

PUBLIC HEARING
STATE OF CALIFORNIA
CALIFORNIA STATE AUDITOR
BUREAU OF STATE AUDITS

In the Matter of:)
)
Selection Process for the)
Citizens Redistricting Commission)
and the Applicant Review Panel in)
the Implementation of)
the Voters First Act)
-----)

CALIFORNIA SECRETARY OF STATE OFFICE BUILDING
AUDITORIUM
1500 11TH STREET
SACRAMENTO, CALIFORNIA

TUESDAY, MARCH 3, 2009

1:00 P.M.

COPY

Reported by:
Deborah L. Baker

A P P E A R A N C E S

FOR THE STATE AUDITOR'S OFFICE

Sharon Reilly, Chief Counsel to the State Auditor
Margarita Fernandez, Chief of Public Affairs
Stephanie Ramirez-Ridgeway, Senior Staff Counsel

PUBLIC SPEAKERS

Maeley Tom
Tom Bhe, OCA Greater Sacramento Chapter, APAPA
Rachel Michelin, California Women Lead
Malaki Seku-Amen, California State Conference of the NAACP
Charles Munger
Lori Saldana, Speaker Pro Tem, California Assembly,
Legislative Women's Caucus
JoAnn Fuller, California Common Cause
C.T. Weber
Pedro Gonzalez
Jim Wright

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P R O C E E D I N G S

1
2 PANEL CHAIR REILLY: So we're going to get
3 started. First we'll do introductions.

4 My name is Sharon Reilly, and I'm chief counsel
5 for the State Auditor.

6 And with me is --

7 PANEL MEMBER FERNANDEZ: Margarita Fernandez.
8 I'm the chief of public affairs

9 PANEL MEMBER RAMIREZ-RIDGEWAY: And Stephanie
10 Ramirez-Ridgeway, senior staff counsel at the BSA.

11 PANEL CHAIR REILLY: So on behalf of the State
12 Auditor, I would like to thank everyone here who is here
13 today for your participation in this meeting regarding the
14 implementation of the Voters First Act. As you all know,
15 California voters approved this new law in November of
16 2008.

17 As stated in the meeting notice, this meeting is
18 to solicit comments regarding the processes that should be
19 established for individuals to apply to become members of
20 the citizens redistricting commission and for the
21 selection of an Applicant Review Panel to assess the
22 applicants and create an applicant pool of 60 qualified
23 members.

24 The comments received at this meeting may be
25 considered by the State Auditor as we develop and

1 establish the processes that are necessary to implement
2 the Act. So in other words, this isn't an informational
3 hearing where we're providing information about what we're
4 going to be doing with the Act; what we're doing is
5 soliciting comments so we can get your feedback and
6 consider them as we develop the process for implementing
7 the Act.

8 We are here to gather information from the public
9 and not to engage in a debate of the law or to discuss the
10 merits of the Act. We may occasionally ask follow-up
11 questions or ask you to clarify your comments so that we
12 may fully understand them. Our purpose here today is to
13 listen to your thoughts and concerns regarding the role
14 the State Auditor plays in the implementation of the Act.

15 And one common theme that has come up in our
16 previous meetings is the need for outreach. And while
17 these meetings are the initiation of our process to meet
18 with the public, they're really more intended to be geared
19 to developing the regulations and not the outreach to the
20 community to educate voters about their opportunity to
21 serve on the commission.

22 And we're undergoing a lot of planning,
23 especially under Margarita's direction, to come up with a
24 comprehensive outreach effort and plan, and we plan on
25 doing a lot more than what we've done so far.

1 And one thing that we have discovered is that
2 comprehensive outreach can be quite expensive. And we
3 don't know exactly what our funding is going to be for
4 this effort, so that will also impact the kind of outreach
5 that we're able to do; but I would ask today if anybody
6 has any ideas on more creative, non-traditional,
7 cost-effective outreach efforts, we'd certainly love to
8 hear some ideas on that.

9 And also, while there's a very interesting
10 component about what the actual redistricting commission
11 is going to do once it's formed, we're asking you to
12 please limit your comments to the provisions of the Act
13 relating to the formation of the commission and the duties
14 of the commission, because that's the charge of the State
15 Auditor's office; and we're not -- we don't -- we're not
16 creating the role of the commission itself, we're just
17 selecting the commission members.

18 Once you have provided your comments, unless
19 you're interested in hearing from the other interested
20 persons here, you should feel free to leave. We will be
21 posting transcripts on our website so you can also view
22 them there.

23 And based on the size of the crowd, I don't think
24 that we'll need to limit comment time or take any breaks,
25 but we'll see how it goes, and if we need to, we'll

1 announce that.

2 If the State Auditor determines that additional
3 meetings are needed, future meetings may be scheduled. If
4 at any point we determine that it is necessary because of
5 the number of individuals -- oh, I already did that.
6 Okay. So I don't think we're going to need to limit your
7 comments.

8 What we've been doing so far is going row by row.
9 That seems the most efficient way to get the comments up
10 here. If anybody's operating under time constraints when
11 we open up for comments, please let me know, and we can
12 move you forward.

13 Written comments may be sent to the address on
14 our handout or via email. Barbara Paget there in the back
15 has all that information, how to contact us, et cetera.
16 If you have written comments that you would like to submit
17 today or if you have any questions regarding where to send
18 your written comments, please talk to Barbara.

19 This meeting is being recorded, and as I said, we
20 intend to make a transcript of the recording available on
21 our website.

22 Before beginning your comments, we ask that you
23 state your name for the record. And some people have also
24 stated their address, but I'd like to remind everybody
25 that it will be posted on our public website, so you

1 probably don't want to do that.

2 If you would like to be added to our list of
3 interested persons for any future mailings regarding the
4 State Auditor's implementation of the Voters First Act,
5 again, you may sign up with Barbara there in the back of
6 the auditorium; however, doing so is purely voluntary and
7 is not a prerequisite to addressing the panel.

8 Okay. With that said, I think that we can get
9 started. And why don't we take comments from the first
10 row.

11 (Conversation with audience member beyond range
12 of microphone.)

13 PANEL CHAIR REILLY: And also, if we can ask you
14 to spell your name for the record. Thank you.

15 MS. TOM: Good afternoon. And I thank the State
16 Auditor's office for giving me the opportunity to speak to
17 you today. My name is Maeley Tom. And let me spell that
18 for you. It's M-a-e-l-e-y, last name is Tom, T-o-m.

19 And today I'm not officially representing any
20 organization but simply speaking for myself as a 20-year
21 staff veteran of the state legislature having previously
22 worked as the chief administrative officer for the
23 Assembly under Speaker Willy Brown and served as chief of
24 staff to Senate President Pro Tem David Roberti.

25 Currently I sit on the State Personnel Board.

1 And I still remain active with the California Asian
2 Pacific Islander community by serving on a number of
3 advisory boards, such as Vision New America and the
4 statewide organization Association of Asian American
5 Public Affairs, APAPA, which my colleague Tom Bhe is in
6 the audience. And I also write a political column for the
7 Asian Week website called "Capitol Watch."

8 I decided to publicly endorse Proposition 11 in
9 my column because I was very involved in the 2001
10 redistricting process working with Kathay Feng, who was
11 then with the Asian Pacific American Legal Center of
12 Southern California. And as I described in my column,
13 Kathay was the most eloquent, relentless, and moving
14 advocate on behalf of the Asian Pacific Islander community
15 whenever she lobbied legislators and testified in
16 community hearings.

17 The data we presented representing the Asian
18 Pacific Islander community recommendations for
19 redistricting was really considered masterful and
20 convincing, according to legislative staff; but even with
21 my own legislative experience and relationships and
22 Kathay's outstanding performance as an advocate, we just
23 didn't have the political clout to succeed because there
24 are so few Asian Pacific Islanders with a seat in the
25 legislature, and that, at that time, was the only table

1 that used to matter.

2 Now Proposition 11 has ushered in a new era. I'm
3 hopeful that Proposition 11's diversity requirements will
4 ensure that the selection process will produce a
5 commission that truly reflects our state's diversity and
6 where everyone's testimony is treated with equal respect.

7 The Asian Pacific Islander American community is
8 considered among the fastest-growing community in
9 California. And within the label of APIA, we have a lot
10 of diversity within ourselves. Japanese Americans,
11 Chinese Americans, Philippino Americans have been in
12 California since the 1800s and early 1900s. Other groups,
13 such as Korean Americans, Indians, south Asians and
14 Vietnamese Americans, and southeast Asians immigrated to
15 the U.S. largely after World War II. California is also
16 home to large Pacific Islander communities that are
17 developing a strong political voice. However, in terms of
18 facilitating your outreach efforts, which is what you're
19 interested in, there are many umbrella organizations
20 around the state who combine the diverse Asian Pacific
21 community organizations and ethnic, sub-ethnic communities.

22 Here in Sacramento, for example, we have APAPA.
23 We also have an umbrella group of all APIA social service,
24 business, and civic organizations called CAPITAL, which
25 stands for Council of Asian Pacific Islanders Together for

1 Advocacy and Leadership. So our community has always been
2 quite a challenge to give equal weight to so many diverse
3 subcommittees; but to find the right umbrella
4 organizations to represent these communities I think would
5 be very helpful as you conduct your outreach efforts.

6 I also suggest that through your outreach
7 process that I encourage you to utilize the many ethnic
8 news outlets. Many people don't realize that 70 percent
9 of our immigrant community read their ethnic media papers
10 for news, and they are ready to cover important community
11 news for their specific ethnic communities. For example,
12 we have "World Journal," "Chinese Daily News," "Sing Tao
13 Daily," "Korea Times," "Korea Daily," "Philippino
14 Gazette," "Rafu Shimpo," "India Times," and many other
15 print outlets that I encourage you to use.

16 Additionally, many of the major urban areas are
17 served by multiple television and radio stations that
18 serve Asian Pacific communities. What we find often to be
19 an excuse in terms of outreaching into our particular
20 community is that we are far too diverse and it's very
21 hard to actually communicate with our community; so I
22 encourage you to use this approach.

23 If I can serve as a resource -- I am trying to
24 retire, but Kathay put this sentence in -- if I can serve
25 as a resource to help you identify Asian Pacific

1 organizations, leaders, and media outlets within the
2 state, since I've been involved with Asian Pacific
3 American activities for the past 35 years, I would be
4 happy to do so so that we can make sure that our best and
5 brightest apply to serve.

6 Ultimately, this commission will only really be
7 as good as the people who serve on it and the community
8 members who appear before it.

9 Thank you so very much for giving me this time.

10 PANEL CHAIR REILLY: Thank you.

11 Does anybody else in the first row wish to make
12 comments?

13 MR. BHE: My name is Tom Bhe, and I'm with the
14 OCA's Greater Sacramento Chapter. And also with APAPA,
15 Asian Pacific Islander American Affairs organization.

16 PANEL CHAIR REILLY: Please spell your name for
17 the record. Thank you.

18 MR. BHE: Oh, I'm sorry. Tom, last name spelled
19 B-, as in boy, -h-e.

20 And I'm considering serving in the commission.
21 And, of course, Maeley said earlier -- she's our Godmother
22 of the APIA community for many, many years.

23 (Audience comment beyond range of microphone.)

24 MR. BHE: It is of utmost importance that APIA be
25 represented on the commission. Like for OCA, there are

1 lots of groups that we can help out, get the word out.
2 And also please include me in the list so I can work with
3 the state auditors to outreach to the APIA community
4 groups and leaders in the area.

5 I wear additional hats because I'm connected to
6 the diverse APIA community. Back in the year 2000 we
7 formed the API 2000 census committee. Consists of 14
8 different ethnic groups. We have the Chinese, the
9 Japanese, the Korean, the Hmong, the Min Laotian, Samoan,
10 Figian, Tongan. And we were very successful. And we were
11 one of the 12 census hero that was picked back in 2000,
12 received Congressional award.

13 So again, I just want to emphasize we'll be
14 working with also Kathay Feng, which signed on for more
15 than ten years with a Common Cause OCA, and we'll push
16 this through.

17 Thank you very much.

18 PANEL CHAIR REILLY: Thank you.

19 Is there anybody else in the first row who like
20 to comment?

21 MS. MICHELIN: Good afternoon. Rachel Michelin,
22 M-i-c-h-e-l-i-n. I am the executive director CEO for
23 California Women Lead, formerly CEWAER, the California
24 Elected Women's Association for Education and Research.
25 We are the state's oldest and largest nonpartisan

1 nonprofit association of women in leadership in
2 California. And our mission is very simple. It's to
3 increase the number of women in California in elected and
4 appointed office.

5 The reason why I'm here today is because
6 California Women Lead, over the past five years, has done
7 an aggressive campaign to encourage women specifically to
8 apply for an appointment with their local boards or
9 commissions or also with the State of California. We've
10 been very successful with our appointments, trainings
11 around the State of California, to train women on why it's
12 important to become active in the community, to give them
13 the steps they need to take in order to become appointed,
14 and then also give them the resources they need if they're
15 interested in applying for an appointment.

16 We've been very fortunate to work closely to
17 Governor Schwarzenegger's office, particularly Secretary
18 John Cruz, in that he has been gracious in attending many
19 of our trainings to help women navigate the state
20 appointments process.

21 Our latest training we did at UC San Francisco.
22 We had over 150 women attend that training to hear how
23 they can become leaders in their community. So I wanted
24 to come here today to offer our resources and offer our
25 training.

1 I actually brought a little packet to show you
2 what we pass out at our training, but also, redistricting
3 has a huge impact on the number of women in elected
4 office. And since 2001 we've seen the number of women in
5 the state legislature decrease. A lot of that can be
6 attributed to redistricting, because when redistricting
7 was done this last cycle, there were no women at the table
8 when it came to drawing the lines. And that is so
9 important in a state where 51 percent of the population is
10 female.

11 Our goal at California Women Lead is to see our
12 state legislature reflect the population, both gender-wise
13 and in terms of ethnicity, and California Women Lead
14 includes all of those dynamics. We have women from all
15 different backgrounds, all different political parties;
16 and really, we're just about seeing more women in elected
17 and appointed office in California. I think we'd be a
18 great resource to this proposition and to getting the word
19 out and including more women in the process.

20 So thank you.

21 PANEL CHAIR REILLY: Thank you.

22 MR. SEKU-AMEN: Good afternoon. My name is
23 Malaki Seku-Amen. And I'm representing the California
24 State Conference of the National Association for the
25 Advancement of Colored People. The NAACP is the nation's

1 oldest and largest civil rights and social justice
2 organization; and on behalf of California's 62 NAACP
3 branches and 30 youth and college division units, I'd like
4 to thank the State Auditor's office for the opportunity to
5 provide input on implementing the Voters First Act.

6 And I'll spell my name for you because it is a
7 mouthful. It's M, as in "Malaki," apple, Larry, apple,
8 keeper, igloo; and then the last name Seku-Amen, S, as in
9 Sam, Edward, keeper, under, there's a hyphen, like the
10 minus sign, and then amen, like we say in church.

11 Hopefully that helps.

12 As you know, the California State NAACP was a
13 strong supporter of Proposition 11. Being so, we
14 understand that its passage marks only the beginning of
15 the significant work to be done to ensure that this reform
16 is a success. The appropriate, fair, and thorough
17 implementation of Proposition 11 is of paramount
18 importance; in other words, as I'm sure you'll agree, this
19 needs to be done right. Therefore, we at the California
20 NAACP have charged ourselves with monitoring the
21 implementation process for Prop 11 very carefully, and we
22 are pledging to you that we will support the process in
23 any that we can.

24 The first and most important point we'd like to
25 make today is that while the initial meetings the Auditor

1 has held so far have definitely taken California in the
2 right direction, we believe that it is imperative that
3 more outreach be conducted. I know you didn't want to
4 hear that anymore today, but we have to say it. And we
5 also believe that more input needs to be solicited,
6 particularly from underrepresented communities.

7 In order for this process to work right and have
8 integrity, it is not only important that our communities
9 understand the citizens redistricting commission and
10 participate in its work, it is critical that our community
11 participate in the entire process of developing this
12 commission; and that goes from informing decisions on the
13 whos and hows of selecting an Applicant Review Panel to
14 every aspect of how this commission will carry out its
15 work. Indeed, starting with listening hearings sends a
16 welcome signal about how you intend to carry out this
17 important job. Maintaining and even increasing your
18 outreach and inclusiveness as you go forward is most
19 definitely valuable.

20 We want to echo the comments you've heard in
21 previous hearings about making future meetings more
22 accessible to the public; that includes holding meetings
23 on weekends and evenings, publishing transcripts of the
24 meetings in a timely way, and considering additional ways
25 of holding them, including broadcasting them on the web,

1 videotaping them for later viewing, and/or providing
2 online ways to comment.

3 And certainly developing the regulations as
4 you've stated is a major goal here. So we believe that
5 having a draft of those regulations that are initially
6 developed, you know, go out on the web or to your
7 distribution list before they are adopted is a certain way
8 to ensure the democratic process is carried out here.

9 All of these are some of the many useful ideas
10 we've heard in your hearings, and we strongly encourage
11 you to consider them and others as you help to carry out
12 the spirit of Prop 11 and maximize the effectiveness of
13 the citizens redistricting commission.

14 Finally, we know you have a huge task before you.
15 California State NAACP wants to offer our help and our
16 support to help you research questions you might be
17 struggling with as you prepare your regulations and to
18 help you reach out to potential applicants around the
19 state and support them in the application process. And we
20 aren't the only ones who can help. Many of the
21 organizations, some of them are here today, have come
22 before you over the past few weeks and are equally
23 dedicated to the success of this reform and stand ready to
24 help you make this process work. We urge you to think of
25 all of us as your partners in this effort and call on us,

1 any of us, for support as you move forward.

2 Thank you very much.

3 PANEL CHAIR REILLY: Thank you. And we do
4 continue -- we do plan to continue to have a very
5 transparent process. We will be going through the
6 regulatory process, so there will be further opportunity
7 to comment as our regulations are developed.

8 MR. BHE: Very well. Thank you very much.

9 PANEL CHAIR REILLY: Yes.

10 MR. MUNGER: Hello. My name is Charles Munger,
11 M-u-n-g-e-r, from Palo Alto, California, and I'm here
12 representing no one except myself, except that I was
13 financially the largest individual backer of this passage
14 of Proposition 11, and so I share with all the speakers
15 you will hear today a desire to see that it be implemented
16 for the first time right.

17 And with that regard, I won't repeat the remarks
18 that I brought before you at the first meeting in
19 Sacramento, but I have some comments on your tentative
20 calendar for the implementation of Proposition 11, which
21 went up on your website very recently. This, therefore,
22 won't be complete, but I have a few comments.

23 One is that in 2009, from February 28th to
24 June 15th, you're going to be developing your regulations.
25 I think that it's implied in this timeline that as soon as

1 you have them developed but before you're going -- I
2 assume around June 16th you'll actually post them
3 somewhere so everyone can see what you're intending in due
4 course to be submitting officially to the Office of
5 Administrative Law on the 14th of July.

6 I think it would behoove, both for reasons of
7 outreach and also cost economy, if you set -- post those
8 regulations and also have some kind of blog in effect so
9 that anyone can read them, can post what they think about
10 them, and that can be submitted by anyone and read by
11 anybody. I think you will find the volume of public
12 comment to be very helpful, and I think you will find that
13 the public comment itself will get progressively more
14 helpful down the blog, because people can -- are, in fact,
15 people with an interest in this are, in fact, talking to
16 each other and developing ideas in front of you instead of
17 having them all sent in independently and then you have
18 the job of folding them all together.

19 Regarding beginning of 2010, you have a tentative
20 scheme here where the applications for the position of
21 commissioner will be from January 1st through
22 January 31st. I don't think that will work. My
23 experience with applications, working under the State
24 Board of Education, is that you don't get them all in that
25 first month. I think what you want to do is open that

1 from January 1 up to perhaps a full three months, and I
2 think you wish to post the names of the people who have
3 applied, and I think even their applications as they come
4 in. I think it's very important for the state to see how
5 many people are applying and who is applying.

6 I think what you will find is you'll get a rush
7 of applications from people who have been attending
8 meetings like this, and then there will be a pause, and
9 then people will realize that there are no people from the
10 north of the state or no women applying or none of a
11 particular ethnic group, and groups that represent those
12 constituencies will then go around their members and say,
13 we need to get you to apply, otherwise this is not going
14 to be diverse, and they're not going to have enough
15 applications. And then there will be a lag while that
16 takes place, and then you'll get some more. But that will
17 only take place if you allow enough time for it to happen
18 and if people can see what the diversity of the pool is as
19 it develops.

20 So I propose that you would extend that deadline
21 from January 31st further. I think it can overlap with
22 your timeline, February 1 through July 31, while the ARP
23 itself is being formed. There's nothing wrong with those
24 applications coming in while the ARP is being formed and
25 just waiting. When the ARP is formed, it can process them

1 as they come in.

2 You have a deadline of August 1st for the names
3 of the potential applicants being published by the state.
4 I think that's way too late. I think you want to publish
5 them as they come in for the reasons I said. I also think
6 that otherwise you're going to get -- you know, I don't
7 see the point of having applicants in particular, if
8 you're going to have a January 31st deadline, posting
9 their names only on August 1 is not very helpful. The
10 only thing that will buy you is you avoid posting the name
11 of people that you've decided to remove for sake of
12 conflicts; but I don't see any particular reason why.
13 It's not in the public interest if somebody has a conflict
14 and they put in their application or are told later that
15 they have a conflict, I don't think that that's much
16 damage to them, and I think the public interest in getting
17 the names out early is very important.

18 I would also remark on the -- on October 1 when
19 the ARP submits its 20 person subpools of the most
20 qualified applicants -- this is something I mentioned in
21 my earlier meeting -- the ARP, of course, consists of one
22 person from the majority party, one from the minority
23 party, and one aligned with neither. It's the clear
24 intent of this Act, that -- particularly for its first
25 implementation, that the ARP should come to some kind of

1 consensus that all three members would agree on.

2 I think implicit in that division between parties
3 is the idea you don't want the two major parties allying
4 against the independent, you don't want the independent
5 allying with one major party against the interest of the
6 other. You can't have a three-person commission and
7 demand unanimity. That is a strategy for deadlock.

8 But I think you can institute a rule whereby that
9 if the ARP cannot come to consensus, and they're about to
10 move a set of pools forward on a 2-1 the vote, that you
11 say, okay, you can do that, but you'll have to do that at
12 your next meeting. You're going to have a couple-day
13 cooling-off period, you're going to have to let people in
14 the state weigh in. And if you have another meeting and
15 you're still a 2-1, that's just fine. And if you come to
16 consensus 3-zip, then you can move it forward.

17 I think that would be very much in the intent of
18 the Act. And I think it would be very much in the public
19 interest for the first auditor -- first set of applicants
20 from the first audit review panel to go forward with
21 unanimity.

22 Those are my comments on your timeline. Thank
23 you very much.

24 PANEL CHAIR REILLY: Thank you. And just to note
25 that the August 1st date we used for publishing the names

1 of potential applicants, it actually came from the
2 initiative itself; but it's really helpful to get comments
3 on the timeline as well. Thank you.

4 And I think Assemblymember Saldana has joined us
5 and would like to make a few comments.

6 ASSEMBLYMEMBER SALDANA: Thank you. Good
7 afternoon. My name is Lori Saldana, L-o-r-i
8 S-a-l-d-a-n-a.

9 I'm the Speaker Pro Tem for the California
10 Assembly, and I'm also chair of the Legislative Women's
11 Caucus, which is the largest caucus, made up of 33 women
12 from both the Senate and the Assembly, both democrats and
13 republicans.

14 And I have a letter I will be presenting, or it's
15 already been sent to your offices, regarding our concerns
16 over gender diversity and gender balance in drawing these
17 boundaries, these new boundaries. What we saw in the last
18 redistricting process is that many woman who would have
19 otherwise been very strong candidates for elected office
20 were, in fact, drawn out of the districts that they
21 represented. And so our numbers have actually declined in
22 recent years.

23 We are currently in the legislature only 28
24 percent of elected members at 33 out of 120; and
25 statewide, of the six constitutional officers, only one is

1 a woman, and so that is less than 20 percent. And yet
2 women make up the majority of the state's population. So
3 our concern is that if you do not take into account gender
4 diversity in the makeup of your commission, that you will
5 not wind up having a good and healthy discussion about the
6 role of women in elected office.

7 And the role of our caucus is to look out for the
8 needs of California's families, of children, of women. We
9 recognize that many times women's life situations that are
10 directly affected by government are very different than
11 those of our husbands, our brothers, our sons. And so it
12 is important that women's perspectives be protected and be
13 encouraged.

14 And if you just look at the passage of the
15 budget, which is going to require additional work, you
16 will see that many of the programs that were cut were,
17 unfortunately, disproportionately hurting seniors; and we
18 are going to see very soon a doubling of the senior
19 population of age 80 and above. I recently -- and that is
20 often women, because women tend to have longer lifespans
21 than men, and yet we're cutting services to that
22 population in a very high number. We're also cutting
23 services to children. And it is often women who are
24 responsible for care giving at both ends of life, for
25 children in their families as well as for seniors.

1 Another issue that concerns us is the
2 transparency of this process. And I know AARP and -- when
3 you held a hearing in my district, the representatives in
4 San Diego mentioned that it is very easy now to webcast,
5 it is very easy to ensure that these hearings and
6 discussions of the commission are made public so that
7 people can observe and comment.

8 And in San Diego, the city council went through a
9 redistricting, a very open redistricting process in 2000
10 and 2001. And it was the most popular television show
11 broadcast on the local channels, and it drew great
12 interest, great comments, and people really were watching
13 to see where these lines would be drawn and were paying
14 attention to their neighborhoods and seeing what side of
15 the street at times would be affected by whether a line
16 was drawn down the middle of a street or encompassing that
17 neighborhood.

18 So I think that having local workgroups -- and I
19 mentioned this in my San Diego comments also, there's
20 nothing in the ballot measure that spoke to this, and I
21 believe in the absence of discussion that it would be
22 acceptable to have local working groups help inform the
23 actions of the final members who are selected to be on
24 this commission because they know better than others what
25 their communities of interest are, what the different

1 communities are -- represent in terms of cultural and
2 ethnic diversity. And I think those types of discussions
3 would be very helpful to have in conjunction with the
4 actions of the commission as they work on drawing these
5 final lines.

6 A couple of notes. I did get a copy of the
7 letter submitted from the -- from your agency to Denise
8 Ducheney, the budget chair in the Senate, regarding the
9 lack of funding to carry out this activity. And it looks
10 like you have requested \$477,000 to conduct this. And I
11 think it's important to point that out for a couple of
12 reasons. One, of course, is the funding is not currently
13 available; two, when everyone who voted for and signed
14 their signatures to the qualifying paperwork to put this
15 on the ballot, they were told, I'm certain, that no impact
16 would occur on the budget, that their taxes would not be
17 raised, that this wouldn't cost anybody anything.

18 But the fact is you're estimating nearly half a
19 million dollars cost to this, and it is going to cost us
20 something somewhere. We're going to have to take that
21 money out of health care, out of schools, out of social
22 programs, because under the current budget restraints,
23 those are the areas that we can cut because of prior
24 ballot measures, other areas that are protected, and the
25 most notable, of course, is incarceration and prisons,

1 which have gone from a couple billion dollars a year now
2 to close to ten billion dollars a year. And I bring these
3 things up because they do have an impact on your ability
4 to carry out this task. There are some things that we
5 have discussed in recent weeks as we debated our budget,
6 and this was not one of them in detail, but it certainly
7 is a requirement before you can do the work that is before
8 you.

9 So I just want to end on something that is a bit
10 of a paraphrase. I've done a lot of work before I was
11 elected, as a volunteer on commissions, on working groups,
12 on boards, I was an appointee from the mayor's office up
13 to the president of the United States, and at the end of
14 the day, many of us would say, if you want something said,
15 ask the men in the group, but if you want something done,
16 ask the women in the group. So if nothing else, having
17 more, at least a balance of women on this board, I think
18 will ensure that you are going to get your work done and
19 on time and efficiently and effectively. So please take
20 that into account as you look at how you're going to make
21 your choices and the final makeup of this board. I know
22 part of it is random, but I would hope that you will take
23 into account that gender balance when you look at
24 representing the nearly 20 million women in California.

25 Thank you.

1 PANEL CHAIR REILLY: Thank you. And just to
2 follow up on the budget issue, that's actually a request
3 for a deficiency appropriation for '08-'09, and so it will
4 get more expensive in '09-10, so just to warn you.

5 ASSEMBLYMEMBER SALDANA: So, well, thank you for
6 the heads up.

7 PANEL CHAIR REILLY: We're working on it. Thank
8 you.

9 ASSEMBLYMEMBER SALDANA: I'm afraid a lot of
10 things are going to be getting more expensive. Thank you.

11 PANEL CHAIR REILLY: Right. Thank you.

12 I think we finished with row one. Is there
13 somebody in row two who would like to comment?

14 MR. FULLER: I'm JoAnn Fuller, associate director
15 of California Common Cause. My name is spelled capital
16 J-o, capital A-n-n, my last name is Fuller, F-, as in
17 Frank, -u-l-l-e-r.

18 I wanted to echo, of course, we appreciate that
19 the State Auditor is convening these hearings and inviting
20 people to comment. And I appreciate that we're able to be
21 here with you today.

22 I wanted to echo the earlier speakers' comments
23 about making these hearings more accessible, particularly
24 outside of working hours, that's something that we've
25 heard back from also. And we also wanted to note,

1 following Dr. Munger's comments about the dates of the
2 deadlines, that the dates in the actual language of
3 Proposition 11 are deadlines, and as one of the coalition
4 members who worked hard with wording, we would encourage
5 you to think of those as deadlines and that you would be
6 able to start earlier as was suggested.

7 We share your enthusiasm for an inclusive process
8 and really comprehensive outreach, believing that
9 applicants for the commission need to represent
10 California's diversity; and also, really looking for
11 people that are as closely tied to their communities as
12 possible.

13 We are submitting a list of about 30
14 organizations for your outreach list. We thought it was a
15 really good suggestion to identify community leaders who
16 would be part of the organizations that you could cost
17 effectively outreach to a whole group of people by
18 identifying community leaders and then, of course,
19 developing a robust email list. So I'll be turning in
20 suggestions of people who have told us they'd like to
21 serve on the committee and then -- the commission, and
22 then also an outreach list.

23 Thank you.

24 PANEL CHAIR REILLY: Great. Thank you.

25 Is there anyone else in the second row who would

1 like to comment?

2 How about the third row?

3 Fourth? Okay. Thank you.

4 MR. WEBER: Good morning. My name is C.T. Weber,
5 W-e-b-e-r.

6 I wasn't going to speak today because I came more
7 for information, I think, than anything else, and also
8 because I'm sort of a doubting Thomas in the audience.

9 I do not think that we can create fair election
10 districts using the single-member district approach, and
11 since like-minded people live in similar geographic areas,
12 I don't think there will be much change in the results.

13 I am a member of probably the least represented
14 minority group; I'm a member of a smaller party, one of
15 the four parties. And one of the things that I fear is
16 that, you know, we will not all be represented, you know,
17 on the new commission; in fact, more than likely will not
18 be. And even more likely they will be more represented in
19 the next legislature. It would be impossible -- unless,
20 however, there is an at-large seat for each of the four
21 smaller parties, that would be something that could be
22 done, and it would be very refreshing.

23 However, real reform, I feel, would require
24 multi-member districts using a system of proportional
25 representation. In selecting the new commissioners, like

1 they said, it should be a random drawing from a list of
2 volunteers and programmed for ethic, geographic, gender,
3 and political diversity. And I'm sure you're doing that
4 already. So I just dropped those comments.

5 PANEL CHAIR REILLY: Thank you.

6 Is there anyone else in the third row? I think
7 we were on the third row.

8 Okay. The fourth row now.

9 MR. GONZALEZ: Good evening. My name is Pedro
10 Gonzalez. And the name Margarita Fernandez sound familiar
11 to me. I think we got stuck in Fresno last week; we went
12 on Friday and the meeting was on Thursday. And I am from
13 the City of South San Francisco. I am a council member
14 for nine years. And I also came more like for
15 information, but I have a brief statement.

16 And I agree with the gentleman over here about
17 the process and the dates and they are very important. I
18 wish I could have been more active before. I kept on
19 asking in South San Francisco, when does this start; and
20 nobody knew. Nobody could tell me when -- someone told me
21 next year; and when it's already in -- having meetings.

22 In 1996, the commission -- I didn't spell my
23 name. Pedro, P-e-d-r-o, Gonzalez, G-o-n-z-a-l-e-z.

24 In 1996, the commission considered redistricting
25 the drawings of the district lines for elections. That

1 the redistricting in this state have become increasingly
2 scandalous, exercises in incumbent protection and partisan
3 organization. The opposition of one powerful member of
4 the legislature was apparently sufficient to deter the
5 commission from considering even the most modest reform,
6 either an independent commission to draw the districts'
7 lines that we are going to see pretty soon, and thanks to
8 the voters, or some criteria that limits partisan abuse
9 are necessary to make sure districts are drawn to
10 represent the people and not the incumbents.

11 As a nine-year council member in the City of
12 South San Francisco, I have heard the disappointment of my
13 constituents have in the process the State of California
14 have in the drawing of district lines for elections. My
15 constituents prefer an independent commission in charge of
16 this process. For nine years I've been hearing this.

17 I also want to say that I have a program on
18 television, local program on television calling "Mundo
19 Latino, Pedro Gonzalez," I have already about three or
20 four years. And I present all kind of information to the
21 Spanish-speaking community from A to Z. And this is a
22 very important source of communication in and outreach to
23 the communities. And like me, there's other groups, that
24 they have their language on television and will be
25 important to be part of this information.

1 So I would like to be considered as part of the
2 commission, if it happened to be, but I am very much
3 interested in working with all kind of public. So that's
4 all I have to say, and I thank you very much for giving us
5 this minutes to speak.

6 Thank you.

7 PANEL CHAIR REILLY: Thank you. Is there anyone
8 else in the fourth row?

9 How about the fifth row?

10 How about anybody else in the room?

11 MR. WRIGHT: Good afternoon. I'm Jim Wright.
12 I'm a voter from San Jose. This is my fifth meeting with
13 you. Do I get a perfect attendance pin now?

14 PANEL CHAIR REILLY: Yep.

15 MR. WRIGHT: Thank you. I just want to run
16 through the math for a minute if we may. The Act provides
17 a process for selection of the pool of 60, split 20, 20,
18 and 20. The legislature then has the opportunity to
19 strike certain members, and the four leaders of
20 legislature can each strike two. So that's eight gone
21 from each pool, leaving -- excuse me, I mis- -- got ahead
22 of myself here -- reduces the subpools to as few as 12
23 each, and a total of no less than 36 candidates remaining.
24 Now, I hope they don't strike that many, but knowing what
25 they've done in the past, it's going to happen.

1 The next step is then to randomly select the
2 eight that form the initial commission; and that's three,
3 three, and two, from the parties groups. And these
4 commissioners then select the next six, split two, two,
5 and two. And that forms your panel of 14. We're good so
6 far; we've got a panel in place. That leaves 22 from the
7 initial pool of 60 that could fill vacancies on the
8 commission, should they occur. And those are split
9 roughly seven, seven, and eight among the parties.
10 They -- it seems like a sufficient number, but, you know,
11 surprises happen. People pass away, they lose interest,
12 et cetera.

13 My suggestion to you is that you expand the
14 regulations just a little bit in that final paragraph of
15 8252.5b. It contains an interesting statement. If none
16 of those remaining applicants are available for service,
17 the State Auditor shall fill the vacancy from a new pool
18 created by the same -- for the same audit voter
19 registration category in accordance with Section 8252.

20 Would it not be reasonable while you've got the
21 selection apparatus in place, while you've got all of
22 these applications that haven't made it into the pool of
23 60, that you go ahead and create that new pool after
24 you've created the pool of 60 just in case? Okay? Your
25 Applicant Review Panel is in place, everything else is in

1 place, things are moving and functioning. Okay. Now, the
2 Act doesn't say you can do this, it doesn't say you can't
3 do it either. But you would basically be creating three
4 alternate pools, and they could contain three, four, five
5 members, pick a number, okay, whatever seems to be
6 reasonable, just in case. Okay? Their names can even be
7 passed to the legislative leaders so that they could
8 strike them if they wanted to. Again, the Act doesn't say
9 you can do this, doesn't say you don't have to either.

10 These folks may never be called, but it would be
11 a lot simpler to do it while those apparatus are all in
12 place rather than waiting and having to start all over
13 again with new applications and so on. Again, just in
14 case.

15 A suggestion about your meeting notices also, if
16 I may. Where the meeting's held, what time the meeting's
17 held is, of course, essential and necessary information.
18 It would be useful, if it happens to be easily available,
19 to include some information about the parking that might
20 be available in the local vicinity. It would help people
21 who travel from out of town to be able to find that
22 parking relatively easily. I managed to do it, other
23 people have managed to do it, but still, some people may
24 find it a little tricky.

25 Thank you very much for your time. You're doing

1 a great job with this, and I'm waiting to hear what your
2 regulations look like.

3 PANEL CHAIR REILLY: Thank you.

4 Is there anybody else in the room who would like
5 to comment? Anyone else who has already commented who
6 would like to comment further?

7 We are going to go ahead and hold the meeting
8 open until three o'clock. But at this point, if you would
9 like to leave, it looks like there's nobody else in this
10 current crowd that would like to make comments, so we're
11 going to adjourn but be available in case somebody else
12 shows up later.

13 (Recess.)

14 PANEL CHAIR REILLY: Going back on record to
15 adjourn the interested persons meeting for Proposition 11,
16 Voters First Act, Sacramento, California, March 3rd, 2009.

17 (Thereupon, the March 3, 2009,
18 California Bureau of State Audits
19 Public Hearing was adjourned at 2:01 p.m.)

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CERTIFICATE OF REPORTER

I, DEBORAH L. BAKER, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing Bureau of State Auditors Public Meeting; that thereafter the recording was transcribed.

I further certify that I am not counsel or attorney for any of the parties to said Public Meeting, or in any way interested in the outcome of said Public Meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of March, 2009.


DEBORAH L. BAKER