

AMENDED IN SENATE MAY 23, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

Assembly Constitutional Amendment

No. 12

Introduced by Assembly Member Papan Chavez

June 6, 2001

Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the ~~Constitution of the State, by amending Section 4.5 of Article IV, relating to the Legislature.~~ *Constitution of the State, by adding Section 2.5 to Article XVI thereof, relating to veterans.*

LEGISLATIVE COUNSEL'S DIGEST

ACA 12, as amended, ~~Papan Chavez.~~ *Legislative terms Homeless Veterans Housing Assistance Program.*

The California Constitution prohibits the Legislature from creating any debt exceeding \$300,000, as specified, unless authorized by law for a single object, principal and interest is paid on the debt, that law can not be repealed until the principal and interest on the debt is paid and discharged, and the law is approved by a $\frac{2}{3}$ vote of the Legislature and a majority vote of the people.

The Veterans' Farm and Home Purchase Act of 1943 and subsequent acts authorize the Department of Veterans Affairs to purchase homes or farms for sale to veterans, and to finance the purchase by the veteran through the sale of general obligation bonds. All bond proceeds are deposited into veterans' farm and home building funds established under the various acts.

This measure would provide that, notwithstanding any provision in the Constitution or any bond act to the contrary, the Legislature may

authorize the use of any surplus funds, as defined, derived pursuant to a veterans' farm and home purchase act, as defined, for the purpose of funding the acquisition, construction, or rehabilitation of transitional and long-term housing for homeless veterans, including support services and administration.

~~The California Constitution establishes the California Legislature, consisting of the Senate and the Assembly. Under the California Constitution, no Senator may serve more than 2 terms of 4 years each, and no Member of the Assembly may serve more than 3 terms of 2 years each, as specified.~~

~~This measure would provide instead that no Senator may serve more than 3 terms and that no Member of the Assembly may serve more than 6 terms in that office.~~

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: ~~no~~—yes.
State-mandated local program: no.

1 *Resolved by the Assembly, the Senate concurring, That the*
2 *Legislature of the State of California at its 2001–02 Regular*
3 *Session commencing on the fourth day of December 2000,*
4 *two-thirds of the membership of each house concurring, hereby*
5 *proposes to the people of the State of California that the*
6 *Constitution of the State be amended by amending Section 4.5 of*
7 *Article IV thereof, to read: adding Section 2.5 to Article XVI*
8 *thereof, to read:*

9 *SEC. 2.5. (a) Notwithstanding any other provision of this*
10 *Constitution, or any bond act to the contrary, the Legislature may*
11 *authorize the use of surplus funds, derived pursuant to any*
12 *veterans' farm and home purchase act, for the acquisition,*
13 *construction, or rehabilitation of transitional and long-term*
14 *housing for homeless veterans, including support services and*
15 *administration.*

16 *(b) For purposes of this section:*

17 *(1) "Surplus funds" means funds derived from any veterans'*
18 *farm and home purchase act that are not needed to meet legal*
19 *obligations under that act and exceed the amounts needed for the*
20 *implementation under that act of a farm and home purchase*
21 *program, the repayment of bondholders, the operation of the*
22 *program, or related insurance programs.*

23 *(2) "Veterans' farm and home purchase act" means a measure*
24 *approved by the state electorate pursuant to which general*

1 *obligation bonds are issued and sold to fund loans to veterans for*
2 *the purchase of farms or homes.*

3 ~~SEC. 4.5. Notwithstanding any other provision of this~~
4 ~~Constitution or existing law, a person elected to or serving in the~~
5 ~~Legislature on or after November 1, 1990, shall participate in the~~
6 ~~Federal Social Security (Retirement, Disability, Health Insurance)~~
7 ~~Program and the State shall pay only the employer's share of the~~
8 ~~contributions necessary for that participation. No other pension or~~
9 ~~retirement benefit shall accrue as a result of service in the~~
10 ~~Legislature, that service not being intended as a career occupation.~~
11 ~~This section shall not be construed to abrogate or diminish any~~
12 ~~vested pension or retirement benefit that may have accrued under~~
13 ~~an existing law to a person holding or having held office in the~~
14 ~~Legislature, but upon adoption of this section no further~~
15 ~~entitlement to nor vesting in any existing program shall accrue to~~
16 ~~any such person, other than Social Security to the extent herein~~
17 ~~provided. Notwithstanding the foregoing, this section shall not~~
18 ~~prohibit a person holding or having held office in the Legislature~~
19 ~~from accruing pension or retirement benefits as a result of his or~~
20 ~~her service in the Legislature if the person was a member of a~~
21 ~~public retirement system prior to his or her election to the~~
22 ~~Legislature.~~

