1968

CONSTITUTIONAL REVISION

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CONSTITUTIONAL REVISION. Legislative Constitutional Amendment. Repeals, amends, and revises various provisions of Constitution relating to public school system, state institutions and public buildings, cities and counties, corporations and public utilities, water use, state civil service, future constitutional revisions, and other matters. Legislature may provide that Superintendent of Public Instruction be chosen by method other than election; and Legislature may increase membership of Public Utilities Commission.

General Analysis by the Legislative Counsel*

A "Yes" vote on the measure is a vote to revise portions of the California Constitution dealing with the initiative and referendum, public education, state institutions and public buildings, counties and cities, corporations, public utilities, appropriation of water, homesteads and public lands, state civil service, and procedures for amending and revising the Constitution.

A "No" vote is a vote to reject this revision.

For further details see below.

Detailed Analysis by the Legislative Counsel*

This measure would revise portions of the State Constitution listed in the General Analysis above. The revision would include substantive and nonsubstantive changes of the existing provisions, consolidation and rearrangement of provisions, deletion of provisions, and transfer of provisions to the statutory law by Chapter 767 of the Statutes of 1968 which will take effect if this measure is adopted.

Substantive changes in the Constitution that would be effected by the revision, include, among others, the following:

Public Education

(a) The Superintendent of Public Instruction would be made executive officer of the State Board of Education. The present method of his selection, by statewide election, could be changed by the Legislature by a two-thirds vote.

(b) Existing provisions requiring the State Board of Education to adopt and provide a uniform series of free textbooks for use in elementary schools would be replaced with a requirement that the board provide, at state expense, a series of textbooks for use in elementary schools.

(c) Existing provisions fixing the minimum amount of money to be provided annually for support of the public schools would be replaced by a requirement that the Legislature grant basic state financial aid to each school district.

(d) Provisions relating to the public school system, the composition thereof, and powers of the Legislature with respect thereto would be revised. The measure would require that school districts and intermediate units be provided by statute, to be governed by boards and executive officers.

(e) Other provisions concerning the election or appointment of various state and local officers of the public school system would be revised.

Counties and Cities

(a) The Legislature’s authority to prescribe procedure for county formation, consolidation, and boundary change would be continued, and various existing restrictions on the Legislature would be deleted.

(b) The governing body of each general law county, rather than the Legislature, would fix the salaries of its district attorney, county clerk, and county auditor, as well as other officers.

(c) The prohibition against increases in the compensation of a county or municipal officer during or in the extension of his term would be deleted.

(d) The detailed procedural provisions for the adoption, amendment, revision, and repeal, of city or county charters would be revised.

(e) The adoption, amendment, revision, and repeal of county and city charters would be made subject to uniform provisions. This would permit counties and cities to repeal charters by a vote of the majority of the electors and approval of the Legislature, and permit the governing bodies of counties, as well as cities, to propose the adoption of charters.

(f) The provision prohibiting cities of less than 1,500 population from adopting charters would be eliminated.

(g) Provision would be made for the members of boards of supervisors in charter...
of the Constitution would become effective the day after the election at which it is approved by a majority of the electors voting (whether such revision or amendment is of initiative, constitutional convention, or legislative proposal.

State Civil Service

State civil service provisions would be revised to exempt from the civil service system, all employees of the Lieutenant Governor’s Office appointed by the Lieutenant Governor; to allow the Legislature to create additional exempt positions in the office of Legislative Counsel; and to require the State Personnel Board to include within the state’s civil service system, employees of a county, city, district or department or agency of the federal government employed in programs undertaken by the state subject to such minimum standards as the Legislature may establish.

Statutes Contingent Upon Adoption of Above Measure

A digest of Chapter 767 of the Statutes of 1968 which was enacted to become operative if and when the above revision of the Constitution is approved, is as follows:

Enacts as statutes various provisions now found in California Constitution which are to be omitted from proposed revised portions of Constitution. Enacts a provision that delegates to a constitutional convention be voters and be elected from districts on an equal population basis.

The provisions of the Constitution which would be enacted as statutes include:

(a) Provisions establishing and defining the public school system of the state.

(b) A requirement that the office of State Superintendent of Public Instruction and the office of County Superintendent of Schools in each county shall be elective.

(c) A requirement that the state apportion at least $2,400 to each school district each fiscal year.

(d) Procedural provisions for the adoption, amendment, and repeal of county and city charters.

(e) Provisions conferring jurisdiction on the Public Utilities Commission over the rates of all transportation companies, and regulating various procedures of the commission.

Argument in Favor of Proposition No. 1

California’s archaic 1879 Constitution has been amended more than 350 times and is one of the longest constitutions in the world. A former Chief Justice of the California Supreme Court describes it as:

“... cumbersome, unelastic and outmoded. ... It is not only much too”.

*The complete text of the cited statute is on record in the office of the Secretary of State in Sacramento, and is also contained in the published statutes (1968).
but it is almost everything a Constitution ought not to be.

1962 by more than a 2 to 1 vote, the people mandated modernization of their Constitution. As a result, a blue-ribbon Constitution Revision Commission of leading California citizens was appointed to recommend a revised Constitution. These dedicated citizens, from all walks of life, have now worked without pay for four years and spent thousands of hours at their task. The Commission's initial effort produced Proposition 1 which the people approved in 1966 by a vote of 3 to 1 thereby revising the legislative, executive, and judicial articles.

Proposition 1 is the second phase of the Commission's work and represents two years of careful deliberations. It has also been considered extensively by the Legislature and was approved for submission to the people by a two-thirds vote of the members of the Assembly and Senate. Proposition 1 revises the articles on education, state institutions and public buildings, cities and counties, corporations and public utilities, land and homestead exemption, amending and revising the constitution, and state civil service.

The more significant constitutional provisions in Proposition 1 include continued election of the State Superintendent of Public Instruction, subject to change by statute approved by two-thirds of the members in each house of the Legislature which in turn is subject to the Governor's veto and the people's powers of initiative and referendum. Charges for attending elementary or secondary public schools are prohibited and free elementary textbooks are assured. The present city-county system of local government is preserved. The Public Utilities Commission is continued and provision is made for its powers as an important regulatory agency responsible for protecting the public's interests. And, continuation of California's outstanding civil service system is guaranteed.

It shortens the Constitution by eliminating unnecessary verbiage, obsolete provisions and provisions which are more appropriate in statutory form. It modernizes the remaining provisions by rephrasing and changing them to fit today's needs. State government today faces new challenges and new responsibilities not dreamed of in 1879. This partial revision of our constitution attempts to meet those challenges by making government more flexible and at the same time preserve the guarantees that we expect. If states are to survive and prosper in our system, they need the tools of effective government—Proposition 1 is another giant step toward that goal. California is again leading the way. Vote YES on Proposition 1.

ASSEMBLYMAN JOE A. GONZALEZ
SENATOR RICHARD J. DOLWIG
JUDGE BRUCE W. SUMNER,
Chairman, Constitution Revision Commission

Argument in Favor of Proposition No. 1

We support this proposed revision of the State Constitution and urge all Californians to vote YES on Proposition 1.

ROBERT FINCH,
Lieutenant Governor

JESSE M. UNRUH,
Speaker of the Assembly

HUGH M. BURNS,
President Pro Tempore of the Senate

Argument Against Proposition No. 1

This proposition should be turned down by the voters. It opens the way for the state government in Sacramento to assume control of local governmental affairs on a sweeping scale. The proposed revision clearly reflects the idea that a centralized governmental apparatus in Sacramento is better qualified than the citizenry to regulate local affairs. A "NO" vote on Proposition 1 is urged so that Constitutional guarantees which the people now reserve to themselves will not be lost. For example, the proposed revision:

— REMOVES THE GUARANTEE that specific public officials will be elected;
— REMOVES THE GUARANTEE that the state will participate in the financial support of each school district;
— REMOVES THE GUARANTEE that the goals of the public school system are limited and clearly defined; and
— REMOVES THE GUARANTEE of local control over local affairs.

The measure removes from the Constitution language which, over the years, has acquired an established meaning, and substitutes undefined ambiguous expressions which are likely to cause great turmoil. It abolishes the guarantee that there be an elected county superintendent of schools, and empowers the state government to provide for "intermediate units" in the public school structure. It eliminates provisions guaranteeing that the state will annually provide school districts with at least $120 for each pupil, and substitutes the vague expression that the state shall grant "basic state financial aid" to each district. It eliminates provisions which define the particular schools and institutions which are to comprise the public school system and the educational objectives of the system, and provides merely that the state government shall "provide for and support a free public school system."
The measure removes provisions specifying that each county shall have a board of supervisors, a sheriff, a county clerk, a district attorney, and other officers, and specifies merely that there shall be a "governing body" and "other officers." It removes restrictions on the power of the state government to limit local property tax rates.

The measure removes the guarantee that the State Superintendent of Public Instruction shall be elected by the people, and authorizes the state government to change the method of his selection. It removes conflict of interest safeguards affecting the Public Utilities Commission and other public officials. It extensively revises provisions concerning the furnishing of free textbooks for elementary schools. The language specifies that "a series of textbooks" shall be furnished. This could tie the state to the outdated single adoption system or to an entire series of a single publisher or author.

This proposition was rushed through the Legislature without the benefit of adequate consideration and study by local governmental bodies and citizens' groups. Although we recognize the need to eliminate obsolete or repetitious language in the Constitution and to rearrange and consolidate some of its sections we urge a "NO" vote on this proposition in order to guarantee the Constitutional safeguards which protect you against the concentration of excessive governmental power in Sacramento.

JOHN STULL, Assemblyman
80th District

ROBERT H. BURKE, Assemblyman
70th District

H. L. RICHARDSON, Senator
19th District

### TAXATION OF PUBLICLY OWNED PROPERTY

**Constitutional Amendment.** Provides that after 1966 lands located outside of the county, city and county, or municipal corporation (including any public district or agency) owning the same, which were taxable when acquired, shall be assessed in accordance with prescribed formula based on total population and assessed value in the state, and assessment also shall be subject to other specified conditions and presumptions.

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<th>YES</th>
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*(For Full Text of Measure, See Page 27, Part II)*

### General Analysis by the Legislative Counsel

A "Yes" vote on this measure is a vote in favor of providing special rules for taxing land and improvements owned by a county, city and county, or municipal corporation which is taxable by reason of its being located outside the boundaries of the governmental owner.

A "No" vote is a vote in favor of continuing to assess this type of taxable property in accordance with existing constitutional requirements.

For further details see below.

### Detailed Analysis by the Legislative Counsel

Section 1 of Article XIII of California's Constitution presently requires that all taxable property in the state be assessed and taxed uniformly, except as otherwise provided in the Constitution. Property owned by a county, city and county, city, or district is generally exempt. However, land and improvements located outside the boundaries of the county, city and county, city, or district owning them are subject to taxation if taxable at the time of acquisition.

This measure would add Sections 1.60 to 1.69 to Article XIII to provide a special formula for assessing such land (including water rights) owned by a county, city and county, city or municipal corporation (defined to include any public district or public agency) for tax purposes.

If such lands constituted over 35 percent of the total assessed value of all property taxed in the taxing county in the base year of 1966, the assessed value of the lands as of that date would be adjusted by a factor which would be the ratio of (1) total statewide assessed valuation of land divided by the estimated civilian population in the state on the latest date prior to the date of assessment, to (2) the total statewide assessed valuation of lands on the lien date in 1966 divided by the estimated civilian population of the state on that date.

If such lands constituted more than 30 percent of such total assessed value in 1967, the formula would be applied with 1967 as the base year.

Lands so owned by a public entity but not subject to assessment under the formula set forth above, would be taxed in proportion to value but not in excess of the amount determined under the formula using 1967 as the base year.

The measure would establish, with respect to property assessed under the formula, a conclusive presumption that the land is assessable and taxable at the same site and thereafter be assessed to the governmental owner. If such lands were not assessed in 1966 or 1967, as the case may be, they would thereafter be exempt while so owned. All pos-
CONSTITUTIONAL REVISION. Legislative Constitutional Amendment. Repeals, amends, and revises various provisions of Constitution relating to public school system, state institutions and public buildings, cities and counties, corporations and public utilities, water use, state civil service, future constitutional revisions, and other matters. Legislature may provide that Superintendent of Public Instruction be chosen by method other than election; and Legislature may increase membership of Public Utilities Commission.

(This amendment proposed by Assembly Constitutional Amendment No. 50, 1968 Session, expressly amends existing sections of the Constitution, amends and renumbers existing sections thereof, repeals existing sections and existing articles thereof, and adds new sections and new articles thereto; therefore EXISTING PROVISIONS proposed to be DELETED or REPEALED are printed in STRIKETHROUGH TYPE; and NEW PROVISIONS proposed to be INSERTED or ADDED are printed in BLACK-FACED TYPE.)

PROPOSED AMENDMENTS TO ARTICLES I, II, IV, VII, VIII, IX, X, XI, XII, XIII, XIV, XVII, XVIII, XX, XXI, XXII, XXIV.

First—That subdivision (a) of Section 24 Article IV is amended to read:

Sec. 24. (a) An initiative statute or referendum measure approved by a majority of the votes thereon takes effect 30 days after the date of the official declaration of the vote by the Secretary of State the day after the election unless the measure provides otherwise. If a referendum petition is filed against a part of a statute the remainder of the statute shall not be delayed from going into effect.

Second—That Section 1 of Article IX of the Constitution of the State is repealed.

Sec. 1. A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.

Third—That Section 1 is added to Article IX, to read:

Sec. 1. The Legislature shall provide for and support a free public school system.

Fourth—That Section 2 of Article IX is repealed.

Sec. 2. A Superintendent of Public Instruction shall be elected by the qualified electors of the State at each gubernatorial election. He shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election.

Fifth—That Section 2 is added to Article IX, to read:

Sec. 2. School districts and intermediate units shall be provided by statute, and the Legislature shall grant basic state financial aid to each district. Unless the governing county, or city charter otherwise provides, each district shall have an executive officer appointed by an elected board and each intermediate unit, unless the Legislature by enactment of a statute passed by two-thirds vote of all members elected to each house provides for a different method of selection, shall have an elected executive officer and an elected board.

Sixth—That Section 2.1 of Article IX is repealed.

Sec. 2.1. The State Board of Education; on nomination of the Superintendent of Public Instruction, shall appoint one Deputy Superintendent of Public Instruction and three Associate Superintendents of Public Instruction who shall be exempt from State civil service and whose terms of office shall be four years.

This section shall not be construed as prohibiting the appointments in accordance with law of additional Associate Superintendents of Public Instruction subject to State civil service.

Seventh—That Section 3 of Article IX is repealed.

Sec. 3. A Superintendent of Schools for each county shall be elected by the qualified electors thereof at each gubernatorial election, provided that the Legislature may authorize two or more counties to unite and elect one Superintendent for the counties so uniting.

Eighth—That Section 3 is added to Article IX, to read:

Sec. 3. The Legislature shall provide for a State Board of Education and an executive officer of that board who shall be Superintendent of Public Instruction.

The Superintendent of Public Instruction shall be elected by the people, unless the Legislature by enactment of a statute passed by two-thirds vote of all members elected to each house provides for a different method of selection.

The State Board of Education shall at state expense adopt and furnish a series of textbooks for use in the elementary schools throughout the state.

Ninth—That Section 3.1 of Article IX is repealed.
<table>
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<th>Proposed Amendments to Articles IX, XI, XII, XIII, XIV</th>
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(This amendment proposed by Assembly Constitutional Amendment No. 30, 1966 Session, expressly amends existing sections of the Constitution, amends and renumbers existing sections thereof, repeals existing sections and existing articles thereof, and adds new sections and new articles thereto; therefore EXISTING PROVISIONS proposed to be DELETED or REPEALED are printed in STRIKEOUT TYPE; and NEW PROVISIONS proposed to be INSERTED or ADDED are printed in BLACK-FACED TYPE.)

PROPOSED AMENDMENTS TO ARTICLES IX, XI, XII, XIII, XIV, XV, XVII, XX, XXI, XXIII, XXIV.

First—That subdivision (a) of Section 24 Article IV is amended to read:

Sec. 24. (a) An initiative statute or referendum measure approved by a majority of the votes thereon takes effect 5 days after the date of the official declaration of the vote by the Secretary of State on the day after the election unless the measure provides otherwise. If a referendum petition is filed against a part of a statute the remainder of the statute shall not be delayed from going into effect.

Second—That Section 1 of Article IX of the Constitution of the State is repealed.

Seventh—That Section 3 of Article IX is repealed.

Eighth—That Section 3 is added to Article IX to read:

Sec. 3. The Legislature shall provide for a State Board of Education and an executive officer of that board who shall be Superintendent of Public Instruction.

The Superintendent of Public Instruction shall be elected by the people, unless the Legislature by enactment of a statute passed by two-thirds vote of all members elected to each house provides for a different method of selection.

The State Board of Education shall at state expense adopt and furnish a series of textbooks for use in the elementary schools throughout the state.
Sec. 3: Notwithstanding any provision of this Constitution to the contrary, the Legislature shall prescribe the qualifications required of county superintendents of schools and shall fix their salaries; and for these purposes shall classify the several counties in the State.

Tenth—That Section 3.3 of Article IX is repealed.

Sec. 4. It shall be competent to provide in any charter framed for a county under any provision of this Constitution, or by the amendment of any such charter, for the election of the members of the county board of education of such county and for their qualifications and the terms of office.

Eleventh—That Section 4 is added to Article IX, to read:

Sec. 4. The Legislature shall prescribe a minimum annual salary for full-time public school teachers and other employees requiring certification, except substitute employees.

Twelfth—That Section 5 of Article IX is repealed.

Sec. 5. The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year, after the first year in which a school has been established.

Thirteenth—That Section 6 of Article IX is amended and numbered to be Section 30.5 of Article XIII, to read:

Sec. 6. Sec. 30.5. Each person, other than a substitute employee, employed by a school district as such or by the employing entity requiring certification qualifications shall be paid a salary which shall be at the rate of an annual salary of not less than twenty-four hundred dollars for a person working full time, as defined by law.

The Public School System shall include all kindergarten schools, elementary schools, secondary schools, and State colleges, established in accordance with law and, in addition, the school districts and the other agencies authorized to maintain them. No school or college or any other part of the Public School System shall be, directly or indirectly, transferred from the Public School System or placed under the jurisdiction of any authority other than one included within the Public School System.

The Legislature shall add to the State School Fund such other means from the resources of the State as shall provide in said fund for apportionment in each fiscal year; an amount not less than one hundred and eighty dollars ($180) per pupil in average daily attendance in the kindergarten, elementary, secondary, and technical schools in the Public School System during the most preceding fiscal year.

The entire State School Fund shall be apportioned in each fiscal year in such manner as the Legislature may provide, through the school districts and other agencies maintaining such schools, for the support of; and aid to, kindergarten schools, elementary, secondary schools, and technical schools except that there shall be apportioned to each school district in each fiscal year not less than one hundred twenty dollars ($120) per pupil in average daily attendance in the district during the next preceding fiscal year and except that the amount apportioned to each school district in each fiscal year shall be not less than twenty-four hundred dollars ($2,400).

Sec. 6. The Legislature shall provide for the levy annually by the governing body of each county, and city and county, of such school district taxes, at rates not in excess of the maximum rates of school district taxes, at rates not in excess of the maximum rates of school district taxes, at rates not in excess of the maximum rates of school district taxes, at rates not in excess of the maximum rates of school district taxes, at rates not in excess of the maximum rates of school district taxes, at rates not in excess of the maximum rates of school district taxes, at rates not in excess of the maximum rates of school district taxes, at rates not in excess of the maximum rates of school district taxes, at rates not in excess of the maximum rates of school district taxes.

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The Legislature shall provide for the levy annually by the governing body of each county, and city and county, of such school district taxes, at rates not in excess of the maximum rates of school district taxes.

This section shall be considered as though derived from county or city and county school taxes for the support of county and city and county government and not money provided for in this section.

The Legislature shall provide for the levy annually by the governing body of each county, and city and county, of such school district taxes, at rates not in excess of the maximum rates of school district taxes.
out the State; the State board may cause such
text, when adopted, to be printed and
lished by the superintendent of State
printing, at the State Printing Office; and
wherever and however such textbooks may be
printed and published, they shall be furnished
and distributed by the State free of cost or
any charge whatever, to all children attend-
ing the day and evening elementary schools
of the State, under such conditions as the Leg-
sislature shall prescribe. The textbooks, so
adopted, shall continue in use not less than
four years, without any change or alteration
whatever which will require or necessitate
the furnishing of new books to such pupils;
and said State board shall perform such other
duties as may be prescribed by law. The Leg-
sislature shall provide for a board of educa-
tion in each county in the State. The county
superintendents and the county boards of edu-
cation shall have control of the examination
of teachers and the granting of teachers' cer-
tificates within their respective jurisdictions.

Sixteenth—That Section 10 of Article IX
is amended and renumbered to be Section
31 of Article XIII to read:

Sec. 10. Sec. 31. The trusts and estates
created for the foundering, endowment and
maintenance of the Leland Stanford Junior
University, under and in accordance with
"An act to advance learning, etc.," approved
March ninth, eighteen hundred and eighty-
three, by the endowment grant executed by
Leland Stanford and Jane Lathrop Stanford
on the eleventh day of November, A. D. eight-
eighteen hundred and eighty-five, and recorded in
liber eighty-three of deeds, at page twenty-
three, et seq., records of Santa Clara County,
and by the amendments of such grant, and
by gifts, grants, bequests, and devises
supplementary thereto, and by confirma-
tory grants, are permitted, approved and con-
formed. The board of trustees of the Leland
Stanford Junior University, as such, or in
the name of the institution, or by other in-
telligible designation of the trustees or of
the institution, may receive property, real or
personal, and wherever situated, by gift,
grant, devise, or bequest for the benefit of
the institution, or of any department thereof,
and such property, unless otherwise pro-
vided, shall be held by the trustees of the
Leland Stanford Junior University upon the
trusts provided for in the grant founding
the university, and amendments thereof,
and grants, bequests and devises supplementary
thereto. The Legislature, by special act, may
govern the trustees of the Leland Stanford
Junior University corporate powers and
privileges, but it shall not thereby alter their
tenure, or limit their powers or obligations as
trustees. All property now or hereafter held
in trust for the founding, maintenance or
neif of the Leland Stanford Junior Uni-
versity, or of any department thereof, may
be exempted by special act from State taxa-
tion and all personal property so held, the
Palo Alto farm as described in the endow-
ment grant to the trustees of the university,
and all other, real property so held and used
by the university for educational purposes
exclusively, may be similarly exempted from
county and municipal taxation; provided,
that residents of California shall be charged
no fees for tuition unless such fees be au-
thorized by act of the Legislature.

Seventeenth—That Section 11 of Article
IX is amended and renumbered to be Section
32 of Article XIII to read:

Sec. 11. Sec. 32. All property now or
hereafter belonging to "The California School
of Mechanical Arts," an institution founded
and endowed by the late James Lick to edu-
cate males and females in the practical arts
of life, and incorporated under the laws of
the State of California, November twenty-
third, eighteen hundred and eighty-five, hav-
ing its school buildings located in the city
and county of San Francisco, shall be exempt
from taxation. The trustees of said institu-
tion must annually report their pro-
cedings and financial accounts to the Gov-
ernor. The Legislature may modify, suspend,
and revive at will the exemption from tax-
ation herein given.

Eighteenth—That Section 12 of Article IX
is amended and renumbered to be Section 33
of Article XIII to read:

Sec. 12. Sec. 33. All property now or
hereafter belonging to the "California Acad-
emy of Sciences," an institution for the ad-
vancement of science and maintenance of a
free museum, and chiefly endowed by the late
James Lick, and incorporated under the
laws of the State of California, January six-
teenth, eighteen hundred and seventy-one,
having its buildings located in the city and
county of San Francisco, shall be exempt
from taxation. The trustees of said institu-
tion must annually report their proceed-
ings and financial accounts to the Governor.
The Legislature may modify, suspend, and
revive at will the exemption from taxation
herein given.

Nineteenth—That Section 13 of Article IX
is amended and renumbered to be Section 34
of Article XIII to read:

Sec. 13. Sec. 34. All property now or
hereafter belonging to the Cogswell Polytech-
nical College, an institution for the advance-
ment of learning, incorporated under the laws
of the State of California, and having its
buildings located in the city and county of
San Francisco, shall be exempt from tax-
ation. The trustees of said institution must an-
ually report their proceedings and financial
accounts to the Governor. The Legislature
may modify, suspend, and revive at will the
exemption from taxation herein given.

Twentieth—That Section 14 of Article IX
is repealed.

Sec. 14. The Legislature shall have power,
by general law, to provide for the incorpora-
tion and organization of school districts, high
school districts, and junior college districts.
of every kind and class, and may classify such districts.

Twenty-first—That Section 15 of Article IX is amended and renumbered to be Section 35 of Article XII to read:

Sec. 35. The trusts and estates created for the founding, endowment and maintenance of the Henry E. Huntington Library and Art Gallery, under and in accordance with an act of the Legislature approved March 10, 1885, chapter forty-seven of the Statutes of California of 1885, by the endowment grant executed by Henry E. Huntington and Arabella D. Huntington on the thirtieth day of August, 1919, and recorded in book 6937, page 97 of deeds, records of Los Angeles, California, on the fifteenth day of September, 1919, and by the amendments of such grant and by gifts and grants supplementary thereto and by confirmatory grants, are permitted, approved and confirmed. The board of trustees of the Henry E. Huntington Library and Art Gallery, as such, or in the name of the institution, or by other intelligible designation of the trustees, or of the institution, may receive property, real or personal, and all personal property received in exchange therefor shall be exempt from taxation. The Legislature may modify, suspend and revive at will the exemption from taxation herein given. The trustees of said institution shall annually report with a full account of their financial operations for the preceding year and with a statement of the financial affairs of the institution.

Twenty-second—That Article X is repealed.

ARTICLE X
STATE INSTITUTIONS AND PUBLIC BUILDINGS

Section 1. The Legislature may provide for the establishment, government, charge and superintendence of all institutions for all persons convicted of offenses. For this purpose, the Legislature may delegate the government, charge and superintendence of such institutions to any public governmental agency or agencies, officers, or board or boards, whether now existing or hereafter created by it, or any of such agencies, officers, or boards shall have such powers, perform such duties and exercise such functions in respect to other reformatory or penal matters, as the Legislature may prescribe.

The Legislature may also provide for punishment, treatment, supervision, custody and care of females in a manner and under circumstances different from men similarly convicted.

The labor of convicts shall not be let out by contract to any person, corporation, company or association, and the Legislature shall, by law, provide for the working of convicts for the benefit of the State.

Twenty-third—That Section 1 of Article XI is repealed.

Section 2. The several counties, as they now exist, are hereby recognized as legal subdivisions of this State.

Twenty-fourth—That Section 1 is added to Article XI, to read:

Sec. 1. (a) The State is divided into counties which are legal subdivisions of the State. The Legislature shall prescribe uniform procedure for county formation, consolidation, and boundary change. Formation or consolidation requires approval by a majority of electors voting on the question in each affected county, and a boundary change requires approval by the governing body of each affected county.

(b) The Legislature shall provide for the powers and an elected governing body in each county and prescribe compensation of its members. The Legislature is hereby authorized to adopt a uniform compensation, tenure, and appointment of employees.

Twenty-fifth—That Section 2 of Article XI is repealed.

Section 2. No county seat shall be removed unless two-thirds of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal. A proposition of removal shall not be submitted in the same county more than once in four years.

Twenty-sixth—That Section 2 is added to Article XI, to read:

Sec. 2. (a) The Legislature shall prescribe uniform procedure for city formation and provide for city powers.

(b) Except with approval by a majority of its electors voting on the question, a city may not be annexed to or consolidated into another.

Twenty-seventh—That Section 3 of Article XI is repealed.

Sec. 3. The Legislature, by general and uniform laws, may provide for the alteration of county boundary lines, and for the formation of new counties; provided, however, that no new county shall be established which shall reduce any county to a population of less than twenty thousand; nor shall a new county be formed containing a less population than eight thousand; nor shall any line thereof pass
within five miles of the exterior boundary of a city or town in which the county seat of the county so organized is situated.

Every county which shall be enlarged or created from territory taken from any other county or counties shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken.

Twenty-eighth—That Section 3 is added to Article XI, to read:

Sec. 3. (a) For its own government, a county or city may adopt a charter by majority vote of its electors voting on the question. The charter is effective if approved without change by resolution of the Legislature, by roll call vote entered in the journal, a majority of the membership of each house of the legislative body, by ordinance, of the appointment and compensation of such persons, the governing body.

(b) The governing body or charter commission of a county or city may propose a charter or revision. Amendment or repeal may be proposed by initiative or by the governing body.

(c) An election to determine whether to draft or revise a charter and elect a charter commission may be required by initiative or by the governing body.

(d) If provisions of 2 or more measures—approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail.

Twenty-ninth—That Section 4 is added to Article XI, to read:

Sec. 4. County charters shall provide for:

(a) A governing body of 5 or more members, elected (1) by district or, (2) at large, or (3) at large, with a requirement that they reside in a district. Charter counties are subject to statutes that relate to apportioning population of governing body districts.

(b) The compensation, terms, and removal of members of the governing body.

(c) Other officers to perform functions required by law or public convenience, their selection, compensation, terms, and removal.

(d) The powers and duties of governing bodies and all other county officers, and for consolidation and segregation of county offices, and for the manner of filling all vacancies occurring therein.

(e) The fixing and regulation by governing bodies, by ordinance, of the appointment and number of assistants, deputies, clerks, stenographers, and other persons to be employed, and for the prescribing and regulating by such bodies of the powers, duties, qualifications, and compensation of such persons, the times at which, and terms for which they shall be appointed, and the manner of their removal.

(f) Whenever any county has framed and adopted a charter, and the same shall have been approved by the Legislature, as herein provided, the general laws adopted by the Legislature in pursuance of Section 1(b) of this article, shall, as to such county, be superseded by said charter as to matters for which, under this section it is competent to make provision in such charter, and for which provision is made therein, except as herein otherwise expressly provided.

(g) Charter counties shall have all the powers that are provided by this Constitution or by statute for counties.

Thirtieth—That Section 5 of Article XI is repealed.

Sec. 5. The Legislature by general and uniform laws shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require; and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of boards of supervisors, district attorneys and of auditors in the respective counties and for this purpose may classify the counties by population. It may regulate the compensation of grand and trial juries in all courts within the classes of counties herein permitted to be made. The boards of supervisors in the respective counties shall regulate the compensation of all officers in said counties other than boards of supervisors, district attorneys, auditors, and judges of municipal courts, and shall regulate the number, method of appointment, terms of office or employment, and compensation of all deputies, assistants, and employees of the county.

The provisions of this section shall not be construed to abridge, modify or otherwise affect the provisions of Section 7/4 and 8/4 of this article, relating to county or city and county charters.

The compensation of any county, township, or municipal officer shall not be increased after his election or during his term of office, nor shall the term of any such officer be extended beyond the period for which he was elected or appointed; however, the prohibition herein expressed shall not operate to prevent the adjustment of the compensation of all members of a board, commission, or council serving staggered terms whenever one or more members of such board, commission or council become eligible for a salary increase by virtue of his or her beginning a new term of office.

The Legislature by a two-thirds vote of the members of each House may suspend the provisions herein prohibiting the increase of compensation of any county, township or municipal officer after his election or during his term of office for any period during which the United States is engaged in war and for one year after the termination of hostilities therein as proclaimed by the President of the United States.

The provisions of this section shall not prevent the allowance of any new or additional deputy or assistant to the principal in any county office during his term, nor shall the
prevent any increase in the compensation of any deputy or assistant to such principal at any time.

The provisions of this section shall not abridge, modify or otherwise limit the power of the Legislature by general and uniform laws to prescribe the qualifications of any county officer or of any deputy or assistant, or to prescribe the method of appointment of any person so qualified.

Thirty-first.—That Section 5 is added to Article XI, to read:

Sec. 5. (a) It shall be competent in any city charter to provide that the city governed thereunder may make and enforce all ordinances and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws. City charters adopted pursuant to this Constitution shall supersede any existing charter, and with respect to municipal affairs shall supersede all laws inconsistent therewith.

(b) It shall be competent in all city charters to provide, in addition to those provisions allowable by this Constitution, and by the laws of the State for: (1) the constitution, regulation, and government of the city police force; (2) subgovernment in all or part of a city; (3) conduct of city elections and the powers supersede conflicting charter county as provided by statute.

Thirty-sixth.—That Section 6 is added to Article XI, to read:

Sec. 6. (a) A county and all cities within it may consolidate as a charter city and county as provided by statute.

(b) A charter city and county is a charter city and a charter county. Its charter city powers supersede conflicting charter county powers.

Thirty-seventh.—That Section 7 of Article XI is repealed.

Sec. 7. City and county governments may be merged and consolidated into one municipal government, with one set of officers, and may be incorporated under general laws providing for the incorporation and organization of corporations for municipal purposes. The provisions of this Constitution shall be applicable to cities, and also those applicable to counties, so far as not inconsistent or prohibited to cities; shall be applicable to such consolidated government.

Thirty-eighth.—That Section 7 of Article XI is added to Article XI, to read:

Sec. 7. A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.

Thirty-seventh.—That Section 71 of Article XI is repealed.

Sec. 72. Any county may frame a charter for its own government consistent with the Constitution, the same as any other; and relating to matters authorized by provisions of the Constitution, by causing a
board of freethinkers, who have been for
least five years qualified electors thereof; to
elected by the qualified electors of said
county, at a general or special election. Said
board of freethinkers may be so elected in pur-
ance of an ordinance adopted by the vote
of three-fifths of all the members of the board
of supervisors of such county, declaring that
the public interest requires the election of
such board for the purpose of preparing and
proposing a charter for said county, or in
pursuance of a petition of qualified electors
of said county as hereinafter provided. Such
petition, signed by 15 percentum of the
qualified electors of said county, must be
filed within 30 days after the filing of said petition, to
examine the same, and to ascertain from the
record of the registration of electors of the county, whether said petition is signed by the
requisite number of qualified electors. If re-
quired by said electors, the board of super-
visors shall authorize him to employ persons
specialty to assist him in the work of exam-
ing such petition, and shall provide for
the compensation. Upon the completion of
the examination, said clerk shall forthwith
attach to said petition his certificate, properly
dated, showing the result thereof, and if, by
said certificate, it appear that said petition
is signed by the requisite number of qual-
ified electors, said clerk shall immediately
present said petition to the board of super-
visors: if it be in session, otherwise at its next
regular meeting after the date of such certi-
ficate. Upon the adoption of such ordinance,
or the presentation of such petition; said board
of supervisors shall order the holding of a
special election for the purpose of electing
such board of freethinkers; which said special
election shall be held not less than 30 days
nor more than 60 days after the adoption of
the ordinance aforesaid; or the presentation of
said petition to said board of supervisors;
provided, that if a general election shall oc-
cur, in said county not less than 30 days nor
more than 60 days after the adoption of the
ordinance aforesaid; or such presentation of
said petition to said board of supervisors;
said board of freethinkers may be elected at
such general election. Candidates for election
as members of said board of freethinkers shall
be nominated substantially in the same
manner as may be provided by general law
for the nomination of candidates for county
offices. It shall be the duty of said board of
freethinkers to prepare and propose a charter for said county, which shall
be signed in duplicate by the members of said
board of freethinkers; or a majority of them;
and be filed; one copy in the office of the
county clerk of said county and the other in
the office of the county recorder thereof. Said
board of supervisors shall thereupon cause
said proposed charter to be published for at
least 10 times in a daily newspaper of general
circulation; printed, published and circulated
in said county; provided; that in any county
where no such daily newspaper is printed;
published and circulated; such proposed
charter shall be published for at least three
times in at least one weekly newspaper of
general circulation; printed, published and
circulated in such county; and provided; that
in any county where neither such daily nor
such weekly newspaper is printed; published
and circulated; a copy of such proposed
charter shall be posted by the county clerk in
three public places in said county; and on or
near the entrance to at least one public school-
house in each school district in said county,
and the first publication or the posting of
such proposed charter shall be made within
15 days after the filing of a copy thereof, as
disclosed, in the office of the county clerk.
Such proposed charter shall be submitted by
said board of supervisors to the qualified
electors of said county at a special election held
not less than 30 days nor more than 60 days
after the completion of such publication, or
after such posting; provided, that if a general
election shall occur in said county not less
than 30 days nor more than 60 days after the
completion of such publication, or after such
posting, then such proposed charter may be
so submitted at such general election. If a
majority of said qualified electors, voting thereon
at such general or special election, shall vote
in favor of such proposed charter, it shall be
deemed to be ratified; and shall be forthwith
submitted to the Legislature; if it be in regu-
lar session; otherwise at its next regular ses-
sion; or it may be submitted to the Legislature
in extraordinary session, for its approval or
rejection as a whole; without power of altera-
tion or amendment. Such approval may be
made by concurrent resolution, and if ap-
proved by the majority vote of the members
elected to each house, such charter shall be-
come the charter of such county and shall
become the ordinary law thereof relative to the
matters therein provided; and supersede any
existing charter framed under the provisions
of this section; and all amendments thereof;
and shall supersede all laws inconsistent with
such charter relative to the matters provided
in such charter. A copy of such charter, cer-
cified and authenticated by the chairman and
clerk of the board of supervisors under the
seal of said board and attested by the county
clerk of said county, setting forth the sub-
mission of such charter to the electors of said
county, and its ratification by them, shall,
after the approval of such charter by the
Legislature; be made in duplicate and filed;
one in the Office of the Secretary of State and the other, after being recorded in the office of the recorder of said county, shall be filed in the office of the county clerk thereof, and thereafter all courts shall take judicial notice of said charter.

The charter, so ratified, may be amended by proposal thereof submitted by the board of supervisors of the county to the qualified electors thereof at a general or special election held not less than thirty days nor more than sixty days after the publication of such proposal on ten times in a daily newspaper of general circulation; printed, published and circulated in each county; provided, that in any county where no such daily newspaper is printed, published and circulated, such proposed charter shall be published for at least three times in at least one weekly newspaper of general circulation; printed, published and circulated in such county; provided, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed charter shall be posted by the county clerk in three public places in said county; and on or near the entrance to at least one public schoolhouse in each school district in said county. If a majority of such qualified electors voting thereon, at such general or special election, shall vote in favor of any such proposed amendment or amendment, or any amendment or amendments proposed by petition as hereinbefore provided, such amendment or amendments shall be deemed to be ratified and so submitted to the Legislature, if it be in regular session; otherwise at its next regular session, or may be submitted to the Legislature in extraordinary session, for approval or rejection as a whole, without power of alteration or amendment; and if approved by the Legislature, as herein provided for the approval of the charter, such charter shall be amended accordingly. A copy of such amendment or amendments shall, after the approval thereof by the Legislature, be made in duplicate, and shall be authenticated, certified, recorded and filed as hereinbefore proposed, and with like force and effect. Whenever a petition signed by ten per centum of the qualified electors of any county, computed upon the total number of votes cast in said county for all candidates for Governor at the last general election, at which a Governor was elected, is filed in the office of the county clerk of said county, petitioning the board of supervisors thereof to submit any proposed amendment or amendments to the charter of such county, which amendment or amendments shall be actuated in full in such petition, to the qualified electors thereof; such petition shall forthwith be examined and certified by the county clerk, and if signed by the requisite number of qualified electors of such county, shall be presented to the said board of supervisors by the said county clerk, as hereinbefore pro-

vided for petitions for the election of boards of freeholders. Upon the presentation of a petition to said board of supervisors, the board must submit the amendment or amendments set forth therein to the qualified electors of said county at a general or special election held not less than thirty days nor more than sixty days after the publication of such proposed amendment or amendments in the same manner as hereinbefore provided in the case of the submission of any proposed amendment or amendments to such charter, proposed and submitted by the board of supervisors in submitting any such charter, or amendments thereto; any alternative article or proposition may be presented for the choice of the electors, and may be voted on separately without prejudice to others.

Every special election held under the provisions of this section, for the election of boards of freeholders or for the submission of proposed charters, or any amendment or amendments thereto, shall be called by the board of supervisors, by ordinance, which shall specify the purpose and time of such election and shall establish the election precincts and designate the polling places thereon; and the names of the election officers for each such precinct. Such ordinance, prior to such election, shall be published five times in a daily newspaper, or twice in a weekly newspaper, or printed; published and circulated in such county; provided, that if no such daily or weekly newspaper be printed or published in such county, then a copy of such ordinance shall be posted by the county clerk in three public places in such county and in or near the entrance to at least one public schoolhouse in each school district therein. In all other respects, every such election shall be held and conducted, the returns thereof canvassed and the result thereof declared by the board of supervisors in the same manner as provided by law for general elections. Whenever boards of freeholders shall be elected, or any such proposed charter, or amendment or amendments thereto, submitted, at a general election, the general laws applicable to the election of county officers and the submission of propositions to the vote of electors, shall be followed in so far as the same may be applicable thereto.

It shall be competent, in all charters, framed under the authority given by this section to provide, in addition to any other provisions allowable by this Constitution, and the same shall provide, for the following matters:

1. For boards of supervisors and for the constitution, regulations and government thereof, for the times at which and the ten for which the members of said board shall be elected, for the number of members, not less than three, that shall constitute such boards; for their compensation and for their election;
either by the electors of the counties at large
by districts, provided, that in any event
such district, who must be a qualified elector thereof; and
2. For sheriffs, county clerks, treasurers, recorders, license collectors, tax collectors, public administrators, coroners, surveyors, district attorneys, auditors, assessors and superintendents of schools, for the election or appointment of said officers, or any of them;
for the times at which and the terms for which said officers shall be elected or appointed; and for their compensation; or for the fixing of such compensation by boards of supervisors; and if appointed, for the manner of their appointment; and
3. For the number of justices of the peace and constables for each township, or the number of such judges and other officers of such inferior courts as may be provided by the Constitution or general law; for the election or appointment of said officers, for the times at which and the terms for which said officers shall be elected or appointed; and for their compensation; or for the fixing of such compensation by boards of supervisors; and if appointed, for the manner of their appointment; and
4. For the powers and duties of boards of supervisors and all other county officers; for their removal and for the consolidation and 
union of county offices; and for the 
transfer of all vacancies occurring therein; provided, that the provisions of this article relating to the powers and duties of boards of supervisors and all other county officers shall be subject to and controlled by general laws; and
5. For the appointment and discharge by county officers of certain of the municipal functions of the cities and towns within the county; whenever, in the case of cities and towns incorporated under general laws, the discharge by county officers of such municipal functions is authorized by general law, or whenever, in the case of cities and towns organized under Section 5 of this article, the discharge by county officers of such municipal functions is authorized by provisions of the charters, or by amendments thereto; of such cities or towns.
6. For the fixing and regulation by boards of supervisors, by ordinance, of the appointment and number of assessors, deputys, clerks, attendants and other persons to be employed; from time to time, in the several offices of the county; and for the presiding and regulating by such boards of the powers, duties, qualifications and compensation of such persons; the times at which, and terms for which they shall be appointed; and the manner of their appointment and removal; and
7. For the compensation of such officers.

All elective officers of counties, and of townships; of road districts and of highway construction divisions therein shall be nominated and elected in the manner provided by general laws for the nomination and election of such officers.

All charters framed under the authority given by this section; in addition to the matters hereinafore specified; may provide as follows:

For offices other than those required by the Constitution and laws of the State; for the election or appointment of persons to fill such offices; for the number of such offices; for the times at which and the terms for which such persons shall be so elected or appointed; and for their compensation; or for the fixing of such compensation by boards of supervisors.

For offices hereafter created by this Constitution or by general law; for the election or appointment of persons to fill such offices; for the manner of such appointment; for the times at which and the terms for which such persons shall be so elected or appointed; and for their compensation; or for the fixing of such compensation by boards of supervisors.

For the formation, in such counties, of road districts for the care, maintenance, repair, inspection and supervision only of roads; highways and bridges; and for the formation, in such counties, of highway construction divisions for the construction only of roads; highways and bridges, for the inclusion in such such districts or division, of the whole or any part of any incorporated city or town; upon ordinance passed by such incorporated city or town authorizing the same; and upon the consent to such inclusion by a majority of the qualified electors of such incorporated city or town; or portion thereof; proposed to be so included; at an election held for that purpose; for the organization; government; powers and jurisdiction of such districts and division; and for raising revenue therein; for such purposes; by taxation; upon the assent of a majority of the qualified electors of such districts or divisions; voting at an election to be held for that purpose; for the incurring of indebtedness therefor by such counties, districts or divisions for such purposes respectively; by the issuance and sale; by the counties, of bonds of such counties, districts or divisions; and the expenditure of the proceeds of the sale of such bonds; and for levying and collecting taxes against the property of such counties, districts or divisions, as the case may be, for the payment of the principal and interest of such indebtedness at maturity; provided, that any such indebtedness shall not be incurred without the assent of two-thirds of the qualified electors of the county, district or division; as the case may be; voting at an election to be held for that purpose; nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on
such indebtedness as it falls due, and also for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; and the procedure for voting, issuing and selling such bonds shall, except as far as the same shall be prescribed in such charter, conform to general laws for the authorizing and incurring by counties of bonded indebtedness; as far as applicable, provided, further, that provisions in such charter for the construction, care, maintenance, repair, inspection and supervision of roads, highways and bridges for which aid from the State is granted, shall be subject to any provisions and provisions as may be imposed by the Legislature.

Whenever any county has framed and adopted a charter, and the same shall have been approved by the Legislature, as herein provided, the general laws adopted by the Legislature in pursuance of Sections 4 and 5 of this article; shall, so to such county, be suspended by said charter as to matters for which, under this section, it is competent to make provision in such charter; and for which provision is made therein, except as herein otherwise provided and except that any such charter shall not affect the tenure of office of the elective officers of the county, or of any district, township or division thereof, in office at the time such charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected, unless sooner removed in the manner provided by law.

The charter of any county, adopted under the authority of this section, may be surrendered and annulled with the assent of two-thirds of the qualified electors of such county, voting at a special election, held for that purpose; and to be ordered and called by the board of supervisors of the county upon receiving a written petition, signed and certified as hereinbefore provided for the purposes of the adoption of charters, requesting said board to submit the question of the surrender and annulment of such charter to the qualified electors of such county, and, in the event of the surrender and annulment of any such charter, such county shall thereafter be governed under general laws in force for the government of counties.

The provisions of this section shall not be applicable to any county that is consolidated with any city.

Thirty-eighth—That Section 74 of Article XI is repealed.

Sixty-first—No incorporated city or town shall ever be transferred or annexed to, or consolidated with, any other municipality, or consolidated city and county, without the consent of a majority of the votes of such incorporated city or town voting at an election called for that purpose.

Thirty-ninth—That Section 8 of Article XI is repealed.

Such a city or city and county containing a population of more than 5,000 inhabitants, as ascertained by the last preceding Federal census taken under the authority of the Congress of the United States or of the Legislature of California, may frame a charter for its own government; consistent with and subject to this Constitution; and any city or city and county having adopted a charter may adopt a new one. Any such charter may be framed by a board of 15 freeholders chosen by the election of such city or city and county, at any general or special election, but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of such city or city and county. An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city or city and county, and an presentation of a petition signed by not less than 15 percent of the registered electors of such city or city and county, the legislative body shall call such election at any time not less than 20 nor more than 60 days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city or city and county and the expenses of such verification shall be provided by the legislative body thereof.

Candidates for the office of freeholder shall be nominated either in such manner may be provided for the nomination of office candidates for the office of freeholder be elected to frame a proposed new charter and secondly for the candidates for the office of freeholder. If the first question receives a majority of votes of the qualified voters voting thereon at such election, the 15 candidates for the office of freeholder receiving the highest number of votes shall forthwith organize as a board of freeholders, but if the first question receives less than a majority of the votes of the qualified voters voting thereon at such election no board of freeholders shall be deemed to have been elected.

Sixty-first—That Section 74 of Article XI is repealed.
day of publication (or in case there be no
offiCial newspaper, in a newspaper of
rel circulation within such city or city
and county and all the editions thereof issued
during the day of publication) and in any
city or city and county with over 50,000 pop-
ulation shall cause copies of such charter to
be printed in convenient pamphlet form and
in type of not less than 12-point and shall
cause copies thereof to be sent to each of
the qualified electors of such city or city and
county; and shall until the day fixed for the
election upon such charter, advertise in one
or more newspapers of general circulation in
said city or city and county a notice that
copies thereof may be had upon application
therefor.

(c) Such charter shall be submitted to the
elections of such city or city and county at a
date to be fixed by the board of freeholders;
before such filing and designated on such char-
ter, either at a special election held not less
than 60 days from the completion of the
publication of such charter as above provided,
or at the general election next following the
expiration of said 60 days.

(d) As an alternative, the legislative body
of any such city or city and county, on its
own motion may frame or cause to be framed,
a proposed charter and submit the proposal
for the adoption thereof to the electors at
whether a special election called for that pur-
pose or at any general or special election;
and charter so submitted shall be advertised
in one or more newspapers of general circula-
tion for the advertisement of a charter proposed by a
board of freeholders, and the election thereon
held at a date to be fixed by the legislative
body of such city or city and county, not less than 40 nor more than 60 days after the
completion of the advertising in the official
paper.

(e) If a majority of the qualified voters
voting on any such amendment vote in favor
thereof, it shall be deemed ratified, and shall
be submitted to the Legislature; if not in ses-
sion, or at the regular or special session next
following such election, and approved or re-
jected without power of alteration in the same
manner as herein provided for the approval
or rejection of a charter.

(f) In submitting any such charter or
amendment separate propositions, whether
alternative or conflicting, or one included
within the other, may be submitted at the
same time to be voted on by the electors sep-
arrately, and, as between those so related, if
more than one receive a majority of the votes
the proposition receiving the largest number
of votes shall control as to all matters in con-
flict. It shall be competent in any charter
framed under the authority of this section to
provide that the municipality governed there-
der may make and enforce all laws and reg-
ulations in respect to municipal affairs subject
only to the restrictions and limitations provided in their several charters and in re-
spect to other matters they shall be subject to
general laws. It shall be competent in any
charter to provide for the establishment of a
borough system of government for the whole
or any part of the territory of the city or
City and county governed thereby, by which
one or more boroughs or districts may be cre-
ated therein and to provide that each borough
or district may exercise such general or spe-
cial municipal powers, and to be administered
in such manner as may be provided for.
such boroughs and districts in the charter of the city or city and county.

24. The percentages of the registered electors herein required for the election of freeholders or the submission of amendments to charters shall be calculated upon the total vote cast in the city or city and county at the last preceding general election; and the qualified electors shall be those whose names appear upon the registration records of the city at the time of such vote.

Section XI, to read:

Sec. 8. (a) That Section 8 of Article XI is repealed.

Sec. 8 1/2: It shall be competent, in all charters framed under the authority given by section eight of this article, to provide, in addition to those provisions allowable by this Constitution, and by the laws of the State as follows:

1. For the constitution, regulation, government, and jurisdiction of police courts; and for the manner in which, the times at which, and the terms for which the judges of such courts shall be elected or appointed; and for the qualifications and compensation of said judges and of their clerks and attachés; and for the establishment, constitution, regulation, government and jurisdiction of municipal courts and judges thereof, with such civil, criminal and magisterial jurisdiction as by law may be conferred upon inferior courts and judges thereof; and for the manner in which, the times at which and the terms for which the judges of such courts shall be elected or appointed; and for the qualifications and compensation of said judges and of their clerks and attachés; provided, such municipal courts shall never be deprived of the jurisdiction given inferior courts created by general law.

In any city or any city and county, when such municipal court has been established; there shall be no other court inferior to the superior court and pending actions, suits, and all pending business of inferior courts within the territory of such city or city and county, upon the establishment of any such municipal court; and be and become pending in such municipal court; and all records of such inferior courts shall thereupon be and become the records of such municipal courts.

2. For the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed; for their qualifications, compensation and removal; and for the number which shall constitute any one of such boards.

3. For the manner in which, the times at which, and the terms for which the members of the boards of police commissioners shall be elected or appointed; and for the constitution, regulation, compensation, and government of such boards and of the municipal police force.

4. For the manner in which and the times at which any municipal election shall be held and the result thereof determined; for the manner in which, the times at which, and the terms for which the members of all boards of election shall be elected or appointed; and for the constitution, regulation; compensation and government of such boards; and of their clerks and attachés; and for all expenses incident to the holding of any election.

It shall be competent in any charter framed in accordance with the provisions of this section; or Section 8 of this article, for any city or consolidated city and county, and plenary authority is hereby granted, subject only to the restrictions of this article, to provide therein or by amendment thereto, the manner in which, the method by which, the times at which, and the terms for which the several county and municipal officers and employees whose compensation is paid by such city or city and county, excepting judges of the superior court, shall be elected or appointed; and for their recall and removal; and for their compensation; and for the number of deputies, clerks and other employees that each shall have; and for the compensation; method of appointment; qualifications; tenure of office and removal of such deputies, clerks and other employees. All provisions of any charter of any such city or consolidated city and county, henceforth adopted; and amendments therein, which are in accordance herewith, are hereby confirmed and declared valid.

5. It shall be competent in any charter or amendment thereof, which shall hereafter be framed under the authority given by Section 8 of this article, by any city having a population in excess of fifty thousand accredited as prescribed by said Section 5, to provide for the separation of said city from the county of which it has therefore been a part and the formation of said city into a consolidated city and county to be governed by such charter; and to have combined powers of a city and county, as provided in this Constitution for consolidated city and county government; and further to prescribe in said charter the date for the beginning of the official existence of said consolidated city and county.

It shall also be competent for any city, not having already consolidated as city and county to hereafter frame, in the manner prescribed in Section 6 of this article, a charter providing for a city and
county governments in which charter there

If be prescribed territorial boundaries

which may include contiguous territory not

included in such city, which territory, how-

ever, must be included in the county within

which such city is located.

If no additional territory is proposed to

be added, then, upon the consent to the sepa-

ration of any such city from the county

in which it is located, being given by a ma-

jority of the qualified electors voting thereon

in such county and upon the ratification of

such charter by a majority of the qualified

electors voting thereon in such city; and the

approval thereof by the Legislature, as pro-

scribed in Section 8 of this article; said char-

ter shall be deemed adopted and upon the

date fixed therein said city shall be and be-

come a consolidated city and county.

If additional territory which consists

wholly or only one incorporated city or
town, or which consists wholly or unincor-

porated territory, is proposed to be added;

then, upon the consent to such separation of

such territory and of the city initiating the

consolidation proposal being given by a

majority of the qualified electors voting

thereon in the county in which the city pro-

posing such separation is located; and upon

the ratification of such charter by a major-

ity of the qualified electors voting thereon

such city so proposing the separation;

and also upon the approval of the proposal

hereinafter set forth, by a majority of the

qualified electors voting thereon in the whole

of such additional territory, and the ap-

proval of said charter by the Legislature,

as prescribed in Section 8 of this article,
said charter shall be deemed adopted; the

indebtedness hereinafter referred to shall be

deemed to have been assumed; and upon the
date fixed in said charter such territory and

such city shall be and become one consoli-
dated city and county.

The proposal to be submitted to the terri-

tory proposed to be added shall be substan-

tially in the following form and submitted

as one indivisible question:

1. Shall the territory (herein designate in
general terms the territory to be added)

consolidate with city of (herein insert name

of the city initiating the proposition to

form a city and county government) in a con-
solidated city and county government; and

shall the charter as prepared by the city of

herein insert the name of the city initiating

such proposition be adopted as the charter of

the consolidated city and county, and shall

the said added territory become subject to
taxation along with the entire territory of

the proposed city and county, in accordance

with the assessable valuation of the property

of said territory, for the following inde-

deptedness of said city (herein insert name of

the city initiating such proposition) to wit-

(herein insert in general terms reference to

any debts to be assumed; and if none insert

"none")?

If additional territory is proposed to be

added, which includes unincorporated terri-

tory and one or more incorporated cities or
towns, or which includes more than one in-
corporated city or town, the consent of any

such incorporated city or town shall be

obtained by a majority vote of the qualified

electors thereof voting upon a proposal sub-

stantially as follows:

Shall (herein insert the name of the city

or town to be included in such additional

territory) be included in a district to be here-

after defined by the city of (herein insert the

name of the city initiating the proposition to

form a city and county government) which
district shall, within two years from the date

of this election, vote upon a proposal sub-

mitted as one indivisible question that such
district to be then described and set forth

shall consolidate with (herein insert name of

the city initiating said consolidation pro-

position) in a consolidated city and county

government, and also that a certain char-

ter, to be prepared by the city of (herein

insert name of the city initiating such prop-

osition) be adopted as the charter of such con-

solidated city and county; and that such districts

become subject to taxation along with the

total territory of the proposed city and

county in accordance with the assessable val-

uation of the property of said district for

the following indebtedness of said city of

(herein insert name of the city initiating such

proposition) to wit— (herein insert in general

terms reference to any debts to be assumed

and if none insert "none")?

Any and all incorporated cities or towns to

which the foregoing proposal shall have been

submitted and a majority of whose qualified

electors voting thereon shall have voted in

favor thereof, together with such unincor-

porated territory as the city initiating such con-

solidation proposal may desire to have in-

cluded, the whole to form an area contiguous
to said city, shall be created into a district by

such city, and the proposal substantially as

above prescribed to be used when the terri-

tory proposed to be added consists wholly of

only one incorporated city or town, or wholly

of unincorporated territory, shall, within two

years, be submitted to the voters of said en-
tire district as one indivisible question.

Upon consent to the separation of such dis-
tRICT and of the city initiating the consolida-
tion proposal being given by a majority of the

qualified electors voting thereon in such city;

and upon the approval of the proposal herein-

before set forth by a majority of the qualified

electors voting thereon in the whole of said dis-

trict as proposed to be added; and upon the ap-

proval of said charter by the Legislature, as
prescribed in Section 5 of this article; and
charter shall be deemed adopted; the said in-
debtedness referred to in said proposal shall
be deemed to have been assumed; and upon
the date fixed in said charter, such district
and such city shall be and become one con-
solidated city and county.

6. It shall be competent for any consoli-
dated city and county now existing, or which
shall hereafter be organized, to annex terri-
ory contiguous to such consolidated city and
county, unincorporated or otherwise, whether
situated wholly in one county, or parts
thereof be situated in different counties; said
annexed territory to be an integral part of
such city and county; provided that such an-
nexation of territory shall only include any
part of the territory which was at the time of
the original consolidation of the annexing
city and county, within the county from
which such annexing city and county was
formed, together with territory which was
concurrently, or has since such consolidation
been joined in a county government with the
area of the original county not included in
such consolidated city and county.

If additional territory, which consists
wholly of only one incorporated city, city and
county, or town, or which consists wholly of
unincorporated territory, is proposed to be
annexed to any consolidated city and county
now existing or which shall hereafter be or-
ganized; then, upon the consent of all such
annexation being given by a majority of the
qualified electors voting thereon in any county
or counties in which such additional terri-
ory is located, and upon the approval of
such annexation proposal by a majority of
the qualified electors voting thereon in such
city and county; and also upon the approval
of the proposal hereinafter set forth by a
majority of the qualified electors voting thereon
in the whole of such territory proposed to be
annexed, the indebtedness hereinafter
referred to shall be deemed to have been
assumed; and at the time stated in such pro-
posal; such additional territory and such city
and county shall be and become one consoli-
dated city and county, to be governed by the
charter of the city and county proposing such
annexation; and any subsequent amendment
therein.

The proposal to be submitted to the terri-
ory proposed to be annexed; shall be sub-
stantially in the following form and sub-
mitted to one indivisible question:

[Shall the territory (herein designate in
general terms the territory to be annexed)
consolidate with the city and county of
ch Central insert the name of the city and
county initiating the annexation proposal); in
a consolidated city and county government;
and consolidation to take effect (herein insert
date when such consolidation shall take ef-
effect); and shall the said annexed territory
become subject to taxation; as an integral
part of the city and county so formed; in
accordance with the assessable valuation of
property of said territory for the follow-
ing indivisibilities of said city and county,
(herein insert name of the city and county)
to wit: (herein insert in general terms; re-
ference to any debts to be assumed and if none
insert 'none')?]

If additional territory including unincor-
porated territory and one or more incor-
porated cities, cities and counties, or towns, or
including more than one incorporated city,
city and county, or town, is proposed to be
annexed to any consolidated city and county
now existing or which shall hereafter be or-
ganized; the consent of each such incor-
porated city, city and county, or town; shall be
obtained by a majority vote of the qualified
electors of any such incorporated city, city
and county, or town; voting upon a proposal
substantially as follow:

[Shall (herein insert name of the city,
city and county, or town; to be included in
such annexed territory) be included in a
district to be hereafter defined by the city and
county of (herein insert the name of the city
and county initiating the annexation pro-
posal), which district shall within two years
from the date of this election vote upon a
proposal submitted as one indivisible ques-
tion; that such district to be then described
and set forth shall consolidate with (herein
insert name of the city and county initia-
ting the annexation proposal) in a consoli-
dated city and county government; and that
such district become subject to taxation; along
with the entire territory of the proposed city
and county in accordance with the assessable
valuation of the property of said district for the
following indivisibilities of said city and county
(herein insert name of the city and county
initiating the annexation proposal) to wit:
(herein insert in general terms; reference to
any debts to be assumed and if none insert
'none')?]

Any and all incorporated cities, cities and
counties, or towns; to which the foregoing
proposal shall have been submitted; and a
majority of whose qualified electors voting
thereon shall have voted in favor thereof;
when such unincorporated territory as the
city and county initiating such annexa-
tion proposal may desire to have included,
the whole to form an area contiguous to said
city and county, shall be created into a dis-
trict by said city and county, and the pro-
posal substantially in the form above set
forth to be used when the territory proposed
to be added consists wholly of only one in-
corporated city, city and county, or town; or
wholly of unincorporated territory, shall
within said two years be submitted to the
voters of said entire district as one indivisible
question.

Upon consent to any such annexation being
given by a majority of the qualified electors
voting thereon in any county or counties in
which any such territory proposed to be an-

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nexted to said city and county is located; and
was the subject of any such annexation;
for the amendment or any such annexation
shall be deemed to have been adopted, and
when the approval of any such annexation
amended before by a majority of the qualified
election voting thereon in such city and county
proposing such annexation, and also upon the
approval of the proposal hereinafore set
forth by a majority of the qualified election
voting thereon in the whole of the district
so proposed to be annexed; then, the said
indefiniteness referred to in said proposal shall
be deemed to have been assumed, and upon
the date stated in such annexation proposal
such district and such city and county shall
be and become one consolidated city and
county, to be governed by the charter of the
City and county proposing such annexation,
and any subsequent amendment thereof.

Wherever any proposal is submitted to the
vote of any county, territory, district, city,
city and county, or town, as above provided;
there shall be published, for at least five suc-
cessive publications, in a newspaper of gen-
eral circulation printed and published in any
such county, territory, district, city, city and
county, or town, the last publication to be
not less than twenty days prior to any such
election, a particular description of any terri-
tory or district to be separated, added, or
annexed, together with a particular descrip-
tion of any debts to be assumed, as above
referred to; unless such particular descrip-
tion is contained in the said proposal so sub-
mitted. In addition to said description, such
territory shall also be designated in such no-
tice by some appropriate name or other words
of identification, by which such territory may
be referred to and indicated upon the ballots
to be used at any election at which the ques-
tion of annexation or consolidation of addi-
tional territory is submitted as herein pro-
vided. If there be no such newspaper so
printed and published in any such county,
territory, district, city, city and county, or
town, then such publication may be made in
any newspaper of general circulation printed
and published in the nearest county, city, city
and county, or town where there may be such
a newspaper as so printed and published.

If, by the adoption of any charter, or by
annexation, any incorporated municipality
becomes a portion of a city and county, its
property, debts and liabilities of every de-
cription shall be and become the property,
debts and liabilities of such city and county.
Every city and county which shall be for-
merged to the territory of which shall be
enlarged as herein provided from territory
taken from any county or counties; shall be
liable for a just proportion of the debts and
liabilities and be entitled to a just proportion
of the property and assets of such county or
counties, existing at the time such territory is
so taken.

The provisions of this Constitution appli-
cable to cities and cities and counties; and
also those applicable to counties, so far as
not inconsistent or prohibited to cities, or
cities and counties; shall be applicable to such
consolidated city and county government, and
no provision of subdivision five or six of this
section shall be construed as a restriction
upon the plenary authority of any city or
city and county having a freetholder's charter,
as provided for in this Constitution, to de-
termine in said charter any and all matters
elsewhere in this Constitution authorized and
not inconsistent herewith:

The Legislature shall provide for the for-
formation of one or more counties from the
portion or portions of a county or counties re-
maining after the formation of or annexa-
tion to a consolidated city and county, or
for the transfer of such portion or portions
of such original county or counties to ad-
joining counties. But such transfer to an ad-
joining county shall only be made after ap-
proval by a majority vote of the qualified
election voting thereon in such territory pro-
posed to be so transferred.

The provisions of section two of this ar-
ticle; and also those provisions of section
three of this article which refer to the passing
of any county line within five miles of the
exterior boundary of a city or town in which
a county seat of any county proposed to be
divided is situated; and to the reducing of
the population of any county upon the estab-
lishment of a new county, and to the mini-
mum population on the forming of a new
county, shall not apply to the formation of,
or to the extension of the territory of such
consolidated cities and counties; nor to the
formation of new counties; nor to the annexa-
tion of existing counties, as herein speci-
fied.

Any city and county formed under this
section shall have the right, if it so desires,
to be designated by the official name of the
city initiating the consolidation as it existed
immediately prior to its adoption of a charter
providing for a consolidated city and county
government, except that such city and county
shall be known under the style of a city and
county.

It shall be competent in any charter framed
for a consolidated city and county, or by
amendment thereof, to provide for the estab-
ishment of a borough system of government
for the whole or any part of the territory of
said city and county; by which one or more
districts may be created therein, which dis-
tRICTS shall be known as boroughs and which
shall exercise such municipal powers as may
be granted thereto by such charter and for
the organization, regulation, government and
jurisdiction of such boroughs; provided, that
in the event of such establishment or creation
of a borough or boroughs, as hereinabove
provided, the boundaries thereof shall never
afterwards be changed or altered, nor shall
the governmental rights, powers or jurisdic-
tion of any such borough or boroughs be
thereafter limited, extended, modified or
taken away, unless and until the borough or
boroughs affected by such proposed change

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or alteration of boundaries; or by the proposed limitation, extension, modification or taking away of governmental rights, powers or jurisdiction, as the case may be, shall each have consented thereto; by the vote of a majority of the voters in each and every such borough; voting at an election or elections called and held for such purpose in each of the boroughs so affected.

No property in any territory hereafter consolidated with or annexed to any city or city and county shall be taxed for the payment of any indebtedness of such city or city and county outstanding at the date of such consolidation or annexation and for the payment of which the property in such territory was not, prior to such consolidation or annexation, subject to such taxation; unless there shall have been submitted to the qualified electors of such territory the proposition regarding the assumption of indebtedness as hereinafter set forth and the same shall have been approved by a majority of such electors voting thereon.

2. In all cases of annexation of unincorporated territory to an incorporated city or the consolidation of two or more incorporated cities, assumption of existing bonded indebtedness by such unincorporated territory or by either of the cities so consolidating may be made by a majority vote of the qualified electors voting thereon in the territory or city which shall assume an existing bonded indebtedness. This provision shall apply whether annexation or consolidation is effected under this section or any other section of this Constitution; and the provisions of Section 10 of this article shall not be a prohibition thereof.

The Legislature shall enact such general laws as may be necessary to carry out the provisions of this section and such general or special laws as may be necessary to carry out the provisions of subdivisions 5 and 6 of this section, including any such general or special law as may be necessary to permit a consolidated city and county to submit a new charter or charter amendment to take effect at the time that any consolidation, by reason of annexation to such consolidated city and county, takes effect; and, also, any such general law or special act as may be necessary to provide for any period after such consolidation, by reason of such annexation, takes effect, and prior to the adoption and approval of any such new charter or charter amendment.
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Forty-nine and one half—That Section 13 

is added to Article XI, to read:

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is amended and renumbered

is repealed.

Fifty-first—That Section 13 of Article XI is 

amended and renumbered to be Section 37.5 of Article XIII:

Sec. 13. The provisions of Sections 1(b) 
(except for the second sentence), 3(a), 4, and 
5 of this Article relating to matters affecting 
the distribution of powers between the Legis­ 
lature and cities and counties, including 
matters affecting supersession, shall be con­ 
strued as a restatement of all related provi­ 
sions of the Constitution in effect on Novem­ 
ber 4, 1968, and as making no substantive 
change.

The terms general law, general laws, and 
laws, as used in this Article, shall be con­ 
strued as a continuation and restatement of 
those terms as used in the Constitution in 
effect on November 4, 1968, and not as ef­ 
fec ting a change in meaning.

Fiftieth—That Section 13 of Article XI is 
amended and renumbered to be Section 37.5 of Article XIII:

Sec. 13½. Sec. 37.5. Any county, city 
1 county, city, town, municipality, irri ga­ 
tion district, or other public corporation, is­ 
suing bonds under the laws of the State, is 
hereby authorized and empowered to make 
said bonds and the interest thereon payable at 
any place or places within or outside of the 
United States, and in any money, domestic 
or foreign, designated in said bonds.

Fifty-first—That Section 14 of Article XI is 
repealed.

Sec. 14. The Legislature may by gener­ 
al and uniform laws provide for the inspection, 
measurement and graduation of merchandise; 
manufactured articles and commodities, and 
may provide for the appointment of such of­ 
ficers as may be necessary for such inspection, 
measurement and graduation.

Fifty-second—That Section 15 of Article XI is 
repealed.

Sec. 15. Private property shall not be 
taken or used for the payment of the corpo­ 
rate debt of any political or municipal 
corporation.

Fifty-third—That Section 16 of Article XI 
is amended and renumbered to be Section 38 
of Article XIII:

Sec. 16 Sec. 38. All moneys, assessments, 
and taxes belonging to or collected for the 
use of any county, city, town, or other public 
municipal corporation, coming into the 
hands of any officer thereof, shall immediately 
be deposited with the Treasurer, or other 
legal depository, to the credit of such city, 
town, or other corporation respectively, for 
the benefit of the funds to which they respec­ 
tively belong.

Fifty-fourth—That Section 16½ of Article XI is amended and renumbered to be Section 38 of Article XIII:

Sec. 16½ Sec. 39. All moneys belonging 
to, or in the custody of, the State, or any 
county, city and county, city, town, munici­ 
pality or other public or municipal corpo­ 
ration, within this State may be deposited in 
any national bank or banks within this State, 
or in any bank or banks organized under the 
laws of this State, in such manner and under 
such conditions as may be provided by any 
law adopted by the people under the initiative 
or by a two-thirds vote of each House of the 
Legislature and approved by the Governor 
and subject to the referendum; provided, 
that the laws now governing the deposit of 
such moneys shall continue in force until such laws shall be amended, changed or re­ 
pealed as in this section authorized; and pro­ 
vided, further, that the State or any county, 
city and county, city, town, municipality or 
other public or municipal corporation, issu­ 
ing bonds under the laws of this State, may 
deposit moneys in any bank or banks outside 
this State for the payment of the principal or 
interest of such bonds at the place or places 
at which the same are payable.

Fifty-fifth—That Section 17 of Article XI 
is repealed.

Sec. 17. The making of profit out of 
county, city, town, or other public money, or 
using the same for any purpose not author­ 
ed by law, by any officer having the possession 
or control thereof, shall be a felony, and shall 
be prosecuted and punished as prescribed by 
law.

Fifty-sixth—That Section 18 of Article XI 
is amended and renumbered to be Section 40 
of Article XIII:

Sec. 18. Sec. 40. No county, city, town, 
township, board of education, or school dis­ 
trict, shall incur any indebtedness or liability 
in any manner or for any purpose exceeding 
in any year the income and revenue provided 
for such year, without the assent of 
two-thirds of the qualified electors thereof, voting 
at an election to be held for that purpose, nor 
unless before or at the time of incurring 
such indebtedness provision shall be made 
for the collection of an annual tax sufficient 
to pay the interest on such indebtedness as 
entails; and also provision to constitute 
the benefit of the funds to which they 
respectively belong. 

Fifty-fourth—That Section 16½ of Article XI is amended and renumbered to be Section 38 of Article XIII:

Sec. 16½ Sec. 39. All moneys belonging 
to, or in the custody of, the State, or any 
county, city and county, city, town, munici­ 
pality or other public or municipal corpo­ 
ration, within this State may be deposited in 
any national bank or banks within this State, 
or in any bank or banks organized under the 
laws of this State, in such manner and under 
such conditions as may be provided by any 
law adopted by the people under the initiative 
or by a two-thirds vote of each House of the 
Legislature and approved by the Governor 
and subject to the referendum; provided, 
that the laws now governing the deposit of 
such moneys shall continue in force until such laws shall be amended, changed or re­ 
pealed as in this section authorized; and pro­ 
vided, further, that the State or any county, 
city and county, city, town, municipality or 
other public or municipal corporation, issu­ 
ing bonds under the laws of this State, may 
deposit moneys in any bank or banks outside 
this State for the payment of the principal or 
interest of such bonds at the place or places 
at which the same are payable.

Fifty-fifth—That Section 17 of Article XI 
is repealed.

Sec. 17. The making of profit out of 
county, city, town, or other public money, or 
using the same for any purpose not author­ 
ed by law, by any officer having the possession 
or control thereof, shall be a felony, and shall 
be prosecuted and punished as prescribed by 
law.

Fifty-sixth—That Section 18 of Article XI 
is amended and renumbered to be Section 40 
of Article XIII:

Sec. 18. Sec. 40. No county, city, town, 
township, board of education, or school dis­ 
trict, shall incur any indebtedness or liability 
in any manner or for any purpose exceeding 
in any year the income and revenue provided 
for such year, without the assent of 
two-thirds of the qualified electors thereof, voting 
at an election to be held for that purpose, nor 
unless before or at the time of incurring 
such indebtedness provision shall be made 
for the collection of an annual tax sufficient 
to pay the interest on such indebtedness as 
entails; and also provision to constitute 
the benefit of the funds to which they 
respectively belong. 

Fifty-fourth—That Section 16½ of Article XI is amended and renumbered to be Section 38 of Article XIII:

Sec. 16½ Sec. 39. All moneys belonging 
to, or in the custody of, the State, or any 
county, city and county, city, town, munici­ 
pality or other public or municipal corpo­ 
ration, within this State may be deposited in 
any national bank or banks within this State, 
or in any bank or banks organized under the 
laws of this State, in such manner and under 
such conditions as may be provided by any 
law adopted by the people under the initiative 
or by a two-thirds vote of each House of the 
Legislature and approved by the Governor 
and subject to the referendum; provided, 
that the laws now governing the deposit of 
such moneys shall continue in force until such laws shall be amended, changed or re­ 
pealed as in this section authorized; and pro­ 
vided, further, that the State or any county, 
city and county, city, town, municipality or 
other public or municipal corporation, issu­ 
ing bonds under the laws of this State, may 
deposit moneys in any bank or banks outside 
this State for the payment of the principal or 
interest of such bonds at the place or places 
at which the same are payable.
Fifty-seventh—That Section 18j of Article XI is amended and renumbered to be Section 41 of Article XIII:

Sec. 41. Whenever under the laws of this State or under its charter any city, county, city and county, parking authority, district, or other public body is authorized to acquire or construct public parking lots, garages, or other automotive parking facilities, and for the payment of the cost of any thereof, to issue any bonds or other securities payable in whole or in part from revenues of any such parking facilities, such public body, and any other public body within the territorial area of which such public parking facilities are or will be situated, is also authorized to pledge, place a charge upon, or otherwise make available, as additional security for the payment of such securities, any or all revenues from any or all street parking meters then owned or controlled or to be acquired or controlled by it.

Fifty-eighth—That Section 19 of Article XI is repealed.

Sec. 19. Any municipal corporation may establish and operate public works for supplying its inhabitants with light, water, power, heat, transportation, telephone service or other means of communication. Such works may be acquired by original construction or by the purchase of existing works including their franchises or both. Persons or corporations may establish and operate works for supplying the inhabitants with such services upon such conditions and under such regulations as the municipality may prescribe under its organic law or condition that the municipal government shall have the right to regulate the charges thereof. A municipal corporation may furnish such services to inhabitants outside its boundary; provided that it shall not furnish any service to the inhabitants of any other municipality owning or operating works supplying the same service to such inhabitants, without the consent of such other municipality, expressed by ordinance.

Fifty-ninth—That Section 20 of Article XI is repealed.

Sec. 20. The expenditures, other than expenditures to pay interest and redemption charges on bonds herefore or hereafter issued, of any county, city and county, municipality, district or other political subdivision of this State, whether or not operating under such franchises, shall not in any year exceed by more than five per centum the expenditures other than expenditures to pay interest and redemption charges on bonds herefore or hereafter issued, of such county, city and county, municipality, district or other political subdivision for the preceding year unless previously authorized by two-thirds vote of the qualified electors of any such county, city and county, district or other political subdivision, or by a majority vote of the electors of any such municipality voting at an election held for that purpose or unless previously authorized by the State Board of

Equation in such manner as may be provided by law, provided that no amount expended in excess of such five per centum become a part of the base for determining the maximum expenditure for a succeeding year,

providing, however, that any county, city and county, municipality, district, or other political subdivision of this State that decreases the amount of its expenditures in any year or years may increase, in any subsequent year or years, the amount of its expenditures by the amount, or any fraction thereof, so reduced, or by an amount not more than five per centum of the amount expended in the year immediately preceding. The limitations imposed in this paragraph shall be effective until June 30, 1970, but the legislature may impose thereafter the same limitations for such period or periods as it may determine;

provided, however, that the limitation upon expenditures imposed or authorized by this section shall not apply to expenditures by or on behalf of publicly owned public utilities, including publicly owned facilities operated for the promotion and accommodation of commerce and navigation; irrigation districts; county water districts; reclamation districts; municipal utility districts; or metropolitan water districts organized or existing under the laws of this state or to expenditures arising out of any gift, bequest or donation.

On and after January 1, 1925, the legislature shall have power, by one-third vote of all the members elected to each of the Houses, to limit the amount of taxes which may be imposed upon real and personal property according to the value thereof for county or city and county purposes.

The legislature shall pass all laws necessary to carry into effect the provisions of this section.

Sixtieth—That Article XII is repealed.

ARTICLE XII
CORPORATIONS

Section 1. The legislature shall have power, by general laws and not otherwise, to provide for the formation, organization and regulation of corporations and to prescribe their powers, rights, duties and liabilities and the powers, rights, duties and liabilities of their officers and stockholders; members of all laws now in force in this State concerning corporations and all laws that may be hereafter passed pursuant to this section may be altered from time to time or repealed.

Sec. 4. The term corporations, as used in this article, shall be construed to include all associations and joint-stock companies having any of the powers or privileges of corporations not possessed by individuals or partnerships; and all corporations shall have the right to sue and shall be subject to be sued in all Courts, in like cases as natural persons.

Sec. 5. The legislature shall have no power to pass any act granting any charter for banking purposes, but corporations or na-
sections may be formed for such purposes
as general laws, and the Legislature shall
not for the classification of cities and
towns by population for the purpose of regu-
larizing the business of banking. No corpora-
tion, association, or individual shall issue or
put in circulation, as money, anything but the
lawful money of the United States.
Sec. 6. All existing charters, grants,
franchises, special or exclusive privileges
under which an actual and bona fide organi-
sation shall not have taken place, and busi-
ness been commenced in good faith, at the
time of the adoption of this Constitution;
shall thereafter have no validity.
Sec. 7. The Legislature shall not extend
any franchise; nor remit the forfeiture of any
franchise; of any quasi public corporation;
but may provide by general laws, uniformly
applicable to all corporations formed for a
limited period, for the extension of the term
of existence of any corporation.
Sec. 8. The exercise of the right of emi-
dence domain shall never be so abridged or
confined as to prevent the Legislature from
taking the property and franchises of incor-
porated companies and subjecting them to
public use as the property of indi-
viduals, and the exercise of the police power
of the State shall never so abridged or con-
strained as to permit corporations to con-
duct business in such manner as to infringe
rights of individuals or the general wel-
lessness of the State.
Sec. 9. The Legislature shall not pass
any laws permitting the leasing or alienation
of any franchise; so as to relieve the franchise
or property held thereunder from the liabil-
ties of the issuer or grantor, unless or granted,
contracted or incurred in the operation, use
or enjoyment of such franchise; or any of its
privileges.
Sec. 10. The state shall not in any man-
ner loan its credit, nor shall it subscribe to
or be interested in the stock of any company,
association; or corporation except that the
state and each political subdivision; district,
municipality, and public agency thereof is
hereby authorized to acquire and hold shares
of the capital stock of any mutual water com-
pany or corporation when such stock is so ac-
pquired and for the purpose of furnishing a
supply of water for public, municipal or
governmental purposes; and such holding of
such stock shall entitle such holder thereof
to all of the rights, power and privileges,
and shall entitle said holder to the obliga-
tions and liabilities conferred or imposed by
law upon other holders of stock in the mutual
water company or corporation in which such
stock is so held.
Notwithstanding provisions to the contrary
in this section and Section 21 of Article IV
this Constitution; the Legislature may au-
thorize the investment of money of any pub-
lc pension or retirement fund other than
the fund provided for in Section 13901 of the
Education Code; or any successor thereto; not
to exceed 36 percent of the assets of such
fund determined on the basis of cost in the
common stock or shares and not to exceed 5
percent of assets in preferred stock or shares
of any corporation provided:
1. Such stock is registered on a national
security exchange as provided in the "Sec-
urities Exchange Act of 1934" as amended;
but such registration shall not be required
with respect to the following stocks:
2. The common stock of a bank which is
a member of the Federal Deposit Insur-
ance Corporation and has capital funds;
represented by capital, surplus, and unassigned
surplus of at least fifty million dollars ($50-
000,000);
3. Any preferred stock
b. Such corporation has total assets of at
least one hundred million dollars ($100,000,-
000);
c. Bonds of such corporation: if any are
outstanding, qualify for investment under the
law governing the investment of the retire-
ment fund; and there are no covenants of divi-
dend payments on its preferred stock;
d. Such corporation has paid a cash divi-
dend on its common stock in at least 8 of the
10 years next preceding the date of invest-
ment; and the aggregate net earnings avail-
able for dividends on the common stock of
such corporation for the whole of such period
have been equal to the amount of such divi-
dends paid; and such corporation has paid an
cash dividend in each of the last
3 years;
e. Such investment in any one company
may not exceed 5 percent of the common
stock shares outstanding; and
f. No single common stock investment may
exceed 3 percent of the assets of the fund
based on cost.
Notwithstanding provisions to the contrary
in this section and Section 21 of Article IV
of this Constitution; the Legislature may au-
thorize the investment of money of any pub-
lc pension or retirement fund other than
the fund provided for in Section 13901 of the
Education Code; or any successor thereto;
so that in stock of a diversified management
investment company registered under the
"Investment Company Act of 1940" which
has total assets of at least fifty million dol-
ars ($50,000,000); provided, however, that
the total investment in such stocks and shares;
together with stocks and shares of all other
corporations may not exceed 5 percent of the
assets of such fund determined on the
basis of the cost of the stocks or shares.
Sec. 15. No corporation organized outside
the limits of this State shall be allowed to
conduct business within this State on more
and county, or incorporated city or town, voting therein, shall vote to retain; and until such election such powers shall continue unimpaired; but if the vote so taken shall not favor the continuation of such powers they shall thereafter vest in the Railroad Commission as provided by law; and provided, further, that where any such city and county or incorporated city or town shall have elected to continue any of its powers to make and enforce such local, police, sanitary and other regulations other than the taxing of rates, it may, by vote of a majority of its qualified electors voting therein, thereafter surrender such powers to the Railroad Commission in the manner prescribed by the Legislature; and provided, further, that this section shall not affect the right of any city and county or incorporated city or town to grant franchises for public utilities upon the terms and conditions and in the manner prescribed by law. Nothing in this section shall be construed as a limitation upon any power conferred upon the Railroad Commission by any provision of this Constitution now existing or adopted concurrently herewith.

Sec. 29. The Railroad Commission shall have and exercise such powers and jurisdiction as shall be conferred upon it by the Legislature to fix the just compensation to be paid for the taking of any property of a public utility in eminent domain proceedings by the State or any county, city and county, incorporated city or town, municipal water district, irrigation district or other public corporation or district; and the right of the Legislature to confer such powers upon the Railroad Commission is hereby declared to be plenary and to be unlimited by any provision of this Constitution. All acts of the Legislature herefore adopted which are in accordance herewith are hereby continued and declared valid.

Sec. 30. The Legislature shall pass all laws necessary for the enforcement of the provisions of this article.

Sixty-first—That Article XII is added, to read:

ARTICLE XII

PUBLIC UTILITIES

Sec. 1. The Public Utilities Commission consists of 5 members, or more if prescribed by statute, appointed by the Governor and approved by the Senate, a majority of the membership concurring, for staggered 6-year terms. A vacancy is filled for the remainder of the term. The Legislature may remove a member for incompetence, neglect of duty, or corruption, two thirds of the membership of each house concurring.

Sec. 2. Private corporations and persons that own, operate, control, or manage a line, plant, or system for the transportation of people or property, the transmission of messages, or the furnishing of heat, light, water, power, storage or wharfage, directly or indirectly to or for the public, and common carriers, are public utilities subject to control by Legislature. The Legislature may prescribe that additional classes of private corporations or persons are public utilities.

Sec. 3. The Commission shall have such jurisdiction and such legislative, executive, and judicial powers as are conferred upon it by the Legislature, which are cognate and germane to the regulation of public utilities. The manner and scope of review of Commission action in a court of record shall be provided by statute.

A city, county, or other public body may not regulate matters over which the Legislature grants regulatory power to the Commission. This section does not affect power over public utilities relating to the making and enforcement of police, sanitary, and other regulations concerning municipal affairs pursuant to a city charter existing on October 10, 1911, unless that power has been revoked by the city's electors, or the right of any city to grant franchises for public utilities or other businesses on terms, conditions, and in the manner prescribed by law.

Sec. 4. The Legislature may provide that on request of condemnor and condemnee the Commission fix just compensation for public utility property taken by eminent domain.

Sixty-second—That Section 30 is added to Article XIII, to read:

Sec. 30. The state shall not in any manner loan its credit, nor shall it subscribe to, or be interested in the stock of any company, association, or corporation, except that the state and each political subdivision, district, municipality, and public agency thereof is hereby authorized to acquire and hold shares of the capital stock of any mutual water company or corporation when such stock is so acquired or held for the purpose of furnishing a supply of water for public, municipal or governmental purposes; and such holding of such stock shall entitle such holder thereof to all of the rights, powers and privileges, and shall subject such holder to the obligations and liabilities conferred or imposed by law upon other holders of stock in the mutual water company or corporation in which such stock is so held.

Notwithstanding provisions to the contrary in this section and Section 25 of this article, the Legislature may authorize the investment of moneys of any public pension or retirement fund other than the fund provided for in Section 13901 of the Education Code, or any successor thereto, not to exceed 25 percent of the assets of such fund determined on the basis of cost in the common stock or shares and not to exceed 5 percent of assets in preferred stock or shares of a corporation provided:

a. Such stock is registered on a national securities exchange, as provided in the "Securities Exchange Act of 1934" as amended,
The common stock of a bank which is a member of the Federal Deposit Insurance Corporation and has capital funds, represented by capital, surplus, and undivided profits, of at least fifty million dollars ($50,000,000).

2) The common stock of an insurance company which has capital funds, represented by capital, special surplus funds, and unassigned surplus, of at least fifty million dollars ($50,000,000);

3) Any preferred stock;

b. Such corporation has total assets of at least one hundred million dollars ($100,000,000);

c. Bonds of such corporation, if any are outstanding, qualify for investment under the law governing the investment of the retirement fund, and there are no arrears of dividends payments on its preferred stock;

d. Such corporation has paid a cash dividend on its common stock in at least 8 of the 10 years next preceding the date of the incorporation, and the aggregate net earnings available for dividends on the common stock of such corporation for the whole of such period have been equal to the amount of such dividends paid, and such corporation has paid an earned cash dividend in each of the last 3 years;

Such investment in any one company may not exceed 5 percent of the common stock shares outstanding; and

No single common stock investment may exceed 2 percent of the assets of the fund, based on cost.

Notwithstanding provisions to the contrary in this section and Section 25 of this article, the Legislature may authorize the investment of moneys of any public pension or retirement fund other than the fund provided for in Section 13901 of the Education Code, or any successor thereto, in stock or shares of a diversified management investment company registered under the "Investment Company Act of 1940" which has total assets of at least fifty million dollars ($50,000,000); provided, however, that the total investment in such stocks and shares, together with stocks and shares of all other corporations may not exceed 25 percent of the assets of such fund determined on the basis of the cost of the stocks or shares.

Sixty-fifth—That Article XVIII is repealed.

ARTICLE XVIII

AMENDING AND REVIVING THE CONSTITUTION

Section 1. Any amendment or amendment of, or revision of, this Constitution may be proposed in the Senate or Assembly, and if two-thirds of all the members elected to each of the two houses shall vote in favor thereof, such proposed amendment, amendment, or revision shall be entered in their journals, with the year and name taken thereon; and it shall be the duty of the Legislature to submit such proposed amendment, amendment, or revision to the people in such manner, and at such time, and after such publication as may be deemed expedient. Should more amendments than one be sub-
voters elected from districts of substantially equal population.

Sec. 3. The electors may amend the Constitution by initiative.

Sec. 4. A proposed amendment or revision shall be submitted to the electors and if approved by a majority of those voting thereon, it shall take effect the day after the election unless the legislature provides otherwise. If provisions of 2 or more measures approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail.

Sixty-seventh—Section 16 of Article XX is amended to read:

Sec. 16. When the term of any officer or commissioner is not provided for in this Constitution, the term of such officer or commissioner may be declared by law; and, if not so declared, such officer or commissioner shall hold his position as such officer or commissioner during the pleasure of the authority making the appointment, but in no case shall such term exceed four years; provided, however, that in the case of any officer or employee of any municipality governed under a legally adopted charter, the provisions of such charter with reference to the tenure of office or the dismissal from office of any such officer or employee shall control; and provided further, that neither the terms of office of members of the State Board of Education nor that the term of office of any person heretofore or hereafter appointed to hold office or employment during good behavior under civil service laws of the state or of any political division thereof shall be limited by this section.

The Legislature may provide terms of office for not to exceed eight years for the members of any state agency created by it in the field of public higher education which is charged with the management, administration, and control of the State College System of California.

Sixty-eighth—That Section 23 is added to Article XX, to read:

Sec. 23. Laws concerning corporations may be amended or repealed.

Sixty-ninth—That Section 24 is added to Article XX, to read:

Sec. 24. The labor of convicts shall not be let out by contract to any person, copartnership, company or corporation, and the Legislature shall, by law, provide for the working of convicts for the benefit of the State.

Seventieth—Section 8 is added to Article XXII, to read:

Sec. 8. Article IX, Section 1, does not apply to community colleges or state colleges—All provisions of the Constitution which took effect the day after the election on November 1, 1967 were applicable to them.
Seventy-second—That Section 7 is added to title 11, to read:

"a. 7. All elective officers of counties, and of townships, of road districts and of highway construction divisions therein shall be nominated and elected in the manner provided by general laws for the nomination and election of such officers.

Seventy-third—That Article XXIV is repealed.

ARTICLE XXIV

STATE CIVIL SERVICE

Section 1. Permanent appointments and promotions in the State civil service shall be made exclusively under a general system based upon merit, efficiency and fitness as ascertained by competitive examination.

Section 2. (a) There shall be a State Personnel Board of five members appointed by the Governor with the advice and consent of the Senate. The terms of office shall expire on January 16, 1937; January 16, 1938; January 16, 1941; January 16, 1942; and January 16, 1945. Each subsequent appointee shall hold office for 10 years from the expiration of the term of his predecessor and until his successor is appointed and qualified, except that an appointee to a vacancy occurring before the expiration of a term shall be for the remainder of that term. A member may be removed by a vote of two-thirds of the members elected to each house of the Legislature.

(b) The board shall annually elect one of its members president.

(c) The board shall appoint and fix the compensation of an executive officer who shall be a member of the State civil service but not a member of the board.

Said executive officer shall perform and discharge all of the powers, duties, purposes, functions and jurisdiction hereunder or which hereafter by law may be vested in the board except that the adoption of rules and regulations, the creation and adjustment of classifications and grades, and the issuance, denials, suspensions and other punitive action for or in the State civil service shall be and remain the duty of the board and a vote of a majority of the members of said board shall be required to make any action with respect thereto effective.

Section 3. Said board shall administer and enforce; and in vested with all of the powers, duties, purposes, functions and jurisdiction which are now or hereafter may be vested in any other state officer or agency under Chapter 500 of the California Statutes of 1923 as amended or any and all other laws relating to the state civil service as said laws may now exist or may hereafter be enacted; amended or repealed by the Legislature.

Section 4. (a) The provisions hereof shall apply to, and the term "state civil service" shall include, every officer and employee of this State except:

(1) State officers elected by the people.
(2) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's office.
(3) State officers and employees directly appointed or employed by the Attorney General or the Judicial Council; or by any court of record in this State or any justice, judge or clerk thereof.
(4) State officers and employees directly appointed or employed by the Legislature or other house thereof.
(5) One person holding a confidential position to any office mentioned in paragraph (3), (6) or (4) hereof except that there shall be but one such position to any board or commission composed in whole or in part of officers mentioned in said paragraphs, each such person to be selected by the officer, board or commission to be served.
(6) One deputy for the Legislative Counsel and for each state officer elected by the people; each such deputy to be selected by the officer to be served.
(7) Persons employed by the University of California.
(8) Persons employed by any state normal school or teachers college.
(9) The teaching staff of all schools under the direction or jurisdiction of the Superintendent of Public Instruction, the Department of Education or the director thereof or the State Board of Education who otherwise would be members of the state civil service.
(10) Employees of the Federal Government; or persons whose selection is subject to rules or requirements of the Federal Government; engaged in work done by cooperation between the State and Federal Government or engaged in work financed in whole or in part with federal funds.
(11) Persons appointed or employed by or under the State Board of Prison Directors or any warrant of a state prison.
(12) The officers and employees of the Railroad Commission.
(13) Members in the Veterans Home of California and inmate help in all state charitable or correctional institutions.
(14) The members of the militia of the State while engaged in military service.
(15) Officers and employees of district agricultural associations employed less than one month in any one calendar year.
(16) Stewards and veterinarians of the California Horse Racing Board who are not employed on a full time basis.
(17) The Legislature may provide that the provisions of this article shall apply to, and the term "state civil service" shall include, any person or group of persons heretofore excepted other than those mentioned in paragraphs (1), (2), (7) or (14) of subdivision (a) of this section. Hereafter, no exception shall be revised with respect to any person or group of persons heretofore or hereafter
included in the state civil service under this subdivision. The Legislature may, however, provide that any office included in the state civil service pursuant to this paragraph may be appointed by the Governor; and in such case the provisions of paragraph (2) shall apply.

(3) Whenever the appointment or employment of new or additional officers or employees of this State is hereafter authorized by law, such officers or employees shall be subject to the provisions hereof and included within the state civil service unless of a class excepted herein.

Sec. 6. The provisions of this article shall be self-executing and legislation not in conflict herewith may be enacted to facilitate its operation.

Sec. 6. (a) No temporary appointment of a person to any position shall be made unless there is no employment list from which such position can be filled.

(b) No person shall hold a given position under temporary appointment for a longer period than nine months in any consecutive 12 months, nor shall any person serve in the state civil service under temporary appointment for a longer total period than nine months in any consecutive 12 months.

Sec. 7. Nothing herein contained shall prevent or modify the giving of preferences in appointments and promotions in the State civil service to veterans and widows of veterans as is now or hereafter may be authorized by the Legislature.

Seventy-fourth—That Article XXIV is added, to read:

ARTICLE XXIV

STATE CIVIL SERVICE

Sec. 1. (a) The civil service includes every officer and employee of the State except as otherwise provided in this Constitution.

(b) In the civil service permanent appointment and promotion shall be made under a general system based on merit ascertained by competitive examination.

Sec. 2. (a) There is a Personnel Board of 5 members appointed by the Governor and approved by the Senate, a majority of the membership concurren, for 10-year terms and until their successors are appointed and qualified. Appointment to fill a vacancy is for the unexpired portion of the term. A member may be removed by concurrent resolution adopted by each house, two-thirds of the membership of each house concurring.

(b) The board shall annually elect one of its members chairman.

(c) The board shall appoint and prescribe compensation for an executive officer who shall be a member of the civil service but not a member of the board.

Sec. 3. (a) The board shall enforce the civil service statutes and, by majority vote of all its members, shall prescribe probationary periods and classifications, adopt other rules authorized by statute, and review disciplinary actions.

(b) The executive officer shall administer the civil service statutes under rules of the board.

Sec. 4. The following are exempt from civil service:

(a) Officers and employees appointed or employed by the Legislature, either house, or legislative committees.

(b) Officers and employees appointed or employed by councils, commissions or public corporations in the judicial branch or by a court of record or officer thereof.

(c) Officers elected by the people and a deputy and an employee selected by each elected officer.

(d) Members of boards and commissions.

(e) A deputy or employee selected by each board or commission either appointed by the Governor or authorized by statute.

(f) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's office, and the employees of the Lieutenant Governor's office directly appointed or employed by the Lieutenant Governor.

(g) A deputy or employee selected by each officer exempted under Section 4(f).

(h) Officers and employees of the University of California and the California Colleges.

(i) The teaching staff of schools under the jurisdiction of the Department of Education or the Superintendent of Public Instruction.

(j) Members, inmate, and patient help in state homes, charitable or correctional institutions, and state facilities for mentally ill or retarded persons.

(k) Members of the militia while engaged in military service.

(l) Officers and employees of district agricultural associations employed less than 6 months in a calendar year.

(m) In addition to positions exempted by other provisions of this section, the Attorney General may appoint or employ six deputies or employees, the Legislative Counsel may appoint or employ two deputies or employees, and the Legislature may provide that the State Board of Education, on nomination of the Superintendent of Public Instruction, may appoint not more than three Deputy Superintendents of Public Instruction and not more than four Associate Superintendents of Public Instruction, for four year terms. Additional exempt positions in the Legislative Counsel's office may be created by statute.

Sec. 5. A temporary appointment may be made to a position for which there is an employment list. No person may serve in one or more positions under temporary appointment longer than 6 months in 12 consecutive months.
Sec. 6. (a) The Legislature may provide exemptions for veterans and their widows. (b) The board by special rule may permit persons in exempt positions, brought under civil service by constitutional provision, to qualify to continue in their positions.

(c) When the state undertakes work previously performed by a county, city, public district of this state or by a federal department or agency, the board by special rule shall provide for persons who previously performed this work to qualify to continue in their positions in the state civil service subject to such minimum standards as may be established by statute.

TAXATION OF PUBLICLY OWNED PROPERTY. Legislative Constitutional Amendment. Provides that after 1968 lands located outside the county, city and county, or municipal corporation (including any public district or agency) owning the same, which were taxable when acquired, shall be assessed in accordance with prescribed formula based on total value in the state, and assessment also shall be subject to other specified conditions and presumptions.

(3) The amendment proposed by Senate Constitutional Amendment No. 10, 1968 Regular Session, does not expressly amend any existing section of the Constitution, but adds new sections thereto; therefore, the provisions thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.

PROPOSED AMENDMENT TO ARTICLE XIII

(1) First, That Section 1.60 is added to Article XIII, to read:

Sec. 1.60. Any lands owned by any county, city and county, or municipal corporation subject to taxation pursuant to Section 1 of this article shall be taxed in proportion to the value thereof as ascertained as provided in said section; provided, however, that for any year subsequent to 1968 such value, with respect to any of said lands located in any county in which the aggregate assessed value of all property owned by any county, city and county, or municipal corporation was over 30% of the total assessed value of all property taxed in said county in 1967, shall be, and with respect to all other said lands, shall not be more than, an amount determined as follows:

(a) Any said lands subject to taxation on the lien date in 1967, whether or not so owned on said date, at the value assessed on said date, adjusted by a factor which shall be the ratio of (1) the total statewide assessed valuation of lands on the latest date prior to the date of assessment divided by the estimated civilian population of the state on that date, prior to the date of assessment, to (2) the total statewide assessed valuation of lands on the lien date in 1967, divided by the estimated civilian population of the state on that date, which for the purpose of this section is deemed to be eight hundred fifty-six dollars.

(b) Any said lands acquired subsequent to the lien date in 1967 which were assessed on said date as part of a larger tax parcel, shall be assessed as hereinabove provided, by fixing the assessed value thereon on the lien date in 1967 as the proportion of the assessment of said parcel on said date determined by the ratio of the area of any said lands to the area of the tax parcel of which they were a part on said date.

(c) The total statewide assessed valuation of lands shall be the amount and the estimate of civilian population shall be the number for the latest dates prior to the date of assessment as determined and published by those state agencies responsible therefor. For each year subsequent to 1968, the Controller of the state shall determine the factor to be used as hereinabove provided.

Second, That Section 1.61 is added to Article XIII, to read:

Sec. 1.61. Any review, equalization and adjustment by the State Board of Equalization made pursuant to Section 1 shall be limited to a determination that such assessments are made in the manner specified in Sections 1.60, 1.62 and 1.63.

Third, That Section 1.62 is added to Article XIII, to read:

Sec. 1.62. For the purpose of assessing in any year subsequent to 1968 any lands owned by any county, city and county or municipal corporation in any county in which the aggregate assessed value of all property owned by any county, city and county or municipal corporation was over 30 percent of the total assessed value of all property taxed in said county in 1967, the assessment of any said lands on the lien date in 1967 shall be conclusively presumed to have been valid in every respect, and any action by any board, court or other reviewing body with respect to said assessment subsequent to July 1, 1968, shall be of no effect; and any said lands assessed on the lien date in 1967 shall be conclusively presumed to be subject to taxation in any year subsequent to 1968 and to be assessable and taxable in any year subsequent to 1968 at the rate at which they were assessed on the lien date in 1967, any other provision of this article to the contrary notwithstanding; provided, any divestment of