

PROPOSITION
20 REDISTRICTING OF CONGRESSIONAL DISTRICTS.
INITIATIVE CONSTITUTIONAL AMENDMENT.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT.

- Removes elected representatives from the process of establishing congressional districts and transfers that authority to the recently-authorized 14-member redistricting commission.
- Redistricting commission is comprised of five Democrats, five Republicans, and four voters registered with neither party.
- Requires that any newly-proposed district lines be approved by nine commissioners including three Democrats, three Republicans, and three from neither party.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- No significant net change in state redistricting costs.

ANALYSIS BY THE LEGISLATIVE ANALYST

This measure takes the responsibility to determine boundaries for California's congressional districts away from the State Legislature. Instead, the commission recently established by voters to draw district boundaries of state offices would determine the boundaries of congressional districts.

BACKGROUND

In a process known as "redistricting," the State Constitution requires that the state adjust the boundary lines of districts once every ten years following the federal census for the State Assembly, State Senate, State Board of Equalization (BOE), and California's congressional districts for the U.S. House of Representatives. To comply with federal law, redistricting must establish districts which are roughly equal in population.

Recent Changes to State Legislature and BOE Redistricting. In the past, district boundaries for all of the offices listed above were determined in bills that became law after they were approved by the Legislature and signed by the Governor. On some occasions, when the Legislature and the Governor were unable to agree on redistricting plans, the California Supreme Court performed the redistricting.

In November 2008, voters passed Proposition 11, which created the Citizens Redistricting Commission to establish new district boundaries for the State Assembly, State Senate, and BOE beginning after the 2010 census. To be established once every ten years, the commission will consist of 14 registered voters—5 Democrats, 5 Republicans, and 4 others—who apply for the position and are chosen according to specified rules.

When the commission sets district boundaries, it must meet the requirements of federal law and other requirements, such as not favoring or discriminating against political parties, incumbents, or political candidates. In addition, the commission is required, to the extent possible, to adopt district boundaries that:

- Maintain the geographic integrity of any city, county, neighborhood, and "community of interest" in a single district. (The commission is responsible for defining "communities of interest" for its redistricting activities.)
- Develop geographically compact districts.
- Place two Assembly districts together within one Senate district and place ten Senate districts together within one BOE district.

Current Congressional Redistricting Process. Currently, California is entitled to 53 of the 435 seats in the U.S. House of Representatives. Proposition 11 did not change the redistricting process for these 53 congressional seats. Currently, therefore, redistricting plans for congressional seats are included in bills that are approved by the Legislature.

Proposition 11, however, did make some changes to the requirements that the Legislature must meet in drawing congressional districts. The Legislature—like the commission—now must attempt to draw geographically compact districts and maintain geographic integrity of localities, neighborhoods, and communities of interest, as defined by the Legislature. Proposition 11, however, does not prohibit the Legislature from favoring or discriminating against political parties, incumbents, or political candidates when drawing congressional districts.

PROPOSAL

Proposed New Method for Congressional Redistricting. This measure amends the Constitution to change the redistricting process for California's districts in the U.S. House of Representatives. Specifically, the measure removes the authority for congressional redistricting from the Legislature and instead gives this authority to the Citizens Redistricting Commission. The

commission would draw congressional districts essentially as it draws other district lines under Proposition 11. The commission, for example, could not draw congressional districts in order to favor incumbents, political candidates, or political parties. The commission also is to consider the geographic integrity of cities, counties, neighborhoods, and communities of interest. As under Proposition 11, compliance with federal law would be required.

“Community of Interest” Defined. In addition to adding similar criteria for congressional redistricting as those established in Proposition 11, the measure defines a “community of interest” for both congressional redistricting and redistricting of State Assembly, State Senate, and BOE seats. A community of interest is defined as “a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation.”

Two Redistricting-Related Measures on This Ballot. In addition to this measure, another measure on the November 2010 ballot—Proposition 27—concerns redistricting issues. Key provisions of these two propositions, as well as current law, are summarized in Figure 1. If both of these measures are approved by voters, the proposition receiving the greater number of “yes” votes would be the only one to go into effect.

Figure 1

Comparing Key Provisions of Current Law and November 2010 Propositions on the Drawing of Political Districts

	Current Law	Proposition 20	Proposition 27
Entity that draws State Assembly, State Senate, and Board of Equalization (BOE) districts	Citizens Redistricting Commission ^a	Citizens Redistricting Commission	Legislature
Entity that draws California's congressional districts	Legislature	Citizens Redistricting Commission	Legislature
Definition of a "community of interest" ^b	Defined by Citizens Redistricting Commission/Legislature	"A contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation"	Determined by the Legislature

^a The commission was established by Proposition 11 of 2008.

^b Under current law and both Proposition 20 and Proposition 27, redistricting entities generally are charged with attempting to hold together a "community of interest" within a district.

FISCAL EFFECTS

Redistricting Costs Prior to Proposition 11 and Under Current Law. The Legislature spent about \$3 million in 2001 from its own budget specifically for redistricting activities, such as the purchase of specialized redistricting software and equipment. In addition to these costs, some regular legislative staff members, facilities, and equipment (which are used to support other day-to-day activities of the Legislature) were used temporarily for redistricting efforts.

In 2009, under the Proposition 11 process, the Legislature approved \$3 million from the state's General Fund for redistricting activities related to the 2010 census. In addition, about \$3 million has been spent from another state fund to support the application and selection process for commission members. For future redistricting efforts, Proposition 11 requires the commission process to be funded at least at the prior decade's level grown for inflation. The Legislature currently funds congressional redistricting activities within its budget.

Redistricting Costs Under This Proposal. This measure would consolidate all redistricting activity under the Citizens Redistricting Commission process established by Proposition 11 in 2008. The commission would experience increased costs

from handling congressional redistricting activities. These costs, however, would be offset by a reduction in the Legislature's redistricting costs. Any net change in future redistricting costs under this measure probably would not be significant.