

AMENDED IN SENATE AUGUST 17, 2009

Senate Concurrent Resolution

No. 3

Introduced by Senator DeSaulnier

December 1, 2008

Senate Concurrent Resolution No. 3—Relative to a constitutional convention.

LEGISLATIVE COUNSEL'S DIGEST

SCR 3, as amended, DeSaulnier. Constitutional convention.

Under the California Constitution, the Legislature by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, may submit at a general election the question whether to call a convention to revise the Constitution. If the majority vote yes on that question, within 6 months the Legislature is required to provide for the 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, Section 2 of Article XVIII of the California
- 2 Constitution provides that the Legislature by rollcall vote entered
- 3 in the journal, two-thirds of the membership of each house
- 4 concurring, may submit at a general election the question of
- 5 whether to call a convention to revise the Constitution; and
- 6 WHEREAS, Section 2 of Article XVIII of the California
- 7 Constitution further provides that if a majority votes yes on the
- 8 question of whether to call a convention to revise the Constitution,

1 the Legislature shall provide for a convention within six months;
2 and

3 WHEREAS, Section 2 of Article XVIII of the California
4 Constitution further provides that delegates to a constitutional
5 convention shall be voters elected from districts as nearly equal
6 in population as may be practicable; now, therefore, be it

7 *Resolved by the Senate of the State of California, the Assembly*
8 *thereof concurring*, That the Legislature of the State of California
9 at its 2009–10 Regular Session commencing on the first day of
10 December 2008, two-thirds of the membership of each house
11 concurring, hereby proposes that the people of the State of
12 California vote at the next statewide general election on the
13 question of whether to call a convention to revise the California
14 Constitution *to provide for the effective and efficient delivery of*
15 *public services*, subject to all of the following:

16 (a) Pursuant to Section 2 of Article XVIII of the California
17 Constitution, the question of whether to call a convention to revise
18 the California Constitution shall be submitted to the voters at the
19 next statewide general election, and if the majority vote yes on
20 that question, within six months the Legislature shall provide for
21 the convention.

22 (b) The Secretary of State shall submit the question of whether
23 to call a convention to revise the California Constitution to the
24 voters as the Secretary of State would submit any other proposition
25 by the Legislature that is submitted to a popular vote at a statewide
26 general election; and be it further

27 *Resolved*, That the Legislature of the State of California at its
28 2009–10 Regular Session commencing on the first day of
29 December 2008, two-thirds of the membership of each house
30 concurring, hereby submits at the next statewide general election
31 after passage of this measure a question asking whether voters are
32 for or against the calling of a convention for the purpose of revising
33 the Constitution of the State; and be it further

34 *Resolved*, That the Secretary of the Senate transmit copies of
35 this resolution to the author for appropriate distribution.