

Selected Laws Applicable to Applicant Review Panel on Diversity, Appreciation for Diversity, and Communities of Interest

Cal. Const. art. XXI, § 2(c)(1):

The selection process is designed to produce a commission that is independent from legislative influence and reasonably representative of this State's diversity.

Cal. Gov. Code § 8252(d):

(d) From the applicant pool, the Applicant Review Panel shall select 60 of the most qualified applicants, including 20 who are registered with the largest political party in California based on registration, 20 who are registered with the second largest political party in California based on registration, and 20 who are not registered with either of the two largest political parties in California based on registration. These subpools shall be created on the basis of relevant analytical skills, ability to be impartial, and appreciation for California's diverse demographics and geography. The members of the panel shall not communicate with any State Board of Equalization member, Senator, Assembly Member, congressional member, or their representatives, about any matter related to the nomination process or applicants prior to the presentation by the panel of the pool of recommended applicants to the Secretary of the Senate and the Chief Clerk of the Assembly.

2 Cal. Code Reg. § 60805(a):

“Appreciation for California's diverse demographics and geography” means all of the following:

- (1) An understanding that California's population consists of individuals sharing certain demographic characteristics that may reflect their preferences concerning political representation, including, but not limited to, race, ethnicity, gender, sexual orientation, and economic status.
- (2) An understanding that the people of California reside in many different localities with distinct geographic characteristics that may reflect the preferences of the residents concerning their political representation, including, but not limited to, urban, suburban, rural, industrial, agricultural, coastal, inland, arid, and temperate.
- (3) A recognition that California benefits by having effective participation in the electoral process by persons of all demographic characteristics and residing in all geographic locations, including, but not limited to, participation by those persons who in the past, as a consequence of sharing certain demographic characteristics, such as race and ethnicity,

have had less opportunity than other members of the electorate to participate in the electoral process.

2 Cal. Code Reg. § 60805(b):

An applicant may demonstrate an appreciation for California's diverse demographics and geography through a description of that appreciation and through occupational, academic, volunteer, or other life experiences that show this appreciation, such as:

(1) Working on one or more projects that involve or affect Californians having different backgrounds or residing in different areas, and therefore having differing interests, yet achieving results that are acceptable to these different Californians.

(2) Studying the voting behavior of Californians in various areas of the state for the purpose of improving the effectiveness of the electoral process.

(3) Traveling throughout California and meeting with people having different backgrounds, in order to recruit them for employment or some other endeavor, or to build consensus on some issue or idea.

2 Cal. Code Reg. § 60815:

“Diversity” means the variety in the racial, ethnic, geographic, economic, and gender characteristics of the population of California.

2 Cal. Code Reg. §§ 60848(e)-(f):

(e) In reducing the applicant pool to not more than 120 of the most qualified applicants, the panel shall evaluate the applicants based on their relevant analytical skills, ability to be impartial, and appreciation for California's diverse demographics and geography.

(f) As the application process is designed to produce a commission that is reasonably representative of the State's diversity, as specified in subdivision (c)(1) of section 2 of Article XXI of the California Constitution, the panel shall also consider whether the composition of the pool of applicants to participate in Phase III of the application process is reflective of the State's diversity. The panel shall not use formulas or specific ratios in identifying which applicants will participate in Phase III of the application process.

2 Cal. Code Reg. §§ 60850(d)-(e):

(d) In reducing the applicant pool to 60 of the most qualified applicants, the panel shall evaluate the applicants based on their relevant analytical skills, ability to be impartial, and appreciation for California's diverse demographics and geography.

(e) As the application process is designed to produce a commission that is reasonably representative of the State's diversity, as specified in subdivision (c)(1) of section 2 of Article XXI of the California Constitution, the panel shall also consider whether the composition of the pool of applicants to participate in Phase IV of the application process is reflective of the State's diversity. The panel shall not use formulas or specific ratios in identifying which applicants will participate in Phase IV of the application process.

COMMUNITIES OF INTEREST

Cal. Const. art. XXI, § 2(d)(4):

The geographic integrity of any city, county, city and county, local neighborhood, or local community of interest shall be respected in a manner that minimizes their division to the extent possible without violating the requirements of any of the preceding subdivisions. A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.