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Experts: Prop. 77 has national implications

By: WILLIAM FINN BENNETT - Staff Writer

No one knows for sure what political shifts may occur should California voters approve an initiative Tuesday that proposes taking away the Legislature's authority to redraw voting districts and handing that power to a panel of three retired judges.

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But proponents and opponents have raised questions about the fallout from the measure, Proposition 77.

Would the change result in Republicans gaining more seats in future elections?

Would it restrict the ability of California Democrats, who now control the district-redrawing process, to respond to other states' redistricting efforts as they redraw their voting district boundaries to the benefit of GOP candidates?

Would it mean that some powerful senior members of Congress will have their districts redrawn so that their residences are then located in other districts, thus costing them their seats, and in the process reducing California's clout in Congress?

These questions, and the risks posed to legislators by the proposed changes, appear to be creating some unlikely opponents to the measure.

The majority of Republican congressional members from California recently failed to sign a GOP delegation letter to Gov. Arnold Schwarzenegger endorsing the initiative.

The state Republican Party supports the initiative and the state Democratic Party opposes it.

### Impacts uncertain

Some political science professors who specialize in congressional elections say it's hard to say whether the measure would result in increased representation in Congress by either party.

A recent study conducted by Claremont-McKenna College's Rose Institute of State and Local Government concluded that the number of so-called "safe" Democratic and Republican congressional seats was likely to be reduced by five each.

While the state Republican party has strongly endorsed Prop. 77, it appears that California's 20 members of the GOP's congressional delegation are less than enthusiastic about the measure.

Seven of the 20 members who make up the state GOP congressional delegation signed a Sept. 21 letter to Schwarzenegger in which they endorsed the state redistricting initiative.

Notably absent, however, were the signatures of the 13 other Republican members.

A staff member with the office of U.S. Rep. Darrell Issa, one of the seven signatories of the letter, sent a copy of the document to the North County Times this week.

The letter read: "We write to endorse Proposition 77, which would fairly redraw district lines for congressional boundaries, restoring a fair and democratic electoral choice to the voters of California."

San Diego County's two other Republican members of Congress did not sign the letter ---- Randy "Duke" Cunningham, R-Escondido; and Duncan Hunter, R-El Cajon. In Riverside County, neither Mary Bono, R-Palm Desert, nor Ken Calvert, R-Riverside, signed.

Reached by phone Tuesday, Issa said he didn't know for sure why the other 13 Republicans did not sign, but they were asked to give their endorsement.

"There is nobody who failed to sign because they weren't afforded an opportunity," Issa said. "It doesn't matter what the fair outcome of redistricting is, if it is risking their district, the natural tendency is to say (no.)"

### **Reduced clout**

Members of Congress are elected for two-year terms, without term limits. With seniority, members often gain more power as they move up the ranks and assume leadership positions. A professor of political science at UC San Diego said this week that a shift in district boundaries could result in some members of Congress losing their seats, as their California residences suddenly fall within the boundaries of a different district.

If that happens, those lawmakers could try to get elected in their new districts or could decide to relocate.

Because Republicans hold the majority in Congress, the most important leadership positions, as heads of powerful committees, go to senior members from that party. For example, Rep. Hunter was first elected to Congress in 1980 and is the chairman of the House Armed Services Committee. Rep. Calvert was first elected to Congress in 1992 and serves as the chairman for House Science Committee's Space and Aeronautics Subcommittee.

The loss of any of those leadership positions could result in reducing the clout of California's Republican congressional delegation, said UC San Diego political science professor, Thad Kousser.

"This state could lose some of its senior members," Kousser said.

Democrats, who have 33 of the state's 53 seats in the U.S. Congress and current control over the redistricting process, stand to lose more than Republicans from the change, he added.

Hunter has very good reasons for not supporting the redistricting measure, a spokesman for him said Tuesday.

"He feels that (with) the current makeup of congressional districts, (there is) no need for immediate redrawing," said Hunter press secretary Joe Kasper.

Hunter is also opposed to the redistricting initiative, Kasper said, because of his concern that the panel of retired judges could make decisions based on their political views.

### **Retaliation**

Transferring district-drawing powers from the Legislature to a panel of judges would restrict the majority Democrats' ability to counter Republican efforts in other states to create voting districts that favor GOP candidates and incumbents, UC San Diego political science professor Gary Jacobson said this week.

Under the current system, at the start of each decade, the state Legislature redraws voting districts to reflect changes in population. However, because the Legislature controls the process, the dominant party is able to control the redrawing of those districts, making it virtually impossible for the minority party to win those seats.

Jacobson, who specializes in congressional elections, said that because the state Legislature's Democratic

majority was able to successfully redraw congressional voting districts after the 2000 U.S. Census, they solidified the party's hold on a majority of the state's seats in Congress.

He added that Republicans agreed to the deal because it also guaranteed their dominance in 20 of the state's 53 congressional districts.

"The Republicans agreed, because if they didn't cut the deal, they could really get screwed," Jacobson said.

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### **How would it work**

If approved, Proposition 77 would amend the state Constitution. The state Legislature would select three retired federal or state judges to redraw the state's voting districts for Congress, the state Assembly and Senate and the board of equalization. The first redistricting would take place in 2006. Subsequent redistricting would occur at the beginning of each decade, based on the U.S. Census.

Source: the California attorney general