

Subject: Public Comment: 8 - Napa

From: Mark Gasster <[REDACTED]>

Date: 7/14/2011 11:28 AM

To: [REDACTED]

From: Mark Gasster <[REDACTED]>

Subject: Non Partisan Committee

Message Body:

I just wish to add my thanks for your efforts to further destroy California. Thank you so much!

By Tony Quinn

Political Commentator and Former Legislative Staffer

Wed, July 13th, 2011

Congratulations are in order to Assembly Speaker John Perez. The Redistricting Commission has now delivered the 54th seat necessary for Speaker Perez to achieve two-thirds Democratic rule in the Assembly, (an accomplishment the Democrats never achieved on their own). With a two-thirds vote, Perez and his friends can pass tax increases to their heart's delight. They need not spend money trying to elect more Democratic members; the Redistricting Commission has done it for them.

It is all a matter of having friends in high places.

Their friends are not just the 14 commissioners, who feign ignorance of the partisan seats they are drawing - and that is true of some but not all of the commissioners. The real partisan work is being done by their staff of Berkeley Democratic consultants. Every change made to Assembly maps since release of the first draft districts on June 10 has favored the Democrats; to believe this is all by accident is to walk through an orchard and believe all the rows of trees just grew there by chance.

The 54th Democratic seat is a doozy, but it does the job. The district begins in part of Rancho Cucamonga in San Bernardino County, then it crosses the county line to absorb Claremont in Los Angeles County, then it leapfrogs over community after community to settle in deeply Democratic Pasadena, providing the necessary voters for the 54th seat. Now this is all quite unconstitutional since the law says you are not supposed to bypass adjacent population for far distant population, but this Commission ignores the law when it is inconvenient.

This district unites communities like Rancho Cucamonga and Pasadena that have never in history been in the same district. So much for constitutional line drawing.

But before the Speaker claims his two-thirds, there is a problem; it's called the referendum. This Democratic gerrymander can be referred giving the people the last say on the new districts. When the people enacted Proposition 20 in 2010, they also changed the referendum law to make it much easier for the people to refer an act of this commission, and to vote to reject their plans.

Proposition 20 was the brainchild of Charles Munger, an investor, who funded it to bring

congressional districts under the new commission. Munger and his fellow authors of Prop 20 had a suspicion the commission might not work out, so they provided an easy path for citizens to refer its product. Each plan is a separate statute; it is subject to referendum just like any law of the legislature. To qualify a referendum requires filing a little more than 500,000 valid signatures in a 90-day period.

The Proposition 20 proponents also realized that timing is essential. The state must have new districts for the June 2012 election, and that requires giving the counties time to draw new precinct lines and prepare for the election. So the authors cut the commission's time to pass a final plan to August 15. (It was originally September 15). The state's referendum law gives proponents 90 days to gather the required signatures, but importantly the authors of Proposition 20 provided that as soon as they submit signatures, probably about November 15, a proponent can petition the Supreme Court to appoint a line drawing master on the grounds that the plans are stayed and the court must adopt new plans for the next election, in this case 2012.

This language in the constitution triggers the Supreme Court to act: "Any registered voter in this state may file a petition for a writ of mandate ... where a ... map is subject to a referendum measure that is likely to qualify and stay the timely implementation of the map." Just turn in signatures and we are off to court.

The timeline is exceedingly important, as Republicans well know. In 1981, they filed three referendum petitions against what was known as the "Phil Burton Plans," the Democratic gerrymanders of 1981, or what the late Rep. Phil Burton (D-San Francisco), their author, called his contribution to modern art. (Disclosure: I knew Rep. Burton and was the Republican consultant when he ran us through like a knife through soft butter. I admired Burton as the penultimate political operative and a wonderfully Irish pol. He did not hide what he was about unlike this commission pretending it knows nothing about its partisan plans.)

After we filed our referenda in 1981, the issue went to the Supreme Court, who ruled that it was too late, the Democratic plans had to be used because there was not enough time for new plans. The Proposition 20 authors understood this; they have provided the timeframe and procedure for the Supreme Court to immediately draft its own plan until the people can vote on the commission's work in June 2012.

This delightful scenario was the work, I believe, of the primary author of Proposition 20, former State Appeal Court Justice Daniel Kolkey, whom Munger engaged to draw up his measure. The commission well knows Mr. Kolkey; in March they hired him and his law firm, Gibson Dunn, as their Voting Rights Act attorneys. But over succeeding months, former Justice Kolkey was driven from the process. They no longer consult him at all. Seems he is a Republican and the Commission wanted nothing but Democrats advising them and drawing their plans.

So before Speaker Perez can claim his two-thirds majority, he will need to justify the Commission's Democratic gerrymander before the public at a statewide election. This is exactly what the creators of direct democracy in California envisioned -- let the people decide.

I will also let you in on a little secret, dear reader. The voters get really irritated when their faith in the process is corrupted, as this commission has done. In 1981, we made a case to Republican voters that Rep. Burton overreached, and so many outraged Republicans sent small donations for our referendum that it paid for itself. A referendum against this rogue commission will be easy, angry voters will pay for it themselves to have a chance to reject the commission's plans, as surely they will.

Subject: Public Comment: 8 - Napa

From: Roger Peters <[REDACTED]>

Date: 7/14/2011 1:48 PM

To: [REDACTED]

From: Roger Peters <[REDACTED]>

Subject: Assembly--Regions 8 and 9

Message Body:

This comment pertains to the most recent visualization for the assembly districts in regions 8 and 9.

Although one could quibble with the lines for the Marin, Sonoma and upper coastal areas (like why Santa Rosa is split as a community) there is a credible logic for the lines as shown.

I have much greater difficulty with the framing of the district which spans from Benecia/Vallejo all the way up through Napa/Sonoma counties and as far up as Lakeport. The area covers Clear Lake, Lake Berryessa, Lake Pillsbury, the Sonoma and Napa valleys. There is simply no remote relationship or community of interest between Benecia and Lake County. It is absolutely clear that the population base of Fairfield, Benecia and Vallejo will dominate and dictate the district interests if adopted as drawn.

I suggest that you try to find a way to combine the area north of Highway 37 at Vallejo with Sonoma and Napa Valleys and areas north (perhaps with some of Santa Rosa and cities north (Windsor, Healdsburg) into a common district. The Berryessa and Clearlake areas would better fit North or perhaps east with Woodland and some of the western Sacramento Valley area. Although not a perfect fit with Napa/Sonoma, that too would be acceptable.

I grew up in Woodland, worked for a while in Benecia, live in the North Bay, have spend much time in the Berryessa/Clear Lake areas and own property in the Sonoma valley. I believe I understand the different communities at issue here. They are quite different and are not a community of common interests when combined with Benecia, Vallejo and Fairfield.

There needs to be a reality check on how these areas fit together as communities of common interest, or rather not, as in this case. Your chairman can address his perspective of whether Benecia and Vallejo are in any sense a shared community of interest with Berryessa, Clear Lake and points north up to Lakeport.

Where faced with a choice of whether the population numbers of the proposed districts should be just stitched together to force a quantative fit or whether the community of interest considerations should provide the final triumph card, I would hope you will chose the latter.

Thanks for providing me with the opportunity to comment.

Roger Peters

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