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STATE OF ARIZONA
ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Tempe, Arizona
October 12, 2001
8:30 a.m.

ARIZONA INDEPENDENT
REDISTRICTING
COMMISSION

LISA A. NANCE, RPR, CCR
Certified Court Reporter
Certificate No. 50349

1 THE STATE OF ARIZONA INDEPENDENT REDISTRICTING
2 COMMISSION convened in Public Session on October 12,
3 2001, at 8:30 o'clock a.m., at the Sheraton Airport
4 Resort, 1600 South 52nd Street, Tempe, Arizona, 85281,
5 in the presence of:

6

7 APPEARANCES:

8 CHAIRMAN STEVEN W. LYNN

9 VICE CHAIRMAN ANDI MINKOFF

10 COMMISSIONER JAMES R. HUNTWORK

11 COMMISSIONER JOSHUA M. HALL

12 COMMISSIONER DANIEL R. ELDER

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2 ADDITIONAL APPEARANCES:

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4 LISA T. HAUSER, Commission Counsel

5 JOSE de JESUS RIVERA, Commission Counsel

6 DR. ALAN HESLOP, NDC, Consultant

7 DR. FLORENCE ADAMS, NDC, Consultant

8 DOUG JOHNSON, NDC, Consultant

9 CHRIS HUTCHISON, NDC, Consultant

10 MARGUERITE MARY LEONI, NDC Counsel

11 CHRIS HUTCHISON, NDC, Support Staff

12 MARION PORCH, NDC, Support Staff

13 LOU JONES, IRC Staff

14 CINDY LE, IRC Staff

15 KRISTINA GOMEZ, IRC Staff

16 AMY REZZONICO, IRC Press Information Officer

17 PAUL CULLOR, IRC Staff

18 TIM JOHNSON, MC, Computer Consultant

19 LISA A. NANCE, RPR, CCR, Court Reporter

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SPEAKERS FROM CALL TO THE PUBLIC:

- FRANK SEANEZ, Attorney, Navajo Nation
- ALEXANDER RITCHIE, Special Counsel to the Chairman,
Tohono O'odham Nation
- JIM HARTDEGEN, City of Casa Grande, Casa Grande
Chamber
- DAVID A. BROWN, Chairman, Board of Supervisors,
Apache County

AGENDA DESIGNATED SPEAKERS:

- DR. ALAN HESLOP
- DR. FLORENCE ADAMS
- DOUG JOHNSON
- CHRIS HUTCHISON

1 Public Session
2 Tempe, Arizona
3 October 12, 2001
4 8:30 o'clock a.m.

5 P R O C E E D I N G S
6

7 CHAIRMAN LYNN: Good morning, ladies and
8 gentlemen. As is custom, we're very, very prompt at
9 being late. We're almost always late.

10 It's a process that produces a product,
11 and we need that process to be as appropriate as it
12 needs to be.

13 We have a lot of work today on
14 Congressional and Legislative mapping.

15 Public comment, as is custom, is first.
16 Then it is quite likely, I think Legislative will be
17 first.

18 MR. RIVERA: CD.

19 CHAIRMAN LYNN: Fine. Both of them. Both
20 need work.

21 COMMISSIONER MINKOFF: Want the agenda for
22 the meeting? I have one.

23 Fine. here you go.

24 CHAIRMAN LYNN: Call to the Public. This
25 is the time for consideration and discussion of comments

1 and complaints from the public. Those wishing to
2 address the Commission shall seek permission by filling
3 out a speaker slip. Anyone that has not done so, please
4 do so and submit one as quickly as you can, please.
5 Action taken as a result of public comment will be
6 limited to directing staff to study the matter or
7 rescheduling the matter for future consideration at a
8 later date unless the subject is already on the agenda
9 for this date.

10 Ladies and gentlemen, this is the time for
11 public comment. The first slip I have is from Frank
12 Seanez, the Navajo Nation.

13 Mr. Seanez.

14 MR. SEANEZ: Good morning, Mr. Chairman,
15 Members of the Commission. I appreciate the chance to
16 go first today.

17 Judging from the assembly of potential
18 speakers, I first want to lead, once again, talking
19 about Legislative Districts.

20 The White Mountain Apache, San Carlos
21 Apache, stated in no uncertain terms through their
22 governing bodies, Tribal Councils of the White Mountain
23 Apache Tribe in resolutions passed June 16th, delivered
24 June 18th, 2000, along with a resolution passed, along
25 with everything else going on in this country September

1 11th, the White Mountain Tribal Council determined it so
2 important, they continued to have their meeting on that
3 date in order to continue meeting regarding their desire
4 to be linked with the Navajo Nation in the same
5 Legislative body. The Navajo Nation is in a position
6 with the White Mountain Apache Nation, their governing
7 body, and that body has authorized us to adopt
8 statements and authorized us to make statements for that
9 tribe.

10 The San Carlos always had a position,
11 maintained the position they wanted to be in the same
12 Legislative body as the Navajo Nation.

13 No matter what you might hear, that is the
14 unswerved, continuing position of those nations. The
15 Navajo Nations, Apache Nations, Athabaskan language
16 based, language based, the Navajo language and Apache
17 language being very similar as well.

18 Other things I'd like to you to know,
19 comments from Mr. Leonard Gorman from yesterday, one of
20 the things the Commission should be aware of and pay
21 attention to is when talking about linkage of the Navajo
22 Nation and Hopi Nation, not just caused by lands cheek
23 to jaw, even other sharing of the reservation created by
24 President Arthur back in 1882, as well many, many
25 Navajos living in the land base awarded to the Hopis.

1 There was a request from NDC yesterday the
2 Navajo Nation attempt to provide additional
3 documentation with respect to the number of Navajos
4 residing in the Hopi Nation. We've done that. At the
5 conclusion of these remarks, I'll provide that.

6 The Navajo Nation also is very eager to
7 have -- to be joined with the Hopi Nation not only in a
8 Legislative District, as now set forth within the
9 Commission's proposal, but also in the Congressional
10 District. And we understand that's the case of a
11 Congressional competitive test, I thought B V4. B V4,
12 Congressional competitive test B V2.

13 The Navajo test would be more supportive
14 of those tests, those competitive tests, that joined the
15 Navajo Nation with the Hopi Nation. Either tests
16 replace 7,000, approximately, Native Americans the
17 Commission removed from the northern rural American
18 district, removal of the Salt River Indian Community,
19 Salt River Indian Community, with 7,000 Hopis.

20 I'm afraid that's all I have for
21 Commission today.

22 Sorry. I'll have to be leaving you today,
23 as I'm sure you are. Navajo will have other
24 representatives to continue to remain engaged with the
25 Commission throughout the remainder of the weekend.

1 I'll answer any other questions.

2 MS. HAUSER: Mr. Chairman.

3 CHAIRMAN LYNN: Ms. Hauser.

4 MS. HAUSER: Yesterday I asked for
5 additional data from Mr. Feish.

6 MR. SEANEZ: Dr. Ronald Feish.

7 MS. HAUSER: Provided earlier in the week.
8 I wanted to put the response on the record as well as
9 have the written response in the record.

10 I'd request any turnout figures,
11 demographic record for on, off precincts involved in
12 that analysis.

13 Go ahead with your response then.

14 MR. SEANEZ: Thank you, Ms. Hauser.

15 Mr. Chairman, the Navajo Nation did
16 receive that request from Ms. Hauser, as she stated.
17 It's difficult responding with accuracy. What we're
18 working from are not electronic file. We're working off
19 paper files obtained from the elections directors from
20 Apache County and Navajo County, from Mary Kelly over in
21 Navajo County and Mary Penny in Apache County. On paper
22 copies, there are a lot of paper notes in anticipation
23 further proceedings in the matter. The difficulty, of
24 course, in providing them is with those notations on
25 them just in case Sunday should not be an end to all of

1 this.

2 We'll try to respond to this as soon as we
3 can redact all of this.

4 MR. RIVERA: Anticipation of litigation?

5 MR. SEANEZ: No, anticipation further
6 proceedings that might be before this Commission, I
7 imagine.

8 MR. RIVERA: You identified some
9 commonalities between the Navajo Nation and Apache.
10 What other things between sovereignty, language,
11 community is that, community interest of the Navajo
12 Nation and Apache? Can you go through a list?

13 MR. SEANEZ: I'm not prepared to provide
14 an exhaustive and all-inclusive listing.

15 Economic pursuits, the Navajo Nation and
16 Navajo Nation's conduct. Some deal with livestock
17 husbandry. Similarity in things like forest industry.
18 Although Navajo Nation does not have a current tenure in
19 the forest industry, we're working for that. We're an
20 eligible nation, eligible to work in the Indian gaming,
21 under Indian gaming, exploring to do so more so. The
22 Apache are currently working in Indian gaming and
23 exploring doing so. When we got down to the city,
24 neighborhoods, a neighborhood, rural Arizona
25 neighborhood, there are social linkages as well.

1 Indian neighborhoods, there's a lot of
2 social linkages that occurs at rodeos, large, vital
3 Indian rodeo. Both Navajo cowboys, cowgirls, as well as
4 Apache colleagues, and interaction between Navajos,
5 Apache, is socially prevalent.

6 That's not an exhaustive listing. There
7 are additional ones.

8 Mr. Chair?

9 MR. RIVERA: Thank you.

10 CHAIRMAN LYNN: Thank you, Mr. Seanez.
11 We'll miss you.

12 MR. SEANEZ: I'll miss you, too, but not
13 for too long.

14 COMMISSIONER HALL: Longer than you think.

15 CHAIRMAN LYNN: Thank you. The next
16 speaker, Alexander Ritchie, Special Speaker to the
17 Tohono O'odham Reservation.

18 Mr. Ritchie.

19 MR. RITCHIE: Good morning, Mr. Chairman.
20 I have -- should I have it read into the record?

21 CHAIRMAN LYNN: It's not necessary. We've
22 read it, have it added into the record.

23 MR. RITCHIE: The current test map 3 G4,
24 G, it has no community of interest, no way, shape, or
25 form except for the US Mexican Border.

1 In our letter of July 10th, I believe, to
2 the Chair of the Commission, we submitted a number of
3 precincts, a number of precincts that lie to the western
4 end of Tucson.

5 We believe basically the community of
6 Tucson, Tucson is after all a true community, place of
7 springs, and we share a deep, unique social relationship
8 with the area.

9 I fail to see problems that may have been
10 seen with 3 F2 and 3E, being areas to the north by
11 attenuated connections.

12 We face an attenuated connection that
13 identified you are similar, thus face the problem, the
14 connection.

15 Look among the membership lists, not one
16 member in Avra Valley, not one member in Fort Huachuca.
17 Respectfully look back to test map 3 F2 for that
18 portion, I believe called W, as it seems to be a closer,
19 fairer representation of the community of interest and
20 does not include the relationship of Tucson.

21 CHAIRMAN LYNN: Thank you.

22 Questions for Mr. Ritchie?

23 Thank you, sir, very much.

24 MR. RIVERA: Mr. Chairman, Mr. Sneezy
25 left?

1 CHAIRMAN LYNN: Mr. Seanez?

2 MR. RIVERA: Mr. Seanez.

3 Sorry to bring you back up. It just
4 reached me. Walk through -- what, profiled in the
5 clear?

6 MR. SEANEZ: Thank you. Good to have not
7 left you for a very long period of time.

8 I shouldn't be mistaken for Vice Chairman
9 Sneezzy of the White Mountain Apache, another official of
10 the White Mountain Apache Tribe stated in no uncertain
11 terms he'd be here to be joined by the Navajo tribe.

12 CHAIRMAN LYNN: Thank you, Mr. Rivera, for
13 that opening.

14 MR. RIVERA: I expect a check in the mail.

15 MR. SEANEZ: I give a disclaimer. This is
16 not the Exhibit I prepared. I prepared one.
17 Mr. Leonard Gorman hopefully will be here before too
18 long.

19 Indication C is Navajo. The district now
20 being proposed includes the Navajo Nation, making A a
21 Congressional District, very, very much a large southern
22 area of the state extended up to include the Hopi Tribal
23 land base, middle of the land base of District Six, the
24 Hopi Reservation, I'd have it noted, out of the 1882
25 reservation.

1 MR. RIVERA: White area.

2 MR. RIVERA: As opposed to South Carolina.

3 COMMISSIONER ELDER: Original Hopi.

4 MR. RIVERA: Blue, joint use area?

5 MR. SEANEZ: Yes, joint use area.

6 The chip, like part coming off the
7 howling, 60,000 areas awarded the Hopi Tribe out of a
8 million acres the tribe had in ongoing federal
9 litigation.

10 The little white area in the Northwestern
11 portion of the area, that is the Moenkopi Village, the
12 very small white area there.

13 Black spots throughout the blue area are
14 areas where 2000 Census has picked up population outside
15 of Moenkopi Village, outside of what we referred to as
16 the Hopi Reservation or District Six, referred to as
17 well. And those black dots there are areas of
18 population which are noted within the 2000 Census as
19 being Native American, American Indian, and Navajo
20 Nation. The Navajo Nation believes those are areas
21 within the land base of Navajos, Navajos residing within
22 that area.

23 And to import the population, 547, the
24 number there, in those black areas, 547 Native Americans
25 the Navajo Nation believes strongly are Navajos.

1 In any kind of situation, the Commission,
2 our Commission, which includes the Hopi, Navajos, in the
3 same Congressional District, if the Commission would
4 separate that land base off into Congressional District
5 A, going to be separating Navajos out of their -- away
6 from their community of interest with the other
7 Congressional District where they have no sharing of the
8 community of interest into A.

9 MR. RIVERA: On what authority does the
10 Navajo Nation believe they are Navajos as opposed to
11 Hopi?

12 MR. SEANEZ: Navajo Nation has drawn that
13 from the ability to have enrollment, a register of
14 Navajos which is maintained both at the central level
15 and agencies, the manner by which the Navajo Nation is,
16 by accommodation agreements of the 1996 legislation,
17 which provided a means by where Navajos still residing
18 within the Hopi partitioned lands could continue to live
19 there for 75 years or more, as well community health
20 program records indicating Navajos being served out in
21 areas, and other governmental programs of the Navajo
22 Nation serving people as Navajos, enrolled Navajos in
23 areas.

24 CHAIRMAN LYNN: Thank you.

25 Mr. Rivera?

1 MR. RIVERA: Two questions, to get the
2 record clear. My understanding, these methods are one
3 method, another method is Navajo enrollment.

4 MR. SEANEZ: Yes.

5 MR. RIVERA: Used to reach agreement on
6 joint use of land.

7 MR. SEANEZ: Correct. To the greatest
8 extent, there are some Navajos that have still not
9 signed.

10 MR. RIVERA: Yes.

11 MR. SEANEZ: On the accommodation
12 agreement.

13 MR. RIVERA: My understanding is people
14 that signed, maybe 18 families.

15 MR. SEANEZ: Somewhere between 18 and 22.

16 MR. RIVERA: You can go to the Navajo land
17 joint use agreement and get an accurate number, correct?

18 MR. SEANEZ: I believe that's correct.

19 The point is we don't want Navajos
20 bulldozed -- we think they all ought to be together.
21 Certainly if it's the intent of the Commission to
22 separate the Hopi people into a separate Congressional
23 District, certainly we don't think the Navajos should
24 bear the same fate and be in a totally separated
25 different district where they share no community of

1 interest.

2 CHAIRMAN LYNN: Ms. Minkoff.

3 COMMISSIONER MINKOFF: The little dots,
4 you got that from Census figures?

5 MR. SEANEZ: Yes, Mr. Chair, Mrs. Minkoff,
6 2000 figures.

7 COMMISSIONER MINKOFF: Total enumeration
8 or population you identified as Navajo?

9 MR. SEANEZ: I believe, the disclaimer is
10 I didn't compile the Exhibit. It was compiled by
11 Mr. Gorman. My belief is based on information shared by
12 Mr. Gorman, it's total American Indian population.

13 COMMISSIONER MINKOFF: No Hopis in the
14 blue area even though part of the Hopi Reservation?

15 MR. SEANEZ: The subject is being
16 corrected on that.

17 COMMISSIONER MINKOFF: Even though part of
18 the reservation, residents are Navajo, if Native
19 Americans?

20 MR. SEANEZ: I believe that's not true.
21 If it is not true, I'd ask it be clarified. He's at the
22 airport picking up Attorney General Speaker
23 Mr. Keeswood.

24 COMMISSIONER MINKOFF: The white area, any
25 Hopis in Moenkopi, the white area or central village?

1 MR. SEANEZ: Mr. Chairman, I believe any
2 enrollable people in there are Navajos married to Hopis
3 or who are children of Navajos and Hopis that are not
4 enrolled within the Navajo Nation, again subject to
5 clarification and correction.

6 COMMISSIONER MINKOFF: They may be Navajo
7 but not enrolled.

8 MR. SEANEZ: Correct.

9 CHAIRMAN LYNN: Other questions for
10 Mr. Seanez?

11 Thank you, Mr. Seanez.

12 MR. SEANEZ: Thank you.

13 CHAIRMAN LYNN: Mr. Seanez, travel safely.

14 Mr. Elder.

15 COMMISSIONER ELDER: Before go back to the
16 list of speakers, I'd like to ask a question of the
17 Tohono O'odham speaker.

18 Looking at a difference in the maps.

19 CHAIRMAN LYNN: Mr. Ritchie.

20 COMMISSIONER ELDER: The first map, 3G, 3F
21 was in relationship to Tucson. When I look at the maps
22 between those two, to see what areas are included or
23 excluded, it appears it's inclusion of Green Valley, the
24 southern part, not part of Tucson. Is there some
25 linkage missing there?

1 MR. RITCHIE: What we're merely bringing
2 up in the July 10th letter, brought up, in Tucson,
3 there's more in common with Tucson than any other area.
4 3F2 I guess is reasonable, it still does not have that
5 relationship with the community of Tucson which we had
6 originally asked for in July. I guess it's only one
7 sort of approximate interests still not there. It
8 showed one sort of approximate interests, but was still
9 not there. Showed a number of ones, shows our
10 interests, still not there.

11 CHAIRMAN LYNN: Mr. Hartdegen representing
12 City of Casa Grande and Casa Grande Chamber.

13 MR. HARTDEGEN: Thank you, Mr. Chairman.

14 Jim Hartdegen representing the City of
15 Casa Grande and Casa Grande Chamber.

16 On the Congressional maps, there are
17 different things we're looking at. On the Congressional
18 maps, we'd like to be as whole as possible, whether in G
19 or C. What we'd like, if you split us, Apache Junction
20 in one district; retirement community in total in one
21 district or other, completely as much in G as possible
22 or as much in C. The reason is it kind of dilutes our
23 clout. We might not be able to elect somebody, but we
24 might be able to defeat somebody. That's just as
25 important and sometimes forces somebody to come talk to

1 you.

2 My instructions were we'd like to be in G.
3 If that's not to be, then C. If that's not to be, then
4 let me help you.

5 COMMISSIONER ELDER: Thanks.

6 MR. HARTDEGEN: On your competitive map B
7 test FF, if I have that right, it splits Pinal County
8 just west of Casa Grande. If you do that, Lord knows we
9 hope you don't, if you do that, take Overfield Road,
10 which is to east of Interstate 10, or Toltec Buttes
11 Road, which is actually better, north-south alignment,
12 go from the Salt River, Gila River Indian Community, go
13 straight down to Arizona 84, if that's a split, which
14 isn't much better for the community of Casa Grande but
15 better for the county recorder election people. Either
16 splits have minimal advantage, especially the Toltec
17 splits, if you have to go that direction. I hope you
18 don't.

19 Let me talk about Legislative Districts,
20 since we're going to go back into that, you'll go into
21 that.

22 We prefer -- I don't know all the
23 variations. My eyes were glazing over the other night
24 and I didn't keep up with it. Test 3G for that one.

25 Any questions, I'm more than happy to

1 answer them or I'll be here all day.

2 Thank you very much.

3 CHAIRMAN LYNN: Thank you, Mr. Hartdegen.

4 It's always a pleasure.

5 Last speaker, David Brown, Chairman of the
6 Board of Supervisors, Apache County.

7 Mr. Brown.

8 SUPERVISOR BROWN: Good morning,
9 Mr. Chairman, Members of the Commission, legal counsel.
10 Thank you.

11 I don't want to duplicate what I said in
12 previous testimony at Hon-Dah. On behalf of the
13 Council, Board of Supervisors, also Board of Directors
14 of the Eastern Arizona Counties Council, and as a
15 private life attorney that has practiced in the area 30
16 years. 30 years ago I was with Judge Carl in the
17 aftermath of what happened post 1980 at the district
18 court building where we worked and sat through a lot of
19 that exercise.

20 I appreciate this opportunity.

21 My county includes Window Rock. My
22 constituents, my district is much better off and would
23 like to have the Legislative Districts as proposed in
24 the first round of districts as they came out, the
25 Eastern Arizona Counties.

1 I, like Mr. Hartdegen, lose track of the
2 alphabets.

3 I'm here to talk about test H and talk
4 about Shaw vs. Reno. The most significant court case in
5 redistricting efforts, 1990, 2000, or today, Shaw vs.
6 Reno, far and away. I'll summarize: Race predominates
7 redistricting. District drawn presumptively on one
8 principle, bizarrely noncompact, if drawn predominantly
9 for racial reasons, and goes on further to state all
10 neutral criteria should be used to draw districts
11 actively on compactness, contiguity, and most
12 importantly, communities of interest.

13 That case I believe came out of North
14 Carolina, Bush vs. Rivera (phonetic), all counsel are
15 well aware of.

16 To tell you all about it, there, efforts
17 at making nonretrogression came back to being struck
18 down.

19 Let's talk about communities of interest
20 and neutral criteria that may have gone into test H, if
21 you find any.

22 Let me back up a bit, getting the eastern
23 Arizona plan, five counties, the Legislative draft
24 record replete with evidence on communities of interest.
25 I'd defy anywhere else to have a near unanimous,

1 virtually unanimous voice, five county area, various
2 communities of interest go into the area.

3 Colleagues on the board of supervisors,
4 Percy Deal and Johnson, sitting on the board of
5 supervisors, split two districts proposed by this
6 Commission. It's important testimony you heard from my
7 colleague Mr. Sam Thompson in Show Low on that point. I
8 won't go through that.

9 I, like Mr. Seanez, have other things.
10 This is my first appearance here. I can tell you guys
11 are having too much fun.

12 With regard to various communities of
13 interest, the White Mountain Apache Tribe, other areas
14 of the White Mountains, with all due respect, the
15 Chairman's passed, Chairman Massey submitted a letter
16 that passed that the East Counties' plan be adopted, I
17 believe the letter be adopted.

18 All high schools, all the high schools,
19 all together, Eastern Arizona Counties, not Navajo high
20 schools, junior high high schools, funding be linked
21 together, White Mountain Sports Tribe be linked
22 together. The Apache Tribe, St. Johns, Eagar, Spring
23 Valley, Show Low area, the Sky Run Sunrise Ski Park
24 chief attractions in the Apache ski county. My wife
25 works there. Joint law enforcement agreements for

1 backup, especially joint law enforcement, joint
2 livestock use agreements. Nothing Apache, on the
3 livestock border, White Mountain Apaches. Family, joint
4 fencing agreements, joint livestock, branding
5 agreements, joint forest plan, White Mountain forest,
6 middle of Sitgraeves Forest, middle forest issues to
7 make it work. A joint working group. Endangered
8 species do not recognize boundaries. Joint elk, Apache
9 tribes, because of the elk situation in the White
10 Mountains. I could go on even further.

11 The San Carlos Apache Tribe outside, the
12 other tribe is the lake, San Carlos reservoir. Same
13 type principle. Same type situation: contiguity.
14 Bizarre shape, completely bizarre, noncompact,
15 predominantly, if not predominantly racially, draw it
16 northward, without risk. Shaw vs. Reno, it fails to
17 meet the risk of Shaw vs. Reno.

18 St. Johns, Reno, the western part of Reno
19 north of Flagstaff. That St. Johns, Reno, with Mesa and
20 Flagstaff, there's a lot of reasons we won't go into.

21 You have nothing, a complete posity from
22 St. Johns, don't have anything in common with Flagstaff.

23 Mr. Seanez was asked about what particular
24 areas could be connected between Navajos and Apache's.
25 Rodeos attract all cowboys in the White Mountains. If

1 you haven't seen one, see one. It's a community thing
2 in the White Mountains, irrespective of where the
3 cowboys come from. White Mountains, other than rodeos
4 which we all claim, the only thing I heard was the
5 sovereign immunity issues applicable to any Indian
6 Tribe's state.

7 Other than that, there's no linkage of
8 communities of interest like there are with plenty of
9 correlation.

10 Inclusion, look at the record, evidence
11 submitted, getting how they're tied together, how tied
12 together from an economic standpoint, transportation,
13 health care, mining issues, forest issues, all issues
14 set forth in previous submissions. They meet all the
15 tests from the previous issues. And significant risk,
16 Shaw vs. Reno, I represent if in fact test H proceeds
17 any further, I submit the comments continue to do what
18 you did at the first phase.

19 Thank you for your time and listening to
20 my comments.

21 CHAIRMAN LYNN: I have a question.
22 Mr. Huntwork may as well.

23 COMMISSIONER HUNTWORK: I appreciate your
24 comments very much. The only question I want to talk to
25 you about is the statement that recognizing the

1 relations of the Indian tribe on raids, I've not thought
2 of it that way, exactly the same sense of communities of
3 interest, rural, urban, other communities we've focused
4 on, and on that basis decided not to split individual
5 reservations, reservations that are very strong. I
6 would interpret your argument more to say you perceive,
7 made a good case there are other communities of
8 interest, relevant issues. I have trouble with the only
9 position for connecting a community of interest is race.

10 SUPERVISOR BROWN: I didn't say only.
11 Very little else ties them together. This is the
12 problem. I didn't watch. I'm only going on what I read
13 in the Republic.

14 (Laughter.)

15 CHAIRMAN LYNN: You might want to broaden
16 your sources.

17 SUPERVISOR BROWN: We get the USA Today
18 one day late.

19 Here is the difficulty. The only reason
20 this is proposed, it's to meet the arbitrary number
21 justified under nonretrogression rules, meet some
22 number. If that isn't race driven, what is? Why pull
23 clear up like that and create a bizarre district.

24 COMMISSIONER HUNTWORK: Communities of
25 interest.

1 SUPERVISOR BROWN: It flies in the face,
2 is bizarre, flies in the face of Shaw and Reno.

3 CHAIRMAN LYNN: You make the argument
4 about Shaw. I understand that, summarize the effect
5 made by the Navajo Nation, retrogression would be
6 necessary to assure retrogression. Those are in
7 conflict one with another. There's ample testimony,
8 there needs to be enough opportunity to satisfy the
9 Voting Rights Act. By that, I don't satisfy your
10 statement, Mr. Brown, but if that were the case, and to
11 do so you would need -- let's use the map you referred
12 to as an example. Draw a map. That does what it does.
13 In your opinion, it would at least attempt a response on
14 the basis of Shaw, if I referred to it.

15 SUPERVISOR BROWN: Test H.

16 CHAIRMAN LYNN: Test H. You are an
17 attorney, not that you have particular expertise in this
18 area.

19 SUPERVISOR BROWN: Maybe unfair questions.

20 CHAIRMAN LYNN: I like unfair questions.

21 MR. RIVERA: He worked for Judge Carl.

22 COMMISSIONER ELDER: On the record.

23 CHAIRMAN LYNN: Maybe a Shaw case could be
24 brought and argued, and a retrogression claim could be
25 brought and argued. How do you see those?

1 SUPERVISOR BROWN: I'm a water lawyer.
2 One, I don't know much. I'm a water lawyer. There's
3 the 70 percent number out there. What you do affects
4 for 10 years the demographics in that corner of the
5 state. The Navajo Nation does not grow fast. That
6 number, 99 percent, all 21 tribes, it's a really bizarre
7 number. I have a problem with whatever number.

8 I'm not -- it's an unfair question, unfair
9 to answer.

10 Intuitively, applied the 1990 number,
11 bring to 2000, bring it over, find an item. What little
12 from the cases, Shaw vs. Reno, Bush vs. Rivera, those
13 two came together in Texas. One lost, at the expense of
14 Shaw vs. Reno. That's all I know, unfair loss. Don't
15 have to shoot that.

16 Navajos completely control that district,
17 60, 65 percent. Very sophisticated, can turn out and
18 vote. How they turn out and vote wouldn't be affected.
19 My Navajo constituency, they're very sophisticated at
20 turning out to vote. I don't have any problem with them
21 turning out to vote.

22 CHAIRMAN LYNN: With respect locally to
23 elections, we heard testimony in part to make a case for
24 a number, whatever number, that the turnout in the
25 community is low, cited cases of a chapter house, state

1 elections at a chapter house.

2 What is your view of the county, state
3 politics they have?

4 SUPERVISOR BROWN: One, too many
5 elections. Five elections, they postpone two of them.
6 So any electorate is confused with the jerking around,
7 pulling, not knowing about the elections being
8 postponed. One major election, but confusing elections.
9 The turnout in Window Rock, Out Springs, and Sanders,
10 the five Navajo precincts in my district are better
11 there than other precincts, local school board races,
12 what have you. There are all kind of cases, not through
13 Chinle, and depends what the local issues are. That's
14 my experience in my districts.

15 COMMISSIONER HUNTWORK: Mr. Brown, I'll
16 also ask you what might seem an unfair question. It is
17 a question that comes up, need to get your thoughts on
18 this point. Our proposed test H, very similar to the
19 plan by themselves, took the southern half of Apache A,
20 included Navajo A. Testing test H, the possibility of
21 community of interest of Navajos and Apaches, we did not
22 include non-Native American population in tests of
23 Navajo and Maricopa County. You make a case strong that
24 communities merge and non-Native Americans might bring
25 back to the Native American plan one more compact,

1 contiguous, that doesn't split Apache at all. Had a lot
2 of merit to the Native American plan. The expression is
3 there's not a community of interest between Native
4 Americans and non-Native Americans. Can you comment on
5 that?

6 SUPERVISOR BROWN: Sure. Connection with
7 the southern community of the county. For 30 years, the
8 strongest county interest, together, the two Apache
9 tribes has been engaged for several years in community
10 interest with non-Indian communities, not necessarily
11 Navajos, and down south.

12 The other thing I testified to, Jessie
13 Thompson, Navajo and Apache being split in the middle.
14 We get the Legislature being split in two districts.
15 Far away, both our boards, as was the EACO plan in two,
16 part in two, different districts, felt our
17 representation was better in that regard.

18 CHAIRMAN LYNN: Mr. Brown, thank you very
19 much for your testimony.

20 SUPERVISOR BROWN: Thank you.

21 CHAIRMAN LYNN: Are there other members of
22 the public that wish to be heard at this time?

23 Our commitment is to continue to have
24 comment at the beginning of each session. It's hard to
25 imagine we won't continue to have additional comment

1 beyond. To the extent we finish our work any given day,
2 it's our intent to close the meeting with additional
3 public comment. Once we've gotten comment at this
4 point, we'll close with the possibility of additional
5 public comment. We'll open each morning with public
6 comment at that time, try to close with public comment.
7 We've gone back and forth.

8 Starting with Legislative.

9 DR. ADAMS: Mr. Chairman, Members of the
10 Commission, Chris will be here to start the
11 Congressional.

12 Let's check. One or the other will be
13 here in a moment.

14 CHAIRMAN LYNN: Why don't we not take a
15 longer than usual break. Keep it to 10 minutes.
16 There's a lot to do today. Let's try.

17 (Whereupon, a recess was taken from
18 10:00 a.m. until approximately 10:10 a.m..)

19 CHAIRMAN LYNN: The Commission will come
20 to order.

21 All five Commissioners, consultants, and
22 legal staff are present.

23 For that, let us have the consultants come
24 back and give us the results of testing ordered
25 yesterday.

1 MR. HUTCHISON: Mr. Chairman,
2 Commissioners, both maps are now titled test 3PP B V2
3 and 3PP B V4. Version 3 B V4 is incorporated into the
4 base map submitted to Dr. McDonald. I believe you have
5 the results submitted to you. I have the results
6 submitted to you and on the screen which I can show to
7 you.

8 CHAIRMAN LYNN: We'll go to you.

9 MR. HUTCHISON: On the screen, 3PP B V2,
10 the Version 2 B V2 test, blue lines, B V Revised,
11 corresponds quite nicely to the block, map on the
12 screen, 3PP B V2.

13 Zooming in on the Phoenix area, per the
14 Commission's instruction, the Mesa, Tempe, one split;
15 Tempe is United in District E using the previous
16 corridor through Tempe, Mesa, Ahwatukee. One of the
17 results of the test, there's more of Mesa as compared to
18 the adopted draft map taken; not a considerable amount
19 more, maybe 25,000, 20,000, at the most, people.

20 COMMISSIONER MINKOFF: Where is the west?
21 West of the blue line? Mesa is not in District F.

22 MR. HUTCHISON: West is not in District F.
23 In the blue area highlighting with the pointer now.

24 COMMISSIONER MINKOFF: Yeah. Okay.
25 That's 3PP B V2.

1 CHAIRMAN LYNN: Questions, comments on the
2 test?

3 We'll come back to it.

4 Chris, go to 3 B V4.

5 COMMISSIONER ELDER: While doing it, is
6 the competitive Congressional analysis, competitive
7 analysis B V2, what they're looking at it for --

8 MR. HUTCHISON: Yes. Maps on the screen
9 were maps sent to Dr. McDonald. Left the B off.

10 MS. HAUSER: Just left the B off.

11 MR. HUTCHISON: 3PP B V4, incorporating B
12 V into Phoenix, outside Maricopa County.

13 Lines look the same as the adopted draft
14 map, zooming in on the Phoenix area. Most -- per the
15 Commission instruction, Mesa is united. The
16 specification of the draft map, District E, was brought
17 into Ahwatukee, just east of Tempe.

18 CHAIRMAN LYNN: Questions or comment?

19 COMMISSIONER ELDER: I did look at another
20 analysis Dr. McDonald did for us in the blue notebook,
21 several other plans, and don't see PP there.

22 MR. HUTCHISON: PP, the adopted draft map.

23 COMMISSIONER ELDER: PP population
24 figures?

25 MR. HUTCHISON: Figures that most directly

1 correlate.

2 CHAIRMAN LYNN: Just to be clear, Dan --
3 Mr. Elder, too familiar there -- Mr. Elder, referred
4 analysis of Dr. McDonald. By my calculations, I'm no
5 math whiz, competitive analysis of District B V2 is a
6 17-point spread in the district, version, for a 15.8
7 spread. Let's put that on the record as well.

8 COMMISSIONER ELDER: What was the spread,
9 17?

10 CHAIRMAN LYNN: 17.

11 MR. HUTCHISON: Adopted draft. I don't
12 have the numbers.

13 COMMISSIONER ELDER: Maybe Ms. Minkoff --

14 CHAIRMAN LYNN: I think it's 17.

15 COMMISSIONER ELDER: I guess where we're
16 going, any improvement in competitiveness with the
17 change?

18 COMMISSIONER MINKOFF: Original in the
19 plan 37.2 to 16.8.

20 CHAIRMAN LYNN: All right. What is your
21 pleasure?

22 Mr. Huntwork.

23 COMMISSIONER HUNTWORK: Well, I'll be
24 brief, because I made a lot of my points yesterday about
25 communities of interest that accurately reflect in our

1 original maps. We worked very hard to identify and put
2 together Congressional Districts that reflected the
3 communities of interest throughout our valley, not just
4 minority community interests, but cities that had -- not
5 Phoenix, cities in the east of Scottsdale, and Tempe,
6 the West Valley, and of course Phoenix, which succeeded
7 in putting Phoenix together in that District B which is
8 beneficial in two ways, really. Firstly, it's
9 beneficial to Phoenix, because it increases the voice of
10 Phoenix. Secondly, it's beneficial to other communities
11 because they don't place another one of the valley's
12 positions by being overwhelmed by the Phoenix vote.
13 Certainly the map we're looking at on the board right
14 now does exactly that to Tempe. I don't remember
15 exactly the population point, essentially the right
16 population.

17 COMMISSIONER MINKOFF: A little lower,
18 158,000.

19 COMMISSIONER HUNTWORK: A little lower
20 than 158,000, I'd throw out.

21 COMMISSIONER HUNTWORK: Something like
22 450,000 Phoenix votes. Obviously 154,000, the only
23 question is how many Glendale votes. In any event, in
24 my mind this map does damage, significant detriment, if
25 you will, to communities of interest. To do that, even

1 to achieve a competitive district, I believe, does not
2 comply with the requirements of Proposition 106. To do
3 it without achieving a competitive interest, I believe,
4 is just plain headed in the wrong direction. And I
5 could make similar arguments with the other map in the
6 way it basically combined Phoenix with other communities
7 and combines other parts of Phoenix with other West
8 Valley communities and thereby disrupts both communities
9 of interest, again, without achieving a competitive
10 result.

11 CHAIRMAN LYNN: Other comments?

12 Ms. Minkoff.

13 COMMISSIONER MINKOFF: I'm frustrated. I
14 don't think this is what we're charged to do in making
15 106, the part of Arizona State districts for 106.
16 Looking at five districts in the Phoenix Metropolitan
17 area, that's what I'm focusing on. Under test PP, the
18 base map we're working off right now, it may interest
19 you, the most competitive is the majority-minority
20 district, District D. It has a spread of a little over
21 17 percent.

22 The average spread between the two parties
23 in the five districts of Maricopa County is in excess of
24 24 percent. This map doesn't do much better. At least
25 the two districts are spread in terms of all ages,

1 significantly better than that, and also have a spread
2 of 24 percent on average of the five districts in
3 Maricopa County.

4 I find it unacceptable, unconscionable,
5 and can't support any plan that has those numbers.

6 If that's the best we can get out of draft
7 PP, maybe we need to start over again. We won't need a
8 lot of support. The other four members of the
9 Commission, all maps, it's absolutely unacceptable and I
10 do not accept the fact it's the inevitable result of the
11 Voting Rights Act and the Voting Rights Act violating
12 the United States Constitution. We have to do better.

13 COMMISSIONER HUNTWORK: Mr. Chairman, I
14 feel the result of the United States Constitution and
15 also the Arizona Constitution, 106, is putting together
16 communities of interest as we're expressly required to
17 do. I also say in order to achieve a better result, I
18 think, contrary to what Ms. Minkoff said, I and every
19 member, and Ms. Minkoff, are prepared to take a
20 different approach, if one is there. That's what we're
21 trying to do in conducting this approach.

22 If you have another approach to suggest,
23 this is the time to do it. We're getting down to a
24 final answer, at least as it appears to us. At this
25 point we're running out of ideas.

1 COMMISSIONER MINKOFF: I think we're in
2 this situation because of the draft map adopted and
3 because of Version PP, which is only a minor adjustment
4 in the draft map. I agree. Once again, with that map,
5 this is what you come out with. We saw when we did our
6 grid, initial grid, and we chose where we were going to
7 start with by lot, when we picked the northwest quadrant
8 and counterclockwise. If southwest quadrant and
9 clockwise, it would be a totally different grid. We all
10 understand that.

11 If this is the best we can do from the
12 draft map, we need a new draft map. We need to get done
13 with it, understand we need to get done with it. I
14 understand the time constraints.

15 This does not do what we, I, intend for
16 the people of Arizona. If the way to do it is take all
17 the lines off, look at the State of Arizona, define
18 communities of Arizona -- I have no idea how much time,
19 how frustrated we'll get. I agree we can't get there
20 from here.

21 CHAIRMAN LYNN: Mr. Hall.

22 COMMISSIONER HALL: Well, it's a good
23 thing the China trip got canceled, isn't it.

24 COMMISSIONER MINKOFF: I'm here.

25 COMMISSIONER HALL: I think it begs, a

1 cowboy saying, how far you can lean in the saddle
2 without falling off. I've leaned in the saddle all
3 week. I am convinced we can get a competitive balance
4 in downtown Phoenix without significant detriment to
5 other goals.

6 We worked at the significant detriment
7 diagonally, ran the horizontal district, and it's
8 similar on the screen, as far competitive, and by our
9 definition, it isn't.

10 I concur with Ms. Minkoff it's
11 frustrating.

12 I believe we all believe in an increased
13 level of competitiveness. If it is, it is. I'm not so
14 far to lean off the saddle and fall off the horse or
15 start over.

16 My recommendation is focus on areas we can
17 make a difference. I'm convinced the rural district is
18 legitimately even, though, quote unquote, "competitive,"
19 really it is not.

20 My recommendation, Mr. Chairman, is that
21 would be what we would try to do, to increase the level
22 of competitiveness on the Congressional map.

23 CHAIRMAN LYNN: Thank you, Mr. Hall.

24 I'd like to weigh in.

25 If you may, Mr. Huntwork, I'd be happy. I

1 know you'd like to speak.

2 COMMISSIONER HUNTWORK: It gives me great
3 pleasure to yield to you for once.

4 CHAIRMAN LYNN: I understand Ms. Minkoff's
5 frustrations, echoed by Mr. Hall. I understand after 10
6 months of work, nine months of work, it seems like nine
7 years, 10 months, nine months of work, it's a
8 frustrating proposition.

9 First, we are where we are by an
10 undertaking that for the first time in the history of
11 the State of Arizona is a principled redistricting
12 effort, different drawing of lines than to suit
13 political motive. Call the effort whatever you want,
14 until this point, I don't want anyone to legitimately
15 say anything, that's the news, whether printed or not.
16 Every redistricting has been all about politics. This
17 one has not. We are where we are because we did some
18 things the right way. Let's not forget that. The
19 random approach to the grid. The grid produced
20 interesting things, a random document. Expect half the
21 people to be happy, the other half weren't. It's
22 random. Talk about certain things, adopt the grid,
23 happy, done. No problem. That's basically the case
24 when we draw a random document. Don't do it to us.
25 Terrible. We can't live with it.

1 We undertook the fairly arduous, fairly
2 ambitious schedule to listen to the people of Arizona,
3 assess the definition of communities of interest,
4 schedule, assess them, whatever. And the draft maps go
5 a long way in respecting communities of interest
6 identified by the people of Arizona throughout the
7 process.

8 Let me speak a moment on the spread on
9 competitiveness. At the moment districts ignore
10 competitiveness as directed by 106. And I hope those
11 with us the last several days understand we're directly
12 and forcefully wrestling with competitiveness. Once you
13 comply with other goals of the act, as we always said we
14 need to do, respecting the Voting Rights Act, matters of
15 law, we no longer have a five-six spread, more like
16 16-17 percent.

17 That methodology drawn, as Mr. Hall I
18 think I concluded directly, we may be as close to
19 competitive as we can make them given the other goals
20 we've attempted to respect. If that's the case, as for
21 an epitaph on failure on competitiveness, it would be
22 short-sighted and misspoken, because it's part of a
23 six-pronged approach.

24 We tried to take other prongs of the
25 approach. We've done a good job with other things, and

1 we're trying like heck to get the sixth one online.

2 The test will reveal on the Downtown
3 District, I don't mean downtown, Central Phoenix
4 District, assist in the competitive analysis of the
5 Congressional Map, that we tried everything we can think
6 of including. There's only so many ways to go, north,
7 south, east, or west, and diagonally. But in the
8 exercise of trying to be blunt about it, trying to find
9 Democratic voters, a lot of Central Phoenix has a lack
10 of Democratic voters. I don't say that as any comment
11 of whether or not there should be more or not. It's a
12 statement fact. Mr. Hutchison can show you where they
13 are in the central part of Phoenix, how to get them.
14 Getting them is not as easy as it sounds.

15 One of them is the community we identified
16 earlier, reinforced in the central process, and sits
17 below the community of interest, an important community
18 of interest. Cardinal AURs are not to be violated to
19 the point of doing damage, significant damage, to that
20 principle.

21 I don't think we can start over. I don't
22 think to start going over them would produce a
23 significantly different result.

24 I would be proud, given the process, what
25 we've done, to adopt the draft map, live with that.

1 It's principled in composition and genesis. I'm not
2 ready to do that yet. There are things such as Mr. Hall
3 mentioned we can do to make it better. Once I'm
4 satisfied with the map, I will proudly vote in favor of
5 the map to pass along to the Department of Justice for
6 review.

7 COMMISSIONER HUNTWORK: I have nothing to
8 add to that. I say let's get on with it.

9 CHAIRMAN LYNN: Mr. Elder wanted to say
10 something.

11 COMMISSIONER ELDER: Do we need a motion
12 to move on from Central Phoenix?

13 COMMISSIONER MINKOFF: Motion to change
14 something.

15 COMMISSIONER ELDER: I'd like to move on
16 to other areas of the state, develop the plan in the
17 best manner we can. Thank you.

18 CHAIRMAN LYNN: Concentrate on options in
19 the rural district.

20 Mr. Hall?

21 COMMISSIONER HALL: Mr. Hall -- Mr. Lynn.
22 I'm talking to myself.

23 CHAIRMAN LYNN: It's okay. Just don't
24 answer.

25 COMMISSIONER HALL: It's been a long week.

1 Mr. Chairman, that's the right word,
2 essentially, based on my opinion, there are a couple
3 options, in an attempt to try to obtain an important
4 rural character in District B, to maintain a true rural
5 competitiveness in that. We discussed test FF
6 yesterday, alluded to it, and pointed out test EE.
7 Maybe we could, for the benefit of everyone, review the
8 strengths and weaknesses of those, accomplish the
9 weaknesses. Maybe start out with EE, Mr. Hutchison.

10 The difference in this map and the current
11 CC is more in Pinal, loses Mohave, different arms of the
12 Hopis, deals with the Hopis in a different fashion.

13 District's weakness, do we have anything
14 on registration factors? Can you dig that up?

15 MR. HUTCHISON: I believe so.

16 COMMISSIONER HALL: This map, C is more
17 compact and little easier to cover, not a lot but a
18 little.

19 The challenge in the map in my mind is
20 somewhat what it does to G. It still maintains an
21 important minority-majority. Maybe you have the
22 percentage of influence in Maricopa County on the
23 district.

24 As I've maintained A, B, C, G has
25 significant rural flavor which is important to maintain

1 to the extent practical.

2 What are the numbers of this test for
3 District C with respect to registration figures and with
4 respect to G vs. Pima County, for example?

5 MR. HUTCHISON: All the data, I'll quote
6 the red binder, it is a round two test. Quote, District
7 C inquiring, takes in, in terms of registration 44.1
8 percent Democratic, 46.28 Republican, and does not
9 include the Gila County issue. Needs 16,000 Democrats
10 and about, I believe, 3,000 Independents to the mix."

11 COMMISSIONER HALL: You ran the chart
12 before FF, Phoenix influence, Tucson influence on G.

13 MR. HUTCHISON: I did CC. I recall --

14 COMMISSIONER HALL: F, R, C.

15 MR. HUTCHISON: 100,000, 60,000, 50,000.
16 District D, this test.

17 COMMISSIONER HALL: CC.

18 MR. HUTCHISON: CC goes 330,000.

19 COMMISSIONER MINKOFF: CC.

20 COMMISSIONER HALL: Let me see. EE,
21 100,000 Maricopa County.

22 CHAIRMAN LYNN: G.

23 COMMISSIONER HALL: How much is District
24 G?

25 MR. HUTCHISON: I don't have the numbers

1 in front of me. 50 to 100,000.

2 COMMISSIONER HALL: What is the Hispanic
3 percentage, D on EE?

4 MR. HUTCHISON: Voting age Hispanic
5 percentage, 51.58 Hispanic.

6 COMMISSIONER HALL: What it is now?

7 MR. HUTCHISON: Moving further into
8 Glendale, further into Glendale.

9 COMMISSIONER HALL: On the test,
10 population of Tucson influence on CC?

11 MR. HUTCHISON: Tucson, 312,216.

12 COMMISSIONER HALL: Hundred thousand
13 Maricopa?

14 MR. HUTCHISON: This test.

15 COMMISSIONER HALL: Show a zoom-in on
16 Pinal, please?

17 COMMISSIONER ELDER: Before we leave that
18 area, or anyone, really, address the effects of an AUR
19 in District D. Are we losing significant, are we losing
20 a significant cultural resource on the West Valley?
21 Gain Biltmore, seems like not -- it's not an area to fit
22 with that AUR.

23 MR. HUTCHISON: Commissioner Elder, the
24 cultural value, or any value judgment of which areas,
25 Hispanic areas, could be touched, may be touched, I

1 can't speak to that.

2 Raw population figures, I believe that the
3 Hispanic AUR was larger than a Congressional district.
4 Areas inevitably have to be taken out. It's up to your
5 discretion, of course, which areas.

6 In terms of how test EE here affects the
7 AUR, red boundaries developed the AUR, comes into the
8 developed AUR. 50, 60 thousand persons out, takes out,
9 moving into Glendale portions.

10 Let me move in -- Indian School Road or
11 Camelback -- North Camelback Road to Bethany Home.

12 COMMISSIONER MINKOFF: In terms of
13 respecting the Hispanic AUR, Mr. Hutchison said a large
14 AUR. I don't think the problem is the AUR. The problem
15 is people that live in Tolleson, Avondale. Those are
16 areas removed from D to put in G. They won't be happy
17 with Metropolitan Phoenix and putting them in Southern
18 Arizona, a Tucson dominated district. Is that a
19 consideration, something that outweighs that? If
20 Tolleson and Avondale was in this room today, they'd be
21 pleading with us not to do this to them.

22 COMMISSIONER HUNTWORK: Tell me what the
23 Hispanic demographics of D are on test GG.

24 MR. HUTCHISON: Commissioner Huntwork, I
25 believe the data, very close, tenths of a percentage

1 point difference. District G is losing a Hispanic area
2 to District C, does gain that back coming from Maricopa
3 to grab these areas.

4 COMMISSIONER HUNTWORK: I thought it might
5 even be strengthened, better. Essentially the same.

6 CHAIRMAN LYNN: I ask we keep side
7 conversations to a minimum.

8 MR. HUTCHISON: Strengthened 1.7 percent
9 overall Hispanic.

10 CHAIRMAN LYNN: Mr. Hall.

11 MR. HUTCHISON: 50.1 to 50.17.

12 COMMISSIONER HALL: I heard in an ideal
13 world, they'd prefer not to be split. I recall if it
14 were split, they gave us ideas, is my recollection.

15 Did you have ideas on his ideas?

16 COMMISSIONER ELDER: Put roads up.

17 COMMISSIONER HUNTWORK: Don't shed lights?
18 Those roads were test FF, unequivocally better.

19 CHAIRMAN LYNN: Nontest reservation.

20 COMMISSIONER HUNTWORK: Elevation.

21 COMMISSIONER MINKOFF: This particular
22 plan in Pinal County is outstanding.

23 CHAIRMAN LYNN: Mr. Hartdegen, nod your
24 head.

25 COMMISSIONER HUNTWORK: We're speaking for

1 him.

2 I'd point out another thing. I like the
3 way this map separates the Colorado River issues from
4 eastern river issues. Bullhead City felt these were
5 completely separate issues, and they did not want it
6 subsumed just because they were rural. I think there'd
7 be some sentiment along the river this works better for
8 them.

9 COMMISSIONER HALL: Mr. Hutchison, ready
10 for the Casa Grande question?

11 CHAIRMAN LYNN: He's being coached.

12 MR. HUTCHISON: With regard to
13 Mr. Hartdegen's, they were addressing FF, should Casa
14 Grande be split to District G to the west, the rest of
15 Pinal County to the east road in Pinal, Casa Grande.
16 With regard to this map, he gave me an indication here.
17 This map was considered an acceptable way west slightly
18 by a couple miles.

19 COMMISSIONER HALL: Mr. Hutchison, what
20 happens with the bulk of La Paz?

21 MR. HUTCHISON: We keep La Paz contiguous,
22 either way, keep --

23 COMMISSIONER HALL: 20,000 out of Maricopa
24 County.

25 MR. HUTCHISON: Takes you somewhere to

1 Buckeye, Goodyear, the district, improved draft map.

2 CHAIRMAN LYNN: It's also not possible
3 using that scenario to -- let me not put it in those
4 terms.

5 Would it be possible -- I'm talking about
6 the connection between the river portion of the district
7 and the Phoenix area.

8 Is there, if you went up to the Mohave-La
9 Paz border and moved that population south into G, is
10 there not an uninhabited area in the southern Yavapai
11 area to trade, a portion not likely developed?

12 MR. HUTCHISON: This entire area is fairly
13 uninhabited, fairly small. We can connect it wherever
14 you like.

15 CHAIRMAN LYNN: Thank you.

16 COMMISSIONER HALL: Mr. Chairman, I wonder
17 if we -- I make a motion we ask him to do that test.

18 CHAIRMAN LYNN: Is there a second?

19 COMMISSIONER MINKOFF: Appropriate
20 addenda.

21 CHAIRMAN LYNN: Discussion on the motion?

22 COMMISSIONER HUNTWORK: I agree. I think
23 I see some differences on the side of Phoenix I would
24 like to minimize to the extent possible in A. I expect
25 the differences, if adjusted, take the Biltmore, move

1 that around. Some, as it goes to the current draft map,
2 as possible, help evaluate this.

3 Mr. Hutchison.

4 MR. HUTCHISON: And in addition, add
5 20,000 persons from La Paz, possibly.

6 COMMISSIONER MINKOFF: Tolleson.

7 MR. HUTCHISON: Tolleson, the Hispanic AUR
8 in Phoenix affecting the Hispanic numbers in Phoenix, I
9 don't know what the effect would be.

10 COMMISSIONER HUNTWORK: The point is to
11 minimize incursion. We want to get as much Tolleson --

12 COMMISSIONER MINKOFF: Tolleson -- pick
13 the right demographics to do that, the right south
14 valley, as possible.

15 CHAIRMAN LYNN: Mr. Hutchison.

16 MR. HUTCHISON: Based on my knowledge of
17 the area, the easiest place to take out without
18 affecting majority areas are in District D, Buckeye,
19 Avondale, the west areas. The Commission could look to
20 west areas.

21 Let me back up. The issue in testing is
22 to maintain a presence in District D.

23 Asking if Casa Grande had to come here.

24 COMMISSIONER HALL: Rephrasing the motion,
25 run the test without affecting D, important

1 majority-minority percentages in G, simultaneously
2 affecting majority percentages on G.

3 CHAIRMAN LYNN: Is that acceptable to the
4 second?

5 COMMISSIONER MINKOFF: Yes.
6 G, 54 percent 18 years and up population.
7 24,000 people in La Paz County, three percent of a
8 Congressional District. If every single one of the
9 people was nonminority people, and every single person
10 was minority, it's still a minority district above
11 minority age.

12 MR. HUTCHISON: I believe specifically the
13 Hispanic percentage of District G is currently 50.71.

14 What I'm getting at, considering 50, the
15 number to be considered important by the Commission
16 could drop below.

17 CHAIRMAN LYNN: As the Commission stated,
18 we could not have it happen.

19 COMMISSIONER MINKOFF: Need to pull the
20 Biltmore area out as per previous instructions by the
21 Commission, pull people out of there, and put them in B.
22 There may be areas of B you could put into A. They are
23 adjacent districts. Then drop some population back into
24 G and along the southern boundary of A along Interstate
25 10.

1 I believe the population, then people are
2 being put into D, the Hispanic Tolleson area,
3 counterclockwise for district rotation.

4 CHAIRMAN LYNN: I know you understand that
5 concept.

6 MR. HUTCHISON: I do.

7 CHAIRMAN LYNN: Okay.

8 Mr. Elder.

9 COMMISSIONER ELDER: I guess I'd like to
10 find out, Mr. Hall, feel like we're taking too much, too
11 much influence from West Maricopa, all this influence,
12 not disrupt the balance of AURs we've got there,
13 minority-majority aspects? I'm not sure why, unless
14 it's the river communities, the third component of this.

15 COMMISSIONER HALL: Maybe I can be more
16 specific.

17 The first goal is to maintain the
18 majority-minority integrity of B and G. Next, increase
19 the competitiveness of C and also increase the rural
20 nature of C and rural nature of B.

21 Here's how I see the ripple effect.
22 Ripple effect. Mohave out of Casa Grande makes for more
23 of a competitive effect. Secondly, Mr. Huntwork pointed
24 out it separates the river community. Those they did
25 not feel were connected to other portions of the state.

1 When we lose Casa Grande from G, we consider the ripple
2 effect from D, G. Red line D was more the western
3 portion of D. Percentages of D are 51 what?

4 COMMISSIONER ELDER: 51.23, I think.

5 MR. HUTCHISON: Compared to the draft map,
6 it drops by .17 percent.

7 COMMISSIONER HALL: Basically almost the
8 identical of the VAP Hispanic population.

9 I'd welcome any feedback, anyway, on
10 Hispanic percentages.

11 I think the reason this test we have
12 preserved that, still preserves VAP percentages, has
13 gone up. Then my next goal by reason of the motion was
14 to minimize the Maricopa influence of District G, the
15 bulk of La Paz, of G, maintaining a more rural flavor.
16 G, minimize Maricopa's influence deleting portions of
17 the Goodyear influence.

18 COMMISSIONER ELDER: That answers it
19 pretty well. I don't know about the 50,000 person shift
20 there. That portion of Maricopa County, looking at a
21 50, 60, 40 thousand influence, has to be that great
22 extent. If that is off the table, would you make the
23 same motion?

24 COMMISSIONER HALL: The Hispanic AUR is
25 over a hundred thousand total influence. Minimized, I'm

1 willing to vote for this without all going for it. I'm
2 trying to accommodate what I saw as various important
3 interests represented throughout the state. I agree the
4 river AURs benefit from a shift. It does change the
5 contiguous, compactment optional. There's very little
6 compactness in that respect. The Hispanic AUR, I have
7 no problem voting for a small shift west of Casa Grande.

8 CHAIRMAN LYNN: I'm intrigued by the
9 shift, want to see it. If in the business of replacing
10 population in that, moving it to balance for F, one of
11 the places, look to the west for Glendale, I don't know
12 how much or little is in that neighborhood. Now there
13 may be a source of replacement if worried about
14 maintaining --

15 COMMISSIONER MINKOFF: D or G.

16 COMMISSIONER HUNTWORK: As long as we're
17 going to do this.

18 CHAIRMAN LYNN: "Do this" means order the
19 test?

20 COMMISSIONER HUNTWORK: Exactly. As long
21 as ordering the test, I want to think it through here a
22 little bit. You suggested about Goodyear. Goodyear
23 annexed a lot of -- you will have compact issues if you
24 do that. I feel the community of interest came, and
25 that's what we have to do. If not, it seems to me a

1 logical thing to do, bring I-10 north, somewhere along
2 the corridor, with a lot of population, unused AUR of D
3 that could be traded out for larger geographic areas
4 below. Explore growth potential, to the extent we're
5 trying to -- the issue was raised before. To the extent
6 we're trying to block population, the figures in the
7 Hispanic area, we're probably better off using
8 established than the open growth area portion.

9 CHAIRMAN LYNN: Ms. Minkoff then Mr. Hall.

10 COMMISSIONER MINKOFF: The other thing,
11 looking at taking things off, the Avondale split,
12 Legislative map District 10. I'm in favor, as opposed
13 to doing that, Avondale is opposed, the part south is,
14 so if you put La Paz County into District G, looking at
15 what to take out into G, look to areas north of 10. I
16 don't think that would do damage to the
17 majority-minority character of the district.

18 CHAIRMAN LYNN: Mr. Hall.

19 COMMISSIONER HALL: Wonderful
20 considerations go there. While not a location
21 consideration, a consideration. That's precisely the
22 point of the consideration of District C. That's the
23 point of District C. Correct me if I'm mistaken, the
24 area up in the El Mirage portion, is that not a portion
25 of the El Mirage AUR?

1 MR. HUTCHISON: Not a developed AUR.

2 COMMISSIONER HALL: I'll rephrase, if you
3 like.

4 Isn't it true there's significant Hispanic
5 population in that area?

6 MR. HUTCHISON: El Mirage is very
7 Hispanic.

8 COMMISSIONER HALL: 7,000.

9 Isn't it true that's more of a growth
10 area?

11 COMMISSIONER HUNTWORK: To get to it, you
12 go through growth areas or haven't figured out how not
13 to yet.

14 CHAIRMAN LYNN: Parameters, what we're
15 looking for, Hispanic AUR G and D, Mr. Hutchison has
16 been able to figure out how best to achieve that, figure
17 out a result, experience figuring it out thus far.

18 COMMISSIONER HALL: Estimate a time frame.

19 MR. HUTCHISON: Actually pose a few
20 things.

21 COMMISSIONER HALL: I want to see if
22 there's a motion first.

23 CHAIRMAN LYNN: Pose questions.

24 COMMISSIONER HALL: Amendments to the
25 tests, okay.

1 MR. HUTCHISON: Question: The shift of
2 the Biltmore area is included?

3 COMMISSIONER HALL: Questions.

4 MR. HUTCHISON: Sahuarita shift. There's
5 also, in the draft map, District A, formerly north,
6 possibly shifted, within the test. I could look at
7 that.

8 CHAIRMAN LYNN: Up around New River.

9 COMMISSIONER ELDER: Mr. Chairman, what
10 I'd rather do than defeat a level in the center of
11 Phoenix, I'd like to go through the entire plan, make
12 recommendations on changes. We're very near one we
13 could support. We should not do it piecemeal. There's
14 a little piece of West Phoenix, that part of Phoenix,
15 left out issues in Phoenix. I'd like to try to combine
16 this, modify this plan that may very well be supported
17 by the Commission.

18 COMMISSIONER HUNTWORK: I have one very
19 compact, includes a lot of things. With all other
20 changes approved, other tests incorporated into this one
21 to the extent possible, all other districts to the other
22 plan to the extent possible.

23 CHAIRMAN LYNN: Those instructions as 3PP
24 revised.

25 COMMISSIONER HALL: One, this on that.

1 CHAIRMAN LYNN: It may not answer
2 Mr. Elder's concern.

3 COMMISSIONER ELDER: Goes along as
4 possible.

5 MR. HUTCHISON: The easiest way to achieve
6 that.

7 CHAIRMAN LYNN: Other questions,
8 Mr. Hutchison?

9 MR. HUTCHISON: One is whether I have to
10 completely stick Pinal County, stick to that, or is it
11 better to improve the community of interest?

12 CHAIRMAN LYNN: Improve the community of
13 interest. Improves one to the detriment of the other.

14 You understand where we come down on
15 goals. We'll get the results fully when you give them
16 to us.

17 Are you clear on the motion?

18 MR. HUTCHISON: Clear on the motion? Very
19 clear.

20 COMMISSIONER HALL: Do we have a detailed
21 enough motion?

22 MR. HUTCHISON: You should.

23 My guess, done before Legislative.

24 CHAIRMAN LYNN: When could we see the
25 result, never mind Legislative?

1 MR. HUTCHISON: Couple hours to get
2 prepared, print-outs prepared.

3 CHAIRMAN LYNN: Couple hours, for the
4 record.

5 Restate the motion.

6 COMMISSIONER HALL: For the record, I'd
7 like to run test EE placed upon current 3PP revised with
8 the following amendments to District G on test EE. As
9 long as we're doing it thus far, adding La Paz into G,
10 deducting Maricopa from G, preserving appropriate and
11 established as acceptable percentages in G and D.
12 Having said that --

13 CHAIRMAN LYNN: Mr. Elder, clear --

14 COMMISSIONER ELDER: Identified portions
15 of Maricopa County, not the whole portion. Second --

16 COMMISSIONER HUNTWORK: Second. Third.

17 CHAIRMAN LYNN: Okay.

18 Further discussion on motion?

19 Roll call.

20 Mr. Elder?

21 COMMISSIONER ELDER: "Aye."

22 CHAIRMAN LYNN: Ms. Minkoff?

23 COMMISSIONER MINKOFF: "Aye."

24 CHAIRMAN LYNN: Mr. Hall?

25 COMMISSIONER HALL: "Aye."

1 CHAIRMAN LYNN: Mr. Huntwork?

2 COMMISSIONER HUNTWORK: "Aye."

3 CHAIRMAN LYNN: Other tests on
4 Congressional or is this the direction we want to pursue
5 without comparison to test 3PP?

6 COMMISSIONER HUNTWORK: We already have 3
7 FF.

8 CHAIRMAN LYNN: Yes. It's absolutely
9 already been done.

10 COMMISSIONER MINKOFF: Mr. Chairman, the
11 Hopi connector, all other plans, totally with the Hopi
12 connector, there isn't significant population. I'd like
13 population 3.00. The question, we understand the Hopi
14 connector population, type population. Who is affected?
15 We don't know, with this connection. To the extent we
16 can consider that when we come back, consider it and
17 who's affected.

18 MR. HUTCHISON: One version of the map.

19 CHAIRMAN LYNN: Better.

20 MR. HUTCHISON: One shows Hopi in, one
21 shows Hopi out.

22 CHAIRMAN LYNN: I think that becomes a
23 simple visual either way. Verbalizing in, how to take
24 out is more difficult. Is that clear?

25 Other tests we want to order on

1 Congressional?

2 Mr. Huntwork?

3 COMMISSIONER HUNTWORK: I am thinking,
4 hoping to express the Colorado River and also say the
5 connection for the North Rim.

6 COMMISSIONER MINKOFF: I just noticed
7 something in the plan. Is the Indian Reservation, is it
8 divided? The Hualapais, not there further south?

9 CHAIRMAN LYNN: That is divided south, the
10 portion by the Hualapai, very little.

11 MR. HUTCHISON: I can speak to that. That
12 portion wraps two counties. The area is completely
13 unpopulated.

14 COMMISSIONER ELDER: Zero population.
15 Reservation is 1,300 people. Which way does it go?

16 COMMISSIONER HUNTWORK: I was going to go
17 with the request of the Navajos. They're not united, C,
18 rather than the river district. I believe those are the
19 districts.

20 CHAIRMAN LYNN: Population of Hualapai?

21 MR. HUTCHISON: 1,353.

22 COMMISSIONER MINKOFF: Adjacent to
23 Yavapai. Only 500 people in Havasupai. Move them in
24 the rest of the map.

25 One thing, putting District A to do, make

1 a case. Also the case with C. But I'd put up a case
2 with keeping in the same district.

3 COMMISSIONER HUNTWORK: Request different
4 ways Congressional, Legislative. One Hopi, one Navajo.
5 I apologize. I'll find the request.

6 CHAIRMAN LYNN: We need to balance
7 population of all districts. There are some adjustments
8 because of that as well.

9 Anything else?

10 Mr. Hutchison, you have marching orders.

11 What is the Commission's pleasure?

12 Again, coming up on noon. There's a
13 significant amount of work.

14 Noon break? Noon break or working on
15 through awhile?

16 COMMISSIONER HUNTWORK: I feel ready for a
17 little break now. Clear our minds, get set up, and so
18 on.

19 CHAIRMAN LYNN: Let's take our usual 10
20 minute, half-hour break, and start with Legislative.

21 (Whereupon, a recess was taken.
22 Commission resumed at approximately 11:50 a.m.)

23 CHAIRMAN LYNN: The Commission will come
24 to order. All five Commissioners are present, although
25 not all in the front of the room. Legal counsel is

1 present, roaming about the room.

2 If you would, just to give everybody a
3 sense of timing, I'm hoping you will walk us through the
4 results of testing you've done on Legislative maps,
5 answer any specific questions we may have relative to
6 the tests.

7 I'd entertain a midday break, resume, talk
8 more about Legislative, take that as it comes back.

9 Mr. Johnson, as you go through that,
10 please, walk through that for us.

11 MR. JOHNSON: Mr. Chairman, Commissioners,
12 we started work on the instruction from two
13 Commissioners. First, one, to take map H from round
14 two, the concept of the map was not entirely developed,
15 and to finish developing that.

16 One thing we found we altered slightly
17 from the instruction. We were looking to simply find
18 from mapping urban districts we plugged in and mapped
19 easily. The map didn't give a clear picture to the
20 Commission, gave assistance. We drew maps into the
21 Commission completely. The map you have on computers,
22 demographics registration data for the map are the
23 complete map. It's not quite population balanced. The
24 biggest deviation is 10. Demographic data, apples and
25 apples, go through the map's decharacteristics, the same

1 map H you looked at in round two. Again, Flagstaff,
2 starting in north, Navajo, Hopi, other northern
3 reservations connected to Apache Reservations.
4 Flagstaff is intact.

5 CHAIRMAN LYNN: Could you identify the
6 file?

7 MR. JOHNSON: Same as the Ledg. test.

8 MR. JOHNSON: Varied name for H.

9 COMMISSIONER MINKOFF: LD test three.

10 MR. JOHNSON: Map data, Arizona round
11 three test.

12 COMMISSIONER ELDER: I can't find the damn
13 map, Jose or I.

14 COMMISSIONER MINKOFF: Get the rest of
15 this.

16 MR. JOHNSON: Map test.

17 COMMISSIONER HALL: October.

18 MR. JOHNSON: Map data, Arizona round 3
19 tests, Legislative, Legislative test 3.

20 CHAIRMAN LYNN: Got it. The layer should
21 be for H.

22 I don't have anything at the bottom for H.

23 COMMISSIONER MINKOFF: 4G, E1, 4G, E1.

24 MR. JOHNSON: Look at the screen.

25 COMMISSIONER HALL: Process is

1 orchestrated. Listen to the process.

2 MR. JOHNSON: Learning a lot about
3 computer synchronization.

4 CHAIRMAN LYNN: Or reality television.

5 COMMISSIONER ELDER: Parks with Flagstaff,
6 Williams -- rural parts of M as in H with round 2.

7 Navajo County, City of Winslow, the
8 unincorporated area of Dewey north of it, is north.

9 COMMISSIONER HALL: Pulled Winslow north.

10 MR. JOHNSON: I don't remember the exact
11 instructions for the second round, complete population
12 and --

13 COMMISSIONER HALL: Holey moley.

14 MR. JOHNSON: Sedona E. Verde Valley,
15 Prescott Valley, unified District C, comes down into
16 Maricopa County for an additional, I think, about 10,000
17 people.

18 Down in the south, it's a very similar map
19 round two, southern Phoenix, Santa Cruz County, southern
20 Tucson, Santa Cruz, different tests for Santa Cruz with
21 South Tucson.

22 This test was drawn for round two, Pascua
23 Yaqui with the Tohono O'odham Reservation.

24 COMMISSIONER MINKOFF: Pascua Yaqui.

25 MR. JOHNSON: Just the reservation.

1 COMMISSIONER MINKOFF: None of the three
2 other reservations.

3 MR. JOHNSON: Not any detail.

4 The key test in addition to the change of
5 Apache County, because the configuration of the county
6 is intact with Tucson, what you end up with is District
7 Y, to make colors clear, District Y, Tohono O'odham, and
8 all four urban reservations. To do so, there's a
9 wraparound of Apache Junction and Gold Canyon, and it
10 leads to an alteration that looked to the East Valley
11 districts. General districts expressed the East Valley
12 districts, meets the goals of Mesa, may not have any
13 small slivers. It's a different division of Chandler
14 than they discussed when we had a hearing in that area.

15 In this case, more of Chandler was united,
16 just the western arm of Chandler that split off and was
17 placed off in Ahwatukee and Tempe which divided at the
18 highway place, Apache Junction, Gold Canyon, into other
19 districts.

20 You'll note this map used the 3G
21 configuration of the central districts of Maricopa. I
22 haven't looked in detail at the way it changes the
23 proposed changes of the central districts of Tucson.
24 Those districts are very similar to 3G.

25 Oh, the other result of Apache Junction,

1 Gold Canyon coming in District G, which previously went
2 all the way up in Scottsdale, now stops where you see on
3 the map there at the edges of the extremely dense
4 portions of Scottsdale, all result in filtering through
5 Apache Junction, Gold Canyon, and allows unification of
6 Gold Canyon, Cave Creek, as they requested.

7 Does the Commission have any questions on
8 this test?

9 Essentially it's all the pieces you've
10 seen before.

11 COMMISSIONER HUNTWORK: I drag it down a
12 bit. Essentially it's a three-way split. Ahwatukee,
13 Chandler, Mesa, Chandler, do a swap and reunite Tempe,
14 end up with Chandler in more of Tempe?

15 MR. JOHNSON: Added more Tempe in Q. T
16 comes over --

17 COMMISSIONER HUNTWORK: More Chandler in
18 T?

19 MR. JOHNSON: Works, work more Tempe into
20 Chandler -- that would work. End up somewhat with an
21 unusual shape pushing up Mesa.

22 COMMISSIONER HUNTWORK: The goal of
23 Chandler is not having a small piece cut off.

24 MR. JOHNSON: Whatever decision the
25 Commission makes in the Central Phoenix map, if that's

1 the Commission's goal.

2 CHAIRMAN LYNN: Other comments or
3 questions on 4H?

4 Mr. Hall.

5 COMMISSIONER HALL: Well, Mr. Chairman,
6 where do we begin?

7 CHAIRMAN LYNN: Hopefully not at the
8 beginning.

9 COMMISSIONER HALL: It's no secret we're
10 concerned about the configuration of the north central,
11 the little finger coming down. Grappling with Winslow
12 is all the more concerning.

13 I think with respect to a variety of
14 concerns this map violates hard work done thus far.
15 While it does respect some, as indicated by Mr. Johnson,
16 it ripples clear down to Chandler, rippling into areas
17 we attempted to correct or fix.

18 Needless to say, I'm concerned about the
19 overall ramifications of this test to the whole state.

20 CHAIRMAN LYNN: It occurs to me the Mohave
21 and Cochise, Cochise splits every other county, the Four
22 Corners deal, three corners deal, and Yavapai.

23 Ms. Minkoff.

24 COMMISSIONER MINKOFF: There's very little
25 to like. It splits, has very little to like. There's a

1 lack of a link with Flagstaff. No, already other areas
2 already. Let's just move on. I don't want to spend
3 more time on this map.

4 CHAIRMAN LYNN: Why don't we do that, move
5 on.

6 MR. JOHNSON: Another part of the
7 instruction, look at map 3G which adopted changes and
8 use that as a base in drawing the Northern District, as
9 configured in test E.

10 When we took on the task, a significant
11 decision was to be made. It did not fit in easily the
12 past with guidance. For guidance, we did two versions
13 of it to show that. The third version is being
14 completed as we speak and we'll have ready for you after
15 lunch.

16 Let me bring up the first.

17 COMMISSIONER MINKOFF: Can I ask a
18 question? As I recall, the question yesterday, we were
19 looking at a large number of districts in Maricopa
20 County. If reconfigured, are they done, these maps, and
21 if not, where?

22 MR. JOHNSON: A large number.

23 COMMISSIONER MINKOFF: I think I through E
24 alphabetically.

25 MR. JOHNSON: Not alphabeted. There was

1 instruction on the fly to include those. To present
2 two, did so recognizing not adopted. The instruction
3 was to examine it and switch back.

4 CHAIRMAN LYNN: Either/or. Districts will
5 match either/or.

6 COMMISSIONER MINKOFF: I thought we
7 adopted it.

8 CHAIRMAN LYNN: Just talked about it.

9 MR. JOHNSON: This first option, the focus
10 on this instruction we're looking at in Yavapai County,
11 ways the two could be divided. This is an attempt to
12 keep District C a rural district and avoid bringing it
13 down into Maricopa County. The result is a Northern
14 District A, although population balanced, less than a
15 hundred drawn in test E. It involved taking 11,000
16 people from the north piece of EACO, which includes the
17 City of Winslow, and putting them in the Northern
18 District, unincorporated pieces out of Holbrook.
19 Holbrook remains in EACO. Flagstaff is divided.

20 I ran the numbers, 22,000 people -- 23,000
21 from Flagstaff in the Northern District. Page, other
22 reservations not included, 3G. Once the district is
23 drawn, looked at Yavapai County. This scenario, the
24 goal of C, A, overwhelmingly, is rural. The other one
25 brought C, D both into Maricopa.

1 The initial preference of C is rural.
2 Other, it does come into Maricopa County, only into the
3 lightly populated end of the county and into the Fort
4 McDowell and Salt River Reservations. While it does
5 divide, there's needed population to get into population
6 balance, population for not essentially urban
7 reservation reasons. It is keeping in, goes around Gold
8 Canyon, picks up population outside Apache Junction,
9 Gold Canyon, not significant numbers at this point in
10 time, then comes down and we had to, one, the first real
11 detrimental pieces of the test, had to divide Florence
12 to complete this.

13 Continuing south, EACO, 11,000 people
14 short and dropped off Gila County, 60,000 people short
15 or 65,000. The way we made that up was taking in
16 Eastern Pinal and going down into Cochise. Cochise
17 isn't divided three ways. That's when we decided how to
18 divide.

19 COMMISSIONER HALL: How many times is
20 Pinal divided?

21 COMMISSIONER MINKOFF: Five.

22 CHAIRMAN LYNN: Five or six.

23 MR. JOHNSON: Three majors, Pinal is a
24 fourth and Saddlebrooke is fifth. All changes, fourth,
25 and Saddlebrooke is fifth. W, Y, population short. Y

1 comes up into Buckeye, W Buckeye. Glad we ran it. Y is
2 no longer majority-minority. Didn't want to come up
3 with just a scenario.

4 CHAIRMAN LYNN: Scenario for a poster
5 child might be a choice.

6 MR. JOHNSON: Might have AQD. This is one
7 of the most competitive maps we created.

8 CHAIRMAN LYNN: What a surprise that would
9 be.

10 MR. JOHNSON: One would be.

11 CHAIRMAN LYNN: Substantial damage to
12 enough communities, that's right. So wrong it's
13 unbelievable.

14 COMMISSIONER ELDER: This, correct me if
15 I'm wrong, splits Flagstaff, splits Cochise three ways,
16 five, six ways, Y is no longer a minority-majority
17 district.

18 COMMISSIONER HALL: Splits Florence.

19 COMMISSIONER ELDER: May say competitive.

20 Continue on. Andi moved the last one.

21 CHAIRMAN LYNN: No motion.

22 If anybody wants to continue talking about
23 this map?

24 Most people are hiding their hands.

25 MR. JOHNSON: Actually, keeping rural, you

1 never know until you draw the whole map. Live and
2 learn.

3 Next scenario, primary goal, drawing
4 District E, not worry about keeping District C rural.

5 CHAIRMAN LYNN: I know AQD is coming. How
6 competitive was the map?

7 MR. JOHNSON: A quick glance at it, the
8 most competitive map shown to the Commission.

9 CHAIRMAN LYNN: Remember just roughly,
10 just trying to get a sense.

11 MR. JOHNSON: Eight districts.

12 COMMISSIONER MINKOFF: Eight competitive
13 districts.

14 CHAIRMAN LYNN: Split R and D districts.
15 We had, of districts deemed competitive by AQD, the best
16 we had done before was seven in any map tested, not any
17 test of ours. This was more competitive than that map.
18 Thank you.

19 Started with the goal of the Northern
20 District, identical district. Both District C and D
21 unite the respective valley regions, Prescott Valley and
22 surrounding regions, United District D, Verde Valley,
23 and 29,000 people in the region of Flagstaff, C. Each
24 of the people get 29,000 in Maricopa. Two-thirds of
25 Maricopa, one-third Maricopa.

1 Next step, looking at EACO, where E picks
2 up 11,000. Difference in the one finishing up now,
3 avoid splitting Sierra Vista, retaining the V eastern
4 Pinal is drawing. Changes in the map do not filter
5 through the Y, Z, AA, B area. That area remains the
6 same as last, presented way long ago.

7 E picks up the same urban reservations as
8 the last map taken before. Dividing four urban
9 reservations, Fort McDowell urban reservations, better
10 terms, community reservations, does divide four urban
11 reservations.

12 S does comes down, doesn't wrap completely
13 around Gold Canyon, Apache Junction.

14 6,000 people in the Pinal area, Gold
15 Canyon, Apache Junction, and the county line. Other
16 people it picks up, far northeastern portion county.
17 Pinal line, Queen Valley, Top of the World people go
18 into E.

19 Green Valley, instead of District E, picks
20 up people from the north half of District Z.

21 We think it meets the goals of District Z.
22 Results in division of Sierra Vista.

23 Just to finish up this half, District W
24 lost these pieces. Makes up for those coming into edges
25 of Buckeye, does not go into Goodyear, gets a couple

1 edges of Buckeye.

2 Also happening on the map, two other
3 things: Mohave district, District B lost the Mohave
4 strip pieces. What we did, brought it south, the
5 reservation from Mohave County to census places that the
6 Commission approved uniting, flipped them.

7 The other day approved, put in X.
8 Beneficial effect, places it without population
9 deviation. That's a nice result of the way that works,
10 a somewhat unusual mix, the district lost in the county,
11 makes up coming into Wickenburg, unusual character.

12 That's it at a quick glance.

13 CHAIRMAN LYNN: Mr. Huntwork.

14 COMMISSIONER HUNTWORK: Last one, D down
15 in Wickenburg, pick up X from southwest of Phoenix
16 there. D comes down there, just a straight swap.

17 MR. JOHNSON: Could put Wickenburg with
18 the Tri-Cities, as expressed as some citizens did at
19 hearings. Put X with urban cities. Buckeye, Arizona, a
20 swap could be made.

21 CHAIRMAN LYNN: Comments on this map?

22 Mr. Hall.

23 COMMISSIONER HALL: I can't tell if down
24 two, three, four districts now. Tally for me.

25 MR. JOHNSON: I don't know --

1 COMMISSIONER ELDER: One, two, three,
2 four, five.

3 MR. JOHNSON: If districts with no urban
4 Maricopa residents, A, B, X, Y.

5 COMMISSIONER MINKOFF: E, Indian
6 Reservation.

7 COMMISSIONER HALL: Drove through the
8 reservation, Gold Canyon, see new reservation, six
9 months --

10 COMMISSIONER MINKOFF: Gold Canyon isn't.

11 COMMISSIONER HALL: I missed the sign in
12 there with all the new construction. It's growing
13 rapidly.

14 I think that's in addition to a variety of
15 concerns with this particular construction. That's all
16 I have to say.

17 CHAIRMAN LYNN: Mr. Elder.

18 COMMISSIONER ELDER: Discussing changes in
19 Tucson and changes, Kearny and changes, would we want to
20 drive through Sierra Vista after making a split vote?
21 If there's any way, at least keep the city whole.

22 CHAIRMAN LYNN: Not slowly.

23 COMMISSIONER ELDER: Half Cochise in, half
24 out. Anyone with any other options? Bite the bullet,
25 Sierra bullet. Not split it and take out. If we look

1 at options, you appreciate it.

2 CHAIRMAN LYNN: Could be something after
3 lunch, see configurations.

4 CHAIRMAN LYNN: Interactive, see if there
5 is anything that solves that.

6 COMMISSIONER HALL: While going to lunch
7 before final ROI, return on investment, the benefit,
8 detriment, is what has been done worth what we're trying
9 to do? District H, percentage one, two, three, four
10 percentage points. Result all of that, run four
11 additional tests. The reason for the additional tests
12 we've listed. I have a full page. Mr. Johnson did an
13 eloquent job, cited counties, cities affected,
14 fundamental, basically districting. Rural, urban, 42
15 meetings around the state revert with some comments back
16 to the draft map, what to be done with it. Come to the
17 Legislative level, what we're doing now for a couple
18 percentage points, I'd ask my fellow Commissioners to
19 determine whether all of what I consider significant is
20 a detriment and to consider the cost to certain areas of
21 the state I traveled to, all of us traveled to. What
22 the few percentage points would be. I think that's an
23 important point when we return.

24 CHAIRMAN LYNN: A probing question.

25 I'm inclined to get us back at 2:00 unless

1 you need more time.

2 COMMISSIONER HUNTWORK: I don't need more
3 time. Hold it to an hour.

4 CHAIRMAN LYNN: Let's reconvene at 2:00 or
5 thereabouts.

6 (Whereupon, a recess was taken from 12:55
7 until approximately 2:30 p.m.)

8 CHAIRMAN LYNN: The Commission will come
9 to order. The attorneys are present, the IRC is
10 present, NDC attorneys are present, and a dwindling
11 die-hard public.

12 COMMISSIONER ELDER: This is what, October
13 9?

14 COMMISSIONER MINKOFF: Test 4G E3.

15 MR. JOHNSON: It is except under the test
16 before lunch --

17 (Reporter interrupts and adjusts her
18 machine.)

19 MR. JOHNSON: Mr. Chairman, this map is
20 very similar to the last scenario except down in Pinal,
21 Cochise, and Pima counties.

22 District E, the Eastern Arizona Counties
23 District, no longer goes to Fort McDowell, Salt River.
24 Four urban stay united. Instead 4,000, urban river,
25 makes up most District Z, all the way to the north edge

1 of Oracle, Saddlebrooke, and those scenarios.

2 As a result, the Tucson districts are now
3 short on population.

4 As we've discussed in the past, options
5 are pretty limited where to go.

6 In this scenario, as in past scenarios
7 you've seen, past districts, the Sierra District is
8 divided.

9 COMMISSIONER MINKOFF: Tell us how, what
10 percentage.

11 MR. JOHNSON: It's going to be about --
12 well, we were looking at 20,000 people, the
13 non-Saddlebrooke portion of Pinal, which didn't take
14 all. 11,000, 11, 15 thousand. I didn't do the details.

15 COMMISSIONER MINKOFF: About a third.

16 MR. JOHNSON: We zoom in then, see where
17 the division is.

18 COMMISSIONER MINKOFF: I have on my
19 computer.

20 MR. JOHNSON: Has Highway 83. Below the
21 border, it connects the Tohono O'odham with the rest of
22 Cochise County. Spin the rest of this, District W is
23 unaffected by that change. District Y is now short
24 people in Sierra Vista. District W comes up Gila Bend,
25 just up to the edges of Buckeye, takes in the southern

1 portion of Buckeye.

2 Coming up Gila Bend, taken in portions of
3 Buckeye, keeping Gila, Buckeye, took a small piece of
4 Buckeye to make up for losing part of Gila Bend. Both
5 C, D to Yavapai districts come down approximately
6 two-thirds non-Maricopa population, one-third population
7 of all cities, Census places. Yavapai is undivided.
8 District X comes up, takes Wickenburg. Could be
9 altered. Take a piece of Wickenburg, if that's
10 preferred by the Commission. Zoom in or take any piece
11 you wish.

12 CHAIRMAN LYNN: Mr. Hall.

13 COMMISSIONER HALL: What are the
14 percentages of the Northern District in this draft?

15 MR. JOHNSON: It is, total population,
16 69.91 percent Native American and 77.2 percent total
17 minority population. Voting age, 64.5 and 72.5
18 respectively.

19 COMMISSIONER HALL: Does the district
20 include any population deviation?

21 MR. JOHNSON: No. It's all balanced.

22 COMMISSIONER HALL: It's not clear to me.
23 Where was the fourth on that split?

24 MR. JOHNSON: Zoom in.

25 CHAIRMAN LYNN: Doug, is this G E 3?

1 MR. JOHNSON: Yes, round 4 G E 3.

2 COMMISSIONER HALL: How many rounds in a
3 boxing match?

4 MR. JOHNSON: Division, Huachuca City
5 remains in Cochise City, mostly the city.

6 COMMISSIONER HALL: Most of Sierra Vista
7 in Cochise.

8 MR. JOHNSON: Most of it. Significant
9 portion in Tucson.

10 COMMISSIONER HALL: Zoom in on black.

11 CHAIRMAN LYNN: Zoom on while down there,
12 it's clear from testimony, subsequent discussions had
13 from the city of Sierra Vista, one thing, have the Mayor
14 of Flagstaff, any other Mayor, first thing, first thing
15 they say is keep the community intact. Clearly that's
16 what they'd like us to do. We get the point, all right.
17 Mr. Mayor, all right, noted.

18 Have to split, no way to keep intact, how
19 to split. Discussion from the Mayor of City of Sierra
20 Vista, if you have to split Sierra Vista, make sure the
21 bulk of Sierra Vista stays with the Fort. The Fort is
22 the major employer, the engine of Sierra Vista that
23 generates a tremendous amount of capital and for Sierra
24 Vista a number of spin-offs of the Fort, anyway.

25 I simply wanted to say if you had to

1 split, go with the Fort rather than splitting Sierra
2 Vista from the Fort. With that said --

3 MR. JOHNSON: Thank you. We welcome
4 producing a number of maps. We welcome how many, how to
5 do it. It's just the numbers ultimately have to work
6 out.

7 COMMISSIONER ELDER: Mr. Chairman, we're
8 technically not splitting Sierra Vista. The city, down
9 in the community, stays whole in Cochise. Any parsing
10 of words done, gives it definition.

11 CHAIRMAN LYNN: First choice, Fort Sierra
12 Vista stays together. Number 2, if it couldn't happen,
13 they wanted to be sure the Fort was not separated from
14 Sierra Vista. If splitting Sierra Vista, the larger of
15 the two pieces would be -- the piece should go with the
16 Fort.

17 COMMISSIONER ELDER: Mr. Chairman, here
18 Huachuca City, Sierra Vista pretty the much whole thing,
19 the whole is spinning off federal land testing and
20 proving ground. I don't remember if it has any
21 population. I don't mind splitting the Fort.

22 COMMISSIONER MINKOFF: Looks like Sierra
23 Vista, Sierra Vista southeast. Sierra Vista, Sierra
24 southeast, split both of them.

25 MR. JOHNSON: Sierra Vista southeast,

1 doesn't have the same thing, 106, as the city. 106.

2 CHAIRMAN LYNN: Does not, growth area of
3 the area.

4 COMMISSIONER ELDER: How many live in that
5 purple diamond area, Sierra southeast?

6 MR. JOHNSON: The dark area.
7 I can zoom in, glancing at the blocks, a
8 couple hundred at the most. Pretty small east of it.

9 COMMISSIONER ELDER: Bring that back to
10 the Cochise area. Push the Boulevard, a hundred, a
11 hundred fifty thousand people. Work the deviation on
12 it. I prefer urban areas of Cochise County be held
13 whole.

14 CHAIRMAN LYNN: Separate from the Fort.

15 COMMISSIONER ELDER: Sense from the
16 community or splitting the Fort off from the Fort, a
17 choice of splitting the Fort off from the community.

18 CHAIRMAN LYNN: Precisely what the Mayor
19 didn't want to have happen. I'm just saying that for
20 terms of clarity. We can do something different from
21 that.

22 COMMISSIONER MINKOFF: How many are
23 different on that, the Fort itself?

24 MR. JOHNSON: Part of the challenge of it,
25 this area, is 3,300 people, the smaller block north of

1 it. 4,900, any people.

2 COMMISSIONER ELDER: 8,000 ancillary
3 people would be employed.

4 COMMISSIONER MINKOFF: Area Sierra Vista,
5 isn't that the larger population of east Cochise County?

6 COMMISSIONER ELDER: Larger population of
7 Cochise. Densely populated. The crux of the Fort
8 there. But --

9 COMMISSIONER ELDER: Mr. Chairman, maybe I
10 need to ask more about the crux. The Town of Sierra
11 Vista, the majority, 7,000, 5,000, 7,000 with the Fort?

12 CHAIRMAN LYNN: I think he plans to be
13 here tomorrow morning to testify.

14 COMMISSIONER ELDER: If still here.

15 CHAIRMAN LYNN: Right.

16 COMMISSIONER MINKOFF: We still want to
17 concentrate on DD, and Y as yellow, and Tucson. Want to
18 see more of them, a little more. Okay. It's probably
19 good enough.

20 What I'm wondering, more Sierra Vista, DD,
21 sounds like together is what they want to do, more Santa
22 Cruz County, Amado, Tubac, Patagonia, a lot, put more
23 Santa Cruz County in.

24 COMMISSIONER ELDER: Three, 600, 900,
25 1,800.

1 COMMISSIONER MINKOFF: Less than 2,000.

2 MR. JOHNSON: Corner by the Fort. The
3 piece of Sierra Vista, population of the Fort, 500,000
4 population southeast and 3,200.

5 COMMISSIONER MINKOFF: Any other
6 population here to pull into DD from -- we already have?

7 MR. JOHNSON: Sahuarita. Green Valley
8 expressed significant concerns being removed from DD.

9 COMMISSIONER MINKOFF: Don't?

10 MR. JOHNSON: Do.

11 COMMISSIONER MINKOFF: More population
12 into DD.

13 CHAIRMAN LYNN: Reverse.

14 COMMISSIONER MINKOFF: Out of DD. Has to
15 go into.

16 CHAIRMAN LYNN: Into Y. Trade. Trade.
17 Other ripple-through affects of three, four districts as
18 you go through it.

19 COMMISSIONER ELDER: Mr. Chairman, to talk
20 off the top of my head, at the first meetings, Census
21 naming, what the heck, Summit, I never heard of it,
22 living here 35 years. Quite a bit of population, take Y
23 over, picking up enough to carve off population. My
24 sense is Hispanic. It's not hurt the demographics of Y,
25 DD being DD.

1 MR. JOHNSON: 1,100 people and DD is not
2 coming in competitive in the report so far.

3 COMMISSIONER MINKOFF: No, it's not. No.
4 Might help. Put 3,700 more in.

5 COMMISSIONER ELDER: Help in this
6 district.

7 CHAIRMAN LYNN: Enough said about the
8 problem. Potential solutions. Try to move on other
9 part of the states.

10 COMMISSIONER HALL: Move on to Flag, see
11 troubles there.

12 Do you know the approximate split each way
13 of that city?

14 MR. JOHNSON: Yes. Flagstaff divided in
15 this plan, 23,000; roughly 23,000 A; 29,000 in C.

16 Let me turnoff blocks a moment, see
17 streets better.

18 COMMISSIONER HALL: Sufficient
19 information. Here's the problem I'm wrestling with. In
20 both cases Flagstaff and Sierra Vista are left with a
21 broader decision. These test maps were run, increase
22 the level of Native American percentage in District A.
23 The results of that test are we've decimated two cities,
24 Sierra and Flagstaff.

25 Flagstaff, with 53,000 on its own, could

1 have significance; Flagstaff, of 171 in a district, any
2 district. Now, my opinion, diluted influence into
3 districts, I might suggest the previous configuration,
4 significant influence in District Y nullified any
5 influence of District DD and nullified influence of
6 District YY. My question to my fellow Commissioners is
7 is two, three percent, three percent worth the damage
8 that we have achieved throughout the remainder of the
9 state?

10 I think that is the crux before we
11 determine which street the line may go down.

12 Wouldn't you agree Mrs. Minkoff?

13 COMMISSIONER MINKOFF: Whatever you say,
14 Mr. Hall.

15 COMMISSIONER HALL: Very good answer,
16 Mrs. Minkoff. Put that in microphone on and on the
17 hall.

18 I recognize and respect the need to insure
19 that a certain population's ability to elect a
20 representative of their choice is not reduced. I think
21 we've done that in a significant way. Previous
22 percentages, 4G map, 3G, or wherever we were, was, my
23 recollection is the 61 change voting age population, 61
24 total Native American population over 71 percent
25 minority population from the Hispanic AUR, Hispanic

1 needs I'm aware of, the needs I'm aware of numerous
2 times, needs I've heard cited, Navajo needs. Is it
3 worth damage causing -- damage from the rest of the
4 state? I think it isn't. We've disenfranchised people
5 of Flag and Sierra Vista by reason of the test.

6 COMMISSIONER ELDER: I agree
7 wholeheartedly. Can't agree more wholeheartedly.
8 Trying to bring about a three, four percent shift. I
9 would like to abandon the attempt. It hasn't done
10 anything for us significantly. It still has ins I'd
11 like to take a look at, going back to the original part
12 of the shift, looking at the base map, but we're not
13 making progress here.

14 CHAIRMAN LYNN: Comment to the contrary?

15 COMMISSIONER MINKOFF: Remind me, I was
16 looking at 3P. I was trying to find out exact
17 percentages in the base map. What is the base map?

18 MR. JOHNSON: This effort, 3G, is the base
19 map.

20 COMMISSIONER MINKOFF: I have 3G citizen.

21 MR. JOHNSON: 3G geo filed. Should be in
22 the same place with 3G citizen. The only difference, 3G
23 citizen incorporated the test 3G filed. La Paz County
24 Rita Ranch, and central ranch identified couldn't take
25 out.

1 CHAIRMAN LYNN: Mr. Hall.

2 COMMISSIONER HALL: Mr. Chairman, I'd
3 reiterate the point, I'm concerned congressionally we're
4 leaning so far in the saddle we're going to fall off.

5 One of the things I appreciated as going
6 to work with a wide variety, with work on the Hispanic
7 community, they've been willing to work with communities
8 of interest throughout the state. By reason of that,
9 it's been a complete win-win situation. Quite frankly,
10 because of the inflexibility of the Navajo Nation
11 communities around the state, things are being damaged.

12 I'm confident that that tradeoff is not
13 worth it. I don't think the benefit, think where it's
14 near the cost of the variety of tests we've seen this
15 morning and this afternoon.

16 CHAIRMAN LYNN: Further comment on the
17 test?

18 Without further motion to continue working
19 with the test, let's move on.

20 Mr. Johnson.

21 MR. JOHNSON: That, I believe,
22 Mr. Johnson, would take us back to 3G tests approved the
23 other day and the Commission still wanted to look at,
24 central Maricopa Districts as concerns District Z.

25 CHAIRMAN LYNN: Let's return to that. It

1 may be a more productive use of our time at the moment.

2 CHAIRMAN LYNN: Map 3G and a list of tests
3 we ran.

4 MR. RIVERA: So 4G.

5 MR. JOHNSON: It's going to be -- I think
6 it's called just test 4G.

7 MS. HAUSER: Where might that be,
8 Mr. Johnson.

9 MR. JOHNSON: I was afraid you'd ask. Map
10 data of Arizona around three tests.

11 MS. HAUSER: Round three, three plus.

12 COMMISSIONER HALL: Not going through six
13 people relatively incompetent with a computer.

14 COMMISSIONER MINKOFF: Six?

15 COMMISSIONER HALL: Of the six of us here,
16 decide which six.

17 COMMISSIONER MINKOFF: Josh, I've got it.
18 I'm not one of the six.

19 CHAIRMAN LYNN: I have it.

20 MR. JOHNSON: Map data, Arizona, three
21 tests Legislative, test for three.

22 COMMISSIONER MINKOFF: Which is why in
23 round three folder.

24 MR. JOHNSON: Don't know why.

25 MR. RIVERA: Start all over, do the right

1 way.

2 COMMISSIONER MINKOFF: Can I start with a
3 move to start over, motion to do it again?

4 COMMISSIONER HALL: Difference there and
5 3G, District C.

6 MR. JOHNSON: All approved tests. In La
7 Paz, looking at Kachina Village, all those. I don't
8 know if -- look at remaining tests.

9 COMMISSIONER MINKOFF: Doug, also include
10 test 4G, looking at now. Also include tests shifting
11 population, all Maricopa tests?

12 MR. JOHNSON: Yes.

13 COMMISSIONER HALL: Well, what I'm trying
14 to understand, Doug, 4G includes changes incorporated in
15 central Maricopa, competitiveness adjustments.

16 MR. JOHNSON: Yes.

17 COMMISSIONER HALL: 4G changes unify
18 cities?

19 MR. JOHNSON: Yes.

20 COMMISSIONER HALL: Kachina Village
21 adjustment to adjustment A?

22 MR. JOHNSON: Yes.

23 COMMISSIONER HALL: Any other change from
24 3G to 4G I'm forgetting?

25 MR. JOHNSON: Sahuarita Ranch, 3 C2 DD.

1 Also includes the alterations aimed at making District Z
2 more competitive and removed the south pointing jut from
3 District Z, Aviation Parkway Triangle in Tucson, and
4 Isaac School/Westwood Village.

5 COMMISSIONER HALL: Mr. Chairman, in my
6 opinion, I think the focus on detail, both in Maricopa,
7 the Tucson area, on those issues, my recollection is the
8 adjustment of Kachina Village, adjustment is to what
9 we're trying to accomplish.

10 Is that correct, Mr. Johnson?

11 MR. JOHNSON: The Commission did not vote
12 on that.

13 COMMISSIONER HALL: What District A
14 percentages by reason of this adjustment.

15 MR. JOHNSON: Total population, Native
16 American percentage, total declines, just over 77.5.

17 COMMISSIONER HALL: 66.5.

18 MR. JOHNSON: Drops a quarter point, 61.05
19 to 67.05. Also about a quarter point.

20 COMMISSIONER HALL: In my mind,
21 Mr. Chairman, I don't -- it's not that significant.
22 Other issues override in making that change, one of
23 which is compactness, unless there's something I'm
24 missing.

25 MR. JOHNSON: The only other comment is to

1 look at that. Clearly the village would close the link
2 to Flagstaff, also to Mountainaire.

3 COMMISSIONER HALL: Still did not bring
4 Page back to A?

5 MR. JOHNSON: Correct.

6 COMMISSIONER HALL: Population deviation
7 on A?

8 MR. JOHNSON: No.

9 COMMISSIONER HALL: Recommendation is go
10 back to the 3G configuration, utilize population
11 deviation to the fullest extent in order to benefit this
12 district.

13 CHAIRMAN LYNN: Comment? Mr. Elder.

14 COMMISSIONER ELDER: Mr. Chairman,
15 Commissioner Hall, those two areas, as I recall,
16 probably result in 6,000 people, Page, Mountainaire.

17 COMMISSIONER MINKOFF: Page is over six.

18 COMMISSIONER ELDER: Amounts to
19 three-and-a half, four percent deviation outside the
20 parameters of deviation. Any location, balance back
21 out, get back into one percent.

22 MR. JOHNSON: Looking at 3G.

23 COMMISSIONER HALL: Mind cleaning up?
24 Mind putting that up?

25 MR. JOHNSON: If going back to 3G,

1 configuration of this district, the most benefit from
2 underpopulating the district, increase the percentages
3 more, make a significant impact. Probably have to look
4 at a small division of Flagstaff of a few thousand. We
5 could look at just taking out Grand Canyon Village,
6 those areas, see what that does, get more than a point
7 or so, probably look Flagstaff.

8 If Commission likes, we could see what we
9 can do without splitting Flagstaff.

10 COMMISSIONER MINKOFF: We had testimony
11 about Page being brought into A, or the green district,
12 as advantageous, in a sense, more advantageous.
13 Testimony, also, from planning, the planning area, it
14 would like to be whole. I don't know we can do both.
15 Trade, make it a thousand, or 1,500, that would work.
16 Can't make 1,600 work. The best option, Mountaineer,
17 look at Page. Look at options.

18 COMMISSIONER HALL: I understand,
19 Mr. Elder. The current configuration of District A is
20 almost exactly 171,000. Add in Page, it's over 1,600
21 people. Lose 6,800 people, there's no other place than
22 Flagstaff.

23 COMMISSIONER ELDER: Drop that option.
24 I'm trying to lose total population
25 existing in the district without losing anything. Lose

1 the deviation opportunity, benefit from increasing
2 percentages in Tucson, total opportunity to lose 1,600
3 people, 1,800 Native American.

4 Mr. Johnson, please correct me, Grand
5 Canyon Village is not affected enough to be significant;
6 may well be a small split. Flag, use that, and the
7 benefits to the fullest extent. I'd like to see the
8 test utilizing the deviation without touching Flagstaff.
9 One does benefit from District A within the appropriate
10 parameters to close it, to an extent.

11 COMMISSIONER MINKOFF: I can't find a full
12 lot population table out of the district.

13 One thing in the district is to the west.
14 It's put in to the west with Winslow.

15 COMMISSIONER HALL: Point well-taken.

16 I guess what I'm suggesting is since Doug
17 has intimate knowledge by now of a variety of scenarios,
18 let's send him back. Heaven forbid he gets a nap. He
19 can run both scenarios, come back with something on what
20 are the options.

21 CHAIRMAN LYNN: Motion?

22 COMMISSIONER HALL: Without objection,
23 yeah, I'll make the motion.

24 COMMISSIONER ELDER: An option is to leave
25 it as is.

1 COMMISSIONER HALL: Absolutely. If we
2 utilize population deviation within the parameter
3 counsel advises is appropriate. Why not utilize every
4 option available for the best possible map?

5 COMMISSIONER ELDER: I'll second the
6 motion.

7 COMMISSIONER MINKOFF: Question: Does the
8 motion preclude splitting Flagstaff?

9 COMMISSIONER HALL: I've asked him to
10 consider all alternatives without doing so. It does
11 show doing so. Shows us a number of ways. Does do so.

12 CHAIRMAN LYNN: Further discussion?

13 Mr. Elder?

14 COMMISSIONER ELDER: "Aye."

15 CHAIRMAN LYNN: Ms. Minkoff?

16 COMMISSIONER MINKOFF: "Aye."

17 CHAIRMAN LYNN: Mr. Hall?

18 COMMISSIONER HALL: "Aye."

19 CHAIRMAN LYNN: Mr. Elder?

20 COMMISSIONER HUNTWORK: "Aye."

21 CHAIRMAN LYNN: Chair votes "Aye."

22 (Motion carries.)

23 CHAIRMAN LYNN: Further instructions?

24 COMMISSIONER HALL: Probably need a little
25 look at Tucson. I understand you gentlemen have ideas

1 down there.

2 CHAIRMAN LYNN: Don't know about ideas.
3 Concerns. Let's not get smaller.

4 COMMISSIONER ELDER: Let me take a lead
5 shot.

6 CHAIRMAN LYNN: Before you do that, if I
7 want demographics on the board right as we speak, the
8 handout is labeled what, 4G?

9 MR. JOHNSON: 4G. Right now 3G.
10 Sahuarita Ranch.

11 CHAIRMAN LYNN: Plain or something else?
12 Plain and simple.

13 COMMISSIONER ELDER: Straight right 4G.

14 CHAIRMAN LYNN: I have it.

15 COMMISSIONER ELDER: Hand-outs today.

16 While you manage numbers, let me talk.

17 The primary concern we've got voiced two,
18 three other occasions, one is northern part Z,
19 demographically, culturally, does not fit the southern
20 part of Z. I've been looking trying to figure out what
21 options we've got to rotate or ripple through
22 population. And it's really difficult.

23 One of the options is to look at Sierra
24 Vista, pulling Sierra Vista and Oro Valley, pull down
25 the area of approximately 14,000, I believe it is, to at

1 least Gila River, get Z from there down. Adding that
2 area, I think back to W, keeping or trying to bring
3 Pinal County as whole in that area as possible. Doing
4 so, Z probably needs to run to the west. I don't know
5 what the trade is, get a trade from Sierra Vista back
6 from W. Two problem areas, as I see it, are the
7 northern part of Z and the DD and how to bring that
8 together. Right now they just don't fit.

9 Mr. Chairman, have you seen any numbers
10 that lead us to ideas that ripple through --

11 MR. JOHNSON: If I might.

12 CHAIRMAN LYNN: Mr. Johnson.

13 MR. JOHNSON: G4, we did present something
14 similar to what you describe, tradeoffs exactly as you
15 describe them.

16 The final step, District Y picks up Gila
17 Bend, discontiguous portions of Gila River, the Ak-Chin
18 reservations, town of Buckeye. The district bends,
19 shifts to be all non-Reservation portions plus the Salt
20 River, Fort McDowell Reservations, sock, seed, what you
21 are describing as Superior, the rest of the McDowell,
22 Sierra, separated the four Indian tribes not together,
23 Gila River and Tohono O'odham.

24 COMMISSIONER ELDER: Ripple into any areas
25 we were discussing.

1 MR. JOHNSON: Discussing here, no ripple
2 entirely from W, Y, Z, double letter district, southern
3 portion, not district X in west or E on the east.

4 CHAIRMAN LYNN: Ms. Minkoff.

5 COMMISSIONER MINKOFF: I don't know the
6 area of state. Anything northern, Cochise County
7 attached. Mining communities, put in Pinal County, that
8 Indian Reservations populationwise, Maricopa County put
9 down in Y, 1,900, 19,000 people out of Y. Anything in
10 northern Cochise County we could take? The entire
11 county, 117,000 people. Sierra Vista, 13 of that.
12 Sierra Vista, 37 of that. Leaves 35,000 for the rest of
13 the county. We'd be taking almost half, a third to half
14 of the rest of the county's population, Benson --

15 CHAIRMAN LYNN: Benson, Willcox,
16 Tombstone.

17 MR. JOHNSON: You'd be left with a narrow
18 finger, border of Douglas.

19 We were looking at Sierra Vista for a
20 couple reasons. A couple people, small minority, did
21 mention that, drawn from current Legislative Districts,
22 large, urban communities.

23 Mr. Chairman, driving around that
24 community, on six occasions, diving around the
25 communities, we talked about communities. Literally the

1 whole county of Cochise is pretty uniform. It's ag,
2 ranching, with the exception of Sierra, urban, urban --

3 CHAIRMAN LYNN: Urban.

4 MS. MINKOFF: I don't know how they got
5 money out of Maricopa County. Somehow they did it,
6 education, can fit the same sort of facilities as in DD.
7 I certainly don't see Benson, Tombstone, Willcox,
8 fitting in DD. I'd oppose that shift northeast. Split
9 the county. I don't see any split of AUR, any four,
10 five factors we were using.

11 COMMISSIONER MINKOFF: Thought I'd ask.

12 CHAIRMAN LYNN: I'd agree.

13 Zoom out, Mr. Johnson.

14 Zoom in where it says Y, K, C, center of
15 that. Came to Helmet Peak Road and west to the Y
16 district. Any population in there, partially offset.
17 That area right there, what is in that?

18 MR. JOHNSON: Recent numbers, outside Rita
19 Ranch, a couple hundred, outside. C, and literally
20 nothing -- 500 down here, and Summit, which we found was
21 1,700.

22 COMMISSIONER ELDER: Okay.

23 MR. JOHNSON: 3,700. Summit is 3,700. So
24 maybe 4,500.

25 COMMISSIONER ELDER: 3,500 we didn't have

1 before. Somewhat fits with the population to the left.

2 MR. JOHNSON: The reason we don't go in
3 there now, currently the district is why is we're
4 essentially free of the Tucson population. It only
5 comes in with reservation reasons, Three Points.

6 COMMISSIONER ELDER: Summit population,
7 Native American is, I'd wager, mixed or a blended area,
8 or wouldn't be affecting that minority.

9 COMMISSIONER ELDER: Mr. Chairman, that
10 edge is the only place not affecting that edge, wouldn't
11 affect the edge, the balance we have now, to the edge.
12 Tried to rotate around that direction.

13 We may be to Mr. Hall's: Shoot your horse
14 and hunker down stage.

15 CHAIRMAN LYNN: Too many metaphors, not
16 enough time.

17 COMMISSIONER HUNTWORK: Still many
18 metaphors.

19 COMMISSIONER HALL: I don't remember
20 "shoot your horse."

21 CHAIRMAN LYNN: May be more of a cowboy.

22 COMMISSIONER HALL: Why would you want to
23 walk?

24 COMMISSIONER HUNTWORK: To the extent
25 we're trying to capture all of Sierra Vista, that's a

1 demographic we're taking out of W. That's not a
2 minority area. We don't have to find a minority area to
3 replace it with. Find something that makes sense. The
4 question area is west of Marana, just see if -- I'm not
5 so familiar with it. I haven't spend much time with
6 that community.

7 CHAIRMAN LYNN: Isn't much of it there.
8 Western Marana, Avra Valley.

9 COMMISSIONER ELDER: The other option, on
10 the pink, Doug went a little more to the right. DD
11 comes in just above BB. If the vertical line is two
12 miles, three miles to the east, it allows us to bring C
13 down.

14 MR. JOHNSON: Which down?

15 COMMISSIONER ELDER: Zoom in right there.
16 River Road, probably Arroyo, the vertical line the west
17 side of the box. Moved over one, possibly two miles,
18 good miles.

19 MR. JOHNSON: That is where to move down.
20 The problem is what is -- in that case DD is giving up
21 population.

22 COMMISSIONER ELDER: DD gives up
23 population, gains C area population, rotates to -- wraps
24 around, gives up at the top --

25 MR. JOHNSON: All works great until you

1 hit Casa Grande.

2 COMMISSIONER ELDER: Anyway, spreading to
3 the northern part to EACO. Sierra Vista into EE. EE
4 into DD. And EE into DD.

5 MR. JOHNSON: Yes. District E moved into
6 the northern portion of E. Swap E for Z. DD and Y.
7 And move up. DD is still pushing into Sierra Vista.

8 CHAIRMAN LYNN: Don't lose the thought.
9 Population above Saddlebrooke, either with or without
10 Saddlebrooke, Pinal is in Z. We've gone over that
11 several times. Can't get in ahead.

12 MR. JOHNSON: 20,000, not including
13 Saddlebrooke, 25 with Saddlebrooke.

14 COMMISSIONER MINKOFF: Not necessary. Oro
15 Valley, San Manuel could stay out.

16 CHAIRMAN LYNN: Okay.

17 COMMISSIONER MINKOFF: 15,000 is really
18 critical.

19 CHAIRMAN LYNN: North end of Y on the
20 north boundary of Cochise.

21 CHAIRMAN LYNN: To utilize an analogy, I
22 have saddle sores.

23 MR. JOHNSON: Safford is looking at 90,
24 200 --

25 COMMISSIONER MINKOFF: Graham County,

1 total population.

2 COMMISSIONER MINKOFF: Graham total.

3 COMMISSIONER ELDER: Graham total.

4 COMMISSIONER MINKOFF: Part total.

5 MR. JOHNSON: Graham total, rough total.

6 COMMISSIONER MINKOFF: County is 3,200,
7 visible reservation.

8 COMMISSIONER HALL: While looking up
9 confused at what we're doing here, Eastern indicated
10 they don't want east. Sierra Vista indicated they don't
11 want to go west. Is that not what we're proposing?

12 CHAIRMAN LYNN: Looking at not proposing.

13 COMMISSIONER HALL: Not what we're looking
14 at?

15 CHAIRMAN LYNN: Because we can, Mr. Hall.

16 COMMISSIONER MINKOFF: Because we're
17 having so much fun.

18 MR. JOHNSON: Quick rough number,
19 reservation portion, about 5,000 people. The rest of
20 it, about 28,500. Looking at taking probably the
21 counties' population.

22 COMMISSIONER ELDER: Either that or the
23 whole thing and all of Sierra Vista out.

24 COMMISSIONER MINKOFF: Except where you
25 find that population to put in again.

1 CHAIRMAN LYNN: Mr. Johnson, with all the
2 testing you've done, were we then to be concerned about
3 Z in the district in terms of lack of cohesiveness,
4 communities found in the district, significant
5 differences, not anybody's idea of community, of a
6 district, such differences in the northern portion,
7 southern portion of the district as to, in my mind, make
8 it one, perhaps, of the most disjointed districts on the
9 map. We continue to it and cannot find a conclusion. I
10 wonder if we continually run out of options or there are
11 options.

12 It continues to be a significant problem,
13 as far as I'm concerned.

14 Mr. Huntwork.

15 COMMISSIONER HUNTWORK: The direction of
16 movement here would be the top of Z, mining district of
17 Z, as it ended up, the logical connection of speakers
18 come and talk to us at straight length, the part of
19 Pinal County, of all things, make arguments, put
20 portions of Gila County, not as good as the argument
21 putting it with Pinal County. That is replaced by
22 moving DD up, replaced the population of Sierra Vista.
23 The question then is where to split Sierra Vista. Do it
24 at the best possible place, compare the damage, and
25 finally move population from W down to Y.

1 CHAIRMAN LYNN: Likely Gila Bend and . . .

2 COMMISSIONER HUNTWORK: Western portion,
3 certainly, and maybe changes Marana, that area,
4 without -- broken up county lines, anyway.

5 CHAIRMAN LYNN: Mr. Johnson, did you
6 follow all of that?

7 MR. JOHNSON: The only question is the
8 western portion of Pinal, looked at taking the
9 reservations there, not a lot, where you divide Casa
10 Grande, if you keep the four Indian Reservations
11 instead.

12 COMMISSIONER HUNTWORK: Didn't say doing
13 anything there.

14 MR. JOHNSON: Okay.

15 COMMISSIONER HUNTWORK: Y all the way up
16 to western Maricopa, replace western Maricopa with Y,
17 12,000.

18 MR. JOHNSON: That area totals 5,000.

19 COMMISSIONER HUNTWORK: Okay.

20 MR. JOHNSON: Essentially looked at it
21 before, all B, portion of Maricopa, Gila River
22 Reservation, Ak-Chin, and Maricopa between to Z down to
23 Saddlebrooke, Pinal, being down Sierra Vista. Don't
24 know about all Sierra Vista.

25 CHAIRMAN LYNN: The Mayor of Sierra Vista,

1 testimony off the record, because not here, in public
2 comment said he'd like Sierra Vista whole, however, the
3 more important issue was Fort Huachuca being whole. If
4 split, keep as much of Fort Huachuca and Sierra Vista
5 together in a district is the fix, as Mr. Huntwork said,
6 in a district.

7 Is there a solution? I think may have
8 something? G4?

9 COMMISSIONER ELDER: G4. 5,000 and
10 something else.

11 COMMISSIONER HUNTWORK: Asked big pieces
12 be moved around. Look at it.

13 COMMISSIONER ELDER: I'd be satisfied,
14 which battles we'd rather fight, fast approaching
15 feeling 13, 14 thousand miners don't fit in Z very well,
16 as opposed to the heart of the County of Cochise, lower
17 motive verbiage, not so sure of the trade.

18 CHAIRMAN LYNN: I'd only point out to you,
19 the last few years, portions of Sierra Vista have been
20 with Tucson. Used that configuration, one could argue
21 it created a community of interest configuration.

22 COMMISSIONER ELDER: Or argue did it to
23 us, didn't want it.

24 CHAIRMAN LYNN: I understand.

25 In the final analysis, one of the things

1 they may be suggesting, we in some cases follow the
2 Hippocratic harm.

3 COMMISSIONER MINKOFF: No additional harm.

4 There has been some testimony from Sierra
5 Vista saying we are comfortable with Tucson, that's
6 okay. We haven't heard any testimony from mining
7 communities, Pinal communities, that we're okay with it.

8 CHAIRMAN LYNN: I think we heard something
9 from Senator Rios. I don't think love was in it.

10 MR. RIOS: They're still in the district.
11 I can't say.

12 COMMISSIONER MINKOFF: We can't create 30
13 perfect districts. We found that out painfully. I
14 believe if there's a way to make that shift and move the
15 mining communities into Pinal County, some, almost all,
16 a significant portion, where they have been until now, I
17 don't recall early testimony, round one, when we were
18 defining communities of interest, some, most of Cochise
19 County saying keep us whole. Sierra Vista, be with
20 Sierra Vista, which options provide putting them with
21 mining communities, the rest of Pinal.

22 COMMISSIONER HUNTWORK: Zoom in on Sierra
23 Vista. Laser pointers, can't relate to geography. A
24 little tour with a laser would be helpful.

25 MR. JOHNSON: One comment, too, a small

1 piece of Sierra Vista is broken off.

2 Commissioner Elder, your comment about
3 Avra Valley, and Commissioner Huntwork, your comment.
4 Commissioner Elder, jump in here. Essentially we're
5 looking at the Fourth designated area interest in here,
6 overwhelming population of the district here.

7 Very few people are left in the census.
8 So you see mostly zeros in the corner.

9 It's significant, about 5,000 people here,
10 33 down here. And small numbers in the dense portion.
11 Remaining population, Sierra southeast is spread out
12 here.

13 COMMISSIONER MINKOFF: Large census blocks
14 attached to the area in the Fort. Those are military
15 personnel, primarily. This is very large census blocks
16 and in around here, these are all the Fort?

17 COMMISSIONER ELDER: More definition here,
18 this is the Fort proper. I'd wager barracks, the Leup
19 Road here, constitute a majority, 3,000 buffalo
20 soldiers, main gate. Main gate, should be zeros here.
21 Part of there -- I think in the tanks, we fired tanks,
22 mortars. Zero, zero, hunters, this arrow here. Libby O
23 Airfield around here.

24 This area is pure test, electromagnetic
25 radiation tests, nuclear blasts here. Don't have many

1 people. Come down the road, highway, Happy Valley, a
2 population center, Fort Huachuca City, dropping off at
3 Moson Road. Takes off, gives you a fairly compact area.

4 Areas to the south are growing areas,
5 newer motels, hotels, shopping centers that have grown.
6 Retirees from the south like think of retiring in this
7 area, military population.

8 Go to the north and east, agra industries,
9 farmers, ranchers, people that have been there 80, 90
10 years.

11 COMMISSIONER HUNTWORK: Population areas
12 to the north of the Fort, are they different north of
13 the Fort?

14 COMMISSIONER ELDER: Huachuca City, a
15 bedroom city, multi-use city, mobile homes, multi-use
16 homes, bedroom city of the Fort.

17 COMMISSIONER MINKOFF: Civilian employees.

18 COMMISSIONER ELDER: Stations, six months,
19 rent. Not a lot of permanent. Most are transient.
20 Fourth term posting to the fourth.

21 CHAIRMAN LYNN: Mr. Johnson, if I might
22 suggest something, I saw Senator Rios out back. Thumbs
23 up or down on the concept. The goal, following
24 Mr. Rios' suggestion on the switch, switch the fewest
25 number of people possible. Take the following

1 populations, polling communities, Superior, Kearny,
2 Hayden, Dudleyville, and Winkelman, those communities in
3 total, about 81, 82 hundred people. Only way is if you
4 take Mammoth in the mix, 8,162 people. Round numbers,
5 10,000 people. The target number, rotate through, again
6 on Mr. Huntwork's suggestion, trying to move 10,000
7 through. I do think, to put on the record, two things,
8 need go on the record, the Tucson split, Sierra Vista,
9 not 10 years, 20-year relationship. Because 10 years,
10 voting issues, that part of the split, how we split the
11 Sierra Vista split.

12 Sierra Vista in the district, Nogales and
13 Tohono O'odham, unless you make the change, may be all
14 right, voting rights, as we get into the testing.

15 The only other thing, question, I'll keep
16 my eye peeled, my eye all the way down Mammoth. The
17 only other one is San Manuel. Add San Manuel to the
18 mix, slightly raise that number.

19 Let's also remember to respect Legislative
20 numbers, set precedence to some degree of variance. If
21 ever a variance in population, the variance may be this.

22 COMMISSIONER MINKOFF: Might be easier,
23 more population than less out of Pinal County, Gila,
24 Ak-Chin, put with Tohono O'odham, put that Y.

25 CHAIRMAN LYNN: Other testimony? I'd like

1 to see if we can do that without them. San Manuel,
2 round numbers, 4,500 people.

3 COMMISSIONER ELDER: How much -- what is
4 the population of Hayden.

5 CHAIRMAN LYNN: Hayden, 892.

6 COMMISSIONER MINKOFF: Pinal, whole, 892.
7 Go back -- Gila, not Pinal. Potentially another 800,
8 not have to shift. Area of interest goes other
9 direction.

10 COMMISSIONER MINKOFF: Same with
11 Winkelman.

12 MR. JOHNSON: W, Maricopa, wouldn't have
13 to get to. A few, wouldn't have to get to. Stop at
14 6,000, or take all Gila River, Ak-Chin.

15 COMMISSIONER MINKOFF: What?

16 MR. JOHNSON: Maricopa County.

17 CHAIRMAN LYNN: Doesn't it come down to
18 how much of a Sierra Vista split?

19 MR. JOHNSON: How much Sierra is split.

20 CHAIRMAN LYNN: Pick up all you can.

21 COMMISSIONER HUNTWORK: You are saying
22 5,000 out of W before Pinal.

23 MR. JOHNSON: Pinal.

24 COMMISSIONER HUNTWORK: 6,000.

25 COMMISSIONER MINKOFF: Then Gila, Ak-Chin,

1 all or not at all, 12,000 people.

2 CHAIRMAN LYNN: Mr. Hall?

3 MR. JOHNSON: Superior, Dudleyville,
4 Superior, Kearny, 5,500. Superior, Kearny, 6,000, just
5 those two areas.

6 CHAIRMAN LYNN: If we attempt to solve the
7 problem, solve the whole problem, see how it looks. Go
8 through the full solution, the eastern end.

9 COMMISSIONER HALL: Sierra Vista what?

10 COMMISSIONER MINKOFF: Sierra Vista is
11 37,000 people.

12 MR. JOHNSON: Sierra Vista 14.

13 MR. JOHNSON: Map G4, Saddlebrooke, back
14 together, Y wraps together.

15 COMMISSIONER HALL: What were to happen,
16 micromanaging, and Santa Cruz north.

17 COMMISSIONER MINKOFF: Not a lot of
18 population.

19 MR. JOHNSON: All Santa Cruz, all Santa
20 Cruz, 17,000. Doesn't in 37, doesn't include Rio Rico.
21 I'll get --

22 MR. JOHNSON: A portion of DD in there, is
23 approximately that 4,700 people, 4,000. That selection,
24 4,000, 4,799.

25 COMMISSIONER HALL: Does move the line far

1 enough from E to accomplish.

2 MR. JOHNSON: Move the number of non-Fort
3 people around 8,500, or so. Non-Fort people out of the
4 Fort, 11,000. The city, an Excel spread sheet.

5 COMMISSIONER MINKOFF: How you connect it,
6 up through Benson, connect to DD.

7 MR. JOHNSON: Key question.

8 COMMISSIONER MINKOFF: This plan
9 incorporated Benson and the Fort completely.

10 CHAIRMAN LYNN: Mr. Hall's point,
11 micromanagement.

12 MR. JOHNSON: The goal, a majority of
13 Sierra Vista with the Fort.

14 COMMISSIONER HUNTWORK: Not the Fort.

15 CHAIRMAN LYNN: The goal, work the eastern
16 end of Pinal County, work to reunite out of Z. As a
17 result of that, Mr. Huntwork's point, first work west
18 through Pinal, see if there are areas west of Casa
19 Grande to be utilized in terms of the trade. Then come
20 back around south and either and/or some of that DD
21 connection around Nogales, wind up around Fort Huachuca,
22 Sierra area, to make the connection; is that close?

23 COMMISSIONER HUNTWORK: Yes.

24 MR. JOHNSON: Yes. Santa Cruz County,
25 really have that Section Two defined, the freeway

1 communities, the northeast corner. Would the Commission
2 like to see both moved up, reduce the area, leave it
3 possible, or more home?

4 CHAIRMAN LYNN: Testimony of Santa Cruz
5 County, divide west and east, if you will. Western
6 Santa Cruz County, revolving around the city, cities of
7 Patagonia, Elgin to the east are one of the communities
8 of interest. As you see here, they are separated. I
9 mean that is the testimony. We have to be clear about
10 that going in.

11 COMMISSIONER ELDER: We did have clear
12 testimony about Amado. Tumacacori wanted to relate to
13 the valley north for tourists, resorts. Overlying
14 testimony of NAFTA and CaniMex corridor, the rail system
15 running through there, like to keep the valley.

16 Primarily testimony heard in round two was
17 split, in round two.

18 Get population coming down, parts of Rio
19 Rico. The Fort, still not sure about the line, DD
20 north, effectively.

21 CHAIRMAN LYNN: Mr. Huntwork, two
22 different maps. It's a straight line. There's a lot of
23 heavy lifting, test 4G. Where you want to be is
24 illustrated in this. So to the extent we can trade,
25 reunite one of these and reunite more of the city,

1 reunite more of this for some of that, I don't think
2 there is any real serious demographic issues in that.
3 And I felt we covered part of the need to equalize.

4 That's another place, a place we might be
5 able to do something, move lines, or something, put
6 lines over a bit.

7 It's possible. Again, mention Y, Santa
8 Cruz issues, Y, prior voting rights issues to be
9 sensitive to.

10 MR. JOHNSON: Mr. Chairman, on that front,
11 Y picks up areas on 19, drops off additional Sierra
12 Vista population, increases protected population
13 percentages of Y.

14 CHAIRMAN LYNN: Other question.

15 COMMISSIONER HUNTWORK: What about this
16 population here?

17 CHAIRMAN LYNN: Pretty sparse.

18 MR. JOHNSON: Discussion that Avra Valley
19 had rural character, which is why we kind of put it in
20 with Y. The area here is Marana. I think between the
21 two is fairly --

22 CHAIRMAN LYNN: Unless something
23 artificial, too big. At best, the freeway sort of
24 divides Marana.

25 I don't want micromanage it.

1 Work it. See what the possibilities are.

2 Work it.

3 COMMISSIONER HALL: Refresh our memories.

4 I apologize. What is the population of Maricopa and
5 Pinal up to Casa Grande, approximately? How many people
6 are there without touching Casa Grande?

7 MR. JOHNSON: This piece, I'm unsure,
8 which is west of Casa Grande. I know the population is
9 already out.

10 CHAIRMAN LYNN: We're over the time to
11 take a break. We do need to take one.

12 MR. JOHNSON: We're looking roughly at
13 6,000 in Maricopa County, Gila River, and the Ak-Chin
14 Reservations. The Town of Maricopa is roughly 20,000 or
15 so. And the rest of District W as shown this map,
16 non-Reservation areas, about 7,000 people. About 27,000
17 people if you took Y all the way up to Pinal.

18 CHAIRMAN LYNN: Can you work that, Doug?

19 MR. JOHNSON: Sure.

20 CHAIRMAN LYNN: Any other questions on
21 that?

22 MR. JOHNSON: The Commission listed a
23 number of things to work with. I think it's pretty
24 clear -- let me make sure I'm understanding properly.
25 District W, the eastern -- the Commission is happy with,

1 Saddlebrooke.

2 CHAIRMAN LYNN: If we make it work that
3 way.

4 MR. JOHNSON: G4, too much is left without
5 the Fort. The Goal is putting more with the Fort.

6 COMMISSIONER HUNTWORK: Or all of it.

7 CHAIRMAN LYNN: Using the methodology we
8 went through.

9 COMMISSIONER HALL: The gray area
10 highlighted. Farm area highlighted we wanted.

11 MR. JOHNSON: Basically the area west to
12 Casa Grande, 6,000?

13 COMMISSIONER ELDER: 68.

14 CHAIRMAN LYNN: At this point, let's take
15 a break.

16 Let's take a break.

17 There will be other instructions on
18 Legislative after the break. We need to go to Maricopa.
19 We'll do that soon as we take a break.

20 (Whereupon, a recess was taken from
21 4:00 p.m until approximately 4:45 p.m.)

22 CHAIRMAN LYNN: The Commission will come
23 to order.

24 All five Commissioners are present along
25 with the consultants, who are present, and legal.

1 We'll move to the Congressional map.

2 MR. JOHNSON: You mean Legislative.

3 CHAIRMAN LYNN: Did I say Congressional?

4 I mean Legislative. Maricopa County.

5 COMMISSIONER ELDER: I move we accept that

6 as is.

7 THE REPORTER: Do I hear a second?

8 (Laughter.)

9 CHAIRMAN LYNN: Can someone see about new
10 stenographic services?

11 (Laughter.)

12 (The preceding three comments were all
13 spoken jovially.)

14 MR. JOHNSON: Mr. Chairman, Commissioners,
15 we have three somewhat overlapping requests for
16 instructions in Central Maricopa.

17 COMMISSIONER MINKOFF: Doug, which map do
18 you have up?

19 MR. JOHNSON: 4G, plain, old 4G. There
20 are two colors next to each other. I'll fix those.

21 Three groups, changes here, two directly
22 related.

23 South Mountain, changes request, the
24 freeway Leup area between freeway 17 be included in
25 district 17, and other instruction was for us to look

1 at, working with counsel on how to reorganize H through
2 P in an attempt both to respect communities of interest
3 down there and comply with the goals and requirements of
4 the Voting Rights Act, create additional competitive
5 interest. Keep mind the 3G base map district asked us
6 to use District L registration, AQD competitive. I
7 don't recall results of the McDonald test, competitive
8 as well. One competitive district by those
9 measurements. And then looked in there trying to make
10 District I a leading candidate for competitive, or more
11 competitive for registration and AQD measurements.

12 3G lines, a sense of what moved here.

13 When we zoom in on District I, I can
14 highlight the old district I, essentially a North-South
15 district, in order to get registration and AQD
16 measurements to a seven percent range flattened out.
17 Districts next to it, parallel North-South districts
18 before and rotated and allowed I move over the central
19 portion of what was J, looking obviously at the east
20 freeway. The main focus, it allowed us to make I a
21 competitive district.

22 One item to note is the City of Glendale.
23 Glendale was split into five pieces. 3G, now it's split
24 into five pieces -- now it's six pieces, now five
25 pieces. Changes in 4G improved that. District K, the

1 north district, narrow East-West District. Part of the
2 reason is to keep changes internally contained. A lot
3 of tests in F like that. We could, without any effect
4 in demographics, I'm not aware of any effect, combine F,
5 K, north-south, as relates to F, Cave Creek, those on
6 the periphery, which could be combined into more compact
7 districts.

8 COMMISSIONER ELDER: Comments,
9 recommendations, requests, or the whole area for those?

10 CHAIRMAN LYNN: Yes.

11 MR. JOHNSON: Interconnected.

12 CHAIRMAN LYNN: We'll wait.

13 MR. JOHNSON: East side, all areas,
14 sticking to the Phoenix Scottsdale border, won't affect
15 any changes.

16 COMMISSIONER MINKOFF: Phoenix,
17 Scottsdale, southern end. Still have the south end.

18 MR. JOHNSON: Southern end, F and P.

19 MR. JOHNSON: N, M, O, P is significantly
20 altered, significantly tested, almost 40,000 people.
21 Did successfully, without major impact to tradeoff that
22 area for areas the Commission described, the airport,
23 northeast of airport areas. Also, as discussed the
24 other day, within the changes are the Isaac School
25 District unification and Westwood Village into O. Both

1 are accommodated in this. District P essentially moved
2 north.

3 I like the old District P. It moved north
4 of the freeway loop and west slightly toward District M.

5 District M retains its northwest shape
6 down additional distance below 10.

7 And District O has moved from what was
8 largely a north-south district, came over to the Isaac
9 School area. It's now moved east and is more an
10 East-West District.

11 The result of this, on a voting rights
12 front, is essentially we have, I believe -- here we
13 are -- M, N, O, P, majority population is Hispanic. M,
14 N, O, P, voting age, majority age population. District
15 P slightly surpasses bench mark African American voting
16 age.

17 We met the goals we had in those areas and
18 still managed to move people around and have less
19 compactness impact, achieve the goal, with additional
20 District I competitive.

21 One thing was a concern. District L was
22 previously a competitive district, eight percent AQD,
23 but still three percent registration difference. And we
24 don't have feedback from Dr. McDonald on that.

25 CHAIRMAN LYNN: L, 51 48.2 competitive

1 Republican.

2 MR. JOHNSON: Did remain a competitive
3 district with changes.

4 Third, quick, final to discuss, we don't
5 have it really here, I can bring districts up, test
6 Carefree, Cave Creek districts, two tests, Cave Creek,
7 Carefree, moving into District G. District G pulls
8 north with all additional populations. District J pulls
9 east. Three-way split downtown Scottsdale. That is the
10 result there. I can bring that up if did you like.

11 We looked at the halfway point, Cave
12 Creek, Carefree. It's not as we wished currently with
13 District D: F sliding east. F becomes north-south,
14 district goes over the freeway, portions of F go to D.
15 North certainly bring to, bring up to that map when we
16 get to that discussion, introduction.

17 CHAIRMAN LYNN: Before we have comments on
18 areas dealt with.

19 Ms. Minkoff.

20 COMMISSIONER MINKOFF: First of all, I
21 want to tell you, I think this is promising. You did
22 good work. We're not there yet, but we're closer.

23 A couple comments. Making F, K vertical
24 districts makes some sense. Doesn't seem to impact
25 either one of them. Also, very much the unification of

1 the Cave Creek, Carefree, a portion of Scottsdale, what
2 that does with District G, that's very problematic.
3 It's a better fit than where they are in D.

4 My question, with changes involving O and
5 P, can you comment on the impact it had on the historic
6 District AUR, one of the central points in creation in
7 the original District O?

8 MR. JOHNSON: Let me see if I have a map
9 to overlay on that.

10 MR. JOHNSON: I don't think I have an
11 actual map handy. I do know that was an area of
12 concern. That was a large part of unifying, bringing O
13 to the west. We've definitely divided some of it. I
14 don't have the overlay handy.

15 COMMISSIONER MINKOFF: The other comment
16 about this map, looking at competitiveness, may surprise
17 members of the Commission. I think this is a
18 significant step in the right direction. According to
19 the analysis, there's seven competitive districts.
20 Looking through other districts, the number is very
21 close. Several I identified, they're below a 10
22 percentage point spread, and a few others at about 11.
23 Districts like that, they're better than 20-, 30-point
24 spreads I've been seeing. It's a much better map.

25 CHAIRMAN LYNN: Mr. Huntwork.

1 COMMISSIONER HUNTWORK: I would like to
2 agree with that. It's a very good piece of work.
3 Create some districts, one additional competitive
4 district, without sacrificing the compactness of the
5 districts. So this is a real -- this has some real
6 integrity to it. I'm proud of that accomplishment. We
7 kept looking until we found something that worked.

8 I think in the F, K, G, and D area, all
9 four of those are interchangeable in that area.

10 One thing I would like to do, of course I
11 would like to rearrange K and F rather than that one
12 long district.

13 Also help me in Scottsdale. Where are the
14 boundaries of Scottsdale? Scottsdale is in one, two,
15 three --

16 MR. JOHNSON: Three districts. Population
17 is 200,000. Has to be in two.

18 COMMISSIONER HUNTWORK: Right. Right side
19 of G, not many inhabitants are there.

20 MR. JOHNSON: Outside Fountain Hills,
21 right, fairly sparsely inhabited. Rio Verde, 1,400.

22 COMMISSIONER HUNTWORK: Let me suggest,
23 bring F and K over to the Scottsdale boundary,
24 Scottsdale district, District I, or whatever other side
25 of the valley. That's something we can avoid. And I

1 think we ought to do it.

2 MR. JOHNSON: Tested it. It does fit in
3 no problem. F, lose everything around.

4 COMMISSIONER MINKOFF: Have to do that or
5 population.

6 MR. JOHNSON: Population or.

7 COMMISSIONER ELDER: Earlier comments, F,
8 K, rotate, pick up, put Carefree, balance Union Hills
9 over to the east diagonal.

10 COMMISSIONER MINKOFF: Cave Creek.

11 COMMISSIONER ELDER: Combine communities
12 or cohesiveness, slid up west, slides.

13 CHAIRMAN LYNN: Manipulativeness,
14 competitiveness, or because it's interchangeable,
15 remains roughly constant.

16 MR. JOHNSON: I believe pretty
17 interchangeable. I believe all safe Republican.

18 COMMISSIONER MINKOFF: Only one close to
19 competitive, K 11, K 11 point spread.

20 COMMISSIONER ELDER: K west, northwest D
21 may be about the same. Should have looked at it.

22 CHAIRMAN LYNN: One question for
23 clarification. I know we went through it. Tell me
24 about, I guess for every redistricting, certain things
25 jump out at it. Clearly we've not treated Glendale very

1 well. Tell me the city splits prior to the change and
2 with this change.

3 CHAIRMAN LYNN: Boy, they've done an
4 interesting annexation, haven't they. Doug, actually,
5 tends to know -- this is actually a Glendale annexation
6 all around the Luke Air Force Base. The main portions
7 of the Air Force base, these portions are in District L.
8 The southern, southeastern corner, street corridors,
9 north Bethany Home Road, District M, half of Bethany
10 Home Road, Glendale, and Olive, District L, go up
11 diagonal, division of Cactus Road and I, District A. Up
12 to the north we go into Bell Road, District H, and
13 north -- we've looked at a couple options for unifying
14 this, really end up trading splits, trading Peoria.

15 CHAIRMAN LYNN: I guess what I'm asking is
16 in the prior map of Glendale, it's also split.

17 MR. JOHNSON: One of the additional
18 splits.

19 CHAIRMAN LYNN: Reduced the number of
20 splits in the last map.

21 MR. JOHNSON: Yes.

22 CHAIRMAN LYNN: What about the adopted
23 base, 3P map as revised.

24 MR. JOHNSON: Show that on the screen.

25 MR. JOHNSON: One, two, three, four, one

1 small, a fifth -- five splits.

2 CHAIRMAN LYNN: Gives rise to the
3 question, is a five-way split in Glendale worth
4 improvement to the map? Didn't try for improvement.
5 Tried to get more competitive.

6 COMMISSIONER MINKOFF: Question: This
7 would reduce the splits, for one. Have to give
8 Mr. Elder credit. We've talked about it. The finger
9 goes east, Commissioner Elder, on Olive. And that could
10 be added to District M. The testimony, talking about
11 unifying Avondale, the southern part in M. We're
12 putting it in L. My only concern is voting rights
13 concerns. Looking at population, it makes it more
14 compact, unites the communities split, takes a split
15 away from Glendale. The only concern, it might disturb
16 the minority-majority of Glendale.

17 MR. JOHNSON: Could bring it more into the
18 heart of L. We still have the Luke Air Force Base
19 pieces.

20 COMMISSIONER MINKOFF: The Luke Air Force
21 piece is not really Glendale. Buckeye, it's how many
22 pieces? Couldn't unite them unless one piece, the whole
23 state.

24 COMMISSIONER ELDER: When I see that, the
25 municipality did that to theirselves, gerrymandered

1 themselves. They shouldn't do it to themselves.

2 CHAIRMAN LYNN: It's not non -- the big
3 red one. Even that split, significantly, that aside,
4 Mr. Huntwork.

5 COMMISSIONER HUNTWORK: That finger
6 offends the motion. Fairly dense. Can't create
7 Avondale, or something for that.

8 COMMISSIONER MINKOFF: Avondale, Tolleson,
9 five western communities, Avondale, Goodyear, Litchfield
10 Park. If not voting rights issues, it might be.

11 COMMISSIONER HUNTWORK: Probably are.
12 North of -- partially north of a Hispanic AUR.

13 CHAIRMAN LYNN: Mr. Hall?

14 COMMISSIONER HALL: Mr. Chairman, how many
15 hours sleep has he had last week, seven, eight? The man
16 is working 40, 50, 60 hours on the subject, and in 15
17 minutes we tweak that, what, reconfiguring over and
18 over?

19 The comment north is a valid comment, an
20 easy switch.

21 I'm concerned we're able to sit here and
22 balance minority rights issues, communities' rights
23 issues, which on the face I trust, given the work done
24 before in the last 50 hours, the work is the best job
25 possible.

1 I'm wondering if there are any other
2 significant issues. You try to unite Glendale to the
3 significant detriment of other municipalities, ask him
4 to make adjustments to the north. If nothing else, it's
5 extremely concerning that we try to move to the next
6 phase.

7 Other comments?

8 COMMISSIONER MINKOFF: I'm not sure it
9 works. If it doesn't work, let's spend no more time on
10 it. There are more compact, more contiguous issues.
11 There's one caution voting rights issue in M.

12 Very quickly, look at the finger, L,
13 seeing the composition.

14 CHAIRMAN LYNN: Give direction to the
15 consultants. Do we need a motion?

16 COMMISSIONER HALL: I make a motion, make
17 a motion on districts F, D, K, pursuant to previous
18 instruction.

19 COMMISSIONER MINKOFF: Second that.

20 CHAIRMAN LYNN: Discussion?

21 CHAIRMAN LYNN: Mr. Johnson, a lot is
22 inferred in the motion. We talked about three motions
23 north, how those should be adjusted, unified Scottsdale,
24 moving population through to compensate.

25 MR. JOHNSON: F skates Scottsdale,

1 Carefree, Cave Creek out of D and, I believe, works out
2 of the test New River as well. F and K, parallel
3 north-south districts, east-west District D moves closer
4 to the west.

5 COMMISSIONER HUNTWORK: Glendale
6 superimposed on that, not have an additional division of
7 Glendale. If Glendale moves into D, work out right,
8 part of Glendale in F.

9 COMMISSIONER MINKOFF: Good point.

10 MR. JOHNSON: We looked in the test,
11 resulted in H. That conflicting testimony we received
12 kept an additional intact piece, moves F to D.

13 COMMISSIONER MINKOFF: When you mentioned
14 New River, especially New River as it's developing new
15 communities out there, Anthem. When, if putting New
16 River in a district, you need to look at the boundaries
17 of Anthem. Take all of Anthem, the brand-new
18 development that is growing rapidly, definitely
19 communities to itself, splitting itself, is brand-new,
20 larger now than when the Census was completed.

21 MR. JOHNSON: Do you know where? They
22 didn't have it as a place.

23 CHAIRMAN LYNN: Straddles I-17.

24 CHAIRMAN LYNN: It's by an outlet in the
25 communities. Straddles I-17.

1 COMMISSIONER MINKOFF: If you take I-17 up
2 to new River Road, the border of New River, it is
3 essentially on the freeway.

4 CHAIRMAN LYNN: Other comments on the
5 motion?

6 COMMISSIONER HALL: No, sir.

7 COMMISSIONER ELDER: Call the question.

8 CHAIRMAN LYNN: Roll call.

9 Mr. Elder?

10 COMMISSIONER ELDER: "Aye."

11 CHAIRMAN LYNN: Ms. Minkoff?

12 COMMISSIONER MINKOFF: "Aye."

13 CHAIRMAN LYNN: Mr. Hall?

14 COMMISSIONER HALL: "Aye."

15 CHAIRMAN LYNN: Mr. Huntwork?

16 COMMISSIONER HUNTWORK: "Aye."

17 CHAIRMAN LYNN: Chair votes "aye."

18 (Motion carries.)

19 CHAIRMAN LYNN: Mr. Elder?

20 COMMISSIONER ELDER: Close enough, modify
21 for competitiveness. Pretty close. I'd like to have
22 the statistics.

23 COMMISSIONER HALL: The question is, I'd
24 agree, the only concern is southeastern Arizona. I
25 don't know if we're there yet.

1 CHAIRMAN LYNN: We need to be at it a
2 couple hours, assuming the consultants are available.
3 Make sure they're available.

4 COMMISSIONER ELDER: Hold. Other changes,
5 Legislative is available.

6 CHAIRMAN LYNN: What other changes?

7 COMMISSIONER ELDER: I got a note for
8 Chris. I think I can show that.

9 CHAIRMAN LYNN: Historical District.

10 MR. JOHNSON: Mr. Chairman, Commissioners,
11 the dashed area, historical area as described, round one
12 is fairly concentrated. Concerns later areas, uniting
13 those areas, the freeway loop directly against the South
14 Mountain loop.

15 COMMISSIONER MINKOFF: Have most of it,
16 wouldn't deal with the South Mountain issues you raised.
17 I wonder if there's any sentiment for pulling in the
18 northern portion of District O, maybe taking some
19 eastern portion of District J. Not as some fact of good
20 looking, but it does unite the historic area. Throwing
21 that out.

22 CHAIRMAN LYNN: Mr. Huntwork?

23 COMMISSIONER HUNTWORK: I live in the
24 area.

25 COMMISSIONER ELDER: You are historic.

1 COMMISSIONER HUNTWORK: I want to protect
2 it as much as anybody does. There is a very core area
3 captured in District O. It's as good as it gets.

4 CHAIRMAN LYNN: I think that's absolutely
5 right.

6 Anything else?

7 Ms. Leoni.

8 MS. LEONI: Is there a motion on the
9 Glendale change?

10 COMMISSIONER ELDER: Consensus on the
11 change, drop that, N and L.

12 CHAIRMAN LYNN: Mr. Johnson, go forth and
13 draw.

14 MS. HAUSER: Recap any instructions? Same
15 page?

16 CHAIRMAN LYNN: I wonder if we can have
17 Mr. Hutchison, as quickly as possible, and return to
18 Congressional?

19 DR. HESLOP: Mr. Chairman.

20 CHAIRMAN LYNN: Dr. Heslop? It really is.

21 DR. HESLOP: Mr. Hutchison can be ready in
22 five minutes.

23 CHAIRMAN LYNN: Why don't we take as short
24 a break as we all can and get back quickly as we can.
25 The longer we break, the later dinner will be.

1 (Whereupon, a recess was taken from 5:10
2 until approximately 5:45 p.m.)

3 CHAIRMAN LYNN: All five Commissioners are
4 present, the lawyers, NDC consultants, and staff.

5 4EE, you have a handout.

6 Walk us through or just walk out.

7 We'd like you to come this way. Walk us
8 through the progress made on the 4EE test. Let us know
9 what the test produced and go through the handout, if
10 you would.

11 MR. HUTCHISON: Wait one second while the
12 projector heats up.

13 This is a test, 4EE, titled 4EE, to
14 simplify, is still based off, originally off 3PP
15 revised. I'll just walk through it.

16 Mohave County is added to the northwest
17 Maricopa County as instructed by the Commission. The
18 connector, or elbow, La Paz contains roughly 50 persons,
19 uniting much of La Paz into G, currently.

20 The Havasupai, Hualapai reservations moved
21 west into District A, in green, connecting also with the
22 Hopi Reservation.

23 I know the line looks thin, connected with
24 Census blocks. Actually it comprises the Colorado
25 River.

1 But essentially the connector follows the
2 Grand Canyon.

3 No population west of the Navajo
4 Reservation. 10 persons within the reservation. No way
5 to get around the four blocks. One block, four persons,
6 one with six. Happy to zoom in, but it's essentially 10
7 persons.

8 COMMISSIONER ELDER: Mr. Gorman wants you
9 to zoom in.

10 MR. HUTCHISON: These two. This block
11 four, and six. Blocks surrounding, nine here. Still
12 have two. Here six. Nine, 11. Population area there.
13 Really no way to get around it. 12, 13 -- seems
14 surrounded on all sides.

15 CHAIRMAN LYNN: Thank you.

16 MR. HUTCHISON: Moving to Pinal County,
17 much of Pinal County, non-Apache Junction, much of Pinal
18 is in District C now, west of Casa Grande. I'll zoom in
19 on the area there. Census designated place, Standfield,
20 District C, forms the western most border above
21 Interstate 8 there. And just east, Standfield goes
22 directly north until it hits the Gila River Reservation.

23 Maricopa County, I'll zoom in on the
24 Hispanic AUR. District G contains all the City of
25 Avondale, Tolleson, the City of Phoenix there. Former

1 test EE presented earlier this morning drops off
2 Goodyear, Buckeye, all Buckeye, except the noncontiguous
3 portion of Buckeye which contains 41 persons. This is
4 the noncontiguous portion. Buckeye ends up here,
5 right-of-way streets, the noncontiguous portion.

6 MR. RIVERA: District A's, right?

7 MR. HUTCHISON: District A, yes.

8 District E drops off Biltmore. Adding the
9 Hispanic portion that had been in Glendale, North 75th
10 Avenue had been in Glendale, and east along Northern
11 Avenue.

12 A couple notes to make about the plan as
13 it stands. The Hispanic percentages of Districts G, B
14 do rise in 3PP revised. In addition, statewide, six
15 cities are split total. Actually, no places split.

16 To give you an idea, Arizona, today,
17 either cities, places, designated by Census, this plan
18 splits six. City has to be split, Tucson, Glendale,
19 Mesa, Chandler, and noncontiguous portion of Buckeye, I
20 pointed out before. Except Buckeye is fairly
21 significantly-sized city, I believe I recall testimony a
22 number of cities did request to be split.

23 This plan does follow communities'
24 boundaries fairly closely.

25 County splits, essentially splits, I

1 believe, five counties. Technically eight counties
2 split out of 15, if you don't count Indian Reservations
3 being united, exclude Coconino, Navajo, and Yavapai. If
4 you look on the map, Yavapai looks whole, Northwestern,
5 one tract, part of the Hualapai Reservation shows up,
6 the other part is uniting the City of Peoria which does
7 cross the county line.

8 La Paz County split is 50 persons.
9 County split, 50 person section, in Pinal,
10 Maricopa, Pima, and Santa Cruz.

11 If there are any questions?

12 CHAIRMAN LYNN: As long as we're taking
13 the tour, let's go down south.

14 Includes the Sahuarita shift based off 3PP
15 revised.

16 Comments or questions, Mr. Huntwork?

17 COMMISSIONER HUNTWORK: One of the main
18 reasons to make sure District C was truly competitive.
19 I think we have to run the test before we can be sure of
20 that, the McDonald test. But based on the raw numbers,
21 halfway between the other test we ran, it should come
22 out almost right on the money on competitiveness, unless
23 there's something unnoticeable

24 CHAIRMAN LYNN: In District C.

25 COMMISSIONER ELDER: Mr. Chairman, Chris.

1 CHAIRMAN LYNN: Mr. Elder.

2 COMMISSIONER ELDER: Yes, Chris, can you
3 tell me, on District G, I'm interested in seeing, seems
4 we've gone north of I-10 there in Tolleson there west of
5 District D. Can you give me an idea of the urbanized
6 population there?

7 MR. HUTCHISON: Essentially I went north
8 of there, one, to unite Avondale, since I needed
9 population. Essentially because we needed population.
10 If the Commission wished, we could go into Phoenix.

11 COMMISSIONER ELDER: How much effect does
12 it have on the district, A, effect on Phoenix, and
13 Tucson urbanized area, low urbanized area? What are we
14 talking about?

15 MR. HUTCHISON: The area is not very
16 dense. This set of tracts right here between West 91st
17 Avenue is not very dense relative to the Phoenix area.
18 These areas are more in line to the relative Phoenix
19 area west of 91st.

20 COMMISSIONER ELDER: I'd like to know
21 north of the river.

22 MR. HUTCHISON: North of the river?
23 Essentially all population north of the river.

24 COMMISSIONER ELDER: 98 percent of
25 population G below. Population 641,000?

1 MR. HUTCHISON: 55,000 or so.

2 COMMISSIONER ELDER: That's what I needed.

3 MR. HUTCHISON: Maybe. Maybe 50,000.

4 COMMISSIONER HUNTWORK: Chris, can you
5 move to a different part of the map? Basically, the
6 south end of B, the Arcadia area.

7 Okay. See where it says East Orange
8 Blossom Lane, a 45 degree angle right across the
9 southeast corner?

10 MR. HUTCHISON: Yes.

11 COMMISSIONER HUNTWORK: Above that,
12 bearing right is Arizona Country Club above Thomas Road.
13 The tiny corner, I'm quite sure that's still part of
14 Arcadia and belongs there, seems to me, put D, other
15 side of D. Either into -- probably over into D --
16 orange E, East, whatever is easiest, orange.

17 MR. HUTCHISON: Closest possible to zero,
18 four below, two above, a couple right on. Equal
19 population in. Take out 350 persons, get to E.
20 Somewhere north along the border of Scottsdale.
21 Landlocked city boundaries.

22 COMMISSIONER HUNTWORK: Just north there,
23 regular area. City boundary.

24 MR. HUTCHISON: City boundary. Paradise
25 Valley, Scottsdale border there.

1 COMMISSIONER HUNTWORK: B and E parallel,
2 it's a long distance.

3 MR. HUTCHISON: I chose there. District E
4 had a portion of City of Phoenix, airport, a place to
5 work off of city boundary.

6 COMMISSIONER HUNTWORK: It's a
7 neighborhood, pretty well-defined neighborhood. I'd
8 rather pick up 350 people somewhere else, if you can.

9 MR. HUTCHISON: Commission wish anywhere
10 else, border B.

11 COMMISSIONER HUNTWORK: North of
12 Scottsdale.

13 MR. HUTCHISON: Belongs on C population.

14 COMMISSIONER MINKOFF: Streets on?

15 MR. HUTCHISON: Sure. Essentially no
16 population, for the most part. All zero up in here.
17 All Carefree, little fingers in there.

18 COMMISSIONER HUNTWORK: How far north
19 where the lines, incorporated areas end? Up here, north
20 Carefree, 68 persons north without going into the city
21 north without grinding at it, without glancing?

22 Okay. I'd rather split a neighborhood
23 than a city.

24 MR. HUTCHISON: I could split another part
25 of the city, the Scottsdale border, 300.

1 COMMISSIONER HUNTWORK: Putting 350 from
2 Phoenix into Scottsdale?

3 COMMISSIONER HALL: This level of detail,
4 do this with every district? I'm sure somewhere
5 throughout are little areas that are not exactly
6 perfect. I'm concerned where to do that. I'm just not
7 sure, with all due respect to Mr. Huntwork, that's that
8 critical. I could be wrong.

9 COMMISSIONER HUNTWORK: With all due
10 respect, that's the point. There are just a few
11 things, and this is the only one I'm going to mention.

12 CHAIRMAN LYNN: Some we know about.
13 Others don't know that.

14 COMMISSIONER HALL: Not Mesa, Jim, yet.

15 MR. RIVERA: St. Johns next.

16 COMMISSIONER HALL: My desire tomorrow.

17 COMMISSIONER ELDER: Mr. Chairman, I move
18 we adopt plan test E, 4EE, with instructions to NDC to
19 make the changes around the edges to garner or gain
20 population as to make it equal as practicable -- I'm
21 sorry, to make population as equal as possible.

22 CHAIRMAN LYNN: Restate it.

23 COMMISSIONER ELDER: Adopt test plan 4EE
24 and instruct NDC to make population as equal as
25 practicable.

1 CHAIRMAN LYNN: Is there a second?

2 COMMISSIONER HALL: Second that.

3 CHAIRMAN LYNN: Discussion?

4 Ms. Minkoff.

5 COMMISSIONER MINKOFF: I wonder if at this
6 time it's appropriate to look for the traps mentioned to
7 us by various county recorders, at what point we should
8 deal with that.

9 MR. HUTCHISON: I'll speak to that. I
10 believe that's around the borders so mentioned in the
11 motion. Also, once the Legislative plan gets to
12 adoption, we were going to use the Legislative plan on
13 top of the Congressional lines, use it on top.

14 CHAIRMAN LYNN: Correct, move the Ledg.
15 lines, correct.

16 COMMISSIONER MINKOFF: Premature?

17 COMMISSIONER HALL: Precinct issues.
18 Previously in Coconino County, combined Hopi to
19 Coconino. Since new path is revised, have Grand Canyon,
20 we've eliminated, if not minimized, most of the
21 concerns.

22 CHAIRMAN LYNN: Mr. Huntwork.

23 COMMISSIONER HUNTWORK: Mr. Chairman,
24 there's a lot I like about this plan. The reaction to
25 this map, I'm very proud of it. I think he found ways

1 to combine additional communities of interest even
2 beyond what we started with, added compactness in some
3 places, strengthened majority-minority districts,
4 although very incrementally, but we found a way to do
5 better there. The only thing I'm concerned about at
6 this point, we haven't run the test on District C. It
7 is, in terms of raw numbers, right in between. It
8 should come out right on the button. I'm prepared to go
9 with it, communities of interest, how we've drawn it,
10 how it's more competitive, without beginning to do to do
11 damage at that point.

12 CHAIRMAN LYNN: Thank you.

13 Other comments, questions on the motion?

14 MS. LEONI: Yes.

15 CHAIRMAN LYNN: Ms. Leoni?

16 MS. LEONI: Changed Moenkopi and Hopi,
17 specific request of election officials.

18 MR. HUTCHISON: No, didn't change the
19 connector. Zero population. Took a greater area,
20 larger block in the area, used this one.

21 MS. LEONI: Specific request, wondering if
22 we can handle it in clean-up or whether you feel it
23 should be accomplished by motion.

24 CHAIRMAN LYNN: Ms. Hauser.

25 MS. HAUSER: Mr. Chairman, Ms. Leoni, if

1 is NDC is making minor adjustments, this is appropriate
2 to handle at this same time. Certainly the motion, NDC
3 can report back on equal population, if that change
4 would not be made and there are no difficulties
5 accomplishing this task as well.

6 COMMISSIONER HALL: Well, if it pleases
7 the motion.

8 CHAIRMAN LYNN: No further comments on the
9 motion?

10 COMMISSIONER ELDER: No.

11 COMMISSIONER HALL: For the record, I'd
12 like to identify specific aspects of the map I like, why
13 I feel it's very representative of all we've done thus
14 far.

15 With respect to starting in northeastern
16 Arizona, we're able, in recent adjustments of District
17 C, it's more compact and it still maintains the rural
18 reputation for significant Native American population
19 and simultaneously for all of those people that live in
20 that Arizona, rural Arizona. I'm pleased with what it
21 does to splits in the western border of the state,
22 unification of several river communities. And in light
23 of the fact the proposed western developments of the
24 state, it's very beneficial in that area of the state,
25 to Congressmen helping them with proposed developments

1 of the state. I like the fact in District G,
2 majority-minority percentages of populations. It's
3 enhanced, strengthened both very strong, solid
4 minority-majority districts, has given ample, adequate
5 representation, a Hispanic population throughout the
6 state. I'm pleased with the combinations developed
7 through the Central Maricopa area, unification of
8 cities, Mr. Hutchison said six cities statewide.

9 I think it's incredible it unified a
10 variety of interests in the Central Maricopa County
11 area.

12 I'm also pleased with the fact of the
13 cleanliness of the Southeastern Arizona District, the
14 fact the state District Two Congressional Districts
15 represent districts in the southern portion of the state
16 which obviously continue to grow at a rapid pace.

17 All in all, it's a product of a lot of
18 hard work. I'm pleased and proud to support the motion
19 on the table.

20 CHAIRMAN LYNN: Thank you, Mr. Hall.

21 CHAIRMAN LYNN: Mr. Elder, want to add
22 anything?

23 COMMISSIONER ELDER: No. I don't believe
24 there's anything. Mr. Hall hit the points I had written
25 down: Benefits of not splitting any more of the cities

1 than we had to. Especially when we look at the list,
2 all but one had to be split for population only. It's
3 greater than we needed --

4 COMMISSIONER MINKOFF: Than anything else.

5 COMMISSIONER ELDER: Gave us a benefit.
6 The only item, I'm not sure -- we still have an issue up
7 there, Hopi-Navajo separated.

8 I thought long and hard about the
9 benefits. I believe that split is justified.

10 I believe based on the communities of
11 interest, all the various issues we looked at from a
12 cultural standpoint, separate sovereign area. I like to
13 keep them separate. That's the reason I support this
14 plan.

15 COMMISSIONER MINKOFF: Mr. Chairman, I'm
16 going to vote against the motion. It's probably one of
17 the most difficult things I've done since I came on the
18 Commission. I'll vote and tell why.

19 First of all, I'm extremely proud to be a
20 member of this group. The four people I've worked with
21 are the best. The people that selected you, I'm patting
22 myself on the back. Steve, we selected you. We all
23 worked hard. And I think everybody came to this task
24 with the idea to do the very, very best job we could for
25 the people of Arizona in keeping with the requirements

1 of 106.

2 I second all the comments Commissioner
3 Hall made relative to the rural parts of the state. I
4 feel very comfortable with Districts A, C, G, and H.

5 The reason I'm voting against the map is
6 because of what we've not succeeded in doing in Maricopa
7 County and essentially the entire map. As I see it we
8 have one competitive district out of eight. When we
9 hear from people who voted for this proposition and why
10 they voted for it, I think we let them down. I think we
11 were obligated to create one more competitive district
12 in Maricopa County as long as not a big detriment.
13 We've not done it. I do not believe we could not have
14 done that. I think that we have been locked in by draft
15 maps. And while we worked hard to develop those draft
16 maps, they were not the right draft maps to allow us
17 what we were to do. We should have gone to look for
18 other draft maps. Perhaps we did need to start over.

19 I feel very uncomfortable voting against
20 this.

21 When I came on the Commission and filled
22 out my application, interviewed before I was selected,
23 my most important goal was to create choices for people
24 in Arizona when they voted in primaries, voted in the
25 general election, that they felt their vote counted for

1 something. I really wanted to do that. I don't believe
2 this map does it in the Maricopa County area.

3 I respect the differing opinions of my
4 fellow Commissioners. I respect all the work that went
5 into it. I can't vote for it.

6 CHAIRMAN LYNN: Thank you, Ms. Minkoff.
7 Mr. Hall.

8 COMMISSIONER HALL: Mr. Chairman, I
9 appreciate the fine comments of my compadre to my left,
10 before I disagree with her.

11 CHAIRMAN LYNN: Compadre. I'm splitting
12 her.

13 COMMISSIONER HALL: Monday I would have
14 agreed with the statement made. By the very clear and
15 patience represented by the crowd with us through the
16 process, we analyzed in intimate detail the effort to
17 create a competitive district. I can assure you I spent
18 hours looking for alternatives in the last couple days,
19 had fellow Commissioners that spent hours talking to
20 people, analyzing. And the fact of the matter is it
21 didn't work. And with all due respect, whatever we
22 could have done to reach up into the finger, or nail,
23 grab a competitive district, District B would have
24 caused sufficient detriment. Correction to competitive
25 districts. C, competitive leaning. H competitive

1 leaning. Two competitive Democratic, two competitive
2 Republican, and four. My first goal was give a choice.
3 My first goal was give people a choice. I feel we've
4 done it.

5 CHAIRMAN LYNN: Mr. Huntwork.

6 COMMISSIONER HUNTWORK: Mr. Chairman,
7 my -- the only thing I went out to say was to apply the
8 law, comply with Proposition 106. Personally, I've done
9 that to the absolute best of my ability. On occasion,
10 people have been impatient regarding competitive
11 districts. I voted to test every single idea that came
12 before the Commission. I voted to test every strong
13 idea despite strong intuition it was a fruitless
14 endeavor. We did it. We tested it.

15 I simply suggest to Commissioner Minkoff
16 and anyone else that feels we haven't succeeded in
17 creating this competitive district: Where was your
18 idea? Where was your idea?

19 I was not locked into a map. I tested all
20 the maps. I looked at all the maps or thought about
21 ideas that didn't show promise and were never flushed
22 out any further. I wrestled with everything I could
23 think of. I think other Commissioners did as well.

24 I think it behooves anyone that wants to
25 raise this issue to tell us what it was, tell us what

1 the idea was that we missed. I don't think it's there.
2 I think it's a mirage. I think we verified that.

3 COMMISSIONER MINKOFF: Can I say
4 something?

5 CHAIRMAN LYNN: Your plan.

6 COMMISSIONER MINKOFF: The plan stood
7 before us, would have worked. The plan caused
8 significant detriment. I believe the plan to central
9 city areas, kept majority-minority strong, District B,
10 three percent difference, Democrats, Republicans, and
11 showed a lot of promise, never got a real hearing. I
12 was the only one that thought it showed promise. Other
13 people were much more concerned about what they felt
14 were significant detriment to communities of interest,
15 what I felt were communities of interest. The plan I
16 still support did not receive support from other members
17 of the Commission, never got a full hearing. I still
18 think it's viable at this hearing.

19 MS. HAUSER: Mr. Chairman, counsel needs
20 to ask you to identify that plan for the record.

21 COMMISSIONER MINKOFF: The plan among the
22 various tests, Downtown CD.

23 MS. HAUSER: Thank you.

24 CHAIRMAN LYNN: Further comment on the
25 motion?

1 If I may add my two cents, two words to
2 run by you here. The first word is principle. I think
3 the Commission followed the principles of 106, performed
4 a principled redistricting for the first time in the
5 State of Arizona, under that law.

6 I also think Ms. Minkoff believed in
7 principled redistricting as well, believes very strongly
8 in something that could have been different, a different
9 solution, could have been found, will vote for a
10 principle, and that's perfectly fine with me, the way we
11 all should do it.

12 The other thing that comes to mind is
13 compromise. Compromise is the essence of work. Anyone
14 that has done it legislatively for years knows it's not
15 as simple as drawing lines, having lines work without
16 compromise. Compromise is not a bad thing. It's the
17 thing of which laws are made. Compromise is a thing of
18 bringing laws together that work. There are things
19 about the map I don't like, things about the map that
20 bother me still, things about the map I cannot say I
21 would not like to have different. However, there's an
22 awful lot to recommend this map.

23 I believe for the first time there will be
24 a rural district that will truly be rural. I believe
25 that for the first time the AURs we identified in the

1 state will be particularly Native American and Hispanic
2 AURs.

3 People deserve, have the right to be
4 represented their own way, have their own
5 representation, have their right to be represented in
6 their own map, more than their own maps of this kind.
7 Mapping we did was principled. We tried the best to
8 make things happen. Quite honestly, we compromised as
9 we went along. Splits we didn't want to have happen.
10 This map did less damage than a number we saw. A
11 number of factions of the community also factioned
12 around the solution. We should be clear about all of
13 them.

14 Members of the Congressional delegation
15 compromised. Groups of the communities that represent
16 other groups of the communities compromised. All took
17 less than they wanted. That was good for the whole.
18 That was their charge, to do something for everybody in
19 the State of Arizona. I believe they've done it. And I
20 certainly support the motion.

21 If there is if not anything additional,
22 roll call?

23 Mr. Elder?

24 COMMISSIONER ELDER: "Aye."

25 CHAIRMAN LYNN: Ms. Minkoff?

1 COMMISSIONER MINKOFF: "No."
2 CHAIRMAN LYNN: Mr. Hall?
3 COMMISSIONER HALL: "Aye."
4 CHAIRMAN LYNN: Mr. Huntwork?
5 COMMISSIONER HUNTWORK: "Aye."
6 CHAIRMAN LYNN: Chair votes "Aye."
7 This map, 4EE, is passed.
8 MS. HAUSER: Mr. Chairman, if it's the
9 Commission's pleasure, counsel will report back on the
10 report for additions or adjustment to the record, any
11 other, for the Congressional plan.
12 CHAIRMAN LYNN: It is so record preserved,
13 Ms. Hauser?
14 Do you know when would that might be?
15 Could it be as early as tomorrow?
16 MS. HAUSER: Depends the Commission's
17 schedule.
18 CHAIRMAN LYNN: Still Legislative work to
19 do.
20 MS. HAUSER: I'm sure it's a several-day
21 project to go through it carefully enough.
22 THE REPORTER: The official name of the
23 map, so I'm positive?
24 CHAIRMAN LYNN: 4EE. The official name of
25 this is 4EE.

1 It seems to me appropriate at this point,
2 unless I hear differently from the Commission, we'll
3 break until 8:30 tomorrow morning when we'll consider
4 Legislative mapping.

5 Is there another thought from a member of
6 the Commission?

7 Is there anything more from counsel this
8 evening?

9 The Commission will stand in recess until
10 8:30 tomorrow morning, 8:30, at this location.

11 (Whereupon, the hearing concluded at
12 approximately 6:30 p.m.)

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STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

BE IT KNOWN that the foregoing hearing was taken before me, LISA A. NANCE, RPR, CCR, Certified Court Reporter in and for the State of Arizona, Certificate Number 50349; that the proceedings were taken down by me in shorthand and thereafter reduced to typewriting under my direction; that the foregoing 156 pages constitute a true and accurate transcript of all proceedings had upon the taking of said hearing, all done to the best of my ability.

I FURTHER CERTIFY that I am in no way related to any of the parties hereto, nor am I in any way interested in the outcome hereof.

DATED at Phoenix, Arizona, this 30th day of November, 2001.

LISA A. NANCE, RPR
Certified Court Reporter
Certificate Number 50349

