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February 15, 2000

Hon. Bill Lockyer
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Diane Calkins
Initiative Coordinator

Dear Attorney General Lockyer:

Pursuant to Elections Code Section 9005, we have reviewed the proposed initiative constitutional amendment cited as the "California Redistricting Commission Amendment" (File No. SA 1999 RF 0072, Amendment No. 2-S).

Background. The California Constitution requires the Legislature to adjust the boundaries of districts for the state Legislature (Assembly and Senate), State Board of Equalization, and U.S. House of Representatives from California, every ten 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.

Typically, reapportionment plans are included in legislation and become law after passage of the bill by the Legislature and signature of the Governor. In the past, when the Legislature and Governor have been unable to agree on reapportionment plans, the California Supreme Court has taken responsibility for reapportionment. For example, following the 1990 census, the Legislature and Governor were unable to agree on reap-

portionment plans, so the California Supreme Court developed the plans which have been used in all elections after November 1990.

Proposal. This measure amends the California Constitution to establish a new five-member California Redistricting Commission which would be responsible for developing reapportionment plans, rather than the Legislature.

The measure prescribes the appointment and qualifications for the members of the commission. The commission's reapportionment plans would be deemed adopted, unless disapproved by the Legislature with a three-fourths majority vote of both houses. If disapproved, the commission would submit new plans to the Legislature for consideration.

The measure requires the Legislature to appropriate funds necessary for the commission to carry out its responsibilities, as well as compensation and expense reimbursement for members of the commission.

Fiscal Effect. The measure would result in additional costs to the state for the commission to develop reapportionment plans every ten years. These costs are probably in the range of up to several million dollars, and would depend on a number of factors, including the costs to the commission to obtain and analyze data and compensate the members.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

B. Timothy Gage
Director of Finance