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An act to amend Section 8252.5 of the Government Code, relating to elections.

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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8252.5 of the Government Code is amended to read:

8252.5. Citizens Redistricting Commission Vacancy, Removal, Resignation, Absence.

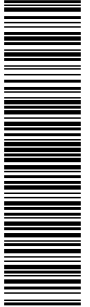
(a) In the event of substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, a member of the commission may be removed by the Governor with the concurrence of two-thirds of the Members of the Senate after having been served written notice and provided with an opportunity for a response. A finding of substantial neglect of duty or gross misconduct in office may result in referral to the Attorney General for criminal prosecution or the appropriate administrative agency for investigation.

(b) (1) Any vacancy, whether created by removal, resignation, or absence, in the 14 commission positions that occurs prior to December 31 of a year ending in the number two shall be filled by the commission within the 30 days after the vacancy occurs, from the subpool of applicants of the same voter registration category as the vacating nominee that was remaining after all legislative leaders exercised their strikes pursuant to subdivision (e) of Section 8252.

(2) Any vacancy, whether created by removal, resignation, or absence, in the 14 commission positions that occurs on or after December 31 of a year ending in the number two ~~shall~~ may be filled by the commission ~~within the 90 days after the vacancy occurs,~~ from the subpool of applicants of the same voter registration category as the vacating nominee that was remaining after all legislative leaders exercised their strikes pursuant to subdivision (e) of Section 8252.

(3) If none of those remaining applicants are available for service, the State Auditor shall establish a new subpool for the same voter registration category in accordance with Section 8252.

SEC. 2. The Legislature finds and declares that this bill furthers the purposes of the Voters FIRST Act within the meaning of paragraph (4) of subdivision (c) of Section 8251 of the Government Code.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: Citizens Redistricting Commission: vacancies.

The Voters FIRST Act, an initiative measure approved by the electors as Proposition 11 at the November 4, 2008, statewide general election, requires the Citizens Redistricting Commission to draw district lines for the election of members of the State Senate, Assembly, Congress, and the State Board of Equalization. The act requires new members of the commission to be chosen in each year ending in 0 according to a specified selection process. Under existing law, any vacancy on the commission that occurs prior to December 31 of a year ending in 2 must be filled by the commission within 30 days and any vacancy that occurs on or after December 31 of a year ending in 2 must be filled within 90 days, as specified.

This bill would eliminate the requirement for the commission to fill a vacancy that occurs on or after December 31 of a year ending in 2 within 90 days and would instead authorize the commission to fill that vacancy.

The act authorizes the Legislature to amend the statutory provisions of the act by a statute that (1) is approved by a $\frac{2}{3}$ vote of each house of the Legislature and signed by the Governor, (2) furthers the act's purposes, and (3) complies with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

