STATE OF ARIZONA
ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER’S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION
Phoenix, Arizona
April 28, 2002
12:30 p.m

LISA A. NANCE, RPR, CCR
ARIZONA INDEPENDENT REDISTRICTING COMMISSION
Certified Court Reporter
Certificate No. 50349

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The State of Arizona Independent Redistricting Commission convened in Public Session on April 28, 2002, at 12:30 o'clock p.m., at the Doubletree Guest Suites, 320 North 44th Street, Phoenix, Arizona, in the presence of:

APPEARANCES:

CHAIRMAN STEVEN W. LYNN
VICE CHAIRMAN ANDI M. NKOFF
COMMISSIONER JAMES R. HUNTWORK
COMMISSIONER DANIEL R. ELDER
COMMISSIONER JOSHUA M. HALL

ATWOOD REPORTING SERVICE
Phoenix, Arizona
Public Session
Phoenix, Arizona
April 28, 2002
12:42 o’clock p.m.

PROCEEDINGS
Call the meeting of the Independent Redistricting Commission to order at 12:42 on a Sunday. And for the record, we'll have roll call.

Mr. Huntwork?

COMMISSIONER HUNTWORK: Present.

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: Present.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: Present.

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: Present.

CHAIRMAN LYNN: Chairman is present as well.

We're also joined by Ms. Hauser, Mr. Rivera, legal staff, joined by consultant NDC, Dr. Adams, Dr. Heslop, Mr. Leoni, Mr. Johnson, and -- and Bob Walters, also from NDC.

Without objection, I would like to rearrange the agenda slightly based on a better flow of information. I'd like to take a report from NDC prior to consideration of Executive Session.

Without objection?

Thank you.

Dr. Heslop.

DR. HESLOP: Chairman Lynn, Members of the Commission, NDC has been informed of the alleged, recently alleged discrepancy between the IRC used data bases and official registration sources. The nature and
Chairman Lynn has asked NDC to do some things to shed light on, and if necessary, to correct these alleged problems.

First, to look most carefully and, to correct, if necessary, the registration data base.
Second, to look closely and verify the accuracy of all other data bases currently in use.

We received this instruction on Friday and have completed a check of one of the five data bases that are in use by IRC, that is the Census data base.

In addition, of course, to the Census and the registration data base, there is the AQD, the racial block voting, and the Judge It data bases.

We find it difficult today to give an exact timeline of all of the things that would be involved in establishing, first of all, the error in the registration data base and, then, second, in verifying all of the other data bases. But we think that we can proceed with the first task, namely building a new data base for registration to assure that it is not in error.

We believe that we can proceed on that quickly.

We believe that we can check the other data bases as soon as we receive paper sources, as soon as they can check official paper sources, and we believe, too, then we can examine and track the error, alleged error, in the registration data base.

I could guess. I think I'll ask Bob
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Walters to come up because he'll be the one doing it, not I. A good guess is we can perform this work within five days of receipt of paper documentation.

Do you want to come up, Bob?

So that's our understanding of the situation. That's our intended approach for solving it.

We would first, as a matter of priority, look to registration, build a new, complete, and accurate data base.

Second, we would confirm the accuracy of the other data bases.

And, third, we would work with all of those who were involved to check the source of the alleged error.

We'd be happy to respond to questions, Mr. Chairman.

CHAIRMAN LYNN: Mr. Walters, do we want to add anything before we ask questions?

MR. WALTERS: Again, we have to look at what level of accuracy you want to get down into in that five days' verification. If we, to get to that level, means verification, as you know, it took months to build. If we have paper copies we can use to build to the present level, we can do that in three, four days across the board.

The registration files, again, there are some questions as to what we can get from the counties. I understand in some cases there's -- I've seen that
some counties are getting more data than others. I'm trying to get things such as who is active, who is inactive. That appears to be the source of the problems. I'm not sure at this point. That has to be gotten. There's also a matter of at what point in time one wants to look at this.

CHAIRMAN LYNN: Questions?

Ms. Minkoff.

COMMISSIONER MINKOFF: I have a couple of questions.

First of all, the five days you need subsequent to receiving the paper data, when do you expect to receive that?

MR. WALTERS: That I'll rely on somebody else.

Once we have the paper data, have that validated on electronic forms, some method we can ID it, we know problems are there, once there are paper copies gotten, I don't know the time lengths, honestly, and would defer to somebody else to help me on those time lines.

COMMISSIONER MINKOFF: It seems to me the turnaround time once they get the data is relatively short. If it takes weeks to get the data, we're still in a bind.

CHAIRMAN LYNN: Ms. Hauser?

Ms. Hauser may have a question or comment relative to that.
The Commission obtained for the Department of Justice the election returns from each of the counties for '96, '98, and the 2000 primary and general elections. Of course, DOJ preferred electronic data. That's primarily what we have, although from some of the counties we do have hard copy.

Do you require hard copy or can you use electronic copy data?

MR. WALTERS: If you're satisfied with hard copy used, I don't see why we'd verify. We need to have two different sources. If the electronic version is derived from paper versions, go back to the original paper copies, double-check entries were correct, do a cross-check.

If you do not have those documents, whatever is on file with the Secretary of State, probably, at least at the county level, possibly do some city level totals. That would be the best you can do if all you have is the electronic version.

MS. HAUSER: It still requires checking, because, in fact, when the racial block voting data bases were created, the contractor obtained election returns. And in order to provide -- we had the racial block voting data bases to provide, meet our burden with Department of Justice. We had to obtain electronic versions compatible with the federal regulations, so that the returns that we obtained directly from the
counties are separate from those that were used to prepare the racial block voting data base. I have no reason to doubt the accuracy of the data that we obtained from the counties but would want to make sure that that was compared to the data in the racial block voting data base. Does that make sense?

MR. WALTERS: Yes.

COMMISSIONER MINKOFF: Can I follow up? Lisa, maybe this is for you. When you spoke about having election data for '96, '98, and 2000, we need registration data. Is that just votes cast or does that also contain the registration data we need for those years?

MS. HAUSER: If I understand your question, are you asking whether or not the racial block voting data base contains registration?

COMMISSIONER MINKOFF: When you told NDC that we have election data for '96, '98, and 2000, I don't know what data you were talking about. You said we have the election data from '96, '98, and 2000, and forwarded that to Department of Justice and that's available to you. I wanted to know is that votes cast or registration data?

MS. HAUSER: That's election returns, present level.

COMMISSIONER MINKOFF: Doesn't give us really what we need.
returns.

What we asked NDC to do, although there's no reason to believe anything is wrong with precinct registration data bases, we wanted NDC to check all. There's no racial block voting in registration voting bases.

COMMISSIONER MINKOFF: Need registration data for other purposes?

MS. HAUSER: Correct.

COMMISSIONER MINKOFF: Where is it and when will it be available?

MS. HAUSER: Dr. Heslop spoke to that earlier. Maybe he should repeat his comment.

COMMISSIONER MINKOFF: He said they'd need approximately five days to test it once they get the information. What I'm trying to find out is when they're going to get the information they'll analyze and test for us.

MS. HAUSER: My understanding is that should be within the next day or two.

COMMISSIONER MINKOFF: Okay. Good.

Then my other question, actually, Lisa alluded to. You are going to be also testing other data bases that were used. Do you anticipate any problems there or is that just to verify what you expect are also
good, solid data bases?

MR. WALTERS: The purpose there is just to validate the data is acceptable and as accurate as can be expected. As I understand, at real issue is registration data at this point in time. But it makes good practice to verify the other data bases are accurate and are acceptable to everybody.

COMMISSIONER MINKOFF: You anticipate other than registration data bases, everything is correct?

MR. WALTERS: From what I heard, everything I have seen, that's correct. I went through everything. It's straightforward. It's very straightforward, that balance.

COMMISSIONER MINKOFF: Good to hear good news.

CHAIRMAN LYNN: Mr. Elder then Mr. Huntwork.

COMMISSIONER ELDER: As we go through the data analysis, will we also receive a comparison of the results against the data base we have used, see what kind of variation differential we have?

MR. WALTERS: Want to see the deltas, if we create a new data set?

COMMISSIONER ELDER: In other words, if some areas have a 10th differential, that probably does
not affect.

MR. WALTERS: Right.

COMMISSIONER ELDER: Come up and find a delta with 50 percent, big problems.

MR. WALTERS: No, right.

COMMISSIONER ELDER: See what the differential is, where it occurs, what area of the state, or that. I'd like to have that included, if you can.

MR. WALTERS: Definitely need that. Delta should be fairly easy to buy.

CHAIRMAN LYNN: Without objection, Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I have a very basic question, and maybe a follow up, depending on the answer.

I'd like to ask Dr. Heslop, you referred to this as the alleged error, and that's what I've heard, too. I've heard several versions of what this error is. I wonder if you could clarify for me exactly what supposedly happened. I heard it has something to do with inactive voters. Is it that we did use them, didn't use them, used them inconsistently, or wrong numbers all together, or what is the problem?

DR. HESLOP: Commissioner Huntwork, let me respond in this way: I use the term "alleged" because I have no direct knowledge, nor I think does anyone in DC, in NDC, have direct knowledge of the exact nature of the
error. I have heard about it from others, and,
therefore, I would prefer not to comment at this stage.
I don't know. That's why I use the word "alleged."

COMMISSIONER HUNTWORK: I'm concerned
about one thing. I want to understand both what the
error is, this someone else will have to tell us, also,
how it affects what we did, which is a complicated
mathematical function I suspect Dr. Heslop or a member
of his team will have to advise us about.

CHAIRMAN LYNN: Or others.
COMMISSIONER HUNTWORK: Or others.
CHAIRMAN LYNN: Again, I'm speaking
secondhand based on information I've been given.
Perhaps others may want to comment on it.

My understanding on the error, or area of
error, is a potential area of voter registration
discrepancy between numbers we used and total
registration numbers the Secretary of State has on her
website and are available for various counties in the
state, the largest potential problem being Maricopa
County. Again, my understanding is what may have

happened is that in some counties when the geocoding
took place, it was only against active files. In other
counties, it was a combination of active and inactive
voter files.

We have one issue of apples and oranges
across the state, don't have a consistent data base
using the same type of data.

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The other issue is whether or not those numbers, therefore, match up with generally accepted numbers for registered voters in the major parties at the time we were doing the analysis.

And what I think needs to happen, and what I've asked to have happen, is, in stages, number one, that we get a correct data base using a consistent application of, in my judgment, less active voters across the state, and then perhaps another data set that shows active plus inactive for a total, if in fact that's available consistently across the state, so analyses could be done using either/or, combining them if we chose, we'd have that option. And beyond that we need to rerun the analysis that was done after the geocoding occurred to determine the impact on the issue of competitiveness as we approached it during the process and have that done consistently across the map.

COMMISSIONER HUNTWORK: Well, to the extent that the alleged error pertains to inactive voters, it's very important for us to understand that and decide in what we do today and in the immediate future. And so I wonder if there's anyone today that is going to be able to comment on how this would play through the formulas that we used to determine competitiveness.

One has to make an assumption about how many inactive voters vote in any given election.
happen to know that's a very small number. And by the
way, to be an inactive voter, you can't have voted in
any of the past two elections, have to have mailed to
the address twice, mail has to have come back returned.
I don't know the statistic, I imagine in Maricopa
County, or any of the counties where this problem
alleged problem might exist, they could tell us what
percentage of voters on the inactive lists would vote in
any election so that we could, I think, very quickly
make an order of magnitude judgment about how seriously
it's going to affect our districts so that we can decide
in all honesty whether we go forward with the current
districts or make some other decision, which is really
the decision we have to make. This is fundamental to
what we're here to do today.

Thank you.

CHAIRMAN LYNN: Thank you.

Other questions or comments for NDC?

I have a couple of general comments. I
think this is more aimed at members of the press,
because there have been a number of stories written.

I want to clarify a couple of points here, if I may. The first is that this business of inaccurate
data is confined, we think. That's why I ordered all
data bases be checked so we can be assured it is
confined to analysis of competitiveness used by the
Commission in assessing which districts are competitive
and to what degree. We want to be accurate in that
assessment. Certainly it's one of the charges to the
Commission that be done in an accurate manner. It is
limited to that, as far as we know.

Again, confirmation of other data bases
will ultimately confirm the magnitude of the problem is
confined to that area of analysis. It would be
erroneous to think other areas of our mapping, other
areas of population, and the other criteria that we were
charged with using, are in any way being called into
question at this time, because they are not. Those maps
created, as far as we can tell, we'll verify with
correct data, and those maps are accurate.

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The second thing I want to mention is
there were several reports from various sources
indicating this is a very simple matter, the Commission
should have known, gone to the Secretary of State's
Office, pulled it off the website. That's so wrong,
incorrect. I need to be very clear about this. What
the Secretary of State has on the website are voter
totals for registration, not disaggregated in any way,
not geocoded where they live, where they need to be
plotted on a map in order -- in order to do the kind of
work we need to do. In fact, had the information been
available from the Secretary of State, we certainly
wouldn't have contracted with someone to provide it; we
would have simply gotten it.

I want to make it very clear that the
process that needed to be undertaken was to take the
voter files and to assess, on a map, where those voters actually lived and code those files so that we could then build voter files by geographic area to determine where registered voters were and how they might behave in a subsequent election. That is not something the Secretary of State has, is not something available on the website, and is something we needed to create.

If there is someone in the room that has a different point of view on that, I'd sure like to hear it, because that happens to be the way it is. I want to make that very clear.

It's also the case that the Commission's work went forward on the basis of all of the other data bases as we mapped prior to the time that this kind of information was allowed to be used under the Constitution, because initial mapping could not use voter registration data. It's clear in the Constitution that that is the case. And so this was done at the time that we began looking at the competitive nature of districts. And that's the data that was in part used to determine the competitive nature of districts.

So, with that having been said, are there any other comments or questioned on this issue?

DR. HESLOP: Mr. Chairman.

CHAIRMAN LYNN: Dr. Heslop.

DR. HESLOP: A final note to sum up. We understand that we are to receive the paper sources that we need on Monday. If we do, we will have the work of
confirmation, of rebuilding data bases, confirmation within the week, and will be able to report such confirmation to you a week from Monday.

CHAIRMAN LYNN: Thank you.

Mr. Elder.

COMMISSIONER ELDER: Yes. Dr. Heslop, one thing I would ask. I don't want to wait a week if on Tuesday you notice, by the way, we're missing something. So make sure as you're going through the process you let the Chairman or whoever the contact liaison is going to be if you've received something in the incorrect form, we don't have a complete data base, we don't wait a week and find out: Oh, by the way.

DR. HESLOP: We're very conscious of the need for haste on this and will certainly follow up on any problems.

CHAIRMAN LYNN: At this time, I'd like to ask if there's a motion pursuant to A.R.S. 38-431.03 (A)(3) or 38-431(A)(4) to go into Executive Session?

COMMISSIONER ELDER: So moved.

MS. HAUSER: Mr. Chairman, pursuant to both provisions.

CHAIRMAN LYNN: I cited both.

MS. HAUSER: You said "or."

CHAIRMAN LYNN: And. For the record, both sections.

COMMISSIONER HALL: Second.

CHAIRMAN LYNN: So seconded.
Discussion? All in favor, say "aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER MINKOFF: "Aye."

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Opposed, "no."

(Motion carries unanimously.)

CHAIRMAN LYNN: Ladies and gentlemen, we'll convene Executive Session. I won't ask you to guesstimate how long we will be. I don't know. But John Mills has DVDs.

(Whereupon, Public Session was recessed and Executive Session was held from 1:06 until 3:56 at which time Public Session resumed.)

CHAIRMAN LYNN: The Commission will come to order in regular session.

First of all, I'll thank everyone for their indulgence in terms of waiting several hours. It's one of those things we had several issues we were dealing with.

Item IV, possible discussion or possible decision concerning the adopted Legislative or Congressional plans.

Is there a motion?

Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, I would like to make a motion, instruct NDC and other consultants to review all of the data bases relative to...
both plans and then prepare for us a presentation,
advise us how they affect both plans, including any
potential errors and source of errors.

CHAIRMAN LYNN: Is there a second?
COMMISSIONER ELDER: Second.
CHAIRMAN LYNN: Thank you.

Discussion on the motion?
Ms. Minkoff?
COMMISSIONER MINKOFF: Mr. Chairman, once
again, I would like to guess -- some kind of guesstimate
as to when we would have that information.

CHAIRMAN LYNN: We asked NDC. The motion
is to conduct the data review that has already been
ordered on both plans. Obviously the question is how
soon might that be accomplished. I think there are a
couple variables. One is when you get the raw data to
move forward and do your analysis.

If you could, for Ms. Minkoff, go over
potential time frames for Ms. Minkoff for reviews.

DR. HESLOP: Mr. Chairman, our best
estimate, lacking the paper sources at this stage, is
that we should be able to report on all of the matters
that we discussed in our initial presentation no later
than a week from tomorrow. If things go more rapidly,
we will, of course, so inform the Commission. But we
think that that is a reasonable deadline with which to work.

CHAIRMAN LYNN: That's for initial review and creation, even correct the data base, if one needs to be corrected?

DR. HESLOP: Yes.

CHAIRMAN LYNN: Subsequent review by other consultants would be additional time on that time frame?

DR. HESLOP: Yes, unless, again, as I said, we're able to complete things piece by piece more rapidly.

CHAIRMAN LYNN: Ms. Leoni, if I clarify the question of NDC, work is twofold: One, confirm a new data base; the request of the Commission is to give us the as-of date, which will be the -- what will be the date of the data base. That's one portion, as I understand Commissioner Hall's motion, this one review of all data bases, report errors in those data bases, types and numbers, the sources of errors, and the impacts on the plan. If I understand correctly, that is a different project from the project for which NDC gave a four- to five-day time frame from receipt of the new data base. I just want to refocus that, if that is the correct motion.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: That is correct.
Are you saying that that is more than you can chew or what am I hearing you saying?

MS. LEONI: I'm not saying it's more than NDC can chew, Commissioner Hall. I want to make sure the project was understood in terms of the timing. I don't know whether NDC is prepared to represent that review, that separate review, can be undertaken within a four- to five-day period. I want to make sure that's understood.

COMMISSIONER HALL: I understand, Ms. Leoni, as far as identifying all sources, any potential error, it may be an extended process, identifying what errors you can identify, if any apply to data bases.

MS. LEONI: The approach is maybe breaking it down into parts.

CHAIRMAN LYNN: Dr. Heslop, Mr. Walters.

MR. WALTERS: Again, my understanding is review and try to find these errors and to determine how one might correct them, not to correct them in that five days.

Is that true, unless easily correctable?

CHAIRMAN LYNN: Well, it seems to me we have a sequence we're talking about.

Step one of the sequence is verify whether or not there were errors made in the numbers represented in the voter registration data.

The second step is to quantify those in
terms of the lists necessary in order to perform a
variety of other functions related to competitiveness or
competitiveness analysis.

And then -- then there may -- and then
there would need to be subsequent tests or study done,
not necessarily by NDC but by others, to actually take
that -- those data sets and actually perform those
functions to determine the impact.

DR. HESLOP: The hesitation you are
observing, Mr. Chairman, is because until we know the
magnitude of error that exists, it's very hard to give
any estimate of what would be involved in correcting it
or even, indeed, assessing its impact on the plans.
That's the only hesitation you are detecting here.

I think I can speak for the company in
saying we will give this top priority and we will do it
all as fast as we can.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, early
on I think when first discussing, before we went into
Executive Session, I asked to see what the differential,
or delta, between the data bases were. Will we still be
able to get that in that time frame?

MR. WALTERS: I don't see a problem

COMMISSIONER MINKOFF: Mr. Chairman, I
believe Mr. Hall's motion refers to all of the data
bases, correct? We're not now just talking about the
voter registration data base, but all those others.
You are not going to say you’ll have all that done by a week from Monday or are you?

DR. HESLOP: We'll be able to confirm within reasonable limits all five data bases. We already confirmed the Census data base for our plan. Prior to next Monday we hope to have confirmed, verify, the others.

COMMISSIONER MINKOFF: So all others, it's a relatively quick process, and the time is voter registration?

DR. HESLOP: With the stipulation, cautionary, is the paper sources are available to us. And we will certainly let you know if they are not made available to us.

COMMISSIONER MINKOFF: Take you there less time then to confirm other data bases. And most time will be spent with voter registration information?

DR. HESLOP: That's my assessment of the situation at the moment.

CHAIRMAN LYNN: Further discussion on the motion?

If not, all in favor of the motion, signifying by saying "aye."

COMMISSIONER HUNTWORK: "Aye."
COMMISSIONER HALL: "Aye."
COMMISSIONER MINKOFF: "Aye."
COMMISSIONER ELDER: "Aye."
CHAIRMAN LYNN: Chair votes "aye."

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Motion carries unanimously and is so ordered.

Paragraph item V, discussion and possible request to the Attorney General to review possible contract violations by Election Data Services.

I want to take note Kim Brace of EDS is present with us today. We were not aware Mr. Brace was going to be here. We do not have a place on the agenda for a report from EDS nor do we have the opportunity to speak specifically with him. In fact, because we have other issues that are in play at trial about to start and other matters, we want to do this: We certainly want to thank Mr. Brace for being here. And to the extent that he has or can provide information that would be helpful in terms of where we want to go forward on this basis, is there an affirmative motion with respect to item V?

COMMISSIONER ELDER: Mr. Chairman.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: I'd like to make a motion, don't know whether it's appropriate or proper, have to let the attorneys give us the yes or no because the agenda item was "Attorney General." I would like to kick it in to Mr. Adler's purview as far as just the contracts and what was agreed to, and that, and let him review that as opposed to going to the Attorney General at this time.

CHAIRMAN LYNN: Ms. Hauser?
Mr. Chairman, Commissioner Elder, the State Procurement Administrator is represented by, works with the Attorney General. I think that -- with that understanding, that whatever work the Procurement Office does is going to be overseen by the Attorney General, I think your motion is fine.

Chairman Lynn: Is that your motion, Mr. Elder?

Commissioner Elder: It is.

Chairman Lynn: Is there a second?

Commissioner Minkoff: Second.

Chairman Lynn: A motion has been made to refer the matter of contract compliance on the EDS contract to the State Procurement Office for review. Discussion on the motion?

If not, all those in favor, signify by saying "aye."

Commissioner Huntwork: "Aye."

Commissioner Hall: "Aye."

Commissioner Minkoff: "Aye."

Commissioner Elder: "Aye."

Chairman Lynn: Chair votes "aye."

So the motion carries unanimously.

Possible instructions to NDC and/or Commission staff.

Additional instructions to NDC or Commission staff at this time?

Mr. Hall?
understanding is there was some discussion relative to a date with respect to data. Can you maybe clarify that for us so we can insure you have proper direction?

MS. LEONI: Yes. Thank you, Commissioner Hall, glad you raised the question.

NDC, perhaps would be a proper contributor.

As you know, registration in this state is a moving target, changes on a day-by-day basis. In order to confirm and establish a data base for use by the Commission, we would ask that the Commission determine what that date is so that we stop that target from moving for the purpose of confirmation of the data base. We ask for guidance on that date.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: I propose we use January 1 of 2001 as that data base, probably both serve the 2000 Census data as well as it's a data base readily available.

COMMISSIONER MINKOFF: If that's a motion, I second it.

COMMISSIONER ELDER: Ask for the date we agreed.

CHAIRMAN LYNN: Better put it in the form of a motion if it's to give direction to NDC to utilize it.

Mr. Elder, is that a motion?
COMMISSIONER ELDER: It is.

COMMISSIONER MINKOFF: I second.

COMMISSIONER HALL: Clarification, maybe from Dr. Heslop, is that the same date that we -- has been used in all previous information? Is that correct?


MR. BRACE: It was April 2001, not January.

COMMISSIONER HALL: April 2001?

MR. BRACE: April.

DR. HESLOP: I believe I hear that to my right.

CHAIRMAN LYNN: I believe the intent of the motion was to insure when we recreate the data base we're able to compare apples to apples. If the original data base compared as of an April 1st date, we should, it seems to me, go with that date for the revised data base.

Mr. Elder.

COMMISSIONER ELDER: I'd revise my motion to April 1st, 2001.

CHAIRMAN LYNN: Is that acceptable --

COMMISSIONER MINKOFF: Second it.

CHAIRMAN LYNN: Further discussion on the motion?

If not, all those in favor, signify by saying "aye."
COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER MINKOFF: "Aye."

Chair votes "aye."

Motion carries. So ordered.

Next is report from the Executive Director.

MR. ECHEVESTE: There's no report from me at this time.

CHAIRMAN LYNN: Thank you, sir.

Item VIII, recess or adjournment.

COMMISSIONER HALL: Just to report to the Executive Director, make note, we thought we'd give a bunch of money back to the State. That may not be possible now.

CHAIRMAN LYNN: Seems less possible daily.

CHAIRMAN LYNN: Item VIII, recess or adjournment.

The Commission will stand adjourned until a call from either a majority of the Commission or call of the Chair.

COMMISSIONER HALL: Would it be appropriate, Mr. Chairman, to discuss some potential dates now?

CHAIRMAN LYNN: I don't know we have even an idea when we might -- as with this meeting, it will have to do with events unfolding, as it always seems to...
do.

Ms. Hauser --

Ms. HAUSER: I must say, if any Commissioners have travel plans coming up, if you'd please give Jose or I your contact information, and the Commission office as well, so we can reach you in the event of a need to call everyone together.

CHAIRMAN LYNN: Any further business?

Ms. Hauser?

Mr. Rivera?

The Commission will stand adjourned pending call of the Chair or majority of the Commission.

(Whereupon, the hearing concluded at approximately 4:10 p.m.)

* * * *

ATWOOD REPORTING SERVICE
Phoenix, Arizona
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 33
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 28th day
of April, 2002.

LISA A. NANCE, RPR, CCR
Certified Court Reporter
Certificate Number 50349

ATWOOD REPORTING SERVICE
Phoenix, Arizona