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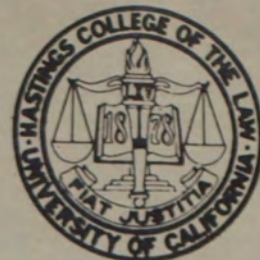
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# HASTINGS LAW NEWS



SPECIAL ISSUE

198 Mc Allister Street, San Francisco, CA. 94102

May 1970

CALIFORNIA LEGISLATURE—1970 REGULAR SESSION

ASSEMBLY BILL

No. 1674

Introduced by Assemblymen Vasconcellos, McCarthy, and Sieroty

March 30, 1970

REFERRED TO COMMITTEE ON GOVERNMENT ADMINISTRATION

*An act to add Division 2.5 (commencing with Section 600) to the Military and Veterans Code, relating to military service.*

*The people of the State of California do enact as follows:*

1 SECTION 1. Division 2.5 (commencing with Section 600) is  
2 added to the Military and Veterans Code, to read:

3

4

DIVISION 2.5. MILITARY SERVICE OF  
RESIDENTS IN UNDECLARED WARS

5

6

7 600. No resident of this state shall serve in the armed forces  
8 of the United States in any area of any foreign country in  
9 which area there is armed conflict unless the Congress of the  
10 United States has declared a war in that area.

11 601. The Attorney General shall take appropriate legal ac-  
12 tion in the federal courts to enforce the provisions of Section  
13 600.

LEGISLATIVE COUNSEL'S DIGEST

AB 1674, as introduced, Vasconcellos (Gov. Adm.). Undeclared wars: resident participation.

Adds Div. 2.5 (commencing with Sec. 600), M. & V.C.

Prohibits residents from serving in any area of armed conflict in any foreign country unless United States Congress has declared war in such area.

Requires Attorney General to enforce such prohibition by appropriate legal action in federal courts.

Vote—Majority; Appropriation—No; Fiscal Committee—Yes.



# Appeal to Public

The seven legislators listed below are faced with a tough decision. Their committee must take prompt action on A.B. 1674 - an unusual piece of legislation geared to meet an unusual domestic and international crisis. At present, these seven must decide whether or not to pass the bill out of their committee and onto the assembly floor for a debate. You might assume that such channeling of issues into the full assembly for an open debate is inherent in the democratic process, but these legislators function in an environment tempered by political realities.

The Republican Committee Chairman must consider the desires of the Republican Speaker of the Assembly, who is in close contact with the Republican Governor, who in turn is reluctant to inconvenience a Republican President.

The casualty lists from Vietnam, Cambodia, and Laos do not indicate whether the dead and injured were registered Republicans or Democrats. War, and the long and short range waste associated with it pays no heed to party lines.

A.B. 1674 calls for a non-partisan re-assessment of our acquiescence to war by executive fiat. You, as a voting member of the public also swing some weight with these elected representatives and they have indicated a desire to follow their constituencies in voting on A.B. 1674 - give them your opinion - TODAY - urge a full hearing and prompt vote on the merits of A.B. 1674. Committee hearings are set for Wednesday 2/ May. Make your voice heard before then. The system can and will work if you make it work. DO IT - today.

ASSEMBLYMAN CARL BRITSCHGI (R) CHAIRMAN  
GOVERNMENT ADMINISTRATION COMMITTEE  
2025 Broadway, Redwood City, CA.94063

ASSEMBLYMAN L.E. TOWNSEND (D)  
15225 S. Western Ave, Gardena, CA.90294

ASSEMBLYMAN CARLOS BEE (D)  
22734 Main St., Hayward, CA. 94541

ASSEMBLYMAN EUGENE A. CHAPPIE (R)  
State Cap. Bldg. Sacramento, CA.

ASSEMBLYMAN WADIE DEDDEH (D)  
240 Woodlawn Ave, Chula Vista, CA.92010

ASSEMBLYWOMAN MARCH K. FONG  
10 Eastmont Mall, Oakland CA. 94605

ASSEMBLYMAN ALAN SIEROTY (D)  
1144 S. Robertson, Los Angeles, CA.90035

**Sacramento Address for Legislators:**

**State Capitol, Sacramento, California 95814**

## SENATE

| DISTRICT | NAME & PARTY               | DISTRICT OFFICE ADDRESS                    | TELEPHONE    |
|----------|----------------------------|--|--------------|
| 13       | Alquist, Alfred E. (D)     | 3373 Madonna Dr., San Jose 95117           | 408 286-8318 |
| 26       | Bailenson, Anthony C. (D)  | 1122 S. Robertson Blvd., Los Angeles 90035 | 213 278-2234 |
| 14       | Bradley, Clark L. (R)      | 509 First Nat'l Bank Bldg, San Jose 95113  | 408 294-6827 |
| 38       | Burgener, Clair W. (R)     | 8690 Center Dr., La Mesa 92041             | 714 460-7041 |
| 16       | Burns, Hugh M. (D)         | P.O. Box 748, Fresno 93712                 | 209 224-6550 |
| 22       | Carroll, Tom (D)           | 753 San Fernando Rd., San Fernando 91340   | 213 361-1141 |
| 1        | Callier, Randolph (D)      | 206 - 4th St., Yreka 96097                 | 916 842-4161 |
| 36       | Colagne, Gordon (R)        | P.O. Drawer 1270, India 92201              | 714 347-5530 |
| 20       | Coombs, William E. (R)     | 223 S. Riverside Ave., Rialto 92376        | 714 875-7676 |
| 23       | Cusanovich, Lou (R)        | 14921 Ventura Blvd., Sherman Oaks 91403    | 213 788-2300 |
| 27       | Danielson, George E. (D)   | 217 W. 1st St., Los Angeles 90012          | 213 620-5555 |
| 7        | Deukmejian, George (R)     | 555 E. Ocean Blvd., Long Beach 90802       | 213 435-4865 |
| 12       | Dills, Ralph C. (D)        | 529 W. 8th St., San Pedro 90731            | 213 831-1237 |
| 32       | Dalwig, Richard J. (R)     | 181 - 2nd Ave., San Mateo 94401            | 415 347-1313 |
| 29       | Dymally, Mervyn M. (D)     | 217 W. 1st St., Los Angeles 90012          | 213 620-5600 |
| 17       | Crunkley, Donald L. (R)    | P.O. Box 1186, Watsonville 95076           | 408 722-5511 |
| 21       | Harmer, John L. (R)        | 401 N. Brand Blvd., Glendale 91203         | 213 246-8228 |
| 33       | Kennick, Joseph M. (D)     | 110 Pine Ave., Long Beach 90802            | 213 432-5473 |
| 24       | Lagomarsino, Robert J. (R) | 21 S. California St., Ventura 93001        | 805 648-5911 |
| 9        | Marks, Milton (R)          | 350 McAllister St., San Francisco 94102    | 415 557-1427 |
| 2        | Marler, Fred W., Jr. (R)   | P.O. Box 2297, Redding 96001               | 916 241-8290 |
| 4        | McCarthy, John F. (R)      | 1299 - 4th St., San Rafael 94901           | 415 453-2070 |
| 40       | Mills, James R. (D)        | 326 Broadway, San Diego 92101              | 714 234-2131 |
| 10       | Moscone, George R. (D)     | 540 Van Ness Ave., San Francisco 94102     | 415 626-4501 |
| 7        | Nejedly, John A. (R)       | 1393 Civic Dr., Walnut Creek 94596         | 415 934-4558 |
| 11       | Petris, Nicholas C. (D)    | 1212 Broadway, Oakland 94612               | 415 464-1333 |
| 19       | Richardson, H. L. (R)      | 735 W. Duarte Rd., Arcadia 91006           | 213 445-4404 |
| 5        | Rodda, Albert S. (D)       | State Capitol, Rm. 4048, Sacramento 95814  | 916 445-5788 |
| 34       | Schmitz, John G. (R)       | 18002 Irvine Blvd., A-2 Tustin 92680       | 714 838-3501 |
| 8        | Schrade, Jack (R)          | 1904 Hotel Circle, San Diego 92110         | 714 291-2225 |
| 3        | Sherman, Lewis F. (R)      | 1111 Jackson St., Oakland 94607            | 415 834-3460 |
| 6        | Short, Alan (D)            | 31 E. Channel, Stockton 95202              | 209 466-2491 |
| 28       | Song, Alfred H. (D)        | 2337 S. Garfield Ave., Monterey Pk. 91754  | 213 724-3825 |
| 25       | Stevens, Robert S. (R)     | 1245 Glendon Ave., Los Angeles 90024       | 213 473-2147 |
| 18       | Stiern, Walter W. (D)      | 930 Truxtun Ave., Bakersfield 93301        | 805 323-3379 |
| 3        | Teale, Stephen P. (D)      | State Capitol, Rm. 5082, Sacramento 95814  | 916 445-2407 |
| 15       | Walsh, Lawrence E. (D)     | 6055 E. Washington Blvd., Commerce 90022   | 213 685-9320 |
| 30       | Way, Howard (R)            | P.O. Box 724, Exeter 93221                 | 209 592-3571 |
| 31       | Wedworth, James Q. (D)     | 8404 S. Crenshaw Blvd., Inglewood 90305    | 213 778-0604 |
| 35       | Whetmore, James E. (R)     | 13163 Brookhurst, Garden Grove 92640       | 714 534-8000 |

"I made this decision. I take responsibility for it. I believe it was the right decision. I believe it will work out. If it doesn't then I'm to blame."  
QUOTE FROM PRES. NIXON'S TV NEWS CONFERENCE ON THE CAMBODIAN INVASION, 1 May 1970

\*\*\*\*\*  
"Congress shall have the power to...declare war..."  
ARTICLE I. SECTION 8 (11) U.S. CONSTITUTION, 17 Sept. 1787  
\*\*\*\*\*

The question is whether or not President Nixon has the prerogative to shoulder the responsibility for waging war. He has shown us that he has the power to do so and it is precisely because of the Chief Executive's unabashed flexing of his political muscles by the invasion of Cambodia, that we ought to take stock of our traditional "Checks & Balances". Some of our federal and state officials have long decried the military involvement in Southeast Asia as beyond the scope of executive order. Most of us have been content to mumble something about...Tonkin Gulf... resolution...Commander-In-Chief...Geneva Accords... ad nauseam. Mr. Nixon has laid it on the line for us; we can no longer take refuge in such catchword replies. We must either prompt remedial action by our theoretically self-compensating system of constitutional government or recognize the demise of the "Separation of Powers" Doctrine from the American scene.

A.B. 1674 is intended to precipitate a judicial re-evaluation of the present state of affairs. It will prompt the Supreme Court to view the current military effort in Southeast Asia as it exists today - not as it was "escalated" upon a confused and uninformed public. To date, the Supreme Court has successfully avoided considering individual challenges to the war by denying "standing" to those who sought its counsel. A.B. 1674 places the weight of 18 million Californians behind a test case which simply asks the Court to review our present course of war by executive fiat. Hopefully Pres. Nixon's preference for "strict constructionists" would result in adherence to the clear mandate of the Constitution and the Court would go on record as requiring Congress to authorize continued prosecution of the war in Southeast Asia.

The following list of State legislators is reproduced for your convenience and future reference - use it to support A.B. 1674 and keep it handy for your future participation in the democratic process.

## ASSEMBLY

| DISTRICT | NAME & PARTY              | DISTRICT OFFICE ADDRESS                        | TELEPHONE    |
|----------|---------------------------|--|--------------|
| 41       | Arkin, Henry (R)          | 10640 Sepulveda Blvd., Mission Hills 91340     | 213 361-7158 |
| 71       | Badham, Robert E. (R)     | 1649 Westcliff, Newport Beach 92660            | 714 548-3913 |
| 7        | Bagley, William T. (R)    | 225 Albert Building, San Rafael 94901          | 415 456-2421 |
| 78       | Barnes, E. Richard (R)    | 3320 Kemper, San Diego 92110                   | 714 222-1178 |
| 13       | Bee, Carlos (D)           | 22734 Main St., Hayward 94541                  | 415 538-5533 |
| 2        | Belotti, Frank P. (R)     | P.O. Box 1025, Eureka 95501                    | 707 442-9272 |
| 30       | Berryhill, Clare L. (R)   | 112 Needham, Madesta 95354                     | 209 526-4082 |
| 46       | Beverly, Robert G. (R)    | 1611 S. Pacific Cst. Hwy., Redondo Beach 90277 | 213 378-8522 |
| 74       | Biddle, Craig (R)         | 6370 Magnolia Ave., Riverside 92506            | 714 682-2052 |
| 63       | Brathwaite, Yvonne (D)    | 4036 Buckingham Rd., Los Angeles 90008         | 213 295-5424 |
| 35       | Briggs, John V. (R)       | 1400 No. Harbor Blvd., Fullerton 92632         | 714 879-2345 |
| 26       | Britschgi, Carl A. (R)    | 2025 Broadway, Redwood City 94063              | 415 366-3426 |
| 18       | Brown, Willie L., Jr. (D) | 664 Octavia St., San Francisco, 94102          | 415 557-2320 |
| 70       | Burke, Robert H. (R)      | 17732 Beach Blvd., Huntington Beach 92647      | 714 842-1494 |
| 20       | Burton, John L. (D)       | 350 McAllister, San Francisco 94102            | 415 557-3616 |
| 50       | Campbell, William (R)     | 101 S. 2nd St., La Puente 91744                | 213 330-4505 |
| 6        | Chappie, Eugene A. (R)    | State Capitol, Sacramento 95814                | 916 445-7298 |
| 54       | Collier, John L. E. (R)   | 1109 Fair Oaks Ave., S. Pasadena 91030         | 213 799-9462 |
| 57       | Conrad, Charles J., (R)   | 13440 Ventura Blvd., Sherman Oaks 91403        | 213 872-0057 |
| 69       | Cory, Kenneth (D)         | P.O. Box 4384, Anaheim 92801                   | 714 635-4222 |
| 25       | Crandall, Earle P. (R)    | 760 N. First St., San Jose 95112               | 408 292-3055 |
| 111      | Crown, Robert W. (D)      | 1111 Jackson St., Oakland 94607                | 415 464-0847 |
| 44       | Cullen, Mike (D)          | 444 W. Ocean Blvd., Long Beach 90802           | 213 830-6444 |
| 1        | Davis, Pauline (D)        | P.O. Box 1071, Portola 96122                   | 916 832-5013 |
| 77       | Deddeh, Wadie P., (D)     | 240 Woodlawn Ave., Chula Vista, 92010          | 714 427-7077 |
| 10       | Dent, James W. (R)        | 89 John Glenn Dr., Concord 94520               | 415 689-1973 |
| 21       | Duffy, Gordon W. (R)      | 208 N. Dooty, Hanford 93230                    | 209 582-4431 |
| 5        | Dunlap, John F. (D)       | 1221 Monterey St., Vallejo 94590               | 707 644-5231 |
| 51       | Fenton, Jack R. (D)       | 1601 W. Beverly Blvd., Montebello 90640        | 213 724-3400 |
| 15       | Fong, March K. (D)        | 10 Eastmont Mall, Oakland 94605                | 415 562-1515 |
| 23       | Foran, John Francis (D)   | 350 McAllister, San Francisco 94102            | 415 557-2253 |
| 40       | Garcia, Alex P. (D)       | 257 S. Spring St., Los Angeles 90012           | 213 628-5155 |
| 66       | Gonsalves, Joe A., (D)    | 12340 E. Firestone Blvd., Norwalk 90650        | 213 868-7710 |
| 53       | Greene, Bill (D)          | 8563 S. Broadway, Los Angeles 90003            | 213 778-0876 |
| 3        | Greene, Leroy F. (D)      | 3400 Cottage Way, Sacramento 95825             | 916 483-2738 |
| 39       | Hayes, James A. (R)       | 666 E. Ocean Blvd., Long Beach 90802           | 213 435-8911 |
| 79       | Ham, Tom (R)              | 625 Broadway, San Diego 92101                  | 714 232-3092 |
| 58       | Johnson, Harvey (D)       | 11001 East Valley Blvd., El Monte 91732        | 213 443-0061 |
| 4        | Johnson, Ray E. (R)       | 253 Vallambrosa St., Chico 95926               | 916 343-8686 |
| 45       | Karobian, Walter (D)      | 231 W. Garvey, Monterey Park 91754             | 213 288-3844 |
| 29       | Ketchum, William M. (R)   | 1601 "H" St., Bakersfield 93302                | 805 323-3146 |
| 11       | Knox, John T. (D)         | 3803 Macdonald Ave., Richmond 94805            | 415 232-3535 |
| 47       | Lanterman, Frank (R)      | 106 A South Los Robles, Pasadena 91101         | 213 449-4747 |
| 73       | Lewis, Jerry (R)          | 3972 N. Waterman Ave., San Bernardino 92404    | 714 886-5201 |
| 36       | MacDonald, Ken (D)        | P.O. Box 1681, Ventura 93001                   | 805 648-5329 |
| 19       | MacGillivray, W. Don (R)  | Studio 117 El Paseo, Santa Barbara 93101       | 805 963-1786 |
| 64       | MacCarthy, Leo T. (D)     | 350 McAllister St., San Francisco 94102        | 415 557-2662 |
| 22       | McGee, Patrick D. (R)     | 6355 Topanga Canyon, Woodland Hills 91364      | 213 347-2222 |
| 17       | Milios, George W. (R)     | 405 Alberta Way, Los Gatos 95030               | 408 354-6031 |
| 33       | Miller, John J. (D)       | 6565 Shattuck Ave., Oakland 94609              | 415 654-1811 |
| 12       | Mobley, Ernest N. (R)     | 600 West Shaw, Fresno 93704                    | 209 224-5293 |
| 43       | Monagan, Robert (R)       | 406 Bank of America Bldg., Stockton 95202      | 209 466-3351 |
| 42       | Moorhead, Carlos J. (R)   | 420 N. Brand Blvd., Glendale 91203             | 213 247-8445 |
| 16       | Murrell, Don (D)          | 1244 Victory Blvd., N. Hollywood 91606         | 213 985-0910 |
| 31       | Murphy, Frank, Jr. (R)    | 2150 Franklin St., Oakland 94612               | 415 836-3050 |
| 38       | Porter, Carley V. (D)     | 1810 "L" St., Merced 95340                     | 209 722-8871 |
| 8        | Powers, Walter W. (D)     | 1717 N. Long Beach Blvd., Compton 90221        | 213 774-1927 |
| 60       | Priolo, Paul (R)          | P.O. Box 15265, Sacramento 95813               | 916 925-0633 |
| 72       | Quimby, John P. (D)       | 12121 Wilshire Blvd., Los Angeles 90025        | 213 820-1525 |
| 55       | Ralph, Leon D. (D)        | 227-A S. Riverside, Rialto 92376               | 714 875-7272 |
| 48       | Roberti, David A. (D)     | 1922 E. 103rd St., Los Angeles 90002           | 213 564-1848 |
| 62       | Russell, Newton R. (R)    | 2904 Rowena Ave., Los Angeles 90039            | 213 666-5171 |
| 27       | Ryan, Leo J. (D)          | 3507 West Magnolia Blvd., Burbank 91505        | 213 846-0643 |
| 49       | Scharubar, Peter F. (R)   | 308 Linden Ave., S. San Francisco 94080        | 415 871-6300 |
| 59       | Sieroty, Alan (D)         | 57 S. Barranca, Covina 91722                   | 213 332-6271 |
| 28       | Stacey, Kent H. (R)       | 1144 S. Robertson, Los Angeles 90035           | 213 278-2592 |
| 80       | Stull, John (R)           | 714 Second St., Bakersfield 93301              | 805 327-3828 |
| 68       | Thomas, Vincent (D)       | 233 "A" St., San Diego 92101                   | 714 753-6561 |
| 67       | Townsend, L. E. (D)       | 255 W. 9th St., San Pedro 90731                | 213 833-2881 |
| 65       | Unruh, Jess (D)           | 15225 S. Western Ave., Gardena 90249           | 213 327-5920 |
| 24       | Vasconcelos, John (D)     | 3412 W. Century Blvd., Inglewood 90303         | 213 678-9065 |
| 75       | Veyssey, Victor V. (R)    | 100 West Rincón Blvd., Campbell 95008          | 408 379-8000 |
| 52       | Wakefield, Floyd L. (R)   | 141 S. Sixth St., Brawley 92227                | 714 344-3033 |
| 56       | Wacker, Charles (D)       | 7340 E. Florence Ave., Downey 90240            | 213 927-2586 |
| 61       | Waxman, Henry A. (D)      | 1411 W. Olympic Blvd., Los Angeles 90015       | 213 386-8042 |
| 76       | Wilson, Pete (R)          | 5208 W. Pico Blvd., Los Angeles 90019          | 213 935-1262 |
| 34       | Wood, Robert G. (R)       | 233 "A" St., San Diego 92101                   | 714 233-7376 |
| 9        | Z'berg, Edwin L. (D)      | 32 E. Alisal, Salinas 93901                    | 408 422-9085 |
| 32       | Zenovich, George N. (D)   | 1501 W. Capital Ave., W. Sacramento 95691      | 916 371-8652 |
|          |                           | 1060 Fulton Mall, Fresno 93721                 | 209 266-0522 |