

Measure P370

INSTRUCTIONS:

Please carefully read the following description of a ballot measure that was written by a disinterested expert. Feel free to take notes or outline passages as you read.

This should take approximately 10 minutes.

BALLOT MEASURE P370

BACKGROUND

The California Constitution requires the Legislature to adjust the boundary lines of the Assembly and Senate, Congressional, and Board of Equalization districts every 10 years, following the federal census. This process is known as “reapportionment” or “redistricting.” The primary purpose of reapportionment is to establish districts which are nearly equal in population. Federal law and the California Constitution prescribe other objectives and standards which the Legislature must follow in adopting statutes to establish new district boundaries. The existing districts must be changed after the November 1990 election to reflect the new federal census.

The Constitution requires that elections for 20 of the 40 Senators and all of the 80 Assembly members be held every two years. Senate terms are for four years and Assembly terms are for two years.

PROPOSAL

This measure amends the California Constitution to create the Independent Citizens Redistricting Commission for the purpose of reapportioning Assembly and Senate, Congressional, and Board of Equalization districts. It also changes the elections cycle for state Senators.

The Redistricting Commission. An Independent Citizens Redistricting Commission would be established following each decennial census. The commission would consist of 12 members. A panel of three retired justices from the California Courts of Appeal would appoint the members and alternates from a list of registered California voters nominated by nonprofit, nonpartisan organizations. At least five members of the commission must come from each of the two largest political parties. The remaining two members must not be members of these parties.

Members of the first reapportionment commission would be appointed on May 31, 1991. Immediately following their appointment, members are subject to disqualification by representatives of any political party which received 10 percent or more of the total vote for governor in the preceding election. Each party may disqualify two members of the commission in this manner. Disqualified members would be replaced by the justices from among the alternates.

The commission is required to adopt one plan for Assembly, Senate and Board of Equalization districts, and another plan for Congressional districts. If the commission is not able to adopt redistricting plans that meet the requirements of this measure, it would be disbanded and a new commission would be selected following the same procedure used to select the original commission. If the second commission is also unable to adopt plans, then the commission would be disbanded and the California Supreme Court would be required to adopt the reapportionment plans.

The Redistricting Process. The redistricting process begins with the publication of an information manual by the Secretary of State. This manual includes information about the standards which a redistricting plan must meet, copies of census maps, statistical data, instructions for the submission of redistricting plans to the commission, and other data requested by the justices. Any registered voter may then submit a single redistricting plan to the commission within the 60-day period for submission of plans. The plans must then be made available for public inspection for a 45-day period. During this period, the commission is required to accept and review written comments, and to solicit and accept public comments at three public hearings prior to adopting final reapportionment plans.

Within 30 days after the close of the public inspection period, the commission is required to adopt the reapportionment plans which best satisfy the requirements of this measure. A majority vote of at least seven commissioners is required to adopt the plans, with at least two votes coming from commission members belonging to each of the two major political parties. If not plan satisfies the standards, the commission must pick at least three but not more than five of the submitted plans. These plans must be returned to their authors for resubmittal, along with the transcript indicating how the plans failed to meet the standards. The commission must then select the best of the resubmitted plans, or amend them as necessary to achieve compliance with the standards.

The reapportionment plans are subject to the referendum, if sufficient signatures are gathered to place the measure on the statewide ballot. In the event that the voters reject an adopted reapportionment plan, the justices must appoint a new commission to adopt a new plan within 45 days of the rejection. However, if the rejected plan was used for the immediately preceding primary election, it must continue to be used in the subsequent general election.

The California Supreme Court would have exclusive state court jurisdiction to review legal challenges to plans adopted by the commission. The court is required to adopt new plans within 60 days if neither the original commission nor the replacement commission adopts plans within the designated time, or if a replacement commission's adopted plans are found by the court to violate federal laws. The court must adopt plans that are in accordance with the objectives and standards of this measure.

Objectives and Standards Governing Reapportionment Plans. The measure requires that the commission's reapportionment plans promote certain objectives and conform with certain standards. These objectives and standards require that:

- Assembly and Congressional districts not vary in population by more than one percent.
- Fair and effective representation be provided for all residents of the state.
- Minority populations must not be dispersed or concentrated in a manner that has an adverse effect on their political influence.
- Each Senate district be composed of 2 adjacent Assembly districts and each Board of Equalization district be composed of 10 adjacent Senate districts.
- District lines must respect certain county boundaries, be composed of contiguous and compact territories, and must minimize the division of cities.
- To the extent practicable and consistent with the achievement of the other standards, the proportion of registered voters of each major political party in a district must be within two percent of the statewide proportion of that party's voters.

Support for the Commission. Each member would receive: (1) \$100 for each day of commission business, and (2) reimbursement for reasonable expenses incurred. The commission is authorized to employ staff as needed.

Election of Senators. The measure also requires elections to be held for all Senate seats in 1992, and every 10 years thereafter. Following the 1992 election, all even-numbered seats will have one two-year term, followed by two four-year terms. Following the 2002 election, the odd-numbered Senate seats will have one two-year term and two four-year terms. The terms for odd- and even-numbered seats would continue to rotate in this fashion following every census.



STOP!

Please go to the online survey, enter the 4-character code for this ballot measure (printed at the top and bottom of this page) and answer the survey questions.