

# ELECTORAL REFORM CALIFORNIA.com

A Special Project of the People's Advocate

3407 Arden Way, Sacramento, CA 95825

916-482-6175

10-0024

December 7, 2010

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

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INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Attention: Ms. Krystal Paris, Initiative Coordinator, Office of the Attorney General.  
916-445-4752, Fax 916-324-8835, [krystal.paris@doj.ca.gov](mailto:krystal.paris@doj.ca.gov)

Re: Proposed Statutory Initiative: ELECTORAL COLLEGE REFORM ACT

Dear General Brown:

Pursuant to the California Elections Code, Section 9002, I respectfully request that the Attorney General prepare an unbiased title and summary for the attached measure. Enclosed is the \$200 filing fee as required by Section 9002.

I am registered to vote in Sacramento County, State of California. Attached Exhibit A. Attached Exhibit B is the acknowledgement of the proponent as required of the Election Code, Section 9608. Attached C is suggested Title and Summary.

Please direct all correspondence and inquiries regarding this initiative to Electoral Reform California, 3407 Arden Way, Sacramento, CA, 95825, 916-482-6175, Fax 916-482-2045

If there is any further information I can provide please do not hesitate to call.

Thank you for your cooperation.

Edward (Ted) Costa  
Proponent

## Electoral College Reform Act.

### Section 1. Findings and Declaration of Purpose

- California is largely taken for granted by Presidential Candidates because of its “winner-take-all” system of awarding its electoral votes. In recent elections, Presidential candidates ignored voters in California and have spent more time and money trying to win votes in smaller states with just a few electoral votes.
- Our “winner take all” system of awarding electoral votes does not reflect the vast diversity of our state, the regional differences of our citizenry, and the unique problems faced by Californians
- Further, a “winner take all” system impedes credible third party or independent candidacies for President.
- Maine and Nebraska do not have a “winner take all” system of awarding electoral votes.
- Mega urban areas dominate the process. Los Angeles County voters determines whom California votes for President.
- Independent, rural and non-urban areas are discriminated under “winner take all”.

The initiative will amend the Election Code: Chapter 1 of Part 2 of Division 6, Sections 6900, 6901, 6903, and 6909.

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

SEC 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 electors elected 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 a 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. When a political party nominates electors for 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 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 and any independent candidate pursuant to section 8304.

§ 6902(a) At the general election in each leap year, or at any other time as may be prescribed by the laws of the United States, there shall be chosen by the voters of the state as many electors of President and Vice President of the United States as the state is then entitled to.

(b) An elector shall be elected in each congressional district if the candidate to whom that elector has pledged to vote received a plurality of the popular vote cast in that congressional district. The two at-large electors shall be elected if the candidates to whom those electors have pledged to vote received a plurality of the popular vote cast in the state.

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

§6903. On or before the day of meeting of the elector, the ~~Governor~~ Secretary of State shall deliver to the electors a list of the names of each electors elected pursuant to section 6902, 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.

6904. The electors elected pursuant to section 6902 ~~chosen~~ shall assemble at the State Capitol at 2 o'clock in the afternoon on the first Monday after the second Wednesday in December next following their election.

§ 6905. In case of the death or absence of any elector chosen, or if the number of electors is deficient for any other reason, the electors then present shall elect, pursuant to subdivision (b) of section 6902 ~~from the citizens of the state~~, as many persons as will supply the deficiency.

§ 6906. The electors, when convened, if both candidates are alive, shall vote by ballot for that person for President and that person for Vice President of the United States, who are, respectively, the candidates of the political party or independent candidate which they represent and have pledged to vote. ~~one of whom, at least, is not an inhabitant of this state.~~

§ 6907. The electors shall name in their ballots the person voted for as President, and in separate ballots the person voted for as Vice President.

§ 6908. The electors shall make separate lists of all persons voted for as President and of all persons voted for as Vice President, and of the number of votes for each cast pursuant to Section 6906, which lists they shall sign, certify, seal, and transmit by mail to the seat of the Government of the United States, directed to the President of the Senate.

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 not receive 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. 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.

END