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FEB 16 1972

Req. #2332

AUTHOR'S COPY

Assembly Constitutional Amendment No. _____
A resolution to propose to the people of the
State of California an amendment to the
Constitution of the state, by amending
Section 1 of Article I, Sections 2 and 6 of
Article IV, and Section 11 of Article IX
thereof, relating to state government.

Resolved by the Assembly, the Senate concurring,

That the Legislature of the State of California at its
1972 Regular Session commencing on the third day of
January, 1972, two-thirds of the members elected to each
of the two houses of the Legislature voting therefor,
hereby proposes to the people of the State of California
that the Constitution of the state be amended as follows:

First--That Section 1 of Article I be amended
to read:

Section 1. All ~~men~~ persons are by nature free
and independent, and have certain inalienable rights,
among which are those of enjoying and defending life and
liberty; acquiring, possessing, and protecting property;
and pursuing and obtaining safety and happiness, and
privacy.

Second--That Section 2 of Article IV be amended
to read:

Sec. 2. (a) The Senate has a membership of 40 Senators elected for 4-year terms, 20 to begin every 2 years. The Assembly has a membership of 80 Assemblymen and Assemblywomen elected for 2-year terms.

(b) Election of Assemblymen and Assemblywomen shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as Assemblymen and Assemblywomen.

(c) A person is ineligible to be a member of the Legislature unless he such person is an elector and has been a resident of his the district to be represented by the person for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding his the person's election..

(d) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

Third--That Section 6 of Article IV be amended
to read:

SEC. 6. For the purpose of choosing members of the Legislature, the State shall be divided into 40 Senatorial and 80 Assembly districts to be called Senatorial and Assembly districts. Such districts shall be composed of contiguous territory, and Assembly districts shall be as nearly equal in population as may be. Each Senatorial district shall choose one Senator and each Assembly district shall choose one member of Assembly. The Senatorial districts shall be numbered from one to 40, inclusive, in numerical order, and the Assembly districts shall be numbered from one to 80 in the same order, commencing at the northern boundary of the State and ending at the southern boundary thereof. In the formation of Assembly districts no county, or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, and in the formation of Senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or of any city and county, be united with any other county, or city and county, in forming any Assembly or Senatorial district. The census taken under the direction of the Congress of the United States in the year 1920, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each decennial Federal census, adjust such districts, and reapportion the representation so as to preserve the Assembly districts as nearly equal in population as may be; but in the formation of Senatorial districts no county or city and county shall contain more than one Senatorial district, and the counties of small population shall be grouped in districts of not to exceed three counties in any one Senatorial district; provided, however, that should the Legislature at the first regular session following the adoption of this section or at the first regular session following any decennial Federal census fail to reapportion the Assembly and Senatorial districts, a Reapportionment

Commission, which is hereby created, consisting of the Lieutenant Governor, who shall be chairman, and the Attorney General, State Controller, Secretary of State and State Superintendent of Public Instruction, shall forthwith apportion such districts in accordance with the provisions of this section and such apportionment of said districts shall be immediately effective the same as if the act of said Reapportionment Commission were an act of the Legislature, subject, however, to the same provisions of referendum as apply to the acts of the Legislature.

Each subsequent reapportionment shall carry out these provisions and shall be based upon the last preceding Federal census. But in making such adjustments no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district. Until such districting as herein provided for shall be made, Senators ~~and~~ Assemblymen shall be elected by the districts according to the apportionment now provided for by law.

and,
and Assembly-
women

Fourth--That Section 11 of Article IX be amended to read:

Sec. 11. All property now or hereafter belonging to "The California School of Mechanical Arts," an institution founded and endowed by the late James Lick to educate ~~males and females~~ persons in the practical arts of life, and incorporated under the laws of the State of California, November twenty-third, eighteen hundred and eighty-five, having its school buildings located in the city and county of San Francisco, shall be exempt from taxation. The trustees of said institution must annually report their proceedings and financial accounts to the Governor. The Legislature may modify, suspend, and revive at will the exemption from taxation herein given.