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INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

November 1, 2007

Ms. Toni Melton
Initiative Secretary
Attorney General's Office
1300 "I" Street
Sacramento, CA 95814

Re: Title and Summary

Dear Ms. Melton:

Pursuant to California Elections Code Section 9002, I respectfully request that the Attorney General prepare a title and summary for the attached measure. The text of the measure, a check for $200.00 and the address at which I am registered to vote are enclosed.

Also attached is the acknowledgement of the proponent required by Section 9608 of the California Elections Code.

If there is any further information I can provide, please do not hesitate to contact me.

Sincerely,

Edward "Ted" J. Costa

Enclosures

3407 Arden Way Sacramento, CA 95825 (916) 482-6175 FAX: (916) 482-2045

THE CITIZENS FAIR DISTRICTS ACT

Section 1. Title.

This Act shall be known and may be cited as the "Citizens Fair Districts Act."

Section 2. Findings and Purpose.

The people of the state of California hereby make the following findings and declare their purpose in enacting the Act is as follows:

(a) Our state and congressional elected law makers should be responsive to the voters of the State of California.

(b) When the Legislature draws its own districts, it draws maps that cut up neighborhoods, communities, cities and counties in order to create safe seats for incumbents or party favorites.

(c) When districts are drawn for politicians instead of voters, politicians can no longer be held accountable by their constituents.

(d) Legislators have publicly acknowledged that it is an inherent conflict of interest for them to draw their own districts. In 2001, incumbent self-interest and politics resulted in uncompetitive districts drawn behind closed doors and out of the public eye.

(e) Citizens who vote in the State of California, not politicians, are best suited to adopt a fair and nonpartisan redistricting plan.

(f) This Act will end the legislators' conflict of interest, take redistricting away from incumbent politicians and make politicians accountable to the voters again.

(g) This Act will end the practice of incumbent protection where incumbent politicians protect their legislative seats by drawing "safe" districts and will foster increased fair competition in primary and general elections.

(h) This Act establishes an independent Citizens Redistricting Commission drawn randomly from the voter rolls of each Assembly District in California and would empower ordinary citizens to ensure fairness in the redistricting process and establish a fair redistricting plan.

(i) This Act requires compliance with the Voting Rights Act.

(j) This Act requires that counties, cities and communities of interest should not be split to protect incumbents.

Section 3. Amendment of Article XXI of the California Constitution

Article XXI of the California Constitution is amended to read as follows:

Article ~~21~~ XXI. ~~Reapportionment~~ Redistricting of Senate, Assembly, Congressional and Board of Equalization Districts.

~~SECTION 1. In the year following the year in which the national census is taken under the direction of Congress at the beginning of each decade, the Legislature shall adjust the boundary~~

~~lines of the Senatorial, Assembly, Congressional, and Board of Equalization districts in conformance with the following standards:~~

~~(a) Each member of the Senate, Assembly, Congress, and the Board of Equalization shall be elected from a single member district.~~

~~(b) The population of all districts of a particular type shall be reasonably equal.~~

~~(c) Every district shall be contiguous.~~

~~(d) Districts of each type shall be numbered consecutively commencing at the northern boundary of the State and ending at the southern boundary.~~

~~(e) The geographic integrity of any city, county, or city and county, or of any geographical region shall be respected to the extent possible without violating the requirements of any other subdivision of this section.~~

SECTION 1. Citizens Redistricting Commission

(a) Each member of the Senate, Assembly, Congress, and the State Board of Equalization shall be elected from a single member district. The territory of each Senate district established pursuant to this section shall be comprised of two Assembly districts. Each State Board of Equalization district shall be comprised of ten Senate districts.

(b) By October 15 of each year ending in the number zero, the Citizens Redistricting Commission shall be established to provide for the redistricting of Senate, Assembly, congressional, and State Board of Equalization districts. As used in this Article, "commission" shall mean the Citizens Redistricting Commission.

(c) The Citizens Redistricting Commission shall consist of 11 members and all of the following shall apply:

(1) The Citizens Redistricting Commission shall have partisan balance. The commission shall include four members representing the largest political party in California based on party registration, four members representing the second largest political party in California based on party registration, and three members who are not registered with either of the two largest political parties in this state.

(2) The Citizens Redistricting Commission shall be reasonably representative of the diversity of the state, including but not limited to racial, ethnic, geographic and gender diversity.

(3) Each commission member shall be a registered California voter.

(4) Each commission member shall commit to applying this article in an honest, independent, and impartial fashion and to upholding public confidence in the integrity of the redistricting process.

(d) (1) Within the ten years immediately preceding the date of the notification by the Secretary of State that a commission member has been selected to serve on the commission, neither a commission member, nor a member of his or her family, may have done any of the following:

(A) Been elected to or been a candidate for any elective public office or been appointed by an elected official to a paid public position.

(B) Served as an officer of a political party.

(C) Served as an elected or appointed member of a political party central committee.

(D) Been a registered federal, state or local lobbyist, or an employee of or a consultant to a registered lobbyist.

(E) Been an officer, paid staff or paid consultant of a candidate or party campaign committee.

(F) Been a staff member for or a consultant or under contract to the Legislature, Congress or the Board of Equalization.

(G) Had a financial interest or family relationship with the Governor, a member of the Legislature, a member of Congress, or a member of the State Board of Equalization.

(H) As used in this subdivision, a member of a person's family is one with whom the person has a bona fide relationship established through blood or legal relation, including an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, uncle, aunt, or first cousin, or the spouse of any such person. As used in this subdivision, a person with a financial interest is as defined by the Political Reform Act or its successor.

(2) A member of the commission shall be ineligible, during his or her term of office, and for three years thereafter, to hold elective public office in this state, to be appointed by an elected official to a paid public position, to register as a lobbyist or to be staff, counsel, a consultant or a contractor to the Governor, a member of the Legislature, a member of Congress, or a member of the State Board of Equalization.

SECTION 2. Citizens Redistricting Commission Selection Process

(a) The Secretary of State shall work to ensure that each stage of the selection process promotes the purpose of achieving a Citizens Redistricting Commission that is reasonably representative of the state's diversity, including but not limited to, racial, ethnic, geographic and gender diversity. In order to establish the Citizens Redistricting Commission, the Secretary of State shall comply with the following provisions:

(1) Based on the California voter registration roll in existence as of March 1 of each year ending in zero, the Secretary of State shall assemble a pool of invited nominees.

(2) The Secretary of State shall select 2,000 registered voters from each Assembly District in the state for a total nominee pool of 160,000, drawn at random from registered voters in each Assembly District in the state who meet any one of the following: (1) voted in the preceding two statewide general elections in the years ending in six and eight; (2) became eligible to register after the deadline for registering to vote in the statewide general election in the year ending in six and voted in the statewide general election in the year ending in eight; (3) became eligible to register to vote after the deadline for registering to vote in the statewide general election in the year ending in eight and are registered to vote at the time of selection. The voters selected in this manner shall hereinafter be called the "invited nominee pool."

(3) The Secretary of State shall prepare an invitation and nominee form that shall be mailed to all nominees. In preparing the invitation and nominee form, the Secretary of State shall determine the type of information that will be of the greatest assistance in evaluating a nominee's ability to serve on the commission. The invitation

and nominee form prepared by the Secretary of State shall include the terms and conditions of serving on the commission and shall include a notice to all nominees that they are prohibited from any ex parte communications concerning their possible nomination to the commission except for communications with the nominee's family members or employer. The invitation shall also inform the nominees that seminars will be conducted by the Secretary of State in Sacramento and Los Angeles on dates to be selected by the Secretary of State that a nominee must attend in order to be considered for appointment to the commission.

(4) No later than April 1 of each year ending in zero, the Secretary of State shall notify each of the 160,000 voters comprising the total invited nominee pool that he or she has been randomly selected as a candidate to serve on the Citizens' Redistricting Commission. The Secretary of State shall not disclose the names of the voters or any information pertaining to the nominees and shall keep such information strictly confidential. If the nominee wishes to accept the nomination to the commission, the nominee shall complete the nominee form provided for in paragraph (3), executed under penalty of perjury, regarding the nominee's willingness to serve and the nominee's satisfaction of the qualifications as set forth in the Act, and such other information to help evaluate a nominee's ability to serve on the commission as the Secretary of State may require. The Secretary of State shall further direct the nominee to mail the executed nominee form to the Secretary of State so that it is postmarked by April 20 of that year. Each nominee shall execute a statement in writing acknowledging the potential conflict of interest of a member seeking future elected public office or seeking future appointment to paid political office or direct employment by officeholders listed in Section 1(d)(2), and shall pledge, or decline to pledge, in writing, to not seek or accept any such election or appointment or employment during the term of office of the commission and for three years thereafter. Nominee forms not received by the Secretary of State by April 30 of each year ending in zero shall not be considered.

(5) From the nominee forms that are received pursuant to paragraph (4), the Secretary of State shall randomly draw the names to establish a pool of 10 nominees from each Assembly District which shall hereinafter be called the "initial nominee pool." In the event that not enough nominee forms are received from any Assembly District to meet the requirement of this subdivision, the Secretary of State shall take whatever steps the Secretary of State deems necessary to randomly establish a pool of 10 nominees from each Assembly District. If the Secretary of State determines that the entire initial nominee pool is not reasonably representative of the diversity of the state, including but not limited to racial, ethnic, geographic and gender diversity, the Secretary of State shall repeat the entire drawing. The nominees who remain in the invited nominee pool shall be notified by the Secretary of State that they are being placed in a reserve pool. The Secretary of State may draw by random method from the reserve pool if necessary to ensure an adequate number of nominees at any stage of the selection process. The Secretary of State shall immediately notify all nominees of their nomination to the Commission. The Secretary of State shall not disclose the names of the nominees or any other information pertaining to the nominees and shall keep such information confidential.

(6) No later than June 1 of each year ending in zero, the Secretary of State shall make available copies of the nominee forms from the nominees to the President pro

Tempore of the Senate, the minority floor leader of the Senate, the Speaker of the Assembly and the minority floor leader of the Assembly. In order that the identity of the initial nominees is not disclosed to the legislative leaders, the copies of the nominee forms provided to the legislative leaders shall not disclose the names or party affiliations of the nominees or any other information as deemed necessary by the Secretary of State to protect the identity of the initial nominees. No later than July 1 of a year ending in zero, the legislative leaders shall screen and review the nominee forms submitted by the nominees and each legislative leader may select up to 20 percent of the initial nominees to be removed from the initial nominee pool. Notwithstanding the provisions of this subdivision, a nominee shall only be removed if at least one legislative leader from each of two different parties selects the same nominee to be removed from the initial nominee pool.

(7) No later than July 15 of each year ending in zero, from the remaining pool of initial nominees after the screening by the legislative leaders pursuant to paragraph (6), the Secretary of State shall conduct a random drawing by lot of the nominees and establish a pool of nominees that shall consist of 240 nominees, with three subpools: 80 nominees registered with the largest political party in California , 80 nominees registered with the second largest political party in California , and 80 nominees who are not registered with either of the two largest political parties in this State. This pool shall hereinafter be called the "screened nominee pool."

(8) The Secretary of State shall immediately notify all nominees in the screened nominee pool that in order to continue to be considered for selection as a member of the commission, a nominee must participate in a training seminar. The Secretary of State shall conduct the seminar(s) in such a manner as to allow the greatest dissemination of information and access reasonably possible to nominees. The seminar(s) shall be held no later than August 15 of each year ending in zero. The seminars shall provide information to nominees in the screened nominee pool as to responsibilities of members of the commission, procedures to be followed by the commission in establishing districts, the time commitment required to fulfill the duties of a member of the commission and any other information the Secretary of State deems relevant. Within 3 days of the conclusion of the seminar that the nominee has attended, any nominee in the screened nominee pool who does not wish to serve on the commission shall notify the Secretary of State.

(9) Within 3 days of the last day that any nominee in the screened nominee pool may notify the Secretary of State that the nominee does not want to serve on the commission, the Secretary of State shall conduct a random drawing by lot of the remaining nominees and establish a pool of nominees that shall consist of 120 nominees, with three subpools: 40 nominees registered with the largest political party in California , 40 nominees registered with the second largest party in California , and 40 nominees who are not registered with either of the two largest political parties in California . The Secretary of State shall make available copies of the nominee forms of the 120 nominees to the President pro Tempore of the Senate, the minority floor leader of the Senate, the Speaker of the Assembly and the minority floor leader of the Assembly. No later than September 15 of each year ending in zero, the President pro Tempore of the Senate, the minority floor leader of the Senate, the Speaker of the Assembly and the minority floor leader of the Assembly may each strike up to four nominees from each subpool for a total

of 12 possible strikes per legislative leader. The legislative leaders shall make every effort to strike in such a way that does not result in a pool of nominees that is not representative of this State's racial, ethnic, gender, geographic and cultural diversity. After all legislative leaders have exercised their strikes, the remaining pool of nominees shall hereinafter be called the "candidate pool."

(10) No later than October 1 of each year ending in zero, the Secretary of State shall establish and implement a public and auditable process of randomly drawing from the candidate pool four names of persons who are registered with each of the two largest political parties in California, and three names from the pool of persons who are not registered with either of the two largest political parties in California to comprise the Citizens Redistricting Commission. The Secretary of State shall also randomly draw from the candidate pool an additional four names of persons who are registered with each of the two largest political parties in California and three names from the pool of people who are not registered with either of the two largest political parties in California to serve as alternates to the commission.

(11) In the event that the random drawing provided for in paragraph 10 results in two or more commission members from a single county, the Secretary of State shall utilize a random process so that a county's representation does not exceed that county's proportion of the population of the state.

(12) The names of the eleven people drawn for the commission and the names of the eleven people drawn to serve as alternates to the commission shall be presented to the President pro Tempore of the Senate, the minority floor leader of the Senate, the Speaker of the Assembly, and the minority floor leader of the Assembly who shall have 5 days to object to the composition of the commission for lack of representation of the diversity of the state. If objections are raised by three of the foregoing legislative leaders, the Secretary of State will return all names to the candidate pool for another round of random drawing which shall be completed no later than October 15 of each year ending in zero.

(13) At the conclusion of the steps required by paragraph (12), the Secretary of State shall inform the eleven people whose names were drawn to serve on the commission and the eleven people whose names were drawn to serve as alternates to the commission of their selection.

(b) The commission shall convene for its first meeting no later than November 1 of each year ending in zero at a location to be determined by the Secretary of State. The 11 members of the commission shall select by the voting process described in this Act one of their members to serve as the chair and one to serve as vice chair. The chair and vice chair shall not be of the same party and shall be elected by a two-thirds vote of the commission.

(c) The term of office of each member of the commission expires upon the appointment of the first member of the succeeding commission.

(d) No later than January 1 of each year ending in one, the commission shall hire an Executive Director pursuant to the provisions of Section 4(a). No later than March 1 of each year ending in one, the executive director shall hire staff and establish a fully equipped office.

(e) Notwithstanding any other provision of law, no employer shall discharge, threaten to discharge, intimidate, coerce or retaliate against any employee by reason of such employee's attendance or scheduled attendance at the seminars to be held pursuant to paragraph (8) of subdivision (a) or any meeting of the commission.

(f) Any person who changes party affiliation after being notified by the Secretary of State that he or she is an invited nominee for the commission shall not be eligible to serve on the commission.

SECTION 3. Commission Vacancy, Removal, Resignation

(a) After having been served written notice and provided with an opportunity for a response, a member of the commission may be removed by the Governor, with the concurrence of two-thirds of the Senate and two-thirds of the Assembly, for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office.

(b) The Secretary of State shall fill any vacancy in the commission, whether created by removal or resignation, by randomly selecting one of the alternates drawn from the same subpool as the vacating member in a manner consistent with the requirements of Section 2(a)(11).

SECTION 4. Rules for Operation of the Commission; Open and Public Hearings and Records

(a) The commission shall hire an Executive Director who must be approved by a two-thirds vote of the commission of which two votes for approval must come from members of the commission from the largest political party in California, two votes for approval must come from members of the second largest political party in California and two votes for approval must come from members of the commission who are not registered with either of the two largest political parties in California. The Executive Director shall, with the approval of the commission, hire commission staff, legal counsel and consultants as appropriate. The commission shall establish criteria for the hiring and removal of these individuals, communication protocols, and a code of conduct. The commission shall apply the conflicts of interest listed in subdivision (d) of Section 1 to the hiring of staff. Notwithstanding the provisions of this subdivision, the commission or its successor may waive the staff conflict of interest requirements by a two-thirds vote of the commission in the same manner as required to hire an Executive Director pursuant to this subdivision.

(b) Seven members of the commission shall constitute a quorum.

(c) Six or more affirmative votes shall be required for any official action. The final plan must be approved by at least six affirmative votes which shall include at least two votes of members registered from each of the two largest parties in California and two votes from members who are not registered with either of the two largest political parties in California.

(d) The commission shall provide not less than 14 days' public notice for each meeting. Notwithstanding this subdivision, the commission may conduct a special meeting with 5 days notice during the period after August 15 of each year ending in one. The commission shall otherwise comply with the Bagley-Keene Open Meeting Act or its successor.

(e) The records of the commission pertaining to redistricting, and all data considered by the commission, are public records, open to inspection by members of the public upon request.

(f) Any written or verbal communication with any commission member outside of a public hearing, other than by staff or by legal counsel, is prohibited as to any matter which is before the commission. This subdivision does not prohibit any communication between

commission members that is otherwise permitted by the Bagley-Keene Open Meeting Act or its successor.

(g) Any action of the commission that requires the approval of two-thirds of the members of the commission shall require the affirmative vote of eight members of the commission.

SECTION 5. Redistricting Process

(a) The commission shall establish Senate, Assembly, State Board of Equalization, and congressional districts based on a mapping process in accordance with the following criteria, prioritized according to the following order:

(1) Districts shall comply with the United States Constitution. Congressional districts shall each have equal population with other Congressional districts to the extent required by law. Senate, Assembly, and State Board of Equalization districts shall have equal population with other districts for the same office, except where deviation is required to comply with the federal Voting Rights Act and allowable by law.

(2) Districts shall comply with the federal Voting Rights Act.

(3) Districts shall be geographically contiguous.

(4) A redistricting plan shall comply with the following criteria in the following order of importance.

(A) First create districts that contain the largest number of whole counties possible and then create districts that contain the smallest number of county fragments possible.

(B) To the extent that counties must be divided or fragmented, the commission shall consider communities of interest and city boundaries in drawing the district lines in the following manner:

First create districts that contain the largest total number of whole cities and communities of interest possible and then create districts that contain the smallest total number of city fragments and the smallest total number of communities of interest fragments possible

(5) No census block shall be fragmented unless required to satisfy the preceding requirements of paragraph (1) or (2) of this subdivision.

(6) To the extent this requirement is not in conflict with the requirements of the preceding paragraphs of this subdivision, districts shall be drawn to encourage geographical compactness where practicable such that nearby areas of population shall not be bypassed for more distant population.

(b) A community of interest shall be defined as a group of residents who share similar interests including but not limited to neighborhood, social, cultural, ethnic, geographic or economic interests. The commission shall establish a process and timetable for determining which communities of interest may be considered by the commission in compliance with the provisions of subparagraph (B) of paragraph (4) of subdivision (a). By a two-thirds vote of the commission, the commission may change the order of importance of the criteria contained in paragraph (4) of subdivision (a).

(c) The places of residence of incumbents or candidates may not be considered in the creation of a map. Districts shall not be drawn for the purpose of favoring any incumbent. Districts shall not be drawn for the purpose of favoring partisan interests. Except as required by

federal law, including but not limited to the Federal Voting Rights Act party registration data and partisan candidate election results shall not be used in the preparation of any redistricting plan.

(d) Before drawing maps pursuant to this section, the commission shall adopt definitions of the terms and standards to be utilized in drawing the maps.

(e) The commission shall issue with its final plan a report regarding compliance with the requirements of subdivision (a) that explains the basis on which the commission made its decisions. If the commission changes the order of importance of the criteria specified in paragraph (4) of subdivision (a), the commission shall explain the change.

(f) In order to establish and implement an open and noticed hearing process for public input and deliberation, the commission shall establish and publish a schedule of hearings and locations for this process as soon as reasonably possible after its first meeting. The hearing process shall include hearings to receive public input before the commission draws any maps and hearings following the drawing and display of commission maps. The commission shall display the map(s) created in a timely manner to the public for comment in a manner designed to achieve the widest public dissemination reasonably possible. The commission shall work to ensure that such hearings and display periods provide opportunity for meaningful public input including elected and appointed officials at every stage of the redistricting process undertaken by the commission. The commission shall take submissions of plans and comments, and conduct hearings as follows:

(1) Any member of the public may offer a complete or partial proposed plan, written comment, or public hearing testimony.

(2) The commission shall adopt guidelines for submission of redistricting plans and written comments, and procedures and rules to facilitate the orderly taking of testimony at public hearings. The procedures and rules shall make ample provision for full and fair public consideration and debate regarding draft and proposed final redistricting plans and written public comments.

(3) The commission shall hold hearings in various regions of California designed to allow the widest public participation reasonably possible.

(4) The commission shall make available commission records, plan submissions, redistricting data, and mapmaking tools in a manner designed to achieve the widest public dissemination reasonably possible.

(g) The approval of the final boundaries shall be made according to the voting process described in Section 4(c). The commission shall display any map(s) it will vote on to the public for a minimum of 14 days in a manner designed to achieve the widest public dissemination reasonably possible. Upon approval, the commission shall certify those districts to the Secretary of State no later than September 15 of each year ending in one.

SECTION 6. Commission Funding; Legal Challenges

(a) In 2009, and in each year ending in nine thereafter, the Governor shall include in the Governor's Budget submitted to the Legislature pursuant to Section 12 of Article IV an amount of funding sufficient to meet the estimated expenses of the subsequent redistricting process occurring pursuant to this article, and shall make adequate office space available for the operation of the commission. The Legislature shall make the necessary appropriation from the Legislature's total aggregate expenditures as referred to in Article 4, Section 7.5 in the annual budget bill. The Legislative Analyst shall determine the amount of the appropriation which shall

be no more than ninety percent (90%) of the amount expended by the Legislature in creating the redistricting plans in 2001, adjusted by the California Consumer Price Index.

(b) The commission, with fiscal oversight from the Department of Finance or its successor, shall have procurement and contracting authority and may hire staff and consultants, exempt from the civil service, for the purposes of this article, including legal representation.

(c) The commission has standing in legal actions regarding a redistricting plan and establishing whether funds or other resources provided for the operation of the commission are adequate. The commission has sole authority to determine whether the Attorney General or legal counsel hired or selected by the commission shall represent the people of California in the legal defense of a redistricting plan.

(d) (1) The California Supreme Court has original and exclusive jurisdiction in all proceedings in which a redistricting plan adopted by the commission is challenged.

(2) To challenge a redistricting plan, any affected elector may file a petition for a writ of mandate or writ of prohibition, within 45 days after the commission has certified the plan to the Secretary of State, to bar the Secretary of State from implementing the plan on the grounds that the filed plan violates this Constitution, the United States Constitution, or any federal statute.

(3) The court shall act expeditiously on the petition. If the court determines that a redistricting plan adopted by the commission violates this Constitution, the United States Constitution, or any federal statute, the court shall fashion the relief that it deems appropriate.

(4) Any redistricting plan adopted by the commission shall be subject to referendum as provided for in Article 2, Section 9.

(e) Except for judicial decrees, the provisions of this Article are the exclusive means of adjusting the boundary lines of the districts specified therein.

SECTION 7. Compensation for Members of Citizens Redistricting Commission

(a) Members of the commission shall receive a per diem payment of $300 for each day the member is engaged in commission business. The per diem payment shall be adjusted in each year ending in zero by the California Consumer Price Index. Members of the commission shall be eligible for reimbursement of personal expenses incurred in connection with the duties performed for the commission pursuant to law, and a member's residence is deemed to be the member's post of duty for purposes of reimbursement of expenses. All nominees in the screened nominee pool shall be eligible for reimbursement of personal expenses incurred in connection with attending a seminar pursuant to Section 2(a)(8).

(b) The commission may not meet or incur expenses after the redistricting plan becomes final pursuant to Section 5(g), except with respect to any pending litigation or government approval concerning the plan, to revise districts if required by court order, or if the number of Senate, Assembly, congressional, or State Board of Equalization districts is changed.

(c) For purposes of this article, "day" means a calendar day, except that if the final day of a period within which an act is to be performed is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.

Section 4. Conflicting Ballot Measures.

(a) In the event that this measure and another measure or measures relating to the redistricting of Senate, Assembly, Congressional, or Board of Equalization districts is approved by a majority of voters at the same election, and this measure receives a greater number of affirmative votes than any such other measure or measures, this measure shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. If this measure is approved but does not receive a greater number of affirmative votes than said other measure or measures, this measure shall take effect to the extent permitted by law.

(b) If this measure is approved by voters but is superseded by law by any other conflicting ballot measure approved by the voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force of law.

Section 5. Severability.

If any provision of this Act, or part thereof, including but not limited to Section 6(d)(4) of Article XXI of the California Constitution, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this Act are severable.

2/26/07 Final
Revised 6/25/07