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San Jose, Ca 95123  
7 May 2010

Gloria Gamino  
Bureau of State Audits  
555 Capitol Mall, Suite 300  
Sacramento, CA 95814

Ms. Gamino,

I have reviewed the package of amendments and extensions to regulations governing selection and establishment of the California Citizen Redistricting Commission. The attached document contains my observations and suggestions for your consideration.

Furthermore, I hope to be present for the June 1 public meeting for discussion of these and other comments and suggestions.

Sincerely,

A handwritten signature in black ink, appearing to read "James C. Wright", written over a thin horizontal line.

James C. Wright

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Attachments: 1

Comments and suggestions on revised and additional regulations.

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**§ 60804.1 Appointment to Federal, State or Local Public Office**

[Replace (a) with both of the following]

- (a.1) Appointive federal public office means a federal office that may be filled by appointment by the President or other appointed/confirmed member of the executive branch, any sitting jurist of the judicial branch or any member or members of the Congress (regardless of which state they represent).
- (a.2) Appointive state public office means a state office that may be filled by appointment by the Governor, any member or members of the Legislature, or any member or members of the State Board of Equalization.

**§ 60820.1 Paid Staff for the Legislature or Any Individual Legislator, etc.**

- (a) ...
- (b) ...
- (c) **[NEW]** Paid staff for any member or members of Congress, the federal Executive branch or federal Judicial branch means being a person employed by and receiving compensation from a member of these entities without regard for whether the duties of employment are related to seeking or holding said office.

**§ 60853. Phase V - Random Drawing of First Eight Commissioners**

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (e) **[NEW]** The appropriate oath of office shall be administered to the first eight Commissioners as soon as practicable following completion of the drawing.

**§ 60858. Phase VI - Meetings of the First Eight Members of the Commission**

- (a) ...
- (b) ...
- (c) Five of the first eight ...

**[ADD]** The member distribution for a quorum must include at least two members registered with the political party having the greatest number of registered voters, at least two members registered with the political party having the second greatest number of registered voters and at least one member who is not registered with either of those two parties.

- (d) ...
- (e) During their first meeting ... The chair and the vice chair shall *not be registered with the same political party.* ...

**NOTE:** Both the temporary chair and temporary vice chair could be elected from the “other” group of members and still be registered with different political parties. It would be preferable to have one of them from one of the three groups (largest party, second largest party, other) and the other from a different group rather than to specify “not .. the same political party”.

**§ 60859. Communications Between the First Eight Members of the Commission and Members of ...**

**[ADD]** The federal Executive branch and federal Judicial branch should be included in this definition.

**§ 60860. Phase VI Selection of the Final Six Members of the Commission**

- (a) **[ADD]** Viewing and review of the ARP interview videos should be an option.
- (b) ...
- (c) ...
- (d) ...
- (e) ...
- (f) The first eight members of the Commission ...

**[ADD]** The slate to be voted upon shall be selected by a random process. Only one slate shall be subject to a vote at any one time. The voting on each slate must be with at least five affirmative votes including at least two members registered with the political party having the greatest number of registered voters,

at least two members registered with the political party having the second greatest number of registered voters and at least one member who is not registered with either of those two parties.

- (g) **[REPLACE]** The first slate to win approval shall be final and all remaining proposed slates shall be discarded without further consideration.
- (h) ...
- (i) **[ADD]** The appropriate oath of office will be administered to the final six Commissioners as soon as practicable following their selection.

### **§ 60860.1 [NEW] Training the Remaining Six Members of the Commission**

**Note:** Training of the final six Commissioners needs to be provided equal to that given to the first eight.

Perhaps the first eight should be encouraged to participate in these final training sessions as a refresher. Doing so would also aid cohesiveness within the full Commission and provide a start at the individual Commissioners becoming familiar with each other.

### **§ 60860.2 [NEW] Selection of Permanent Chair and Vice Chair**

- (a) Nine of the Commission members shall constitute a quorum for all Commission meetings. The member distribution must be at least at least three members registered with the political party having the greatest number of registered voters, at least three members registered with the political party having the second greatest number of registered voters and at least three members who are not registered with either of those two parties.
- (b) During the first meeting of the full Commission, the members shall, in open session, elect one of the members to serve as permanent chair and another member to serve as a vice chair. The permanent chair shall preside over the meetings held by the Commission. The vice chair shall preside over meetings in the chair's absence. The chair and vice chair shall *not be registered with the same political party*. The chair and vice chair shall be elected by the affirmative vote of at least 9 members, including no less than three affirmative votes from members who are registered with the political party having the greatest number of registered voters, three affirmative votes from the members who are registered with the political party having the second greatest number of registered voters, and no less than three affirmative votes from members who

are not registered with either of those two parties. The members may replace the chair and vice chair through the same voting process. In the absence of both the chair and vice chair, an acting chair may be elected to preside over a meeting on the affirmative vote of a majority of the members present and voting.

**NOTE:** Both the chair and vice chair could be elected from the “other” group of members and still be registered with different political parties. It would be preferable to have one of them from one of the three groups (largest party, second largest party, other) and the other from a different group rather than to specify “not .. the same political party”.