Amendment
No 224

Amendment to Article Four of the Constitution proposing a new section to be known as Section 41. relating to appropriations for orphans.

Oct 11. 78
Read & referred to
Legislative
Committee
Com on Legislative
Department
Thornton
Ass Sec

~~46~~
Nov 11. 78
Legislative
Reported back with
substitute Am. No 501
Thornton
Asst Secy

By
Mr Shoemaker

~~Proposed Amendments to the Cons~~

~~Propositions to~~ Proposition to.

Amend

Section Two Article Four of the Constitution so as to read as follows:

Section Two. The sessions of the Legislature shall be biennial, and shall commence on the first Wednesday after the first Monday of January next ensuing the election of its members unless the Governor of this State shall in the interim convene the Leigislature by proclamation. No session shall continue longer than one hundred days.

No.

Amendment to Section Two, Article Four of the Constitution, relative to sessions of the Legislature.

By
Mr Shoemaker

2-1

Amend Section Three Article Four of the Constitution so as to read as follows:

Section Three. Members of the Assembly shall be chosen biennially by the qualified electors of their respective districts in November on the days of Presidential and Congressional elections, or on the even years; and their term of office shall be two years.

No

Amendment to Section Three Article Four of the Constitution relative to time of electing members of the Legislature

By
Mr Shoemaker

3-1

Amend Section Five Article Four of the Constitution so as to read as follows:

Section Five. Senators shall shall be chosen for the term of four years, at the same time and place as members of the Assembly; and no person shall be a member of the Senate or Assembly who has not been a citizen and inhabitant of the state and of the County or district for which he shall be chosen, one year next before his election. Twenty Senators shall be elected at each general election, beginning in eighteen hundred and eighty and every two years thereafter.

No

Amendment to Section Five Article Four of the Constitution relative to the election of State Senators

By Mr Shoemaker

4-1

Amend Section Six, Article Four of the Constitution so as to read as follows:

Section Six. The state shall be divided into forty Senatorial districts, of compact and contiguous territory as nearly equal in population as may be; and each district shall be entitled to elect one senator, but no city and county shall be entitled to representation exceeding one fifth the whole number of senators. No county shall be divided in the formation of a district.

No

Amendment to Section Six Article Four of the Constitution relative Senatorial Districts

By
Mr Shoemaker

5-1

Amend Section Seven, Article Four of the Constitution so as to read as follows:

Section Seven. The members of the Assembly shall be apportioned among the several counties on a ratio obtained by dividing the population of the State as ascertained by the latest United States Census by eighty. Every County containing one ratio or fractional part thereof exceeding one-half, shall be entitled to one member. Every city or city and County entitled to more than four members

6-1

of the Assembly, or three Senators, shall be divided into districts; each district to elect its proportion of members of the Senate and Assembly according to its population.

No

Amendment to Section Seven Article Four of the Constitution relative to apportioning members of the Assembly.

By Mr Shoemaker

7-1

Amend Section Ten Article Four of the Constitution so as to read as follows:

Section Ten. Each house shall determine the rule of its own proceedings, and may with consent of two-thirds of all the members elected expel a member, to enforce obedience to its process, to punish for contempt and disorderly conduct in its presence.

No

Amendment to Section Ten Article Four of the Constitution relative to the Legislature controlling its own proceedings

By Mr Shoemaker

8-1

Amend Section Sixteen Article Four of the Constitution so as to read as follows:

Section Sixteen. Any bill may originate in either house of the Legislature; and all bills passed by one house may be amended in the other; but no bill shall be so altered or amended on its passage through either house as to change its original purpose.

No

Amendment to Section Sixteen Article Four of the Constitution relative to origin of bill in the Legislature

By Mr Shoemaker

9-1

Amend Section Twenty Article Four of the Constitution so as to read as follows:

Section Twenty No senator or member of the Assembly shall during the term for which he shall have been elected be appointed to any civil office of profit in this State which shall have been created, or the emoluments of which shall have been increased by his vote during such term; and in no case without first resigning the office he holds, except such offices as may be filled by election by the people.

No

Amendment to Section Twenty Article Four of the Constitution relative to members of the Legislature being appointed to offices created by them.

By
Mr Shoemaker

10-1

Amend Section Twenty-eight Article Four of the Constitution so as to read as follows:

Section Twenty-eight. The enumeration of the inhabitants of this State taken under the direction of the Congress of the United States shall serve as a basis of apportioning representation in both houses of the Legislature.

No

Amendment to Section 28, Article 4. of the Constitution relative representation in the Legislature.

By
Mr Shoemaker

11-1

Amend Section Twenty-Nine Article Four of the Constitution so as to read as follows:

Section Twenty-nine. The apportionment of members of the Senate and Assembly shall be fixed by the Legislature at its first session after the official publication of the census taken, under the direction of the Congress of the United States, among the several counties and districts in pursuance of Section six of this Article.

No.

Amendment to Section 29, Article 4. of the Constitution relative to fixing the apportionment by the Legislature

By Mr. Shoemaker

12-1

Amend Section Thirty-one Article Four of the Constitution so as to read as follows:

Section Thirty-one. Corporations may be formed under general laws, but shall not be created by special Act except for Municipal purposes. Each corporation shall be subject to such restrictions as may be prescribed by law; and all general laws or special Acts passed pursuant to this section, may be altered from time to time or repealed.

No.

Amendment to Section 31 Article 4 of the Constitution relative to formation of corporations

By Mr Shoemaker

13-1

Amend Section Thirty-seven Article Four of the Constitution so as to read as follows:

Section Thirty-seven. It shall be the duty of the Legislature to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit. No city and county county, city, village or town shall ever contract any debt or debts which singly or in the aggregate shall exceed five per cent of the assessed value of the property therein as assessed for State purposes, and then only for purely public purposes.

No

Amendment to Section 37. Article 4. of the Constitution relative to organization of cities incorporated villages and restricting taxation.

By
Mr Shoemaker

4

14-1

Amend Section Thirty-nine Article Four of the Constitution so as to read as follows:

Section Thirty-nine. No law shall extend the term of any public officer, or increase or diminish his salary or emoluments after his election or appointment.

No.

Amendment to Section 39. Article 4. of the Constitution relative to fixing the terms of public officers.

By Mr Shoemaker.

15-1

Amend Article Four of the Constitution by adding a new section to be known and designated as Section Forty

Section Forty. The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State Government, interest on the public debt, and for the public schools. All other appropriations shall be made by seperate bills embracing but one subject.

No

Amendment to Article Four by adding a new Section to be known as Section Forty and relating to appropriations

By Mr Shoemaker

16-1

Amend Article Four of the Constitution by adding a new Section to be known and designated as Section Forty-one.

Section Forty-one. The Legislature may make appropriations of money to institutions organized for the purpose of maintaining orphans who are destitute; but such appropriations shall be applied exclusively to the support of such orphans.

Amendment
No 222

Amendment to Section 19 Article 6. of the Constitution relative to the effect of the adoption of this Constitution on public officials

Oct 11. 78
Read & referred to Com on Judiciary and Judicial Department
Thornton
ass Sec

Nov 13. 78
Reported back with substitute Am No 503
Thornton
Asst Sec

By Mr Shoemaker

Amend Section Two Article Six of the Constitution so as to read as follows:

Section Two. The Supreme Court shall consist of a Chief Justice and six associate Justices. The presence of four justices shall be necessary for the transaction of business, excepting such business as may be done at chambers; and the concurrence of four justices shall be necessary to pronounce judgment.

No

Amendment to Section 2 Article 6. of the Constitution relative to number of Justices of Supreme Court

By Mr Shoemaker

Amend Section Three Article Six of the Constitution so as to read as follows.

Section Three. The Justices of the Supreme Court shall be elected by the qualified electors of the State at the general election of State officers and members of the Legislature in November one thousand eight hundred and eighty. At the first election for Justices of the Supreme Court, three Justices shall be elected whose terms of office shall be fourteen, twelve and ten years respectively, to be determined

3-2

by lot. Every two years thereafter one Justice shall be elected at the general election for members of the legislature and whose term of office shall be fourteen years. The Justice whose commission first expires shall be Chief Justice. Any vacancy occurring in the office of Justice of the Supreme Court, District Court, County and Probate Court shall be filled by appointment of the Governor until the next general election, when a person shall be elected

to serve the balance of the unexpired term, and in order that no inconvenience may result to the public service from the taking effect of this constitution, no officer either legislative, executive, judicial or county shall be superseded or suspended thereby until the election and qualification of the several officers provided for this constitution (in November, eighteen hundred and eighty.)

No.

Amendment to Section 3 Article 6 of the Constitution relative to the election of Supreme Justices

By Mr Shoemaker

Amend Section Five Article Six of the Constitution so as to read as follows:

Section Five. Twenty-three Judicial Districts are hereby constituted as now defined by law, which may be altered from time to time as the public good may require by a two thirds vote of all the members elected to both houses of the Legislature; in each of which there shall be a District Court, and for each of which a district judge shall be elected by the qualified electors of the district at the

general election for State officers and members of the Legislature. The District Judges shall hold their offices for the term of eight years from the first day of January next after their election. The legislature shall have no power to grant leave of absence to a Judicial officer, and any such officer who shall absent himself from the state for upwards of thirty consecutive days shall be deemed to have forfeited his office.

No

Amendment to Section 5. Article 6 of the Constitution relative to number of Judicial Districts and term of office of the District Judges

By Mr Shoemaker

Amend Section Seven Article Six of the Constitution so as to read as follows:

Section Seven. There shall be in each of the organized counties of this State a County Court, for each of which a County Judge shall be elected by the qualified electors of the county at the general election to be held as provided for the election of State officers and members of the Legislature. The County Judges shall hold their offices for the term of six years from the first day of January next after

their election. Said courts shall also have power to issue naturalization papers. In the City and County of San Francisco and in counties of one hundred thousand inhabitants and upwards, the legislature may seperate the office of Probate Judge from that of County Judge, and may provide for the election of a Probate Judge who shall hold his office for the term of six years.

No.

Amendment to Section 7 Article 6 of the Constitution relative to County and Probate Courts.

By Mr Shoemaker

Amend Section Fifteen Article Six of the Constitution so as to read as follows:

Section Fifteen The Justices of the Supreme Court, District Judges and County Judges shall severally at stated times during their continuance in office receive for their services a compensation which shall not be increased or diminished during the term for which they shall have been elected nor for four months prior to their assuming the duties of their office; provided that County Judges shall be paid out of the County Treasury of their respective counties.

~~Amendment~~
N E ~~222~~

Amendment to Section 15 Article 6 of the Constitution relative to salaries of Judicial officers

47

Judiciary
Committee

By
Mr Shoemaker

Amend Section Nineteen Article Six of the Constitution so as to read as follows:

Section Nineteen In order that inconvenience may result to the public service from the taking effect of this Constitution, no officer shall be superceded thereby; nor shall the organization of the several courts be changed thereby, nor shall the tenure of any officer be changed unless it expire in the year one thousand eight hundred and seventy nine, in which case the term is extended till January first one thousand eight hundred and eighty one, and until their successors are elected and qualified