendment No. 37 will accomplish a small but definite part of a total program. We urge its adoption by the people of California and all other phases of the veterans' program that will make complete our assurance that "they who have served us well will not be let down."

AUGUSTUS F. HAWKINS
Assemblyman, 62d Dist.
GLENN M. ANDERSON
Assemblyman, 46th Dist.

Sec. 64. Right to Place Bet by Agent: Validity. A wager made inside an inclosure under the pari-mutuel system for a principal who is not within the inclosure shall be considered a wager made within the inclosure for the purpose of this chapter and any activity of the principal in connection with such wager shall not be considered a wager made outside the inclosure.

Sec. 65. Betting Outside Inclosure: Illegality. All other forms of wagering or betting on the result of a greyhound race are illegal and any and all wagering or betting on greyhound races outside the inclosure where such greyhound races are licensed by the board is illegal.

Sec. 66. Maximum Commission of Licensee. The commission deducted by any licensee from pari-mutuel pools shall not be less nor exceed 8 per cent of the gross amount of money handled in the pari-mutuel pool operated by him during the period of the license; plus the odd cents by which the amount payable on each dollar wagered exceeds a multiple of five cent (5¢). The amount deducted by the licensee shall be in addition to the license fee required by this chapter.

Sec. 67. Claims on Redistribution of Pool: Time for Filing: Form: Hearing: Rejection or Allowance: Money Not Claimed. From and after the effective date of this section, any person claiming to be entitled to any part of a redistribution from a pari-mutuel pool operated by a licensee under this chapter, who fails to claim the money due him prior to the completion of the racing meet at which such pool is formed, may, within 60 days after the close of such meet file with the board a verified claim in such form as the board shall prescribe setting forth in detail the claim of such person and such other information as may be necessary to identify the particular pool and the amount claimed therefrom. The board shall hear such claim and proof offered in support thereof. Unless the claimant satisfactorily establishes his right to participate in such pool, such claim shall be rejected. If the claim be allowed, the licensee shall upon order of the board pay the same to claimant. Ninety days after the close of any racing meet hereafter conducted any moneys subjected to this section not theretofore successfully claimed, shall be paid to the board and the board shall immediately pay such money into the State treasury to the credit of the Special Deposit Fund, to be held therein and disposed of in the manner provided by law for other deposits in the fund.

Article 9. Revenue

Sec. 68. Deposit of Receipts to Credit of Veterans Fund. All fees, commissions and other moneys received by the board, shall be paid into the State treasury immediately upon receipt and credited to a special fund hereby created, to be known as the "Veterans Fund."

Sec. 69. Appropriations From Fund: For Expenses of Officers, etc.: Enforcement of Act: Supervision and Auditing. There is hereby appropriated annually out of the fund the following:

Fifty thousand dollars (\$50,000) to defray the expenses of the members of the board, the officers and employees provided for herein and such cost and expense incurred by the Attorney General in the enforcement of this act as shall be authorized by the board.

Sec. 70. Same: Appropriation to Veterans' Welfare Board: Powers Generally. The balance of the money remaining in the fund

after the deduction of the moneys appropriated by the foregoing Section 69 of this article shall be appropriated to the Veterans Welfare Board created by an act to establish a Military and Veterans Code, Statutes 1935, Chapter 389, approved July 5, 1935 to be expended by the Veterans' Welfare Board as follows:

(a) Not to exceed five hundred thousand dollars (\$500,000) annually for the purposes of Section 699.5 of the Military and Veterans Code.

(b) Not to exceed five hundred thousand dollars (\$500,000) annually for the purposes of Section 972 of the Military and Veterans Code.

(c) The balance (1) for the purposes of rehabilitation of, and service to, veterans under any law now existing or hereafter enacted by the Legislature, providing, for rehabilitation of, and service to, veterans or (2) for the support of the Veterans' Home of California or any other home for California veterans which may be hereafter established.

Sec. 71. "Veteran" Defined. As used in this article, "veteran" means any citizen of the United States who has served on active duty in the Army, Navy, Marine Corps or Coast Guard and who has received an honorable discharge therefrom or who has been released from active duty under honorable conditions.

Article 10. Penalties

Sec. 72. Operation Without License: Grade of Offense. Any corporation, organization, association or person who directly or indirectly holds any greyhound racing meeting with mutuel pools on the result thereof, without having first procured a license under this chapter, is guilty of a misdemeanor.

Sec. 73. Grade of Violations for Which No Specific Penalties Are Provided. Any corporation, organization, association or person who violates any of the provisions of this chapter, for which a penalty is not herein expressly provided, is guilty of a misdemeanor.

Sec. 74. Wagering by Other Than Pari-Mutuel System: Punishment. Any person wagering upon the results of a greyhound race, except in the pari-mutuel or mutuel method of wagering, when the wagering is conducted by a licensee and upon the grounds or inclosure of the licensee shall be punished as provided in the Penal Code.

Sec. 75. Enforcement Agencies. The Attorney General of this State and the district attorneys of the respective counties thereof shall enforce this chapter.

Article 11. Miscellaneous

Sec. 76. Advances. Within 15 days after this act shall be in effect there shall be advanced from the General Fund in the State treasury to the Greyhound Racing Board the sum of ten thousand dollars (\$10,000) to cover initial organization expenses of said board, which sum shall be repaid to the General Fund from the first money received by said board under Article 9 thereof.

Sec. 77. Right to Amend, etc. The Legislature may amend, revise or supplement Article 9 hereof.

Sec. 78. Constitutionality. If any section, subsection, sentence, clause, or phrase in this act is for any reason held to be unconstitutional such decision shall not effect the validity of the remaining portion of this act.

3	PUBLIC SCHOOLS. INITIATIVE CONSTITUTIONAL AMENDMENT. Amends same sections of Constitution and simplifies allocation of school funds in same manner as Proposition No. 13. Establishes minimum salary of twenty-four hundred dollars per year for teachers. Increases State support for public schools to one hundred and twenty dollars per year for each pupil in average daily attendance, ninety dollars of which shall be given to local school districts. Authorizes local authorities to determine amount of money to be raised by school district taxes. Prohibits transfer of any school or college to any authority not under the Public School System.	YES
		NO

(This proposed amendment expressly amends 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

First: Section 6 of Article IX of the Constitution of the State of California is hereby amended to read as follows:

Sec. 6. Each person, other than a substitute employee, employed by a school district as a teacher or in any other position requiring

certification qualifications shall be paid a salary which shall be at the rate of an annual salary of not less than twenty-four hundred dollars (\$2,400) for a person serving full time, as defined by law.

The Public School System shall include all kindergarten schools, day and evening elementary schools, and such day and evening secondary schools, technical schools, kindergarten schools and normal schools or teachers' colleges, and State colleges, as may be established by the Legislature, or by municipal or district authority, in accordance with law and, in addition, the school districts and the other agencies authorized to maintain them. No school or college or any other part of the Public School System shall be, directly or

indirectly, transferred from the Public School System or placed under the jurisdiction of any authority other than one included within the Public School System.

The Legislature shall add to the State School Fund such other means from the revenues of the State as shall provide in said fund or distribution apportionment in each school fiscal year in such manner as the Legislature shall provide, an amount not less than thirty dollars one hundred and twenty dollars (\$120) per pupil in average daily attendance in the kindergarten schools, day and evening elementary schools, secondary schools, and technical schools in the Public School System during the next preceding school fiscal year.

The entire State School Fund shall be apportioned in each fiscal year in such manner as the Legislature may provide, through the school districts and other agencies maintaining such schools, for the support of, and aid to, kindergarten schools, elementary schools, secondary schools, and technical schools except that there shall be apportioned to each school district in each fiscal year not less than ninety dollars (\$90) per pupil in average daily attendance in the district during the next preceding fiscal year and except that the amount apportioned to each school district in each fiscal year shall be not less than twenty-four hundred dollars (\$2,400).

Solely with respect to any retirement system provided for in the charter of any county or city and county pursuant to the provisions of which the contributions of, and benefits to, certificated employees of a school district who are members of such system are based upon the proportion of the salaries of such certificated employees contributed by said county or city and county, all amounts apportioned to said county or city and county, or to school districts therein, pursuant to the provisions of this section shall be considered as though derived from county or 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 this section.

The Legislature shall provide a State High School Fund from the revenues of the State for the support of day and evening secondary and technical schools which for each school year shall provide for distribution in such manner as the Legislature shall provide an amount not less than thirty dollars per pupil in average daily attendance in the day and evening secondary and technical schools in the public school system during the next preceding school year.

The Legislature shall provide for the levying of a county, and city and county, elementary school tax, by the board of supervisors of each county, and city and county, sufficient in amount to produce a sum of money not less than the amount of money to be received during the current school year from the State for the support of the public day and evening elementary schools of the county, or city and county, provided that said elementary school tax levied by any board of supervisors shall produce not less than thirty dollars per pupil in average daily attendance in the public day and evening elementary schools of the county, or city and county, during the next preceding school year.

The Legislature shall provide for the levying of a county, and city and county, high school tax by the board of supervisors of each county, and city and county, sufficient in amount to produce a sum of money not less than twice the amount of money to be received during the current school year from the State for the support of the public day and evening secondary and technical schools of the county, or city and county, provided that the high school tax levied by the board of supervisors shall produce not less than sixty dollars per pupil in average daily attendance in the public day and evening secondary schools of the county, or city and county, during the next preceding school year.

The Legislature shall provide for the levying annually by the governing body of each county, and city and county, of such school district taxes by the board of supervisors of each county, and city and county, at rates not in excess of the maximum rates of school district tax fixed or authorized by the Legislature, as will produce in each fiscal year such revenue for each school district as the governing board thereof shall determine is required in such fiscal year

for the support of public elementary schools, secondary schools, technical schools, and kindergarten schools, or for any other public school purpose authorized by the Legislature all schools and functions of said district authorized or required by law.

The entire amount of money provided by the State, and not less than sixty per cent of the amount of money provided by county, or city and county, school taxes shall be applied exclusively to the payment of public school teachers' salaries.

The revenues provided for the public school system for the school year ending June 30, 1931, shall not be affected by this amendment except as the Legislature may provide.

The provisions of this section as they read on April 1, 1946, shall remain operative to and including June 30, 1947, and no longer, notwithstanding any provision of this Constitution to the contrary.

Second: Section 15 of Article XIII of the Constitution of the State of California is hereby amended to read as follows:

Sec. 15. 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 amount 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 166 2/3 per cent of 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 for the support of the public day and evening elementary schools of the county or city and county and in addition, 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 for the support of the public day and evening secondary and technical schools of the county or city and county, 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 IX of this Constitution; and provided, further, that the provisions of this section as they read on May 1, 1941, shall remain operative to and including June 30, 1945, and no longer notwithstanding any other provision of this Constitution to the contrary.

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 IX 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.

The provisions of this section as they read on April 1, 1946, shall remain operative to and including June 30, 1947, and no longer, notwithstanding any provision of this Constitution to the contrary.