

Electoral Reform California

PO Box 596, Rancho Murieta CA 95683

May 21, 2007

Via Personal Delivery

The Honorable Edmund G. Brown, Jr.
Attorney General, State of California
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

RECEIVED

MAY 22 2007

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Patricia Galvan, Initiative Coordinator, Attorney General's Office

Attn: Toni Melton, Initiative Secretary
916-445-1968, fax 916-324-8835, toni.melton@doj.ca.gov

Re: Amendments to Statutory Initiative: ELECTORAL REFORM CALIFORNIA

Dear General Brown:

Attached is an amended version to the previously submitted statutory initiative titled Electoral Reform California.

The amendments are minor and do not change the meaning of the original.

The changes are as follows:

1. In the second sentence the word number was misspelled (member).
2. The repealed Sections 5,6,7, and 8 did not include the repealed text, which is now submitted.

Please direct all correspondence and inquiries regarding this initiative to the Electoral Reform California Committee, PO Box 596, Rancho Murieta, CA 95683, fax 916-481-5307, tony95683@netzero.net
If there is any further information I can provide, please do not hesitate to contact me on 916-230-2123.

Thank you for your cooperation.

Anthony F. Andrade Jr.
Proponent

The initiative will amend the Election Code, Sections 6900, 6901, 6903, and 6909, and to repeal Sections 7100, 7300, 7578, and 7843. PRESIDENTIAL ELECTORS

Existing law provides for statewide election of a slate of electors to vote in the electoral college for President and Vice President of the United States. Under existing law, the electors of the political party who receive the highest number of votes statewide are certified as the state's presidential electors. Under existing law, each political party selects its slate of presidential electors in accordance with statutory procedure that differ by party.

This initiative would repeal existing procedures for selection of presidential electors, and instead require that political parties nominate an elector in each congressional district and 2 electors on a statewide basis, in accordance with the rules of the political party with which the elector is affiliated. Under the initiative, an elector selected on the basis of a congressional district is required to be a resident of that district and an elector selected on a statewide basis is required to be a resident of the state. Under the initiative, an elector would be required to be a member of the political party that nominates the elector at the time of the nomination and during the 4 years preceding the nomination, unless the political party was not registered as a party during that period. The initiative would require each elector nominee to sign a pledge that he or she will cast his or her ballot for the candidates for President and Vice-President of the United States who receive the plurality of votes in the congressional district in which the elector is nominated, or who receive the plurality of votes in the state in the case of the two electors selected on a statewide basis, unless those candidates are no longer alive at the time the elector's vote is cast. The initiative would authorize a political party to replace an elector who becomes disqualified to serve as an elector, or who expresses an intent to violate his or her pledge to vote for specified Presidential and Vice Presidential candidates, with a person who meets these requirements.

The initiative would further provide that if a political party does not have rules concerning the procedure for selecting electors by the time electors must be selected, the presidential candidate for the party shall select the electors.

Existing law requires the Governor to deliver a list of the names of electors to the electors on or before the day of the electors' meeting.

This bill would require the Secretary of State to deliver the list instead of the Governor.

Existing law provides that electors be compensated for their services and reimbursed for mileage to and from the State Capitol, as specified.

This initiative would eliminate that authorization for compensation to electors or reimbursement of their expenses.

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

SECTION 1. Section 6900 of the Elections Code is amended to read:

6900. (a) The term "elector" or "presidential elector" as used in this chapter means an elector of President and Vice President of the United States, and not an elector as defined in Section 321.

(b) An elector shall be nominated in each congressional district and two electors on a statewide basis in accordance with the rules of the political party with which the elector is affiliated, subject to the following requirements:

- (1) An elector selected on the basis of a congressional district must be a resident of that district.
- (2) An elector selected on a statewide basis shall be a resident of the state.
- (3) An elector shall be a member of the political party that nominated the elector at the time of nomination and shall have been a member of that political party for the preceding four years, unless the political party was not qualified under Division 5, during that four-year period.
- (4) An elector shall sign a pledge that he or she shall cast his or her ballot for the candidates for President and Vice-President of the United States who receive the plurality of votes in the congressional district in which the elector is nominated, or who receive the plurality of votes in the state in the case of an elector selected on a statewide basis, provided that those candidates are alive at the time the vote is cast.
- (5) If an elector is disqualified to serve as an elector because of his or her failure to meet the applicable requirements of paragraphs (1) to (4), inclusive, or if the elector expresses an intent to violate his or her pledge signed pursuant to paragraph (4), the political party that nominated the elector may replace the elector with a person who meets these requirements.
- (6) If a political party does not have rules concerning the procedure for selecting electors by the time that electors are required to be selected, the presidential candidate for that political party shall select the electors.

SEC. 2. Section 6901 of the Elections Code is amended to read:

6901. Whenever a political party selects nominees for electors of President and Vice President of the United States in accordance with Section ~~7100, 7300, 7578, or 7843, submits~~ 6900, the party shall submit to the Secretary of State ~~its~~ a certified list of nominees ~~for electors of President and Vice President of the United States, the~~. The Secretary of State shall notify each candidate for elector of his or her nomination by the party. The Secretary of State shall also cause the names of the candidates for President and Vice President of the several political parties to be placed upon the ballot for the ensuing general election.

SEC. 3. Section 6903 of the Elections Code is amended to read:

6903. On or before the day of meeting of the electors, the ~~Governor~~ Secretary of State shall deliver to the electors a list of the names of electors, and he or she shall perform any other duties relating to presidential electors which are required of him or her by the laws of the United States.

SEC. 4. Section 6909 of the Elections Code is amended to read:

6909. ~~Each presidential elector shall receive ten dollars (\$10) for his or her services, and mileage at the rate of five cents (\$0.05) per mile for each mile of travel from his or her domicile to the State Capitol and return. Their accounts therefore shall be certified by the Secretary of State, and audited by the Controller, who shall draw his or her warrants for the same on the Treasurer, payable out of the General Fund. Presidential electors shall receive no compensation for their services, nor shall electors be reimbursed for travel or other expenses incurred in the performance of their duties as electors.~~

SEC. 5. Section 7100 of the Elections Code is repealed.

~~7100. In each year of the general election at which electors of President and Vice President of the United States are to be chosen, each congressional nominee shall designate one presidential elector and shall file his or her name, residence and business address with the Secretary of State by October 1 of the presidential election year. Each United States senatorial nominee, determined by the last two United States senatorial elections, shall designate one presidential elector and shall file his or her name, residence and business address with the Secretary of State by October 1 of the presidential election year. In the event there is no United States senatorial nominee or no congressional nominee in any particular district, the state chairperson shall designate one presidential elector for each vacancy and shall file his or her name, residence and business address with the Secretary of State by October 1 of the presidential election year.~~

SEC. 6. Section 7300 of the Elections Code is repealed.

~~7300. In each year of the general election at which electors of President and Vice President of the United States are to be chosen, the Republican nominees for Governor, Lieutenant Governor, Treasurer, Controllor, Attorney General, and Secretary of State, the Republican nominees for United States Senator at the last two United States senatorial elections, the Assembly Republican leader, the Senate Republican leader, all elected officers of the Republican State Central Committee, the National Committeeman and National Committeewoman, the President of the Republican County Central Committee Chairmen's Association, and the chairperson or president of each Republican volunteer organization officially recognized by the Republican State Central Committee shall act as presidential electors, except that Senators, Representatives, and persons holding an office of trust or profit of the United States shall not act as electors. The remaining presidential elector positions, and any vacant positions, shall be filled by appointment of the chairperson of the Republican State Central Committee in accordance with the bylaws of the committee. The name, residence address, and business address of each appointee shall be filed with the Secretary of State by October 1 of the presidential election year. The Republican State Central Committee shall adopt bylaws implementing this section.~~

SEC. 7. Section 7578 of the Elections Code is repealed.

~~7578. In each year of the general election at which electors of President and Vice President of the United States are to be chosen, the convention shall also nominate as the candidates of its party as many electors of President and Vice President of the United States as the state is then entitled to, and shall certify the name of each elector nominated, and his or her residence address to the Secretary of State.~~

SEC. 8. Section 7843 of the Elections Code is repealed.

~~7843. In each year of the general election at which electors of President and Vice President of the United States are to be chosen, the convention meeting of the state central committee shall also nominate as the candidates of its party as many electors of President and Vice President of the United States as the state is then entitled to, 50 percent of whom shall be women and 50 percent men, unless an odd number of electors is to be chosen, in which case the difference between the number of women and men shall be not more than one. The chairperson of the state central committee shall certify the name of each elector nominated, and the elector's residence address to the Secretary of State.~~

Severability: If any provisions of this Act, or part of thereof 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.