

Assembly Concurrent Resolution

No. 1

Introduced by Assembly Member Blakeslee

December 1, 2008

Assembly Concurrent Resolution No. 1—Relative to calling a convention for the revision of the California Constitution.

LEGISLATIVE COUNSEL'S DIGEST

ACR 1, as introduced, Blakeslee. Constitutional Convention.

This measure would propose that the people of the State of California vote at the next statewide general election on the question of whether to call a convention to revise the California Constitution.

Fiscal committee: yes.

1 WHEREAS, The California Constitution authorizes the
2 Legislature to submit at a general election the question of whether
3 to call a convention to revise the California Constitution; and

4 WHEREAS, It is the intent of the Legislature that the delegates
5 to the Constitutional Convention revise the Constitution to institute
6 election and campaign reforms, tax reforms, and budget reforms;
7 and

8 WHEREAS, Election, campaign, and budget reforms are
9 required to make the Legislature more responsive to the people of
10 this state by increasing competitive choice in electing Members
11 of the Legislature while decreasing partisan control over the
12 selection of candidates, by allowing Members of the Legislature
13 to gain more experience by lengthening potential terms of service
14 while preserving the spirit of term limits, and by decreasing the
15 influence of special interests through strengthening controls that

1 limit personal benefits to Members of the Legislature from
2 campaign and noncampaign gifts and contributions; and

3 WHEREAS, Tax reform for sales, corporate, and income taxes
4 is required to reduce the sharp increases and decreases in revenue
5 that change with California's gross domestic product. California
6 needs to adopt a tax system that is reasonably revenue neutral, in
7 the aggregate for each taxpayer relative to the current tax code
8 over a prior 10-year period, and establish reforms that provide an
9 incentive for new business activity in the state resulting in increased
10 future state revenues due to stronger economic activity; and

11 WHEREAS, Budget reform is required to avoid financial
12 hardships to the people of this state by revising the legislative and
13 budget calendars to promote a timely budget and limit the
14 Legislature's ability to work on nonbudget legislation if a budget
15 is delayed, and by establishing automatic payments for critical
16 services, in an amount no greater than the prior year's funding
17 level, except for adjustments based on a change in population and
18 the cost of living, when there are budget delays; and

19 WHEREAS, Budget reform is needed to curb spending by
20 requiring that new fees or fee increases in excess of the percentage
21 increase of population and the cost of living are treated as taxes
22 that must be passed by two-thirds of the Members of the
23 Legislature; and

24 WHEREAS, It is the intent of the Legislature that the delegates
25 focus on these reforms and limit the scope of the constitutional
26 revisions to the most pressing needs of the state; now, therefore,
27 be it

28 *Resolved by the Assembly of the State of California, the Senate*
29 *thereof concurring*, That the Legislature of the State of California
30 at its 2009–10 Regular Session commencing on the first day of
31 December 2008, two-thirds of the membership of each house
32 concurring, hereby proposes that the people of the State of
33 California vote at the next statewide general election on the
34 question of whether to call a convention to revise the California
35 Constitution, subject to all of the following:

36 (a) Pursuant to Section 2 of Article XVIII of the California
37 Constitution, the question of whether to call a convention to revise
38 the California Constitution shall be submitted to the voters at the
39 next statewide general election, and if the majority vote yes on

1 that question, within six months the Legislature shall provide for
2 the convention;

3 (b) The Secretary of State shall submit the question of whether
4 to call a convention to revise the California Constitution to the
5 voters in the manner in which the Secretary of State would submit
6 any other proposition by the Legislature that is submitted to a
7 popular vote at a statewide general election;

8 (c) There shall be 56 delegates to the constitutional convention
9 and those delegates shall be voters of this state. Fourteen delegates
10 each shall be elected from four districts as nearly equal in
11 population as may be practicable;

12 (d) The procedure used to elect delegates to the convention and
13 the rules of procedure regarding the conduct of the convention
14 shall be prescribed by a statute to be enacted;

15 (e) The elected delegates shall meet in convention in the
16 Assembly Chamber at the State Capitol Building in the City of
17 Sacramento; and be it further

18 *Resolved*, That the Chief Clerk of the Assembly transmit copies
19 of this resolution to the Secretary of State, the Legislative Analyst,
20 the Attorney General, and to the author for appropriate distribution.