Assembly Constitutional Amendment No. 16

Introduced by Assembly Member Nestande

March 25, 2009

Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1.2 to Article XVI thereof, relating to state debt.

legislative counsel's digest

ACA 16, as introduced, Nestande. General obligation bonds: proceeds of sale.

The California Constitution requires that any debt or debts, or liability or liabilities, created by the Legislature which shall, singly or in the aggregate with any previous debts or liabilities, exceed the sum of $300,000, with specified exceptions, be authorized by law for some single object or work to be distinctly specified therein, subject to specified conditions, including approval by the voters.

This measure would provide that debt subject to the above-stated requirements that is approved by the voters after this measure becomes effective could be incurred to fund only long-term infrastructure. This measure would define long-term infrastructure as the acquisition of land, including easements, rights-of-way, and other forms of interest in land; the construction or acquisition of improvements to land, including structures and equipment integral to the operation of those structures; and the construction or acquisition of roadways and water conveyances.

Vote: 2/3. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2009–10 Regular Session commencing on the first day of December 2008, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

That Section 1.2 is added to Article XVI thereof, to read:

SEC. 1.2. (a) Indebtedness that is subject to Section 1 and is approved by the voters on or after the effective date of this section shall be incurred only to fund long-term infrastructure.

(b) For purposes of this section, "long-term infrastructure" means any of the following:

(1) The acquisition of land, including easements, rights-of-way, and other forms of interest in land.

(2) The construction or aquisition of improvements to land, including structures and equipment integral to the operation of those structures.

(3) The construction or acquisition of roadways and water conveyances.

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