



MEETING NOTICE AND AGENDA

Citizens Redistricting Commission

Commission Business Meeting - Friday, September 20, 2019

(10:00 A.M. – 1:00 P.M. or conclusion of business)

Meeting Location:

California Department of Finance, 915 L Street, Cedar Room, Sacramento, CA 95814

Teleconference Locations:

1. San Francisco Public Library, Bernal Heights Branch, 500 Cortland Ave, SF, CA 94110,
2. Neighborhood House Association 5660 Copley Drive, San Diego, CA 92111
3. John L. Raya Insurance, 401 S. Mission Drive, San Gabriel CA 91776
4. Ventura County Community Foundation, 4001 Mission Oaks Blvd., Camarillo CA. 93010.
5. Law Office of Jodie P. Filkins, A P.C., 625 The City Drive South, Suite 305, Orange, CA 92868
6. Avid Reader, 1945 Broadway, Sacramento, 95818
7. 308 Cherry Avenue Capitola, CA 95010

10:00 A.M. – 1:00 P.M. (or conclusion of business).

NOTICE: The Commission may not meet on every noticed day. Please consult the website for up-to-date information on the days the Commission will convene. The order of business reflected on meeting Notice and Agenda is subject to change by the Commission at the meeting. The Commission may consider parts of an agenda item without closing the item, and the Agenda items may continue from day to day. In addition to the Committee agenda items listed below, Advisory Committee agenda include all items on the agenda of the Commission as a whole. The specific time and place of the meetings of Advisory

Committees will be announced during the Commission's meeting and when possible will be posted on the Commission website. Advisory Committee meeting times on this Notice and Agenda are approximate. The location of these meetings will be near in time and location to the Commission meeting. At its sole discretion, the Commission or an Advisory Committee may periodically recess for breaks.

Hard copies of written materials that have been provided to the members of the Commission will be available at the meeting. In addition, electronic versions of the documents that have been made available to the Commission will be available at www.wedrawthelines.ca.gov.

Full Commission Meeting Agenda

Introduction

Roll Call

New Business Topics

- 1) Ash Grant Reimbursement Processing
 - a) Action Item: Out-of-State TEC Variance and Reimbursement Requests
- 2) California State Auditor and 2020 CRC Selection Process
 - a) Update on Application Process
 - i) CSA Applicant Review Panel Activities
 - b) CSA Position on Current CRC and 2020 Applications
 - i) Action Item: Letter to CSA on Legal Position
 - c) CRC Ramp-Down Process
- 3) CRC Leadership Transition
 - a) Nominations for Chair and Vice Chair - 2019-20
- 4) 2019-2020 Meeting Schedule
 - a) Discussion: In-Person Meetings and Closing Meeting (Spring/Summer 2020)
- 5) Public Comment

Finance and Administration Discussion Topics

- 1) Staff Report
 - a) Finance and Website Social Media - Cynthia Dines

1. CRC Budget Forecast and Submission timeline
2. Web Site Updates - Cynthia Dai
- b) Business - Cynthia Dines for Patrick McGuire
 1. TECs
 2. CRC Payment obligations (credit cards, invoices, status of and confirmation of prompt payment)
- 2) Closed Session: Personnel Actions & Pending Litigation - Government Code §§ 11126(e)(1), 11126(a)(1)).
 - a) Report on Closed Session Items
- 3) Personnel
- 4) Public Comment

Innovations in American Government Award Committee

- 1) 2018/2019 Activities Report - Commissioners - Cynthia Dai and Stan Forbes (Ash Grant Advisory Committee Co-Chairs)
- 2) 2019/2020 Activities Anticipated - Commissioners - Cynthia Dai and Stan Forbes (Ash Grant Advisory Committee Co-Chairs)
- 3) Public Comment

Legal Advisory Discussion Topics

- 1) Legal Updates/Litigation
- 2) Public Comment

Technical Discussion Topics

- 1) 2020 Data Issues
- 2) Public Comment

Public Information Discussion Topics

- 1) Communications/Outreach Activities
- 2) Articles written/responded to
- 3) Speaking engagements
- 4) Public Comment

PUBLIC COMMENT

*In addition to public comment regarding each agenda item, the Commission affords an opportunity to members of the public to address the Commission on items of interest that are within the Commission's jurisdiction but are **not** on the noticed agenda. These items should be addressed under **NEW BUSINESS**. The Commission is not permitted to take action on items that are not on the noticed agenda, but may refer items to staff for future consideration. The Commission reserves the right to limit the time for speakers.*

ADJOURNMENT

*Please contact **Patrick McGuire at 1-916-709-6303**, or votersfirstact@crc.ca.gov to submit written material regarding an agenda item or to request special accommodations for persons with disabilities, or non-English language translations. Any person with a disability who wishes to receive this Notice and Agenda in an alternative format, or who wishes to request auxiliary aids or services to participate in the meeting of the Commission, in accordance with State or Federal law, should contact **Patrick McGuire at 1-916-709-6303** not later than five (5) business days before the noticed meeting day.*

Innovations in American Government Grant Application

Summary

The California Citizens Redistricting Commission (CRC) has adopted a mission statement for the purposes of guiding its activities under the Innovations in American Government award:

To promote fair redistricting efforts and inspire citizens, legislators, and the judiciary by sharing the California system of drawing electoral districts in a non-partisan, transparent way that engages the public.

In developing this mission statement, the CRC expresses its belief that its greatest impact would be to share its system as one successful model where there are active efforts for redistricting reform.

To enact this mission, the Commission has identified two major activities:

1. Commissioner Speakers Corps
2. Documentary video(s)

Management and Administration

The CRC is a multi-partisan, 14-person state commission that makes decisions by majority vote in open meetings governed by the Bagley-Keene Act. The Commission formed a Grant Advisory Committee to investigate possible grant activities and make recommendations to the full Commission. Because out-of-state activities are not within the primary charter of the CRC, a balanced and diverse group of eight Commissioners volunteered to serve on this committee, including:

- Gabino Aguirre (D)
- Vince Barabba (R)
- Cynthia Dai (D)
- Michelle DiGuilio (NPP)
- Stan Forbes (NPP)
- Gil Ontai (R)
- Jeanne Raya (D)
- Peter Yao (R)

Commissioners Cynthia Dai and Stan Forbes were asked to serve as co-chairs for the committee and are effectively the project managers and primary contacts for the grant. They can be reached at:

Cynthia Dai
cynthia.dai@crc.ca.gov
415-637-4855

Stan Forbes
stanley.forbes@crc.ca.gov
530-574-7416

The CRC has a part-time state employee, Director Christina Shupe; however, to avoid any appearance of conflicts of interest, she can only be involved as a volunteer for activities directly relating to the grant. If there are issues reaching either Cynthia or Stan, Christina can pass along a message and remains the primary contact for general questions or to coordinate the entire CRC:

Christina Shupe
christina.shupe@crc.ca.gov
916-709-6303

In addition, the CRC has an elected Chair and Vice Chair who are empowered to act on behalf of the full CRC in between public meetings. The Chair has called a full Commission meeting on December 1, 2017 to ratify the recommendations of the Grant Advisory Committee. The current leaders are:

Jeanne Raya, Chair
jeanne.raya@crc.ca.gov
626-589-1311

Vince Barabba, Vice Chair
vince.barabba@crc.ca.gov
831-239-8413

Proposed Activities

The Grant Advisory Committee considered a number of possible activities to best utilize the grant and adopted the following project selection criteria:

- **Consistent with Ash Grant Guidelines and our mission**
- **Fair, non-partisan intent:** does not necessarily exclude organizers affiliated with a major party
- **Value Add:** Doesn't duplicate materials available from non-partisan sources. Do we offer a unique perspective?
- **Timeliness**
- **Potential Impact**
 - Direct reach/audience size
 - Indirect reach/multiplier effect/ability to influence
 - Diversity of audiences
 - Ability to generate media exposure
 - Collective impact with partners/Network effect
- **Cost effectiveness:** does it leverage our limited resources effectively? Does it allow us to generate additional funding?
- **Ease of execution:** can we practically execute this with existing staff, partners, and commissioner resources?

After initial investigation and discussion, the Committee voted to move forward with two primary activities:

1. Commissioner Speakers Corps
2. Documentary video(s)

Commissioner Speakers Corps

Overview

We will create a speakers bureau of commissioners who will travel when necessary to conferences and events where we can have an impact on other states. Speakers will explain how the Commission was created and how it drew electoral district lines in a nonpartisan, non-gerrymandered, transparent manner with maximum public participation. The specific nature of these presentations will depend on the needs of organizers in each individual state.

Criteria for Prioritizing Specific Events

In addition to meeting project selection criteria, we developed criteria to choose which events to participate in, resolve timing conflicts, and to maximize limited resources.

- **Participation telephonically or by videoconferencing** where most cost-effective or to maximize participation (by multiple Commissioners, esp. from different parties)

- **Where impact would be greatest**, i.e. states:
 - With an initiative process
 - With proposed legislation or a ballot initiative
 - With active litigation
 - Where districts do not reflect voter political distribution

Criteria for Selecting Commissioners

The CRC adopted a policy to always try to send 2 or 3 Commissioners, ideally from different parties whenever possible. Specific representatives for each event will be nominated by the Committee Co-Chairs according to the following criteria:

- **Signs up:** *Committed* availability and interest
- **Does the homework:** Has received media training, talking points, standard deck; is willing to prepare for specific event in consultation with organizers
- **Best face(s) for the CRC:** recommended by Co-Chairs to the Chair/Vice Chair
 - *History/Connections to locale*--family, school, work/industry, or other connections
 - *Diversity*--gender, race/ethnicity, rural/urban, age, or other as requested by organizers
- **Maximizes participation:** bias to allow more Commissioners to participate during the grant period, assuming other criteria are met
- **Reports back:** Commissioner representatives must commit to provide a written report back for grant reporting purposes

Target Audiences

Depending on whether the state has an initiative process or must rely on their legislature or judiciary, the target audience(s) will be citizen activists and the public, the legislature, or the judiciary.

Potential Partners or Co-Sponsors

Because the CRC has limited paid resources, we will partner with national and local advocates for redistricting reform who understand the situation on the ground. These will likely include, but are not limited to local chapters of national organizations such as the League of Women Voters or Common Cause, as well as grassroots organizations in each state like Michigan's Voters Not Politicians. We also hope to partner with academic centers such as NYU's Brennan Center for Justice.

Methods and Channels

In conjunction with its partners, the Commission will use all available avenues to disseminate information about the Commissioner Speakers Corps and the specific events commissioners will participate in. However, direct outreach to redistricting reform advocates to make them aware of

our availability will likely be the most effective. For example, the Commission has already had discussions with organizers in Michigan, Georgia, Indiana, and Minnesota and is actively pursuing contacts with Pennsylvania, North Carolina, Louisiana, and Texas. We will also investigate Ohio, Virginia, Maryland and Massachusetts as potential venues given the prevalence of gerrymandering in those states. Targeted states may include those that are on the “no-fly” list as designated by the State of California, so the grant will provide necessary non-taxpayer dollars to reach these states. We are requesting administrative support as part of the budget allocation to continue the outreach and follow-up with these organizations so we can identify the best opportunities.

As events take shape, we will work with local partners to drive maximum exposure via news articles, media interviews, affiliated websites, social media, and word of mouth. We will publicize upcoming events as we speak in other states to connect like-minded organizations. The CRC is also seeking pro bono or low-cost public relations support to ensure this is done consistently and to amplify the efforts of any partner resources.

Desired Outcome

The desired outcome will be to demonstrate to key audiences in each state that it is completely possible to develop a process that leads to fair districts where the voters choose their politicians rather than the reverse. Our goal is to empower and strengthen local organizers by sharing our experience, raising awareness, and attracting resources to accelerate change and the adoption of fair redistricting initiatives and legislation.

Project Management

The Committee Co-Chairs, Cynthia Dai and Stan Forbes, will serve as project managers and will execute this activity according to the policies listed above.

Documentary Video(s)

Overview

The Commission believes it is important to provide a permanent record of the processes it developed that is easily accessible to any entity wishing to hear a presentation on how the California system of independent redistricting was developed. A documentary video or series of video clips could cover key elements unique to the CRC such as:

- How the CRC was formed, e.g. the method used to select commissioners
- The importance of transparency and how it was ensured throughout the process
- How meaningful public participation was incorporated
- How decisions were made in a diverse body

Target Audiences

The audiences for this project could extend beyond those who are actively engaged in redistricting reform. The CRC hopes that it could be broadly educational for anyone with an interest in improving governance in a democratic society and might be useful to academics and students.

Potential Partners or Co-Sponsors

Because the CRC lacks sufficient resources to complete this project on its own, we will actively solicit university film schools or independent video producers who may be willing to pursue this pro bono or with other financial backing. The good government groups that backed the Voters First Act and supported the CRC, including the League of Women Voters, Common Cause, California Forward, and the Irvine Foundation are both potential partners and participants. In addition, we will be following up with the Schwarzenegger Institute at the University of Southern California, which has offered pro bono support through one of its animation vendors to create a video.

Methods and Channels

Once a video(s) is produced, we would plan to promote it through our network of partners, affiliated websites, social media, and ideally through broadcast media.

Desired Outcome

The goal of this project is to document key aspects of this successful approach for fair redistricting in an accessible format that can be broadly shared beyond the term of this inaugural commission.

Project Management

The Committee Co-Chairs, Cynthia Dai and Stan Forbes, will serve as project managers during the search for possible producers. Ongoing management will be shared with the chosen producer under the direction of the Committee.

Timeline

Commissioner Speakers Corps

We plan to utilize grant funds through the end of the 2-year grant period or until exhausted. At this time specific dates for most of these programs have not been set, but because of the election cycle, a full calendar of events is expected in January, February, and March of 2018.

We anticipate additional events through the rest of the year. These will be impacted by the Supreme Court's Decision in the Gill case. A decision favorable to those seeking to reform redistricting through the courts could lead to a significant increase in the opportunities for the Commission to go to other states to provide an example of how an independent redistricting commission can be established.

Following are the kinds of events we are considering for 2018. We have reached out and received three requests for speakers (see Appendix):

- **Georgia:** Georgia Common Cause has invited us to participate in a statewide road tour in which we would present what we achieved with our process. They had planned on doing an 11-city tour, half of which is done, but would be willing to repeat part of the tour to utilize our input. The effort in Georgia is just getting underway and target audiences would be activists and the legislature.
- **Indiana:** Indiana Common Cause has invited us to send commissioners to speak and put on a workshop that would have as its target audiences activists and the legislature. No date has been set, but it must occur by March, as Indiana has a part-time legislature that adjourns in March.
- **Michigan:** Voters Not Politicians will shortly be submitting signatures for an initiative to create a commission based on our model. They have a significant plan which is attached as separate document. The proposal meets all the Ash Center guidelines in that it identifies target audiences, provides partners, and identifies methods and channels. It also appears to be cost-effective and has the potential to leverage additional funds. The timing would initially be December and January, but might extend through the year. They appear to have adequate volunteers and organization to pursue this effort.

Other opportunities we have identified, but have yet to coordinate with organizers include:

- **Pennsylvania:** We have had one inquiry, but no specific events have been proposed. Good bill there with 98 supporters. Fair Districts PA.
- **Ohio:** Ballot initiative
- **Missouri:** Ballot initiative w/state demographer as map drawer
- **North Carolina:** ongoing litigation. Strong Republican funder supporter. Democracy NC.
- **Texas:** ongoing litigation. Legislature doesn't meet until 2019.
- **Colorado:** version of a commission selected by Legislature. Trying to reform.
- **Utah:** close to ballot initiative. SLK split into 4 districts.
- **Fair Votes LA:** *Baton Rouge*, January 19, 2018
- **UGA Law School Event:** early February

- **Tufts Metric Geometry and Gerrymandering Group:** University of Texas—*Austin, TX*, February 1-4, 2018
- **[Unrig the System Summit](#):** *New Orleans, LA*, Feb 2-4, 2018
- **Brennan Center Partisan Gerrymandering:** *NYU*, February (depends on Gil v. Whitford decision)
- **Tufts Metric Geometry and Gerrymandering Group:** University of San Francisco—*San Francisco, CA*, March 15-18, 2018
- **American Constitution Society:** possible redistricting panel, June, 2018

Documentary Video(s)

The timeline for the video project is dependent on identifying a willing producer(s). Once the scope is defined, a more detailed timeline can be provided. However, the goal would be to produce some deliverable within the 2-year life of the grant even if it is the first part in a series.

Budget and Budget Narrative

We propose the following budget breakdown:

Grant Activity	Proposed Budget
General Administration	\$10,000
Commissioner Speakers Corps	\$80,000
Documentary Video(s)	\$10,000

Because Commissioners have other full-time pursuits and are essentially volunteers for the purposes of the grant, we will need general administrative support. We are proposing allocating \$10,000 to hire a part-time resource to support coordination of grant activities.

Commissioner Speakers Corps

The Commission proposes allocating \$80,000 of the grant to this activity including administrative costs of coordinating public relations activities with the host states. The estimated breakdown would include:

- Travel and accommodation expenses: \$50,000-\$70,000
- Public relations support: \$10,000
- Additional event organizing support: up to \$20,000

We would like to allocate most of the budget to reimburse travel expenses for those Commissioners who make themselves available in person to speak. To maximize grant funds and in recognition that participation is completely voluntary, Commissioners will not receive the usual state per diem for Ash Grant activities. We will also follow state rules for travel reimbursement, or federal GSA rules where state rules are not applicable.

Based on this, we estimate that the cost per Commissioner per event at \$1500, for a possible total of \$3000-\$4500 per event depending on the number of Commissioners who can travel. This number is based on California Government reimbursement rates, air travel reserved two weeks or more in advance, and Commissioner stays of up to four nights to provide adequate time to maximize the effectiveness of the stay. This would allow us to provide speakers for an estimated 10-20 events and possibly more depending on actual expenses.

In order to maximize the effectiveness of the Commission's efforts to implement the grant, the Commission proposes to allocate \$10,000 to hire an individual or entity to insure that the activities of the commission are advertised and promoted in the states in coordination with the partner(s) with whom we are working. This is substantially below market rates for PR support; however, we are seeking the services of a firm or individual who may be willing to substantially discount their services and/or find a retired annuitant through the state.

Finally, it is our observation that many of the grassroots organizations pursuing redistricting reform have even fewer resources than the CRC. It may make sense to subcontract a portion of the budget to one of more national or local organizers to ensure that anticipated events have optimal impact and/or to ensure that resources are allocated to plan events in priority states. We would not anticipate spending more than \$20,000 for this line item and would try to first leverage partner resources and our own administrative support to leave most of the budget for travel reimbursement.

Documentary Video(s)

The budget does not provide sufficient funds to produce professional film development. Instead the Commission proposes to allocate \$10,000 to support a graduate student(s) in one of the nation's premier film schools or seed a project for an independent producer. These funds could help defray expenses such as travel or material costs that could then leverage in-kind labor or other private donations.

Appendix: Proposals from Redistricting Reform

Groups

Sara Henderson
Executive Director
Common Cause Georgia
250 Georgia Ave SE
Atlanta, Ga 30312

November 10, 2017

Dear California Citizens Redistricting Commission,

Georgia, like many other states, has state and federal leadership that only represent around 20% of our population. Our legislature consistently takes up measures related to social issue-based agendas that are of little or no interest to the overall public. Thanks to decades of partisan and racial gerrymandering, those voices have grown the loudest in our state's Capitol, not because they enjoy the support of most Georgians, but instead due to the unfair and noncompetitive districts across the state.

The citizens of Georgia have awoken to this issue after many years of feeling apathetic about redistricting. In partnership with the ACLU of Ga, Common Cause Georgia has embarked on a statewide redistricting education tour called "The Georgia Gerrymandering Tour: Redistricting in GA 101." By mid-November, we will have spoken to audiences in 13 cities across the state. The tour is focused on education and activism at the local and state levels and CCGA developed an [online toolkit](#) for activists to adapt to their local reform efforts. One of the main requests we make of the attendees of the tour is for them to push resolutions at the local level that call for independent redistricting commissions. To date, we have engaged over 200 people across the state and look forward to continuing our tour through the upcoming legislative session.

In the General Assembly, [we currently have a reform resolution](#), which is a constitutional amendment, that calls for an independent redistricting commission. During our tour stops, we educate people on the commission: its function, makeup, appointment, etc.; however, there remain many questions about the redistricting commission.

As CCGA broadens our statewide reach, we have laid the foundation for serious infrastructure to be built and utilized for issue-based advocacy education. Not only are the tour stops an excellent educational opportunity, but they also present an organizing angle to the work we do. Our networks of super volunteers continues to grow each day and our membership has nearly doubled in the past 12 months.

If presented with the prospect, we would gladly welcome commissioners to visit Georgia to help citizens understand the process using your first-hand perspective. Using our gerrymandering tour model, we can revisit some of our stops around the state. We have had a tremendous outpouring of support from folks across the state and I truly believe your commission's intimate knowledge of the process of independent redistricting commissions would help Georgians to feel more confident in supporting these efforts.

The issue of redistricting reform receives bipartisan support all across Georgia. From transparency to ethics to voting rights, people are beginning to understand how gerrymandering undermines the fabric of democracy. We hope the commission will consider joining us here for a few days to help galvanize support for this critical issue.

Thank you for your consideration and please let me know if questions arise.

All best,

Sara Henderson

_____From Common Cause Indiana_____

Hello Folks,

Sorry for my slow reply, we have Legislative Organization Day coming up Nov. 21 so things have been hectic planning a big kick-off event for our redistricting efforts on that day.

We would love to have you come to Indiana early in the new year for an event to educate legislators and the public about how the California process works. I just came from a meeting with one of our bill sponsors and he is very interested in how the California Commission is selected. One specific question he had - how long was the application period for the public to apply for a seat on the Commission?

Would it be possible for you to travel to Indiana sometime in January? The legislature will go into session the first week of January - it is a short session this year so they adjourn by mid-March. Would have the most impact early in the session rather than later.

Thanks for your consideration,

Julia Vaughn, Policy Director

Common Cause IN

_____From Nancy Wang, Voters Not Politicians Policy Director (Michigan)_____

Hi Cynthia and Stan,

Here are some ideas for your consideration. Thank you so much!

1. Near term - in the next month or so (at no cost to CA)
 - a. Two 1-hour Q&A sessions via zoom with VNP leadership to educate ourselves
 - b. Have the documentary film crew who's following us (Ark Media) travel to CA to record video interviews of CA commissioners
2. January 2018 (as early as we are able to - if it's before you have HSK funds, we would try to find sponsors who are willing to cover your travel costs)

Overview:

4-day tour of Michigan, OR two 2- or 3-day tours for 2 different teams of commissioners
Really love the idea of mixed panels - R, D, and Independent commissioners sharing their different perspectives

Approximate Cost:

Travel, food and lodging for tour duration (\$2,000 per participating Commissioner)

Impact:

Raise overall profile right before Michigan Board of Elections has to decide whether to certify petition for ballot

Also getting word out to MI judges – this is a bipartisan issue, here are conservative commissioners, right thing to do

Media coverage

(Not necessarily to convince undecided voters at this point)

Events:

a) MSU IPSR

1-hour long event

Press coverage

Big venue

first ½ hour: 2 Michigan legislators walk us through redistricting during last cycle

second 1/2 hour: CA commissioners discuss what happens with independent commission

b) Tour with events across the state - Detroit, Grand Rapids, Lansing

Press coverage

Audiences of around 1,000 people each

Q&A panels with big co-sponsors like League of Women Voters, NAACP

c) End with exclusive fundraiser featuring dinner and panel discussion with David Daley as moderator

Add other panel members for diversity of voices

If you need any further information, please don't hesitate to let us know.

We are so excited to work with you!

Sincerely,

Nancy

Subject: Question to you from Vice Chair Ancheta
From: "McGuire, Patrick" <patrick.mcguire@crc.ca.gov>
Sent: 6/21/2019 10:59:14 AM
To: "Commissioners" <Commissioners@crc.ca.gov>;
CC: "Cynthia Dines" <cynthia.dines@crc.ca.gov>; "Marian Johnston" <marianmjohnston@comcast.net>;

Greetings all.

As you may know, the 60-day application period for the post-2020 redistricting commission opened on June 10. A legal issue has arisen that affects current commissioners.

We need some data back on whether any of you might be applying for the next commission. The Auditor has taken the position that current commissioners are, as a matter of law, prohibited from reapplying. For your reference, below is the text of an email from the Auditor's general counsel responding to Marian Johnston inquiry on this matter. More of my message appears after the excerpt.

<begin excerpt>

Hi!

The Act does not authorize second terms, but expressly states that a commissioner's term ends at the swearing in of the first commissioner of a subsequent commission. Given that the Act does not provide a mechanism for second terms and instead specifies, without exception, that terms end upon the selection of the first new commissioner, as well as the overall intent of the Act in calling for commissioners with few political connections, the requirement to select a new set of 14 commissioners every 10 years and the fact that a carryover commissioner would have a clear advantage, both politically and practically, led us to conclude that the voters did not intend for any person to have a 20 or 30 year career as a professional line drawer.

Hope you are well!

Stephanie

-----Original Message-----

From: Marian M Johnston <marianmjohnston@comcast.net>
Sent: Wednesday, June 19, 2019 9:44 AM
To: Stephanie Ramirez-Ridgeway <StephanieR@auditor.ca.gov>
Subject: Former commissioners

Hi Stephanie, a podcast on your website states that former commissioners cannot serve. I am not aware of anyone who wishes to apply to serve again, but could you explain the basis for this statement? I am not aware of this restriction.

Thanks, Marian

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<end excerpt>

Marian and I believe that this is an incorrect interpretation of the law, and that the law's silence on the matter means that current commissioners are eligible to apply and could have an additional term. (Whether this is wise or whether someone might make the cut are, of course, separate questions from whether the law prohibits an application altogether.)

If any of the current commissioners applies, then the Auditor will deny that application, and there could be a legal challenge at that point. If none of you is planning to apply, we could send a letter to the Auditor providing an interpretation of the law that there is no prohibition on current and past commissioners applying again. This would at least memorialize this legal position for future cycles.

Would you please reply to Patrick ASAP regarding whether you are planning to reapply for the commission? We can keep personal identities confidential, but if one or more commissioners will be applying, we will inform the Auditor of those numbers.

Thanks,

Angelo
Patrick McGuire
Deputy Director