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University of California, Berkeley**

**Legislative Committees in Joint Session: State of California Executive
Department, April 1906.**

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Report

STATE OF CALIFORNIA
EXECUTIVE DEPARTMENT
April 1906.

To the Senate and Assembly of the State of California:

WHEREAS: By reason of earthquake and fire an extraordinary occasion has arisen and exists, requiring the Legislature of the State of California to convene; NOW THEREFORE, I, George C. Pardee, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 Article V of the Constitution of the State of California, do hereby convene the Legislature to meet and assemble in extraordinary session at Sacramento, California, in the State Capitol, on day, the day of April, Anno Domini 1906, at twelve o'clock meridian of that day, for the purpose of enacting laws and proposing Constitutional Amendments on the following subjects, to-wit: to appropriate money to relieve the distress of the people as aforesaid and to provide for their health and safety, and for the erection or repair of public buildings or structures or making public improvements; to alter, amend or repeal any laws now existing appropriating public money for any purpose; to enact laws and propose Constitutional Amendments relating to revenue and taxation; relating to the time or manner for doing any act relative to negotiable paper; relating to the time for commencing actions or proceedings or for doing any act in judicial, legislative or executive proceedings; relating to actions to quiet or establish title to, interest in, or liens upon land; relating to holidays and non-judicial days; relating to the proof and establishment of lost or destroyed records, documents and instruments, and to the recording thereof [and to the procedure in and disposition of all cases now pending in which papers and records have been lost or destroyed];

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relating to the incurring of public indebtedness and the issuance and guaranty of bonds for public improvements or other public purposes, and the recalling and cancellation of unsold or unissued public bonds; relating to banks and banking; relating to the formation of Congressional, Senatorial and Assembly districts; relating to elections; and relating to public schools.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereunto the great seal of the State of California, at my office in the State Capitol, this day of April, in the Year of Our Lord the One Thousand, Nine Hundred and Sixth, and of the Admission of the State of California, the Fifty-Sixth.

Governor of the State of California.

Attest:

Secretary of State.

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[Report]

Suggestions submitted by Frank H. Short, with relation to the calling of an extra session of the Legislature and matters of urgent importance to receive attention. The reasons calling for an extra session of the Legislature are many and I will indicate only a few of the most important ones. A very considerable amount of State property has been destroyed and necessarily must be rebuilt and restored at once. Many urgent and unavoidable calls will be made upon the State and its expenditures will be unavoidably increased. The available revenues are approximately sufficient only to meet the anticipated expenses. The destruction of property in San Francisco and other cities will greatly reduce the revenues for the present year, particularly on personal property and for the next fiscal year the taxable property of the State will be so greatly reduced as to impair the State's revenues, probably not less than fifteen or twenty per cent below its expenditures; to meet this deficiency by an increased taxation on the remaining property would be to impose too great a burden and greatly retard investments from outside sources. In as far as possible the owners of property where it has been destroyed should be relieved, or reimbursed for taxes for the present fiscal year upon such property. It, therefore, seems to me that the State will be in no position to meet its own expenses and maintain its credit much less to assist in maintaining the credit of the public and private interests of the State without the incurring of an indebtedness and the issuance of bonds sufficient to provide for the expenses above indicated and such others as will arise and to meet the deficiencies in the State revenue for the present and future years until normal conditions can be restored. The provisions of our constitution, with relation to the incurring of a State indebtedness are very narrow and unsatisfactory and while the State, under existing laws, after submitting the matter to the people, could doubtless in our such an indebtedness and obtain money by amendment to the constitution this could be done on much more favorable terms than could be possibly be done under existing laws. Fortunately the constitution can be easily and quickly amended.

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Under the provisions of section I of Article 18 of the constitution the Legislature may propose amendments to the constitution and submit such proposed amendments to the people "In such manner and at such time and after such publication as may be deemed expedient". It would therefore seem that the amendments necessary could be proposed, voted upon and adopted within fifteen or twenty days after the Legislature meets. Pending the meeting of the Legislature a comprehensive amendment, permitting the incurring of such indebtedness upon favorable terms, should be prepared and no doubt it would be adopted at once. At the same time amendment permitting the relief of persons whose the exemption property has been destroyed by fire, including of such property from unjust taxation, could be prepared and adopted. Practically all of the public institutions of San Francisco have been destroyed and in order to enable that city to obtain credit upon favorable terms and restore its public buildings, including its school houses, and the repair of its sewer system where necessary, it may be advisable for the State to guarantee the bonds of the city for that purpose. This suggestion should be carefully considered but it must be borne in mind that the taxable wealth and general welfare of the State is largely dependent upon the restoration of normal conditions in San Francisco, and to this end the State could probably afford to support its credit since the indebted must, and ultimately would be, paid by the city in any event. Other constitutional amendments will doubtless suggest themselves and there can be no question but what the people of the State will promptly support any such constitutional amendment and other just measures of relief. It must always be borne in mind that the relief of while such measured are designed for San Francisco and adjacent communities that they are indispensable to the general welfare and will provide the only means of relieving the other portions of the State from increased and burdensome taxation. Other Legislative acts for

the relief of the commercial, banking and other business interests are urgently required and will no doubt be passed

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The indebtedness thus incurred and the measures of relief adopted will impose no great burden, and if bonds maturing in forty years are issued, which can be done only by amending the constitution, they can be paid without any serious burden as they mature. The prompt and thorough cooperation of the State and people is so obviously necessary that I have no doubt such measures will be adopted practically without opposition. For this reason, and on account of the pressing necessities with which we are confronted all necessary amendments both to the constitution and the statutes should be prepared and critically examined by the best legal talent obtainable. The leading attorneys of San Francisco are in a position to take up the work at once and such proposed amendments could be ready by the time the Legislature could be convened. The call for an extra session I think should be issued as soon as a comprehensive call can be prepared. Since nothing can be considered by the Legislature except what is included in the call, the call should be as definite and at the same time as comprehensive as possible.