

General Election

October 2, 1920

Proposed Constitutional Amendment No. 1.

SENATE JOINT RESOLUTION NO. 6.

A joint resolution proposing an amendment to Section 2 of Article 13 of the Constitution of the State of Utah, relating to municipal corporations.

Be it enacted by the Legislature of the State of Utah, two-thirds vote of all the members elected in the two Houses concurring therein:

Section 1. That it is proposed to amend Section 2 of Article 13 of the Constitution of the State of Utah, so that the same will read as follows:

Sec. 2. Corporations for municipal purposes shall not be created by special laws.

Any city may frame and adopt a charter for its own government in the following manner:

The legislative authority of the city may, by two-thirds vote of its members, and upon petition of qualified electors to the number of 10 per cent of all votes cast at the next preceding election for the office of the mayor, shall forthwith provide by ordinance for the submission to the electors of the question: "Shall a Commission be chosen to frame a charter?"

The ordinance shall require that the question be submitted to the electors at the next regular municipal election. The ballot containing such question shall also contain the names of candidates for members of the proposed Commission, but without party designation. Such candidates shall be nominated in the same manner as required by law for nomination of city officers. If a majority of the electors voting on the question of choosing a Commission shall vote in the affirmative, the candidates receiving a majority of the votes cast at such election, shall constitute the charter Commission, and shall proceed to frame a charter.

Any charter so framed shall be submitted to the qualified electors of the city at an election to be held at a time to be determined by the charter Commission, which shall be not less than thirty days subsequent to its completion and distribution among the electors, and not more than one year from such date. Alternative provisions may also be submitted to be voted upon separately. The Commission shall make provisions for the distribution of copies of the proposed charter and any alternative provisions to the qualified electors of the city, not less than sixty days before the election at which it is voted upon.

Such proposed charter and such alternative provisions as are approved by a majority of the electors voting thereon, shall become an organic law of such city at such time as may be fixed therein, and shall supersede any existing charter and all laws affecting the organization and government of such city which are now in conflict therewith.

Within thirty days after its approval a copy of such charter shall be deposited with the mayor and city recorder and authenticated by the seal of such city, shall be made in duplicate and deposited, one in the office of the Secretary of State and the other in the office of the City Recorder, and thereafter all courts shall take judicial notice of the same.

Amendments to any such charter may be framed and submitted by the charter Commission in the same manner as provided for charters, or may be proposed by the legislative authority of the city upon a two-thirds vote thereon, or by petition of qualified electors to a number equal to one-tenth of the total vote cast for mayor at the next preceding election, and any such amendment may be submitted at the next regular election, and having been approved by the majority of the electors voting thereon, shall become a part of the charter at the time fixed in such amendment and shall be certified and filed as provided in case of charters.

Each city forming its charter under this Section shall have, and is hereby granted, the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary and other regulations not in conflict with the general law, and no enumeration of powers in this constitution or any law shall be deemed to limit or restrict the general grant of authority hereby conferred, but this grant of authority shall not include the power to regulate the service or charges of public utilities, local in character, nor be deemed to limit or restrict the power of the Legislature in matters of public or general interest, nor those relating to State affairs.

The power to be conferred upon the cities by this Section shall include the following:

(a) To levy, assess and collect taxes and borrow money, within the limits prescribed by general law, and to levy and collect special assessments for benefits conferred.

(b) To furnish all local public services to purchase, hire, construct, own, maintain and operate, or lease, public utilities, local in character and use, to acquire by condemnation or otherwise, within or without the corporate limits, property necessary for any such service, subject to restrictions imposed by general law for the protection of other commodities; and to grant local public utility franchises and regulate the exercise thereof subject to the controlling power of regulation of public utilities, their rates and service, by the State, as it now or may hereafter be provided by general law.

(c) To make local public improvements and to acquire by condemnation, or otherwise, property within its corporate limits necessary for such improvements; and also to acquire an easement over that needed for any such improvement and to sell or lease such excess property with restrictions, in order to protect and preserve the improvement.

(d) To issue and sell bonds on the security of any such excess property, or of any public utility owned by the city, or of the revenues thereof, as provided, in the case of a public utility, a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate such utility.

Sec. 3. The Secretary of State is hereby directed to submit the proposed amendment to the electors of the State at the next general election in the manner provided by law.

Sec. 4. If adopted by the electors of this State, this amendment shall take effect on January 1st, 1921.

Approved March 13, 1919.

Proposed Constitutional Amendment No. 2.

SENATE JOINT RESOLUTION NO. 8.

A resolution proposing an amendment to Section 7, Article 13, of the Constitution of the State of Utah, relating to tax rates for State purposes.

Be it resolved by the Legislature of the State of Utah, two-thirds of all the members elected to each House concurring therein:

Section 1. That it is proposed to amend Section 7, of Article XIII, of the Constitution of the State of Utah so that the same will read as follows:

Sec. 7. The rate of taxation on property for State purposes shall never exceed 2 mills on each dollar of valuation in the appropriation as follows: Not to exceed 4 1/2 mills on each dollar of valuation for general State purposes; not to exceed 3 mills on each dollar of valuation for district school purposes; not to exceed 1 mill on each dollar of valuation for high school purposes; that part of the State tax apportioned to high school purposes shall constitute a fund to be called the High School Fund and shall be apportioned to the cities and school districts maintaining high schools in the manner the Legislature may provide. And whenever the taxable property within the State shall amount to \$100,000,000, the rate shall not exceed on each dollar of valuation two and four-tenths mills for general State purposes, two-tenths of one mill for high school purposes, and such levy for district school purposes as will raise annually an amount which, added to any other State funds available for district school purposes, equals \$15,000,000 for each person of school age in the State, shown by the last preceding school census; and a proposition to increase such rate or rates, specifying the rate or rates proposed and the time during which the same shall be levied, be first submitted to a vote of such of the qualified electors of the State, as in the year next preceding such election shall have paid a property tax assessed to them within the State, and the majority of those voting thereon shall vote in favor thereof, in such manner as may be provided by law.

Sec. 2. The Secretary of State is directed to cause this proposed amendment to be published as required by the Constitution and to be submitted to the electors of the State at the next general election in the manner provided by law.

Sec. 3. If approved by the electors of the State, this proposed amendment shall take effect on the 1st day of January, 1921.

Approved March 13, 1919.

Proposed Constitutional Amendment No. 3.

SENATE CONCURRENT RESOLUTION NO. 6.

A concurrent resolution providing an amendment to Section 1, Article XIV, of the Constitution of the State of Utah, relating to State debt limitation.

Be it enacted by the Legislature of the State of Utah, two-thirds of all the members elected to each of the two Houses concurring therein:

Section 1. That it is proposed to amend Section 1, Article 14, of the constitution of the State of Utah, so that the same will read as follows:

Section 1. To meet casual deficits or failures in revenues, and for necessary expenditures for public purposes, including the erection of public buildings, and for the payment of all territorial indebtedness assumed by the State, the State may contract debt, not exceeding in the aggregate at any one time, an amount equal to 2 per centum of the value of the taxable property of the State, as shown by the last assessment for State purposes, previous to the incurring of such indebtedness. But the State shall never contract any indebtedness, except as in the next Section provided, in excess of such amount, and all money arising from loans heretofore authorized, shall be applied solely to the purposes for which they were obtained.

Sec. 2. The Secretary of State is hereby directed to submit this proposed amendment to the electors of the State at the next general election in the manner provided by law.

Sec. 3. If adopted by the electors of the State, this amendment shall take effect January 1, 1921.

Approved March 13, 1919.

Proposed Constitutional Amendment No. 4.

SENATE CONCURRENT RESOLUTION NO. 1.

A concurrent resolution proposing an amendment to the Constitution of the State of Utah by amending Section 3, Article XVI, relating to rights of action to recover damages for injuries resulting in death.

Be it resolved and enacted by the Legislature of the State of Utah, two-thirds of all the members elected to each of the two Houses concurring therein:

Section 1. That it is proposed to amend Section 3, Article 16, of the Constitution of the State of Utah, so that said section shall read as follows:

"The right of action to recover damages for injuries resulting in death shall never be abrogated, and the amount recoverable shall not be subject to any statutory limitation, except in cases where compensation for injuries resulting in death is provided for by law."

Section 2. The Secretary of State is hereby directed to submit this proposed amendment to the electors of the State at the next general election in the manner provided by law.

Sec. 3. If adopted by the electors of the State this amendment shall take effect January 1st, 1921.

Approved October 5, 1919.

I. H. C. Smith, Secretary of State of Utah, do hereby certify that the foregoing is a full, true and correct copy of all Constitutional Amendments proposed by the Legislature of 1919, as the same appear of record in my office.

In witness whereof, I have hereunto set my hand and affixed the Great Seal of the State of Utah, this 1st day of September, 1920.

(Seal) HILDEN BENNING, Secretary of State.

Democratic Precinct Nominations

Winter Quarters Precinct, Justice—Charles Smith
Constable—Frank Parker

Clear Creek Precinct, Justice—None
Constable—None

Scofield Precinct, Justice—Charles Moelble
Constable—Charles Fowles

Cameron Precinct, Justice—None
Constable—None

Castle Gate Precinct, Justice—None
Constable—Henry East

Heiner Precinct, Justice—C. H. Hunter
Constable—Leo Birch

Helper Precinct, Justice—A. M. Evans
Constable—H. H. Dunn

Peerless Precinct, Justice—Thomas W. Davis
Constable—Thomas Edwards

Storrs Precinct, Justice—Robert Deans
Constable—Alexander McBeth

Standardville Precinct, Justice—R. E. Mitten
Constable—A. P. Webb

Spring Glen Precinct, Justice—Frank Jerome
Constable—G. V. Miller

Price Precinct, Justice—Samuel L. Williams
Constable—S. S. Young

Wellington Precinct, Justice—M. L. Snow
Constable—Lyman Reynolds

Sunnyside Precinct, Justice—Evan T. Jones
Constable—August J. Carlson

Hiawatha Precinct, Justice—None
Constable—None

Kenilworth Precinct, Justice—W. S. Manson
Constable—E. A. Franks

Rains Precinct, Justice—F. W. Jenkinson
Constable—L. Fattia

Republican Precinct Nominations

Clear Creek Precinct, Justice—J. I. Benson
Constable—Lee Gourdin

Scofield Precinct, Justice—J. W. Metcalf
Constable—John Davis

Winter Quarters Precinct, Justice—Hugh Pierce
Constable—Robert B. Menzies

Castle Gate Precinct, Justice—Thomas L. Reese
Constable—None

Kenilworth Precinct, Justice—E. A. Rice
Constable—E. A. Franks

Price Precinct, Justice—J. W. Hammond
Constable—John U. Bryner

Standardville Precinct, Justice—R. E. Mitten
Constable—A. P. Webb

Rains Precinct, Justice—None
Constable—None

Sunnyside Precinct, Justice—W. J. Emigholz
Constable—P. G. Dufford

Hiawatha Precinct, Justice—M. J. Rudy
Constable—Grover Lewis

Wattis Precinct, Justice—Carl Grant
Constable—George Kendrick

TICKET

United States President	CHRISTENSEN	YES
United States Vice President	AYES	
Electors		
NAHUE		
Senator		
Supreme Court		
Governor		
Secretary of State		
Attorney General		
State Auditor		
Treasurer		
Supt. of Public Instruction	DALEK	
Representative in Congress		
State Representative		
District Judge		
District Attorney		
County Commissioner, Four-Year Term		
County Commissioner, Two-Year Term		
County Clerk		
County Sheriff		
County Treasurer		
County Recorder		
County Attorney		
County Auditor		
County Assessor		
County Surveyor		
Precinct Justice		
Constable		

Amendment to Sec. 1, State Constitution

NO

Amendment to Sec. 5, State Constitution

NO

STATE OF UTAH, COUNTY OF CARBON—ss.

I, H. C. Smith, County Clerk in and for Carbon County, State of Utah, do hereby certify that the foregoing is a full, true and correct list of nominations filed in my office, as appear for state, county and precinct officers thereof and now on file and of record in my office.

Witness my hand and seal of said Carbon County, this 9th day of October, A. D., 1920.

(Seal)

H.C. Smith

County Clerk of Carbon County, Utah.

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FOR OIL LOCATIONS.

The Sun carries in stock the new blanks for locating oil under the leasing bill recently passed by congress. An approved form. By parcel post fifty cents the dozen. Also a full line of other location forms and a complete stock of legal blanks of every description.

We suspect that some of our brother editors are sizing up the future possibilities of running for public office. They are saying some mighty nice things about the ladies.