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COMPENSATION OF LOCAL OFFICERS

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19 **COMPENSATION OF LOCAL OFFICERS. Assembly Constitutional Amendment No. 52.** Provides that prohibition against increase of compensation of local officers after election or during term of office shall not prevent increase for members of board, commission or council serving staggered terms whenever one member becomes eligible for salary increase by beginning a new term of office.

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| YES | |
| NO | |

For Full Text of Measure, See Page 28, Part II

Analysis by the Legislative Counsel

At present all county and city officers are prohibited from having their compensation increased after their election or during their term of office. This constitutional amendment would make an exception to provide that whenever members of a board, commission or council are serving staggered terms and one or more of them becomes eligible for a salary increase by virtue of his beginning a new term of office, the compensation of all of the members of the board, commission or council may be adjusted.

Argument in Favor of Proposition No. 19

This Constitutional Amendment would correct a hardship and inequity in the law that has existed for many years. The hardship comes about when new members of a board, council or commission, under the existing state of the law, receive higher salaries than incumbent members. At present, under the State Constitution, salaries of local officials may not

be increased during a term of office. From time to time, the Legislature increases the salaries of local officials, with the result that new members coming on a board, council or commission subsequent to the increase, because of staggered terms, may receive the salary increase but incumbent members may not. It is quite unfair that seasoned members of a board, council or commission—members who, in many cases, have given many years of outstanding service to the public, should receive less salary than new members. Thus, this Constitutional Amendment merely seeks to establish fair play under the law by permitting the adjustment of salaries so that when new members of a board, council or commission receive a pay increase, all incumbent members likewise will receive the increase.

FRANK P. BELOTTI
 Assemblyman, 1st District
 WILLIAM T. BAGLEY
 Assemblyman, 7th District

20 **BOXING AND WRESTLING CONTESTS. Assembly Constitutional Amendment No. 57.** Provides Legislature may amend Boxing and Wrestling initiative act of November 4, 1924, but shall not have power to prohibit wrestling and 12-round boxing contests.

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| YES | |
| NO | |

For Full Text of Measure, See Page 29, Part II

Analysis by the Legislative Counsel

This constitutional amendment would amend and renumber Section 25½ of Article IV of the Constitution, relating to boxing and wrestling. The amendment would eliminate the existing provision which limits boxing matches to not more than 12 rounds generally and to not more than 15 rounds in championship matches, with a maximum of three minutes per round. It would also eliminate the requirement that State revenues from the licensing or taxing of boxing and wrestling not used for administrative expenses shall be appropriated for the maintenance of veterans' homes. It would also eliminate the prohibition against any tax on admissions to boxing or wrestling events whose proceeds benefit an American Legion post or any other veteran's organization.

This measure would continue in effect the power of the Legislature to change the 1924 initiative act regulating boxing and wrestling. It would also retain the provisions preventing the Legislature from prohibiting wrestling or 12-round boxing contests.

Argument in Favor of Proposition No. 20

A YES vote on this proposed constitutional amendment is a vote for more efficient state budgeting practices and more legislative control over professional boxing and wrestling.

If adopted, this amendment would end the special fund status of the California Athletic Commission. Recognized experts in the field of public administration have studied California's "cookie jar" financing from special funds and recommend the adoption of more efficient, businesslike procedures such as would be provided under this amendment. The commission's budget would be subject to closer annual review and justification before the State Legislature under this proposal.

The athletic commission now is financed from fees collected from the very business it regulates. This arrangement is unsound and the amendment advances the concept of a healthy separation between the commission and the boxing and wrestling interests.

Legislative authority over boxing and wrestling promotions would be strengthened, with

cise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the department it may enter an order remanding the matter to the department for reconsideration in the light of such evidence. In all other appeals the board shall enter an order either affirming or reversing the decision of the department. When the order reverses the decision of the department, the board may direct the reconsideration of the matter in the light of its order and may direct the department to take such further action as is specially enjoined upon it by law, but the order shall not limit or control in any way the discretion vested by law in the department. Orders of the board shall be subject to judicial review upon petition of the director or any party aggrieved by such order.

A concurrent resolution for the removal of either the director or any member of the board may be introduced in the Legislature only if five Members of the Senate, or 10 Members of the Assembly, join as authors.

Until the Legislature shall otherwise provide, the privilege of keeping, buying, selling, serving, and otherwise disposing of alcoholic beverages in bona fide hotels, restaurants, cafes, cafeterias, railroad dining or club cars, passenger ships, and other public eating places, and in bona fide clubs after such clubs have been lawfully operated for not less than one year, and the privilege of keeping, buying, selling, serving, and otherwise disposing of beers on any premises open to the general public shall be licensed and regulated under the applicable provisions of the Alcoholic Beverage Control Act, insofar as the same are not inconsistent with the provisions hereof, and excepting that the license fee to be charged bona fide hotels, restaurants, cafes, cafeterias, railroad dining or club cars, passenger ships, and other public eating places, and any bona fide clubs after such clubs have been lawfully operated for not

less than one year, for the privilege of keeping, buying, selling, or otherwise disposing of alcoholic beverages, shall be the amounts prescribed as of the operative date hereof, subject to the power of the Legislature to change such fees.

The State Board of Equalization shall assess and collect such excise taxes as are or may be imposed by the Legislature on account of the manufacture, importation and sale of alcoholic beverages in this State.

The Legislature may authorize, subject to reasonable restrictions, the sale in retail stores of alcoholic beverages contained in the original packages, where such alcoholic beverages are not to be consumed on the premises where sold; and may provide for the issuance of all types of licenses necessary to carry on the activities referred to in the first paragraph of this section, including, but not limited to, licenses necessary for the manufacture, production, processing, importation, exportation, transportation, wholesaling, distribution, and sale of any and all kinds of alcoholic beverages.

The Legislature shall provide for apportioning the amounts collected for license fees or occupation taxes under the provisions hereof between the State and the cities, counties and cities and counties of the State, in such manner as the Legislature may deem proper.

All constitutional provisions and laws inconsistent with the provisions hereof are hereby repealed.

The provisions of this section shall be executing, but nothing herein shall prohibit the Legislature from enacting laws implementing and not inconsistent with such provisions.

~~This amendment shall become operative on January 1, 1957.~~

The amendments to this section proposed by the Legislature at the 1961 Regular Session of the Legislature shall become operative on January 1, 1963.

19 **COMPENSATION OF LOCAL OFFICERS.** Assembly Constitutional Amendment No. 52. Provides that prohibition against increase of compensation of local officers after election or during term of office shall not prevent increase for members of board, commission or council serving staggered terms whenever one member becomes eligible for salary increase by beginning a new term of office.

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| YES | |
| NO | |

(This proposed amendment expressly amends an existing section of the Constitution; therefore, **NEW PROVISIONS** proposed to be **INSERTED** are printed in **BLACK-FACED TYPE**.)

PROPOSED AMENDMENT TO ARTICLE XI

That the Constitution of the State be amended by amending the third paragraph of Section 5 of Article XI thereof to read:

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; however, the prohibition herein expressed shall not operate to prevent the adjustment of the compensation of all members of a board, commission, or council serving staggered terms whenever one or more members of such board, commission or council becomes eligible for a salary increase by virtue of beginning a new term of office.