STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Tucson, Arizona
August 17, 2001
8:00 a.m.

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

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

COMMISSION convened in Public Session on August 17, 2001, at 8:00 o'clock a.m., at the Double Tree Hotel Resort, Boojum Room at Reid Park, 445 South Alvernon Way, Tucson, Arizona, 85711, in the presence of:

APPEARANCES:

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

ATWOOD REPORTING SERVICE
Phoenix, Arizona
ADOLFO ECHEVESTE, Executive Director
LISA T. HAUSER, Commission Counsel
JOSE de JESUS RIVERA, Commission Counsel
AMY REZZONICO, Press Information Officer
LOU JONES, Administrative Assistant
TIM JOHNSON, MC, Computer Consultant
DR. ALAN HESLOP, NDC, Consultant
DR. FLORENCE ADAMS, NDC, Consultant
DOUG JOHNSON, NDC, Consultant
CHRI£ HUTCHISON, NDC, Support Staff
MARGUERITE MARY LEONI, NDC Counsel
MARION PORCH, NDC, Support Staff
LISA A. NANCE, RPR, CCR, Court Reporter

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SPEAKERS FROM CALL TO THE PUBLIC:

GINI McGIRR
EDWARD T. BEGAY
BEN ANDERSON
STEVE GALLARDO
GARY BOHNEE

AGENDA DESIGNATED SPEAKERS:

DR. ALAN HESLOP
DR. FLORENCE ADAMS
MARGUERITE MARY LEONI
DOUG JOHNSON
CHRIS HUTCHISON

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CHAIRMAN LYNN: If the Commissioners will take their seats, come to order, the record will show all five Commissioners are present along with counsel, staff, consultants, as is custom, public comment will be heard at the beginning.

I have one speaker slip. If there are others, let me know by showing a speaker slip.

Our first speaker this morning, Edward T. Begay, Speaker Begay, Speaker of the Navajo Nation.

Good morning and welcome to Tucson.

SPEAKER BEGAY: Good morning, Mr. Chairman, Commission Members, staff, and guests.

I'm pleased to be here in your meeting this morning down south in Tucson.

This morning, when I left Window Rock, it was a very pleasant 50 degrees. But as I flew over the state with all the recent rains, all the grass had been perked up, and I'm sure as you get close to the ground, you'd see all the beautiful flowers in their beautiful
arrays throughout the country throughout the State of Arizona.

As you may guess, my name is Edward T. Begay. Currently I'm the Speaker of the Navajo Nation Council. The Navajo Nation Council consists of 88 delegates. We have 110 precincts from which we are elected to the Navajo Nation Council. We serve for a four-year term. And also we have a legislative branch that is headed by a President and Vice President, and we also have a Judicial Branch headed by the Chief Justice.

In the course of all this, the mandates that are placed upon all of us as citizens of the state and the country every 10 years, citizens and elected officials have an opportunity to look at the Congressional and Legislative Districts in each of the respective states.

For Navajos, we really have to be running because our land base resides in the State of New Mexico, State of Arizona, and State of Utah, so they have been keeping us very busy.

The Chairman and other officials, Commissioners, I understand you have been meeting here a couple days, this is your second day, and I know when you get into these long meetings, it gets to be tiresome at times. The Navajo Nation Council always experienced
this. Every quarter we have a one-week session of the council. In the meantime, a standing committee which consists of 12 standing committees, they do the work in between council sessions.

In the next week or two, we'll be meeting to consider -- considering our budget for our coming fiscal year. And I would just like to express my appreciation for the Commissioners and staff, and also the participants in these hearings. And I think it's incumbent upon all of us to actively participate in the process and get an opportunity to present what we feel will be very fair and representative for the constituency that we represent in what is being the tribal governments, county governments, or municipality government as well as state government and onto the national government.

I would just like to express appreciation for your hard work.

Secondly, as I was looking at your latest map on the Congressional District, it sort of reminds me, the way it was designed, I guess one could label it as an ostrich. Navajos they like to wear ostrich boots. That sort of reminds me of that design. Also, we sheep ranchers, we like those llamas to be in our herd, so that could be representative of a llama on your
Congressional maps.

So, you know, a lot of times we try to express things in languages. You fail to put your thoughts across. But when you start drawing, a lot of things could come to your mind. I guess that's why the Chinese say a picture is worth 1,000 interpretations. I guess in our work, we might say it in that fashion. But also, we are just, Navajos, we are hopeful that in your final analysis, after all the requests are in, and all the proper numbers are posted, I would hope that the Commission would, for the Navajo Indian, anyway, look seriously at the proposal we have submitted. And I think that that would be in every line. We just -- we did not just propose it in a way that would fit our need, but we use the rules of the process. And also we provided you the narrative as a back-up as to why we've done our maps the way we did, Commissioners. So with that, I would just like to comment in that fashion.

As I understand it, you voted four, four-to-one, to propose to include the proposed Navajo district as included. You have heard much about what some people believe there are as differences between the Navajo people and the Hopi people. There are lots of similarities between the Navajos and the Hopis. One is we have a lot of inner-marriages, Navajos marrying

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Hopis, and vice a versa. We have children half Navajos and half Hopis on our land.

In addition to that, which is common to the state and United States, as well as tribal countries, is the need for better schools, proper funding from the state, as well as federal government.

And we are, both tribes are very supportive of one another in seeking these improvements, from time to time. And also, there's always a need for better health facilities, which is not exceptional need on Navajo or Hopi, but it's like that in the counties, in the state, in the federal governments, and for the citizens to have good health. And also not only the senior citizens but as well as our youngsters.

So we're always promoting and very supportive of the two tribes when they are promoting adequate funding and construction of facilities.

And now days, now, maybe I'm to the age when I'm very much interested in better senior citizen centers.

Over the years, on Navajo, anyway, our children or grandchildren used to look after us on a timely fashion. With the fast-moving lifestyles and education and employment opportunities for these younger Navajos, they are busy with their lives, and that kind
of put senior citizens on a little bit behind on the
area of being somebody to look after them. So we rely
on institutions to assist us on building these. That's
where there's no distinction on Navajos or Hopis. I'd
just like to point that out, Commissioners, and leave
those thoughts with you.

Even though inclusion, on Navajo's
inclusion increases Hopis low 265 from 77 percent when
we presented Navajo proposal, we were nearing 78
percent. So I think that is worthy to be noted when you
do your final calculations.

Navajo believes the Commission must take
serious look at the plan that matches the 78 percent
benchmark. That's why I made every effort to touch
base with the Apaches and also the tribes down here.
There should be a concerted effort to be in position to
have a Native American representation in the future as
well as get a good shot, so to speak, in the next 10
years.

The rules you are all making will be in
effect for the next 10 years. I think this is the
opportune time to review that.

The Navajo presented our proposal, that
was average, the percentage was 78.8 percent Indian
population. So I would just like to reiterate that,
Commissioners.

Your understanding is very important. We are not asking you to be expert in Navajo-Hopi land disputes, but you just give us a fair consideration, because they are all done by federal legislation on the land dispute issues.

And also we are not asking you to portray Hopis as having a vast difference from the Navajos, as I pointed out earlier. So you get a chance by virtue here, you can look at the community of interests, meaning that the Navajos and the Hopis live side by side, roads go through there, utilities go through there, some of our children go to their schools, and visa versa, and of course then there's commerce. We trade with them on a daily basis.

So with that, Commissioners, I would like to again thank you forgiving me an opportunity to present these remarks to you. I think our formal presentation was presented with the official position by resolution of the subcommittee and inter governmental relations committee of the Navajo Nation's Council.

And again, I would like to thank you for scheduling another round of meetings in Tuba City September 11th. Lord willing, we'll see you all there.

Thank you.

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CHAIRMAN LYNN: Thank you, Speaker Begay.

Again, if anyone else wishes to be heard, I need a speaker slip. I have one more in my possession.

The second speaker this morning is Gini McGirr, president of the women's league of women voters of Arizona.

MS. McGIRR: M C G I R R. I'm the President of the League of Women Voters of Arizona.

Good morning, and it's good to see the consultants here with bright eyes and smiles, if you made it through the night.

As a secretary on the original league executive committee that started the writing of the initiative with Common Cause, I have watched the Commission's work like a mother hen watching a chicken egg hatch.

The League accounts for most of the hits on the web page as we go in to watch the minutes.

When we first started this, the goal was to get rid of the dragon. Yesterday we had the dinosaur. Maybe it's an ostrich today. A scottie popped up.

The goal was to have districts so Legislators could travel to meet voters more than a few
Another goal was to have districts where the voters would be close in with their parties, where they weren't all safe districts so some elections were settled at the primary. Only if this was done would the voters come to the polls. The League puts on candidates forums all over the state, and this is the biggest problem the people come to talk to us about. They have no one to vote for. Yesterday the computer changed lines, brought bodies from one place to another.

You need now to go in, find voters. I hear now this will happen at this next go-round of these meetings. Then you come back and change the lines all over again.

The next 10 years are crucial to the voter as they vote for congressional and state representation. Without having the competitive districts, we will be back to square one.

CHAIRMAN LYNN: Thank you, Ms. McGirr.

Are there any other members of the public wishing to be heard this morning?

If not, we'll reserve until later in the day public comment.

Without objection, we'll hear a report from the consultants.

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Dr. Adams.

DR. ADAMS: Commissioner Lynn, Members of the Commission, good morning. We have two presentations for you. As a result of our work during the evening, we did do a test on the legislative plan, what we're calling the horizontal test for districts P and V in Maricopa county, and they are still listed as that in this particular test.

We want to show you the results of that. Once I've shown you the results of that, then Chris Hutchison is going to share with you also the results of your instructions regarding the Legislative, the full Legislative plan.

Yesterday you instructed NDC to test moving Maricopa County District P and V from a vertical orientation to a horizontal orientation. And this is the test map result that you see here. So you can see that the orange district is V, and that just below it District P, V on top, P, Paul, on bottom, and then district T, Tom, also is affected peripherally. The consequences of this move are twofold. It diminishes the influence of the Hispanic community in District V and overly concentrates the Hispanic community, in our view, in District P. Here you actually can see the numbers.
In the vertical orientation, we have a 55.56 Hispanic percent district in P and in V, 54.14.
In horizontal orientation, P becomes 56.91 and V drops down to 40.05 percent. Hispanic 18 plus becomes 61.62 and 34.74.

I'd be happy to answer any questions.

CHAIRMAN LYNN: In conclusion, the horizontal orientation is not an improvement and is significantly disadvantageous to pursue.

DR. ADAMS: We believe it definitely is not an improvement. The original vertical orientation is the better choice for the Commission.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: You say the original. We had an interim plan, then during the night created essentially four majority-minority districts instead of five. Is that what you mean by original?

DR. ADAMS: Yes. That's what we were working with.

CHAIRMAN LYNN: Other comments or questions from the Commission?

All right. Please proceed.

DR. ADAMS: Commissioner Lynn, Members of the Commission, I'd like to proceed with a report from Chris Hutchison.

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MR. HUTCHISON: It will just be a second.

Let me switch monitors.

CHAIRMAN LYNN: Dr. Adams, if you would for just one second, I want to return to the west valley for a second before you move on. Or will Chris cover more of the west valley.

DR. ADAMS: Yes.

CHAIRMAN LYNN: All right.

Do you have a presentation on the west valley or were you going to move south?

MR. HUTCHISON: I can cover both.

CHAIRMAN LYNN: Not "can," what were you going to do?

MR. HUTCHISON: I was going to start at the west valley, actually.

CHAIRMAN LYNN: Okay. Fine.

MR. HUTCHISON: This is the full Legislative plan. We incorporated pretty much all elements during the night from both the testimony and Commission, we believe, and we're calling it Legislative draft plan revised 8-17-01.

We'll start with the west valley, zoom in on that.

The issue we were discussing last night was how to modify districts T, T, right here, P, and
possibly also V, which was discussed in Dr. Adams' presentation on the horizontal line move.

What you'll see we've done here is modify P, both according to testimony last night, taking Avondale, testimony last night, 17, the eastern border on P is 51st, reaches ideal population in Avondale, a strong minority-majority district, and -- I have the numbers. Total Hispanic percentage in that district, green, 58.6 percent; voting age Hispanic, 58.3 percent; total minority percentage is 69.37 percent, and total voting age minority percent is 60.27 percent.

I would also like to note this does not affect changes made yesterday on Districts S and R. Neither were affected. Also, all surrounding districts, D, was it Y and N, were not affected as well. It's wholly contained between T and P.

I'd be happy to answer any questions.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: My concern --

Is this on?

CHAIRMAN LYNN: Could we have the mikes turned on, please.

COMMISSIONER MINKOFF: It helps if you turn it on.

My concern is about district V, which we
originally asked you to consider making a part of this adjustment. I understand why that does not work. But my concern is about the population figures that we've been given and that most of the other districts are within two, three hundred, sometimes two or three people.

   District V is dramatically underpopulated. And because there isn't a district close by that is dramatically overpopulated, I'm concerned that when we try to adjust that to bring it in line, it's going to cause some pretty significant shifts in a lot of districts.

   So my concern is how you propose dealing with a population that is over 2,000 people too low.

MR. HUTCHISON: Sure. Actually I meant to adjust that prior to your question; so your question is well-informed.

   If you notice, District V and also District E are the two outlyers in the plan. District V is --

COMMISSIONER MINKOFF: V as in Victor, MR. HUTCHISON: V as in Victor is 2,333 persons below ideal population. To put it in perspective, it is negative 1.36 percent. Total overall deviation on the plan is 2.5 percent, which essentially
means the district, what was it, again, E, is 1.4 percent overpopulated, roughly 1,900 persons. Now --

COMMISSIONER MINKOFF: Where is District E?

MR. HUTCHISON: District E, Eastern Pinal County, I can zoom out and show that.

MR. HUTCHISON: District E is the area I'm pointing to.

Now, to explain that, essentially we made a decision late in the morning, or early in the morning, if you will, in order to ripple that population, we'd have to modify a number of districts that the Commission had voted on and agreed to previously. We were actually wishing to have the Commission instruction, if the Commission so wished, on how to ripple that population. We didn't want to change Districts S and R without input. That said, total overall deviation is 2.5 percent. While not ideal, it is -- the plan is still in the draft phase and it is our position that it is, it is acceptable enough, possibly, if you so choose, to move forward based on that.

COMMISSIONER MINKOFF: Well, the problem with shifting population out of district E is that the areas that border the Phoenix Metropolitan area are Native American reservations which we are not going to
split. So other than going way north or way south, or
invading county lines, I think we're pretty well locked
in in that district as currently configured.

MR. HUTCHISON: You can see the
complication as we faced it.

MR. HUTCHISON: Essentially two places you
could ripple, essentially Apache Junction or Queen
Creek, or the opposite route, several districts in
district I west and out in Maricopa county, ripple
through several districts the Commission previously
approved. We wanted to get Commission input on that.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Why couldn't you
add onto V from T?

COMMISSIONER ELDER: Can't hear, Jim.

COMMISSIONER HUNTWORK: Is that on?

Excuse me.

Why couldn't you add on to V from T, add
on to T from I and add on to I from V?

MR. HUTCHISON: You could. Three-way
shift.

COMMISSIONER HUNTWORK: That would add the
correct population to V, would it not?

MR. HUTCHISON: You are correct. Reach
ideal population that way.
COMMISSIONER MINKOFF: Could ideally.

MR. HUTCHISON: That is correct, move from V into T. Move from T into I, I believe.

COMMISSIONER HUNTWORK: Yes.

MR. HUTCHISON: And then I into E.

COMMISSIONER HUNTWORK: I'm suggesting a logical way. There appears to be population similarities there, easily make those switches, and that would be the way to do it.

MR. HUTCHISON: We felt that would involve going into Goodyear, for example. There aren't 2000 people in unincorporated areas surrounding Goodyear. One of the issues we faced. One of the decisions we faced, not to modify those, and hold on to that --

COMMISSIONER HUNTWORK: Adding to Goodyear, not taking away.

MR. HUTCHISON: I stand corrected. I'm sorry. I do apologize.

COMMISSIONER HUNTWORK: Well, then, that seems as if there's enough population to pay attention to it, and that would be the most logical way to try to correct an inequity.

MR. HUTCHISON: If it's the Commission's pleasure, we'll definitely do that.

CHAIRMAN LYNN: Chris, could you on the

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map just demonstrate what Mr. Huntwork just suggested as
a way of correcting that population shift?

COMMISSIONER ELDER: While he's doing that
could I ask Ms. Minkoff a question for clarification?
In earlier clarification you said not going to divide
tribal lands. Gila only --

COMMISSIONER MINKOFF: No.

COMMISSIONER ELDER: Or not divide the
four.

COMMISSIONER MINKOFF: Not divide any
individual reservations.

COMMISSIONER ELDER: Okay.

COMMISSIONER MINKOFF: And since there are
reservations at the urban boundaries of those districts.

COMMISSIONER ELDER: That's fine.

COMMISSIONER MINKOFF: We would have to
divide one or more to pull population out in that area.

COMMISSIONER ELDER: Okay.

CHAIRMAN LYNN: Chris, I didn't expect you
to do it. Explain the shifts through the districts as
Mr. Huntwork expected.

COMMISSIONER HUNTWORK: Sometime, get me
one of the laser pointers.

MR. RIVERA: On the advice of legal
counsel, we're not giving Mr. Huntwork a laser pointer.
MS. HAUSER: OSHA violation.

COMMISSIONER HUNTWORK: At least I didn't point at my own eye.

MR. HUTCHISON: Shifting 2,000 people west on 43rd Avenue.

COMMISSIONER MINKOFF: Can you zoom out a little bit?

MR. HUTCHISON: Zoom out?

CHAIRMAN LYNN: What we're trying to get, Chris, not a street-by-street analysis, get a ripple effect in the shift in population. That's what I'm trying to get, so I understand how the 2,000 people are made whole, or closer to ideal population; what other districts that move effects.

COMMISSIONER HUNTWORK: Could I show what I had in mind?

CHAIRMAN LYNN: Why don't you, Jim.

COMMISSIONER HUNTWORK: I think you add to V right there.

CHAIRMAN LYNN: Use the mike as well, Jim.

COMMISSIONER ELDER: It's two hands.

CHAIRMAN LYNN: The laser pointer and microphone. Let the record show he's not also chewing gum. He can get this done.

COMMISSIONER HUNTWORK: Add to V right

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there for compactness purposes. Probably add to T down in here, maybe over into here.

Zoom out further.

Might add to I from E in a number of different areas where there appear to be populations that have already been split in potentially awkward ways.

Pick carefully to preserve demographics.

Seem to be multiple opportunities for transferring populations between the two.

CHAIRMAN LYNN: So I understand, going from District E around the south and up the west side of the Phoenix area and shifting in that manner.

COMMISSIONER HUNTWORK: Correct.

CHAIRMAN LYNN: Any further questions about West Phoenix?

Mr. Hall.

COMMISSIONER HALL: Have we directed them to do that?

CHAIRMAN LYNN: Not yet.

COMMISSIONER HUNTWORK: I direct we direct them to do that.

CHAIRMAN LYNN: Second?

COMMISSIONER HALL: Second.

CHAIRMAN LYNN: Discussion?

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All those in favor say "aye."

(Vote taken.).

CHAIRMAN LYNN: Chair votes "aye."

The methodology we'd like to see, we need

that as quickly as you can in terms of putting out a

map, in terms of putting out a map closer in population.

COMMISSIONER HALL: While there, where we

we've done it in terms of West Phoenix --

CHAIRMAN LYNN: More from you in West

Phoenix?

All in West Phoenix. Move to the

southeast valley.

COMMISSIONER HALL: I was going to ask a

question on your existing. We'll come back to that, if

you like.

I'm curious. You see some little yellow

jobs there on the top? What are those, Chris?

MR. HUTCHISON: On the top?

COMMISSIONER HALL: You zoomed too far.

Circle -- on the top of the lavender, some inlets.

CHAIRMAN LYNN: North of Casa Grande.

COMMISSIONER HALL: Reservation.

MR. HUTCHISON: The reservation connecting

the area until we reach ideal population.

COMMISSIONER HALL: Okay.

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CHAIRMAN LYNN: All right.

Want to move to the east side?

MR. HUTCHISON: Sure thing.

Another instruction that we had received from the Commission was to take out the area that was previously in District CC. CC previously was Tempe north of about 60, then an area of Mesa and south Scottsdale. We removed area of Mesa from CC, removed an area of Tempe until we achieved ideal population. We were not able completely unite Tempe due to lack of population once we reached 171. The remaining areas grouped with Ahwatukee and West Chandler to Dobson Road, a little over Dobson Road, until we reached ideal population, then District Z included the remaining portions of Chandler, the southern unincorporated area east of Sun Lakes, east of Queen Creek, moved north into the Dobson ranch area north of Mesa. And those were the changes in the east valley.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: Can you give us some idea how much of the Tempe population is now in that district?

MR. HUTCHISON: The District to the south?

COMMISSIONER MINKOFF: The one you just shifted, where you took more of Tempe into the district.

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MR. HUTCHISON: One second.

MR. HUTCHISON: 135,693.

COMMISSIONER MINKOFF: Another question in terms of dividing Chandler. There have been a lot of questions in terms of dividing Chandler, Chandler on Dobson Road. Did you give consideration in terms of continuing south on Dobson Road? Is that also Chandler or another community?

MR. HUTCHISON: It is Chandler until Sun Lakes. I believe it ends --

COMMISSIONER MINKOFF: Looks like it covers.

MR. HUTCHISON: Looks like it covers -- it is something we could pursue. It would form a finger down the eastern finger of the Gila River Indian Reservation we didn't choose to pursue because it would be more compact.

COMMISSIONER MINKOFF: Maybe something we could hear from them. Looks like it's a pretty easy switch, two districts involved.

CHAIRMAN LYNN: Further comments about the southeast side of Phoenix?

All right, Mr. Hutchinson.

All right. Moving south, Pinal County next.

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Previously, the district I included is the Gila River Reservation in addition to the Ak-Chin Nation.

We did receive testimony yesterday from the Native Americans in areas that they wished to be united with Fort McDowell and Salt River. We were able achieve that. That's not what drove drawing of the districts. It's pretty much what happened on its own. Available population, the opportunity was available, and so we took it.

In terms of remaining portions of Pinal County, remaining portions in district I, still in district I, including all of the City of Casa Grande, District I also includes the Gila Bend area, all of the Tohono O'odham Reservation, the Nogales area, including the I-19 corridor without Green Valley, and now includes the Three Points area, Three Points, making for a more compact district, especially in the Tucson area.

District E includes eastern mining areas of Pinal up through Apache Junction. The four Native American Reservations up through Maricopa County have now gone north, slightly north into District E. One of the eastern Native American counties district broke right at the Eastern Arizona Counties District, Eastern Arizona Counties, 1,500 persons over population. This
seemed to be a logical choice in terms of where to break
a county line. There are two towns in the direct corner
of Gila County, Winkelman, Hayden, in the process we
were able to unite them.

District E continues south into Pima
County, picks up the northern suburbs of the suburb,
as almost all of Marana, Picture Rocks, Oro Valley,
Saddlebrooke Valley, Oracle, Catalina, stays completely
north of Casas Adobas, Catalina Foothills, and Tanque
Verde.

CHAIRMAN LYNN: Comments on this portion
of the map?

Ms. Minkoff.

COMMISSIONER MINKOFF: Although we've put
District L to bed, this one is almost as bad. What
we've got in this district is affluent retirement
districts north of Tucson, mining communities of eastern
Pinal County, and Desert Indian Reservations of Pinal
and Maricopa County. They are three completely
different communities, very different, and I just don't
think that the district works.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I agree with that
for all the same reasons but also because it really goes
down into Tucson. As I look at Tucson, we still have
four, not five, Tucson Districts. I know it was my
intention to simply create five Tucson Districts and
then see what we have to do to accommodate that. But
instead we have this very awkward district which can't
be called a Tucson district at all, and only four Tucson
districts. I believe those issues are intimately
related to each other, and the combination, to me, is a
nonstarter.

CHAIRMAN LYNN: Clearly, we accomplished a
few things by slightly redrawing this district. We
accomplished the uniting of the urban tribes around
Maricopa County. We accomplished a unification, if you
will, of the mining communities on the east end of Pinal
County, all of which have, I should say each of which
have, in and of themselves, things in common. But to
Mr. Huntwork's point, this district starts now just
south of Payson. It skirts the Phoenix area around
Fountain Hills and parts of Scottsdale.

COMMISSIONER MINKOFF: Apache Junction.

CHAIRMAN LYNN: It goes all the way into
the urban area north of, I guess it would be -- well, on
the map, north of what is listed as Guadalupe, comes
around the north edge of eastern Maricopa County, or at
least the urbanized area there, comes east of Apache
Junction, swings around below Queen Creek almost to
Avondale, then drops south, goes east to the mining communities and into Tucson where you have, as Mr. Huntwork pointed out, retirement communities. And clearly, if there were a district on the map where someone would look at it and say what were they thinking there, this might be it. So I'm not sure we've made much progress in terms of solving that problem. Also to Mr. Huntwork's point, I'd not be opposed to trying to get five districts in that district.

MR. HUTCHISON: Mr. Chairman, we could speak to what we were thinking.

CHAIRMAN LYNN: I'm not sure we could take -- I'm not sure it would help. To sell this would take more than whatever you were thinking.

Mr. Hall?

COMMISSIONER HALL: Mr. Hall, Chairman, I think we're all aware of the challenges in every part of the state. And in defense of our fine consultants, it's rather easy to criticize. But let's talk about solutions and talk about what I perceive to be the limitations. They are more than welcome to correct me if I'm wrong. As they indicated yesterday, the challenge is to try to maintain the appropriate majority-minority districts. So if we start at the north, we have a majority-minority district that is in
effect, with some adjustments, untouchable.

We try to pull eastern Pinal to western
Pinal, but that, as my understanding goes, you cannot,
one way or another, as my map says, 11, you guys are
calling I, that affected that majority-minority
percentage. In the Southwest part of the state, in
Yuma, you also have another majority-minority district.
And to the east we have the famous wholly pulpit for
some, the EACO plan.

So let's consider, since we, that seems to
be everyone's effort to try to solve the problem, if we
were to take Payson, which is a significant population,
and move it west, one could take that scenario and
realize then what some of the ripple effect
ramifications could be, or take Payson and move it
south. Payson has no more in common than San Manuel and
some other considerations some alluded to. If you do
that, try to make up population, a proposed EACO
district, it's one direction to go, two directions to
go, bring population back from west and pull east, or
come south as we indicated earlier. North is
untouchable. Come now and bring southern, or portions,
or significant portions of Cochise County into EACO
moving the western portion of EACO west. Rest assured,
those in Sierra Vista will wonder what they have in
common with those that are in Globe.

What I'm saying is there is no doubt that there are significant challenges. Also what I'm saying is in meetings individually with consultants, I've spent significant time and effort to reconcile these. The bottom line is are we willing to try and compromise? I guess it's a list of priorities. Because if you use -- frankly, the most logical, what I've heard as the most logical is to combine western Pinal and eastern Pinal. If you do that, then, I think we've been advised it compromises subpopulation percentages.

I think it's a matter of priorities.

There's a positive part of district 12 that's made repeated requests for urban Native American Reservations. That's a positive. In order to do that, it looks terribly ugly. It looks like, as long as we're along the animal metaphor line, a snake's tongue, if you will. It creates a perception, significant strength and perception there. The question then is if you do that, you go north to try and do that, do you try and do it east, divide EACO, try, and then what will you do with Snowflake, for example? And try and just completely start over and combine additional reservations to the north and then place western Gila with Yavapai and eastern Pinal with Clifton and try and pull southeastern

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counties across the border?

I guess, coming to a point, we have paid these folks, our consultants, a significant amount of resources. And they are very good at what they do. It seems to me every time we try to second guess their advice, they end up they were right. I guess in light of that, I feel my fellow Commissioners still remain intact. The concerns of relative minority populations simultaneously address communities of interest. And while I'd like to address this, I'm open for suggestions.

CHAIRMAN LYNN: Let me ask Mr. Hutchison, the Tucson area of population, including Marana, Oro Valley, Catalina, how many districts should Tucson have, based on that population?

MR. HUTCHISON: Just based on Marana, Oro Valley?

CHAIRMAN LYNN: Including Tucson, Metropolitan Tucson, to Mr. Huntwork's pointer.

MR. HUTCHISON: Seeing District I does not really come into Tucson, four districts, 71,757 currently in District E. That's the Oro Valley, Catalina Valley, plus the roughly 53,000 that go into Cochise to form that district. So if you put four, districts, plus 71,757, plus three, you're looking at
less than five districts. 45,050 less than five
districts. It doesn't include anything like Sahuarita
or the Nogales area.

CHAIRMAN LYNN: Well, it could be argued
both what the map shows as Summit, Sahuarita, and Three
Points, there's not much population in total, could also
be included in that general Tucson area. Again, not get
to the total of five.

COMMISSIONER HALL: 4.0, isn't it?

MR. HUTCHISON: I'd say somewhere in that
range. The area Chairman Lynn just spoke to, I would
estimate 15,000 people, maybe. Including all the
unincorporated areas, unincorporated areas are 10, 11
areas, uncontiguous portion.

CHAIRMAN LYNN: Notwithstanding
Commissioner Hall's familiarity with the mapping
process, do you see a potential solution to the problem
of District E that would address some of the issues
we've just talked about?

MR. JOHNSON: Since I handed this off to
Chris last night, you need to get extra people to
complete the districts. He raises an interesting point.
You can't you get extra people to get the people for
Tucson. The complication you have, there's 70 some
people you need for the north area of Tucson. To
complete that district, you can go into Cochise County, but then Cochise has to go somewhere else. So really, that doesn't solve any problems for you. Your other option is to go into the southern EACO portions. The concern there is that southern EACO has about as little in common with Saddlebrooke as the urban reservations do. So that is definitely an option. It is one that we considered, but it is -- it enters into an AUR where the other option does not.

If we try to take the Saddlebrooke population into Tucson, what we hit there, we combine with Foothills District or just south of the river district, but then inevitably that population flows into what are voting rights areas. And that was the option we tried to present to you last time. And the Commission agreed at that time that the voting rights concerns were too significant to take that approach because we would lose a district there.

So really we can go east, but that doesn't solve the problem because we're in Cochise, go -- take Saddlebrooke and combine it up with the southern part of EACO, again -- just as the little communities to the north, the relationship, there's very little community relationship as well. Go west, divide up and put Saddlebrooke in with Tohono O'odham, there's significant
voting rights population there.

When we looked at it, concerning having to
take an unrelated community into the districts,
Saddlebrooke District or another district that reaches
around, this option allowed us to put just the municipal
tribal reservations together, and thus it did have some
positives we welcomed without dividing an AUR.

Oh, as Chris points out, it also keeps it
down to just two pieces of Pinal County, and some
options up to four.

COMMISSIONER ELDER: What AUR?

CHAIRMAN LYNN: AUR.

COMMISSIONER ELDER: The AUR are you
referring to we're breaking up somewhere.

MR. JOHNSON: The option we're discussing
there is the Eastern Arizona Counties District.

COMMISSIONER HALL: Mr. Chairman, I just
made the lovely route from Northern Arizona. That route
travels down 77 through Winkelman and all the way down
into Tucson. Having just stopped there, and many of
those districts, many of the towns, one of which I
stopped in, I asked where these folks shopped. While
those communities may not be directly related to some of
the retirement communities referenced, it's clear, maybe
I'm wrong, based on my completely spontaneous survey,

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they shop in Tucson, and certainly seem to have their --
a number of connections to the valley to the south. I
respect there are some connections to this fair city,
Tucson, referenced in eastern Pinal.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: The problem is if
they are connected to Tucson, they are not connected to
Saddlebrooke, Catalina, Oro Valley. Those are not the
parts they are connected to. They only have two
choices, Phoenix or Tucson. Of course they'd come in
here. That still does not make that portion of Tucson
metropolitan area a good fit with that portion of Pinal
County.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Chairman, I would
tend to echo the thing in reverse, that you most likely
have more relationship in the four tribe areas around
Phoenix being attached to a Phoenix district than you
would have with all the shopping and synergy there than
you would with trying to attach to northern Tucson.
Those areas, as Steve, Commissioner Lynn, had made the
comment, Payson having a relationship with northern
Tucson, is there is absolutely no way of getting here
from there type of thing. It's almost an impossible
district to try and develop any kind of consensus, to
try and get any kind of representation. I can't see
that district surviving in that form at all.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, a
couple things about that are very vague to me, I can't
pick up from very general discussions. One thing is
clear. One thing is this plan only gives four
districts. I want to give Tucson five districts.

When I look at the whole area, the top
priority in my mind is to give Tucson five districts,
for a couple of reasons. Number one, because we have
identified it's a rural urban issue as being one of our
three top priorities. Failure to give five districts
mixes rural and urban. That's the effect of it. So --
the second reason is I'm very fond of Tucson and I want
to be welcome when I come visit. Tucson deserves five
districts. I want to give it five districts. I want to
give it five districts and look at the alternatives.
Part is what we have to do to look at the alternatives,
look at how to solve other alternatives. Let's start at
how to give five districts.

CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: Mr. Chairman, again, this is
a very valid concern. And truly I would like to
consolidate urban representation as much as we can. The

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proposal to have five districts, the proposal we had at
the start of the series of meetings the Commission
decided against does eliminate a majority-minority
district. Take Saddlebrooke -- when you drop Northern
E, portions off Saddlebrooke, put Saddlebrooke in with
either one of the Central Tucson Districts, or District
I, whichever one you do that to, it becomes obvious,
with 80,000 people, with the Saddlebrooke area, now at
least 50 percent of Saddlebrooke, it is no longer a
majority-minority district. We like the community
divisions and layout of the districts in that manner.
As we ran the districts that way, we ran into larger
conscerns. That's why we weren't going to do it that
way.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Are you --

It's your professional opinion, then, to
say you cannot create five Tucson districts without
eliminating a minority-majority district? It can't be
done?

MR. JOHNSON: Commissioner, the approach
where we combined Saddlebrooke into Tucson, essentially
the plan we drew for you the other day, and did have
that result, we could take out the northern sections by
wrapping it around and taking in the parts where Cochise

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County comes into Pima County.

What that would then do, Cochise County would not be a minority-majority district. That would trigger Cochise County going into the same northern areas we're describing as part of E at this point. So they would be not put be together as Saddlebrooke but put together through another community they also have very little relationship to.

COMMISSIONER HUNTWORK: It would be rural, outside the Tucson -- Tucson would then have its five districts and be left with this ugly district. Either way, one way Tucson has five districts and other way it doesn't.

CHAIRMAN LYNN: Would that solution have a negative effect on the minority-majority issue?

MR. JOHNSON: No.

CHAIRMAN LYNN: That's worth looking at.

COMMISSIONER MINKOFF: But then that Cochise County district presumably has to pick up eastern Pinal County and move up toward the urban reservations?

MR. JOHNSON: Yes, take in all the urban reservations or alternatively take in a significant part of EACO, divide that.

COMMISSIONER MINKOFF: Then you have, for

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instance, Fort McDowell, Pima, and the Salt River reservations more connected to Scottsdale than any other part of the State of Arizona in a reservation with Douglas, Willcox, and Benson. That doesn't make a lot of sense either.

COMMISSIONER HALL: Some meeting ago in the minutes Mr. Elder made a recommendation and the Commission voted not to take it as an option. Correct me if I'm wrong. The River Valley connected to eastern Pinal, and while we thought it an option, the Commission voted it down, that we not go down that avenue. Correct me if I'm wrong.

COMMISSIONER ELDER: That was a situation where we tried to leave EACO absolutely intact, tried to make the linkage at that. If we tried to make the linkage with Gila River intact, it breaks EACO, and still may be in the area. It may be a valid approach or valid way to go.

COMMISSIONER HALL: Then it will pull population from where to supplement the loss of population for EACO?

COMMISSIONER ELDER: Areas around Payson and eastern areas, or northern areas of the, I guess it was the E on that map right there.

So you go down to either the -- what is

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it, I-40, whatever is running across north of that to
pick up population or come down to the bottom of Tempe,
Mesa, Chandler, metropolitan mass, go due east, pick up
everything north of there, and pick up EACO.

COMMISSIONER HALL: Can't go north.
That's an untouchable district. Payson is already in.
Next is Prescott. Or go ahead and eliminate the rural
urban nature tie in the Apache Junction supplement
population, go by less significant proposed populations,
as the map says, two less.

COMMISSIONER ELDER: What are you talking
about? I'm talking about this area right in here, going
into EACO would make that a nonrural area.

COMMISSIONER HALL: There's no population
between there and Gold Canyon. Payson is in.

COMMISSIONER ELDER: I thought there was a
series of population there.

COMMISSIONER HALL: No, sir.

CHAIRMAN LYNN: Mr. Chairman.

COMMISSIONER HUNTWORK: Without knowing
exactly where the population is, it's clear just moving
population among the three different areas. So there is
population there, has to be five different areas. Hook
up Cochise, run Cochise all the way up, run Graham and
Greenlee counties south of the reservations, whatever is
left over, it all adds up to the same number of people, and combine those tribes in the valley with the Apache reservations, which definitely creates more Native American influence in that area. I would like to see it without breaking up EACO. But I definitely think in my mind the priority in this area is to create five Tucson districts.

CHAIRMAN LYNN: Mr. Hutchison.

MR. HUTCHISON: We just have to, on a strict population basis, stay out of Tucson, the eastern Pima County, straight north Graham, Greenlee counties.

COMMISSIONER HUNTWORK: I did not suggest that.

MR. HUTCHISON: Sorry. I misunderstood that.

CHAIRMAN LYNN: Finish.

MR. HUTCHISON: Graham, Greenlee Counties together, constitute roughly 41,000 people. We still need 13,000. We might be able to -- I can't be sure if we unite two Native American. As I understood, moving west into Pinal County.

COMMISSIONER HUNTWORK: You are answering his question.

COMMISSIONER ELDER: Restate your question.
COMMISSIONER HUNTWORK: I didn't ask a question. Made a statement. We're just moving population around. I don't mean specific numbers. It's a question of where the lines move, not whether they move. Take five Tucson districts, hook up Cochise in the most logical way. It's the same number of people. There are that number of people in those areas.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Well, at the risk of being redundant, we started our process on the basis of respecting boundaries to the extent possible, and communities of interest. Two, three proposals we've heard completely annihilated both of those premises upon which we began to build our map. And my suggestion is, is that in every area, there are particular areas of a proposed map that may or may not have direct community relations. For example, my current EACO proposal seems to be every current solution to all solutions is Clifton and Payson do not necessarily have a lot in common, but together, recognizing the compactness and contiguity and rural nature of eastern Arizona, the nature expressed and the desire to remain intact, unanimity, Sierra, Douglas, the same, while they may not have direct and the most close relations, some southeastern, Tucson, nevertheless, I think the same applies to eastern Pinal,
western Tucson, and direct Tucson; nevertheless,
everybody realizes we need to combine communities as
closely related as possible. To that point, the
district which is the subject of this conversation,
northern district pros and cons, there are pros and cons
to the Yuma County District currently proposed, which
somebody suggested stretches all along the border. I'm
not so sure at this point, Mr. Chairman, the 24 meetings
we went to were all well and good, now we'll ignore most
of that in an effort to accommodate whatever efforts.
We have 4.0 districts, ideal population.
Correct me if I'm wrong. I'd love to have
four, influence three more. The fact of the matter is
the State Legislature, talking numbers, numbers means
influence. One, not reality, and secondly reality is
this area is additional influence imposed by significant
representation as imposed or significant representation
as represented.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: I think I have to go
back to probably the dominant AUR I think we heard
throughout the state was the split between urban and
rural.

If you take 4.0, or you take the numbers
that we had in Maricopa County, and said none of those
districts do we want to have come in and have influence for Maricopa County, or the metropolitan area up there, and the same is true for Tucson, if you go in there and say it's legitimate to dilute that urban and spread it out, we should also be spreading out the urban areas of Phoenix to where growth areas are eventually a matter of, my calculations within the second voting period, those areas overtake your urban areas. The urban areas, if willing to give up rural aspects, yes, start putting the four districts together of Tucson, have the other two under control in two years, if that doesn't control in two years.

COMMISSIONER HALL: I'd prefer more rural districts, seven to eight statewide.

I don't think there's any question I'm one of the strong advocates of rural versus urban. What I'm saying is Tucson is underrepresented. I'm saying to make that argument with a straight face, given the configuration, it's not an accurate assessment in reality. Cochise is a rural proposal up in the valley, and including portions of eastern Pinal. Maintaining the urban nature, it's a very valid configuration. It would be wonderful to have more rural districts in southeastern Arizona.

CHAIRMAN LYNN: Mr. Huntwork.
COMMISSIONER HUNTWORK: Looking at this configuration, I don't see how Tucson dominates the two other districts. Cochise, there's 217,000 people in it. Pinal goes up into the Phoenix Metro area, which is growing very rapidly. I see Tucson having four districts here, not six. And I see with Tucson not being the most rapidly growing part of the state, the only way it can be sure of maintaining five districts is if we give Tucson five districts.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I'm also concerned about the comment we heard at public hearings. I was at a couple public hearings in Pinal County. It's clear to the extent possible Pinal County wanted to stay together. I don't know how I explained to somebody in San Manuel we created a district for them, a community of interest that includes Oro Valley and the retirement communities of northern Tucson. I don't know how we explain to somebody in Apache Junction a community of interest extends to Tucson. I don't know how we explain to somebody in Tucson, the community interest part, the Apache Junction, Gold Canyon area. This does not work. All interests are of equal importance. None are more important than any of the others.

I don't know what we have to do to change
the lines. Of all 30 districts, this is one that most
clearly does not work. Something has to change. I
don't know where it changes.

If the consultants have some idea, some
other Commissioners have some idea, but it does not
work.

I would hate to be somebody living in this
district. I'd hate to be somebody trying to represent
this district.

MR. JOHNSON: Mr. Chairman.

CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: I definitely agree about
this district. I'd like to keep Pinal County whole as
much as possible, unite different areas.

If you like, we can bring up the map we
presented the other day that has Pinal -- if you like us
to, bring up the other map we presented the other day.
We did have a Pinal County district very similar to the
request from Pinal County. However, the only way to
draw a district with essentially all Pinal County is to
eliminate the majority-minority district. That is we
definitely agreed with that concept which was protested.
We presented that map. It just didn't work with a Pinal
County district.

Your options, if you do wish to take those
areas out of Saddlebrooke, the northern Tucson area, would, if you want to keep your District I a majority-minority district, would have to mean going into EACO. It could be either that districting going directly into EACO, Saddlebrooke going south and going into EACO, that population going into those districts. I can show you that district.

CHAIRMAN LYNN: The issue is majority-minority districts. That clearly is an issue we have to be careful of. Having said that, I just -- I want -- those of you that may not be familiar with Tucson, what we basically have is a district that respects Marana's incorporated limits. We have a district that stretches from Ina Road and I-10 to just south of Payson. And that is simply not acceptable. It, around the way, as we've said before, deals with areas of high growth of Maricopa County. We aren't yet there. We will be over the next 10 years. Reservations around the urban areas of Phoenix, eastern Pinal, mining communities, and retirement communities to the south.

If every other district in the state were perfect, this would still be a hard sell. And I will tell you that I can't vote for a map to go out with this district in it, and I won't. So we had better figure out a solution before we go anywhere.

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COMMISSIONER HALL: Mr. Chairman, I'd like to make a motion we amend this map with a combination of combining eastern Pinal with western Pinal, as we've seen, before adjusting that way.

If I'm correct, Mr. Johnson, that would increase the level of urban districts on the inside of Tucson; is that correct?

MR. JOHNSON: I don't -- I don't remember the exact configuration. Yes. It would bring the Saddlebrooke areas into Tucson.

CHAIRMAN LYNN: Is there a second to that motion?

COMMISSIONER MINKOFF: I'm not sure I understand the motion.

CHAIRMAN LYNN: Mr. Hall, want to explain?

COMMISSIONER HALL: The motion is to combine eastern Pinal with western Pinal, more, for lack of a better, kind of an L shape, bringing eastern Pinal over with western Pinal, the additional population, and then, what that would do is ripple the population internally, pursuant to Mr. Huntwork's comment of Tucson.

COMMISSIONER MINKOFF: Then where would you put the northern suburbs of Tucson?

COMMISSIONER HALL: Go back into Tucson.
MS. LEONI: Commissioner, may I ask a question?

CHAIRMAN LYNN: Mrs. Leoni.

MS. LEONI: Making a recommendation, the suggestion is to look at, realizing it will impair the minority district in western Pinal.

COMMISSIONER MINKOFF: Western --

MS. LEONI: Western Pinal -- I wanted you to know you are aware of that.

COMMISSIONER HALL: Yes.

CHAIRMAN LYNN: Well, is there a second to that motion?

COMMISSIONER MINKOFF: Can I ask Ms. Leoni, if we pass this, we'll lose one minority-majority district in the state?

COMMISSIONER HALL: Mr. Chairman.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HALL: No. In light of the failed motion, while we can continue to microanalyze the problems, I am interested in any solution. And I'm proposing this as a solution. There are consequences of any solution. So what are the consequences? What are the solutions? What are the consequences of the solutions?

CHAIRMAN LYNN: I would ask that perhaps...
one of the things we might do is ask the consultants to 
not in this meeting but at some time we would give them 
discuss the possible options of correcting this problem 
without the consequence of eliminating minority-majority 
districts. If they are convinced beyond any more reason 
that cannot occur, I want to hear that answer as well. 
But, again, this is extremely troublesome. We are down 
to the last bit of the state we are trying to make right 
in terms of the map. And it's one thing to put out a 
map that's close. In my opinion, this isn't close.

MS. LEONI: Commissioner Lynn, may I?
CHAIRMAN LYNN: Ms. Leoni.
MS. LEONI: Would the Commission and 
Chairman Lynn like to hear orally at least the solutions 
we are aware of or so they're aware?
CHAIRMAN LYNN: Solutions we're not aware 
of for losing not losing the minority-majority district?
COMMISSIONER HUNTWORK: That include 
creating five districts for Tucson.
At least personally that's my top priority 
here. I don't know about other members of the 
Commission, I'll start creating five districts in 
Tucson, doing what is necessary to not lose a 
minority-majority district in Tucson, and then looking 
at the solutions to the problems caused by that change.
CHAIRMAN LYNN: Let's do this. We're about an hour and a half into our session. We do need to take a brief break. On the time frame we're on today, with as much work as I believe we still need to have done, I'll ask, very strongly, that everyone concerned take a very brief break. Try to keep it as close to 10 minutes as possible. We need to come back from the break with the consultants on possible solutions.

Stand in recess for 10 minutes.

(Whereupon, a recess was taken from 10:00 a.m. until approximately 10:29 a.m.)

CHAIRMAN LYNN: The Commission will come to order.

I'd ask the Commissioners to take their seats, please.

Without objection, I would like to ask the consultants to offer us some alternatives to the situation with the Maricopa-Pinal-Pima situation that we've been working with.

Mr. Hutchison, I'd ask the Commission, what I'm hoping to do, there are alternatives to explore. What I'm hoping to do is hear alternatives, hopefully pick one alternative I'd like to look at, a preferred alternative, give the consultants time to
prepare a draft form, take the draft form, that will
constitute the draft form, not ask the alternative to
move from the roof, let them work in this room, take the
lunch break, and at the end of the lunch break we might
have a draft to look at. That's my hope.

Mr. Hutchison.

MR. HUTCHISON: Mr. Chairman, members of
the Commission, four options can be used, enacted, using
the current district configuration as the basis without
redrawing all the lines in the area. First, the first
option is the easiest in terms of it doesn't really
touch any of the current central Tucson central
districts. It would be what we're calling a wraparound
include Saddlebrooke. Wrap the 73,000 people roughly
within Pima County in district E around south into the
portions of District G where Cochise County comes into
Pima County, further into Santa Cruz County, any
additional population into Cochise.

COMMISSIONER MINKOFF: What do you do with
Cochise?

MR. HUTCHISON: Address that now.

Further consequences with Cochise are to
move north. There are two variations upon this.
Cochise, you have to move north, breaking EACO, going
into Graham and Greenlee Counties, and then west to
reach ideal population, or could finger it or thread it across the northeast county into Pinal without breaking the Eastern Arizona Counties. That would be option one.

Option two would be --

That was the Cochise County through Pima option.

CHAIRMAN LYNN: That is the second.

MR. HUTCHISON: Two variations wrap around, wrap around Pima County, take Cochise north or across the mountain. Those are the first two options as we see it.

The third option is redraw the nonmajority-minority districts in Tucson, ripple the population north to south. Zoom in.

COMMISSIONER MINKOFF: Can you change the contrast between those two districts?

MR. HUTCHISON: Yes, I can.

COMMISSIONER MINKOFF: Thanks. It's much better.

MR. HUTCHISON: No problem. Taking 73,000, whatever variation, wherever the Commission may choose, picking 100,000 more people out of the current District K, the remaining 70,000 out of K, 100,000 out of H, 70,000 out of H, split up between them, somehow push down south, eliminate the wraparound, redraw these
districts.

COMMISSIONER MINKOFF: I'm not sure I understand that, though. You are adding, what is it, about 70,000 people into the Tucson metropolitan districts. So, therefore, however you reconfigure them, take it out and put it someplace else.

MR. HUTCHISON: Go through the Cochise scenario, north or northwest around the mountain.

CHAIRMAN LYNN: Both of the first -- the first option, two ultimate solutions, north or northwest. The second option talking about also has two end games, if you will, taking Cochise north or northwest.

MR. HUTCHISON: The issue is we cannot move west without endangering the majority-minority districts. They form a wall.

The fourth option would be to sort of move out of the box. That would be to move District I, the majority-minority to the south, which includes Tohono O'dham movies, the eastern areas of Pinal County, excluding Apache Junction, Gold Canyon, and those areas to the north. They put in Maricopa to the west, or Eastern Arizona Counties to the east. That option would preserve a minority-majority district and drop-off from District I Ajo, the Gila Bend region, or Nogales,
Sahuarita region, or somewhere in between in terms of
the Three Points region. There's not much population.

CHAIRMAN LYNN: Would that have a major or
perhaps minor impact on the interior configuration of
the Tucson area, as you drafted it this morning?

COMMISSIONER MINKOFF: Chris, relate to
that, which might end up helping you answer that
question, if you do that, you have the northern suburbs
that are kind of left hanging. Where do you put them?

MR. HUTCHISON: That's what I was going to
address.

Essentially you have to redraw the
northern districts again. You'd limit the damage, if
you will, to the western regions, not picking up as much
region, if you exclude Apache Junction, those areas,
pick up much less population.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: That option, you
preserve the Hispanic, a majority of the Hispanic
district, provide more population to Tucson, more urban
population for the Tucson districts. The question I
have is what would that do to Maricopa with respect to
Apache Junction and Gold Canyon?

CHAIRMAN LYNN: If they went with
Maricopa, it would seem they have to go with east Mesa

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or down with Queen Creek into District C.

MR. HUTCHISON: I can zoom in.

That would then cause a ripple effect of about 50,000 people.

CHAIRMAN LYNN: How many?

MR. HUTCHISON: Five zero.

COMMISSIONER HALL: Correct me if I'm wrong: In both cases, Tucson and Phoenix, there are more urban dwellers in those communities that are more closely related.

MR. HUTCHISON: Takes out urban communities where they're closely related.

CHAIRMAN LYNN: I understand the options. Is there a motion?

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Before we do a motion, could I ask a few questions or discuss it a little bit? I'm not really prepared to know which way a motion -- a motion is premature in my mind. I would like to discuss a couple things.

The idea of uniting Pinal County does stand in the area northward requires a lot of lines to be drawn. That's the only solution you mentioned which is not confined to a discrete set of maps. Who knows

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where that would ripple through to; is that correct?

MR. HUTCHISON: It would likely require
more redrawing of the lines in terms of entering other
metropolitan areas. It would require redrawing those
lines for sure. In terms of how limited in scope it
could be, I'm really not prepared to answer that, at
this point.

COMMISSIONER HUNTWORK: Okay. That's
essentially -- the other options, then, really there are
two different questions. One, two alternatives for how
we achieve five districts in the Tucson area, and two
alternatives for how we deal with Cochise County. And
those are independent issues.

With respect to the Tucson area, then, as
we discussed with the congressional maps around Phoenix,
it makes sense to me not to combine the growth areas,
not all in one district. So personally I prefer to see
plan B where we reconfigure the existing districts
rather than simply a move that wraps all the way around.

CHAIRMAN LYNN: The only thing I didn't
follow was the reference to plan B.

COMMISSIONER HUNTWORK: Two plans for
Tucson. One was create, leave four districts drawn
intact and create a wraparound district. That was plan
A. The other one was reconfigure those districts and
shift population around. It seemed, that is plan B, referring to plan B. That seems like the preferable alternative, purely based on wanting to prevent all growth areas from being in the same district.

CHAIRMAN LYNN: In your mind how does plan B, your terminology, relate to option four, which is the one that Mr. Hutchison mentioned?

COMMISSIONER HUNTWORK: I understood or viewed option four as being part of the question of what you do with Cochise County more than what you do with Tucson.

CHAIRMAN LYNN: I don't think option four touches Cochise County.

COMMISSIONER HUNTWORK: Bear with me, then. I think we need -- I did not understand. Let me put it this way: I did not think option four touched the question how you create five districts in Tucson.

MR. HUTCHISON: It does touch how you create how you isolate rural areas in Tucson. Effectively, should you draw lines, one of the other ways proposed was to allow a fifth district in Tucson, whether wraparound or --

COMMISSIONER HUNTWORK: Were you going to bring Saddlebrooke into Pinal County?

MR. HUTCHISON: That could be --

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COMMISSIONER HUNTWORK: Trying to create a
common frame of reference with you here. How does
option four affect Tucson? The wraparound included
Tucson, Saddlebrooke, didn't go into Tucson. Neither
went up into that part of Pinal County. The answer
seemed to be we're confining the options of Tucson.
Neither options for Tucson seemed to go up there. Is
that correct or what am I missing?

MR. HUTCHISON: Excuse me, Commissioner
Huntwork. I neglected to mention the Saddlebrooke area
in other two. Saddlebrooke is a choice of the
Commission, can be included, cannot be included. We've
heard significant testimony in hearings it belongs with
Tucson. That's why I mentioned it.

COMMISSIONER HUNTWORK: Let's say it
belongs with it. If that's the case, option four as so
amended does not affect the question of how it creates
five districts in Tucson, is that correct, or is there
some other connection?

MR. HUTCHISON: What I meant by it does
affect, it does cut the current E in half, 73,000 people
in the southern half, not tied to any other population
base, and have to move south into Tucson creating a
fifth district.

CHAIRMAN LYNN: Ms. Minkoff.

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COMMISSIONER MINKOFF: In terms of moving them south into Tucson, which makes some sense to me, and also the concern about not lumping all growth areas into one district, I wonder if we also use District K as part of the mix because adjacent to it, and instead of taking those northern areas out of District E and wrapping them around the Vail and Green Valley, et cetera, if we could combine them with District K so that those northern suburbs pick up a portion of District K, Casas Adobas, Flowing Wells, et cetera, pick up the rest of District K, combine that with southwestern portion of Pima County. I think that that creates five Tucson Districts.

CHAIRMAN LYNN: Well, the potential.

COMMISSIONER MINKOFF: Takes some growth areas and divides between two growth areas instead of one.

CHAIRMAN LYNN: Two basic growth areas of Tucson, northwest and southeast, two basic areas, and they will continue to grow. By virtue of geography, they are split. The suggestion is moving Oro Valley Saddlebrooke south, combining Oro Valley south, the only danger is to keep going around the periphery, what you wind up with moving into a minority-majority District trying preserve on the west side.
COMMISSIONER MINKOFF: What they talked about was taking the area, the part that's currently this District E and wrapping around with the Southwest, and then you do have the northeast, southwest, the same District.

What I'm suggesting is rather than doing that is put District K in the mix. Take some K, move K and put it south, then have five districts.

CHAIRMAN LYNN: Mr. Hall and then Mr. Huntwork.

COMMISSIONER HALL: Mr. Chairman, I had discussed, the proposition mentioned earlier, what I saw to be a value area, is it's combining urban with urban, rural with rural, and counties with counties, leaving Cochise intact, leaving EACO intact. We combine the majority of rural Pinal County. We move northern Tucson, which is urban, back to southern Tucson. We move eastern Tucson which is urban, into Maricopa, and it seems to me to be a complete win-win situation on its face.

Therefore, I make a motion that we instruct our consultants to present us with a predraft map, if you will, considering the ramifications in detail of this option.

CHAIRMAN LYNN: Is there a second?

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COMMISSIONER ELDER: Second.

COMMISSIONER MINKOFF: Could I have an explanation of exactly what you are talking about so I understand?

CHAIRMAN LYNN: Ask Chris to go through number four again, option four.

MR. HUTCHISON: Essentially option four can be tailored several different ways. There are several questions on the table. What you do once you do it, there are several options that work independently of each other. Option four, essentially you take current District I, like in the periwinkle, or blue, or whatever, move it east, excluding Saddlebrooke if you would like to or not, to the county border, excluding, probably along, say Highway 79, the Gold Canyon and Apache Junction areas. Once you include those areas, you have to separate pieces of population that have to be rippled through districts, one, the Maricopa area that has to be connected, or connected with eastern Maricopa counties, or connected up to Yavapai, 73,000 or 73,78,000 persons in northern Tucson still have to be combined up with northern districts.

COMMISSIONER MINKOFF: I think, also, there's too much population. As I recall, the Pinal County AUR, that was Pinal County excluding the Apache...
Junction Gold Canyon area, did include Saddlebrooke, the
Pinal County Legislative, now excluding Saddlebrooke,
including all Western Pima County, Western Maricopa
County, the district is way out of whack on population.

MR. HUTCHISON: Overpopulated. Drop-off
on the eastern end the Sahuarita area, or Nogales,
somewhere in that range, or the western range, Ajo, or
Gila Bend. Likely not enough population, and have to go
back to the east side, excluding Apache Junction, the
Gold Canyon area, exclude 50,000 persons, 120,000
persons, take out Saddlebrooke, down to 115,000,
wouldn't necessarily be overpopulated just within Pinal
County.

COMMISSIONER HALL: Mr. Chairman.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Correct if I'm wrong.

On the face potential benefits, here there's greater
unification, here. Lose population here. We make,
increase population internally holding this down.
Probably losing some here. Is that correct?

MR. HUTCHISON: Correct.

COMMISSIONER HALL: If you scan up.

CHAIRMAN LYNN: I'd ask you, instead of
"here and there," be more instructive for Lisa.

COMMISSIONER HALL: By pulling this rural
east, Pinal west, we combine the bulk of Pinal, and more
importantly rural Pinal, and maintain the identity, if
I'm understanding correctly, of the minority-majority
district. This, as we've identified more correctly
relates to eastbound anyway.

In my mind, Mr. Chairman, the details,
maintaining the integrity, these districts increased the
influence of this area and are included in this
particular county here, have maintained the majority of
the minority-majority integrity. The prediction is it's
made cleaner also with respect to border issues.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: If we're going to
do that, excluding Apache Junction from Gold Canyon, I
wonder if we can also go that way with the Gila Ak-Chin
reservations, pull in with that area and with the Salt
River, Pima, and Fort McDowell Reservations, which they
requested, and keep that as -- keep the four urban
reservations in the same District.

MR. HUTCHISON: It is definitely something
that we could test. It's definitely an option.

COMMISSIONER MINKOFF: It's kind of up in
the corner. Probably pull out without destroying the
integrity of the District.

MR. HUTCHISON: It is a question about the

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size of the Gila River reservation, in particular. Once
you include the areas in the northeast and to the east,
which while they are not necessarily devoid of minority
presence, not as strong as some other areas in the
District, there would be flexibility or a total minority
presence in the District. That's a point.

COMMISSIONER MINKOFF: If you need them,
obviously you couldn't do what I'm suggesting. If you
don't need them to preserve minority-majority, look at
that, you won't know until you get into it.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I'm concerned
about several things with this proposal. I think that
it raises as many questions as it answers. Number one,
when you draw the line across somewhere in Pinal County
you in effect confine Tucson, whatever is left of Pinal
County, Cochise County, to a box. You have to make sure
there are the right number of people in that box. That
would dictate where you draw the line. I'm sure it is
possible to draw the line.

The next thing is you isolate the
remainder of this District that is north of Pinal
County. And we don't know what you are going to do with
that area. And you also raise the question of what you
are going to do with the western rural parts of this,
what is currently the Casa Grande, Pinal County
District.

We now have the right number of people
over in Yuma County and around the river there. This
creates a whole new cascade of effects all over the
perimeter of the state until you get it balanced out.
We don't have to do that in order to solve the problems
that are on the table. So the point in regard to the
motion on the table is what are the alternatives. And
again, the point I made originally when all these issues
were put on the table is this is really not creating the
five districts in Tucson. This is really more related
to the question of how do you adjust the areas around
Tucson after you've created those five districts. I
would rather start with the five districts, either with
the perimeter plan or revising the four that are there,
and then look at how you can adjust the populations
within the other areas that are affected.

One obvious solution is combine Cochise
County potentially with Graham County, maybe Greenlee
county, a portion of southern Greenlee County, as
necessary, combine the northern part of what used to be
E with EACO in order to make up the difference. That's
simply a population switch. But to me that makes more
sense because it doesn't raise those other questions.

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It deals with all the populations we have. You don't have to change I in order to do that. We don't have to deal with that stranded population up north of Pinal County. So I would propose this approach as the preferred approach for that reason.

CHAIRMAN LYNN: We'll get to Mr. Elder in a second.

I want to ask the consultants, do you understand the alternative that Mr. Huntwork is describing?

MR. JOHNSON: I believe so. I'm not entirely clear on where -- you are saying to just draw internally, then have to answer where --

COMMISSIONER HUNTWORK: Yes. It was one of your alternatives. I simply said one of your alternatives seems to be better than this approach because this approach raises a bunch of questions that you don't know the answer to.

CHAIRMAN LYNN: Just listening, just listening to Mr. Huntwork describe that, not making a judgment on the efficacy on each of the decisions, it occurs to me that what he's suggesting you look at has the same beneficial effect to Tucson without creating the ripple effect through Phoenix which is significant only insofar as it changes a significant amount of
districts by the time you finish. It has other impacts which clearly move instead of up and west, up and east. Cochise moves up to Graham and Greenlee, then you come across and some of that Pinal County population you haven't otherwise dealt with from the old E either goes east or wherever it goes. But I guess the point would be the switch then in terms of what we have called EACO is Graham Greenlee, would orient to the south being replaced by parts of Pinal, if I understand the option.

Mr. Huntwork, did I get that?

COMMISSIONER HUNTWORK: What is left over in E includes some of Maricopa and Pinal. The ripple effect not only goes into E, western Pima, Pinal, and southern Pima as well.

CHAIRMAN LYNN: The question I asked earlier, is that a wholly separate option you could look at?

MR. JOHNSON: Can I restate my understanding to check if it's correct?

So you are talking about Cochise County would move north, which picks up additional population for this region, and then you would move what is EACO into the Pinal area, and essentially free up what is now Cochise, Cochise and Santa Cruz, portions of Saddlebrooke, or some arms of Saddlebrooke?
COMMISSIONER HUNTWORK: Specific is do
your thing around Tucson, take what is left over of Pima
County, Santa Cruz county, combine them with Cochise,
pick up Graham, Greenlee Counties, Graham County south
of the reservations, and then move into southeastern
Pinal County, if you need to, to the extent you need to.
Whatever is left in E, you put back into EACO to make up
the population you took out. Straight swap of
population out of EACO.

CHAIRMAN LYNN: There is a motion on the
floor. Mr. Hall.

COMMISSIONER HALL: First of all, it does
not affect the proposal with respect to the option,
first of all, does not affect the western Pinal
adjust -- western Pima adjustment of population on the
western region. Adds population to the western region.
There's no ripple on the western edge with respect to
Gold Canyon. What Mr. Huntwork proposed is an
annihilation of four AURs.

Option four is more respecting of the
foundation on what we started the process with, that
garnering of communities of interest. Cochise indicated
that, EACO indicated that, Pinal indicated that, again,
to reiterate, this option preserves it, simultaneously
preserving an AUR, more an preserving AUR, east-western
AUR, urban, east-western Pinal, and places more eastern with central Tucson. And therefore is a win-win solution and places concerns with preserving Tucson.

MR. JOHNSON: The question is East Maricopa and Apache Junction population. Eventually that would ripple into Maricopa some way. When it ripples into Maricopa Districts, it essentially comes out some way.

COMMISSIONER HALL: If it ripples back down into the district you're itemizing, whatever is west Tucson.

MR. JOHNSON: I.

COMMISSIONER HALL: I, certainly the number one driving the court, with respect to Roman numeral I, the ripple west, bringing population back into I, bring the eastern border of I west, making it more rural without affecting the Hispanic populations, we, I think, solved the problem in a counterclockwise fashion.

Correct me if I'm wrong, Chris.

MR. HUTCHISON: As regards the affect on the Hispanic population, I'd have to sit looking at numbers. I hesitate to speak to that.

With the way borders are, you are correct.

I would caution you, it's going to be about 50,000

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persons, the way I look at it. Losing 50,000 persons, Apache persons, in Gold Canyon, 5,000, Saddlebrooke area, add to the 75,000 in Pima County in District E, and you are roughly at 130,000. So essentially you are moving, what did I come up to, about 40,000 persons, maybe a little more, ballpark figure, 35, out of District E, into District I. 45,000 have to ripple out.

You are saying eastern side. Those I'm guessing, in Tucson specific, would in some fashion have combined up either through rippling or wrapping around with the northern 75,000. You still need to pick up 60,000 -- not 60,000, 55,000 people. Those will probably come from Cochise, have to come from Cochise, Cochise, have to pick up people from southern. With eastern, what with the push on east, to the east does, it makes less of an impact on EACO. There's still some impact on EACO. Not enough impact on there, Apache Junction and Gold Canyon, on I.

CHAIRMAN LYNN: There aren't 50,000 on Graham and Greenlee total.

MR. HUTCHISON: Right, 41,000, which includes Native Americans.

CHAIRMAN LYNN: Right.

MR. HUTCHISON: 141,000, roughly speaking.

CHAIRMAN LYNN: Mr. Huntwork.
COMMISSIONER HUNTWORK: Do I understand with the ripple effect we essentially redraw all the districts in Phoenix area? When we tried to find 2,000 for District Four, we were fortunate to find a simple geometric solution. Now it's the east valley across. I don't see any way to switch 60,000 people, or 50 or 40.

MR. HUTCHISON: 50,000, east Maricopa County, I think as it's made out, the entire lower sub scenarios, unless dropping off western area I, 50,000 somehow ripple back toward east, how many redraw. I couldn't tell you the scope of it unless we're really sitting down moving around; how quickly 1.2, another, District B, only one District, in this case four, five, maybe one. I wouldn't know without really sitting down and going through it, also what the Commission's pleasure is, which districts should be broken which ways.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Johnson, rather than broaching the subject too greatly in Mesa, Gold Canyon, if we take 40,000 in that vicinity and you were to add, and that was in effect coming out of, we'll call this District and this District one for now, so we look at those as holes. If we take it out of that area, it's 330 some odd thousand, take that here, and we add it in

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in this area, or in here, do you really affect the
balance of the area within the Phoenix area?

MR. RIVERA: For the record, Mr. Elder,
could you identify the areas?

COMMISSIONER ELDER: I think this is
Apache Junction. This is Gold Canyon, approximately
40,000, coming out of the I E. We're short I E. I was
proposing having them look at --

CHAIRMAN LYNN: Where is "here"?

COMMISSIONER ELDER: Don't know where
"here" is. I don't have any labels. West of Phoenix.

COMMISSIONER MINKOFF: Part of Buckeye and
Gila Bend, southern and western Maricopa County.

But aren't you also pulling out in
addition to Apache Junction Gold Canyon, pulling out
northern Tucson suburbs from I and E as well?

COMMISSIONER ELDER: I was looking at --
no. What we're looking at trying to see is where the
net, or net gain, loss, in metropolitan gain in Phoenix
was.

I think we're going to find it's probably
in the east to west shift, or it's going to be into the
east being the Gold Canyon and the Apache -- yeah,
Apache Junction.

I don't know what the ramification -- is

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there anything, if we include these, is there anything
that is reasonable with boundaries, or whatever, to pull
out to the south and add into -- around the edges. I
don't see that we'll have a ripple effect through the
Metropolitan Phoenix area, a ripple effect on the two,
three districts on the east, two, three districts on the
west. I don't know which those are, what they are,
AURs, in that area; but I don't think we're going into
the metropolitan area. With that, if we could pan down
to the Tucson area.

Mr. Huntwork, I don't know, Ms. Minkoff, I
don't know when you said "we're taking out," this area
here was an area to be combined with, as I understood,
option to be combined with the metropolitan part of
Tucson, and the I wrapped around into I think E and
picked up this eastern part of Pinal County. I don't
know how that is changing or affected.

COMMISSIONER MINKOFF: What do you do with
all those people pulling out and being put in the Tucson
area? What District do they become a part of?

COMMISSIONER ELDER: I guess I don't
understand. If this area here is becoming, going up,
talking about Saddlebrooke and the northern parts, and
even into Casas Adobas, making that a District there,
that's what I thought was part of that motion, or the
discussion was.

COMMISSIONER MINKOFF: Not pulling enough out to make a whole motion. Southern part of District E pulling out is what, about 70,000, Chris?

COMMISSIONER ELDER: And another 40 to 50,000 of Casas Adobas, in that area.

COMMISSIONER MINKOFF: District K is too small now to add 40,000 to District K. Where does that come from?

COMMISSIONER ELDER: Part of the wraparound from the Eastern Foothills.

COMMISSIONER MINKOFF: Taken out the Eastern Foothills District, where do you put back there.

COMMISSIONER HUNTWORK: Mr. Chairman, I believe we're mixing two issues. The first thing is to clearly define the Tucson metropolitan area, where 4.8 districts are located. Mr. Elder is correct, that's what we're counting to create 4.0 districts. That does not create an additional problem, if you will. Any of the plans we're talking about has to combine that with the Tucson metro area to create the five districts we've been talking about. If there were a way we could fix that in our minds and work around it with these other problems, the issue of going up into Pinal County is not really addressing the issue of how we deal with Tucson.

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We can deal with Tucson either way.

My problem with going up into Pinal County, it creates stranded population up north. I am concerned about whether there's enough population in I, an area south of Tucson, that isn't part of the reservation area, to even begin to address the number of people that we're adding to Pinal when we go over.

It seems to me that one is, I think, in order of magnitude, 10,000 more, or something like that. So you would then lose the western part of Pima County and the agricultural parts of Maricopa County, if those numbers are correct.

CHAIRMAN LYNN: There is a motion on the floor.

COMMISSIONER HALL: May I clarify that, Mr. Chairman. What I thought I made as a motion, what I heard Chris describe with respect to ramifications of the motion did not correlate. Maybe I need to try to clarify what I was trying to intend with the motion, in my mind is on the face a best scenario.

No matter how you slice it, we have to tap in somewhere into urban Phoenix, or the metropolitan area of Phoenix for population.

Is that correct, a correct population?

MR. HUTCHISON: Including Apache Junction?
80

1 COMMISSIONER HALL: Yes, I am.
2
3 MR. HUTCHISON: Yes.

4 COMMISSIONER HALL: I is in southwestern Maricopa.
5 MR. HUTCHISON: Southwestern Maricopa outside of Buckeye.

6 COMMISSIONER HALL: With that premise with respect to neighboring districts, the goal in my mind with respect to AURs, to the extent practicable, is to do the best we can to try to accommodate, if we can do an accommodation, one in which EACO moves west, does it not?

7 MR. HUTCHISON: Does move west unless the Commission wishes to lop off.

8 COMMISSIONER HALL: Easiest way, for population to go west. Can't go north, that's very true.

9 MR. HUTCHISON: Right.

10 COMMISSIONER HALL: Population goes west. Not only did you disseminate that particular AUR, not only disseminate, made it urban rather than rural. The Cochise AUR, to the best extent, my intent, maybe it's not clear, rural portions, eastern Pinal combined with western Pinal, come south with sufficient population, appropriate population to maintain integrity for

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subpopulations of that District. I think also
flexibility in adjusting the subpopulation numbers of
western Tucson, southwestern Tucson, which side you do,
if you are saying you need to do it on the northwest
portion of that District or southeast, I defer to your
expertise.

My goal is to leave Cochise essentially
intact, EACO intact, rotate that down and move the
southern portion of Pinal and northern portion presently
in that District, whatever that is.

What is that District, the tan one.

MR. HUTCHISON: The northern portion?

COMMISSIONER HALL: The name of that.

MR. HUTCHISON: D.

COMMISSIONER HALL: Move the southern
portion of D into Tucson.

Based on that, then, we then, in my
opinion, have a better case scenario for preserving all
communities of interest and still preserving the AURs
previously considered.

Chris, does anything I said not make sense
or compute?

MR. HUTCHISON: Maybe we need
clarification.

COMMISSIONER HALL: Okay. Glad to.
MR. HUTCHISON: As I understand it, correct me if I'm wrong, we take in rural portions, excluding Apache Junction, Gold Canyon, Pinal County, excluding Saddlebrooke as well. Then in order to create a District, essentially picking up another 90,000 people, 95,000 people in -- out of the remainder down here in Tucson, two remainders, work the Tucson remainder, you want to move west, maybe to the south, maybe -- somewhere in the south, including Tohono O'odham, obviously go through them, back up, moving clockwise out rather than counterclockwise, rather than through the Cochise counties.

COMMISSIONER HALL: The principal cart is the voting rights issues. Correct if I'm wrong.

Southwest Maricopa is the significant Hispanic population.

COMMISSIONER MINKOFF: Not significant, it is population.

COMMISSIONER HALL: Was that not the Hispanic AUR?

COMMISSIONER MINKOFF: Hispanic, southern Maricopa.

COMMISSIONER HALL: Concept with ability to adjust, also ability, I think this is something that makes sense, ability to adjust numbers with respect to
southern Tucson. I think we're not making eastern Pinal
an island, we're also preserving the integrity of the
subpopulation, the rural nature, and western Pinal
population, and rural nature of the population. The
benefits of this proposal on the face far outweigh the
benefits cutting up four AURs, and also the rural nature
of a couple of districts.

CHAIRMAN LYNN: I wonder if I may,
Mr. Huntwork, go back, Chris, through the scenario
Mr. Hall just articulated.

Does that square with your option four or
is that different from your option four?

MR. Hutchison: Squares with my option
four, the way I look at District E, divided in three
pieces, option four, the Tucson piece, 75,000, 78,000
people; Apache Junction people, 50,000 people; the
remainder, Pinal County, including for our purposes
right now the Gila River Reservation and Ak-Chin.
Essentially three pieces, 53,000, 78,000, and the other
roughly 50,000, a little less, roughly 43,000.

What happens is under Commissioner Hall's
scenario, move a piece here, 50,000 this way, move
70,000, and you ripple population around this way. The
other option would be to ripple the piece down here this
way and then everything else either through Maricopa or
somehow through the eastern Maricopa counties. That's where the remainders are at.

Correct me if I'm wrong. The option you laid out west, to the south and west, to the north as well, would be to ripple the populated areas in such a way as to maintain the various population presence within the districts.

COMMISSIONER HALL: Correct.

What I'm theorizing could be wrong, Chris. That may well help some of our concerns in Yavapai County, no?

MR. HUTCHISON: It depends on whether you ripple through that District.

COMMISSIONER HALL: I'm saying if you were to take the option, you know what I'm saying, I think the potential is there for that capability. I may be wrong.

MR. HUTCHISON: That's so many moves ahead I couldn't say for sure. Definitely rippling population is the right way to do that.

CHAIRMAN LYNN: Is the potential -- Sorry, Mr. Huntwork. I'll get to you. Is there potential, I'll use the word several, for several urban Phoenix districts to be impacted by this ripple?

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MR. HUTCHISON: I think they'd have to be, because otherwise you can't ripple the various population presences in the right manner in order to maintain the presences in an ideal manner of presences.

CHAIRMAN LYNN: In other words, to achieve, implement the option on the table in motion, we're talking about redrawing most of Central Phoenix in the process.

MR. HUTCHISON: I would say yes, to achieve those goals you have to be.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: The other thing I want to put on the table, again, in my mind, the driving force is to do the best thing in the Tucson area and see what happens. It's entirely possible this motion is unnecessary. What I perceive the purpose of the motion is to put in place limits or constraints on what we can do to solve problems in Tucson. I'd very much like to solve those first and then see what happens.

One of the reasons we're having problems is because we impose boundaries on ourselves. And where you end up depends on where you start. In this case, this part of the map, I really prefer we start in Tucson, solve that, and see what the remainder is and then deal with that.
CHAIRMAN LYNN: My perception is the motion on the table does that insofar as it says take population necessary, take a fifth District from the north, included in Tucson's districts, wherever that excess population squeezes out, because it will, you have to make adjustments accordingly.

Again, it seems, maybe I'm missing something, but your concern is contained within this motion in the sense you can, once you split up E, however you split up E, take communities south first, work Tucson into a five-District configuration, and still have to solve the five-District ripple effect eventually. It will ultimately affect a number of districts, including several in Maricopa County. Ultimately what you are trying to achieve is contained in the motion in terms of Maricopa County first.

COMMISSIONER HUNTWORK: Let me address that, if I may. I don't know that. It is possible. This may place constraints on how we deal with this. There are large amounts of population rippling through different directions. Some end up coming back to the Tucson metropolitan area. By the time they ripple all the way through the valley on the other side, ripple through I, and potentially come back to South Tucson, it's just I don't believe it's possible.
to say it's contained. If that's true, if it is true,
we can always come back to this later, because it will
still be there as a viable option. If it's not true, it
will be eliminated by what we have to hear in the order
of Tucson.

COMMISSIONER HALL: Mr. Chairman, correct
me if I'm wrong. Consider another scenario. Ripple
Cochise. The population ripples north. Take EACO. Tie
it into Gold Canyon. What you do with Apache Junction
ripples over also.

It doesn't matter how you slice it, you
still ripple through Maricopa County even with other
options, do you not?

MR. HUTCHISON: If you are dividing into
three, as the fourth option does, you would be rippling
on two ends. But if dividing on two, not separating
Gold Canyon, Apache Junction into another area, the
southern section south of the Pima County line, 70,000,
the northern section, roughly a hundred thousand,
especially this District picks up hundred thousand,
each district keeps picking up hundred thousand people
all the way around the remaining portion of EACO, picks
up all of it.

COMMISSIONER HALL: Picks up all of what?

MR. HUTCHISON: All the areas of District
E currently outside Pima County.

COMMISSIONER HALL: In other words, you'd take all Apache Junction, all of Gold Canyon, and these mining communities, and combine them over here with Springerville.

MR. HUTCHISON: Assuming a straight swap, no other instructions to tell us to move anything else anywhere else.

COMMISSIONER HALL: Our concern when we started this was what in the world does Mammoth have to do with Tucson. Now we're saying what does Power Road have to do with Springerville, a four-hour drive? This creates the same thing, rotate here, rotate this way. All of the urban eastern valley, connecting with all of these rural areas, it's no different than having these rural areas, connecting these rural areas. The solution proposed, while not a convenient foundation based on the map strengthens Tucson. While those that need to see the detail, it would be an appropriate situation for an individual meeting.

The preservation is this now correlates with its neighbors. This remains intact. That remains intact. And essentially this remains intact.

These lines may move some. I may note
essentially as commentary, there are 3.1 million people
in this area, which is, minimal, focusing on a few, as
commentary, and City of Tempe, which maintains
integrity; and if we can't, we probably need to look at
it again.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, I think the
question of whether it makes sense to redraw all the
lines in Maricopa County in order to cut 50,000 people,
push 50,000 out to the west, figure out what to do with
them, where to put them, whether they go south, north,
and how it ripples through the state in order to
preserve a hundred percent of the EACO District is
worthy of consideration. I would much prefer to put
that issue aside and figure out how to get the five
districts in Tucson most effectively and consistently
with the goals and deal with the situation that resolves
that problem.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I'm reasonably
comfortable with the current districts in Maricopa
County. I think we're close to where we need to be in
Tucson, subject to dealing with population in the north
and bringing it into the Tucson metropolitan area.
I'd like to suggest something which does
involve splitting EACO.

Can I point at Jim? That might work.

First of all, I think we all agreed the northern areas including Saddlebrooke up into Pinal County get included into Tucson. Simplify three districts and bring in a fourth later on. What I'm suggesting is take three areas, 70,000 or so, and combine them with this area here of the District, is that V -- G, I'm sorry. Combine it with enough of District G to make a District. You may have to go into part of Santa Cruz, may have to go into part of Santa Cruz. I'll leave that to you. Take this and combine it here, also a good portion of suburban Tucson, and we have a fifth Tucson District. Then take what is left of G and move north and to the east of the reservations taking in Graham County, taking in Greenlee, and probably some more.

Once again, that would be driven by population.

Take in west of Gila County, which includes San Carlos and the White Mountain Apache Reservations. Move here, the four reservations already in this area, which becomes an area that has a stronger Native American influence. It includes the mining communities of Gila County with eastern Pinal County.
And there is some connection there. It does put Apache Junction with this area. Apache Junction did say they preferred to stay with Pinal County rather than Maricopa County, and we don't have to do anything with the current Maricopa County districts. That I think works, working within the three districts.

Once you have all that done, I go back to the earlier suggestion to combine this District with this new District to have some of the new growth areas in it.

CHAIRMAN LYNN: That's clearly different than the motion on the floor.

COMMISSIONER MINKOFF: In a sense I'm speaking against the motion, speaking -- it's different.

COMMISSIONER ELDER: Mr. Chairman, bring me back on the floor.

Are we looking to one plan for the consultants or an assessment of options?

CHAIRMAN LYNN: It's a great question.

Let me give you my assessment of that and see what you think. The goal going into a portion of this was to find, determine actually one of the options, one of the options available. One was we could settle on four consultants to attempt to give us a cursory look at, a reason for trying to settle on one attempt to
finish up the Legislative map today.

It's my opinion, and I want the
consultants to listen carefully to the next portion.

It's my opinion if we're going to ask the consultants to
do multiple options, including one which has a
significant ripple effect in Maricopa County, we will
need more than a cursory look at it to make an
intelligent judgment plan that we have or other option
they might study.

Given those options, the more complexed,
involve, the more districts involved, the more analysis,
I would wonder whether or not that could be completed
any time today.

We have not noticed a meeting tomorrow.

We're not able to meet tomorrow.

The point would be settled by one option
and we might be able to look at it in about an hour,
hour and a half, or schedule another meeting sometime
next week to give ample time to do so. The options are
more complex.

I think those are the options.

Dr. Adams, have I said anything with which
you disagree?

DR. ADAMS: Mr. Chairman, that's the
scenario as I see it as well.

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COMMISSIONER ELDER: I'd like to call the question on the motion with the consideration we're probably going to look at multiple options and need that meeting next week. But I would like to take this opportunity to see what the ramifications of the first one we're looking at to be followed next week by the one Ms. Minkoff was looking at, so we look at it, get further down the road today while it's noticed, in session, see what the ramification was. It may turn out to be okay, may not; look at three, four more. We need that time.

CHAIRMAN LYNN: I understand your point.
The question has been called. I'll take a little further, more discussion today in the sense that option on the table may, I stress "may," involve multiple Maricopa districts to make it work. I don't know that.
I don't know that the consultants know that until they get into it and look at it.

If that's the case, do the consultants know much time you need for that one option to be visible, for it so we see ramifications?

I don't think we can do that today.

MR. HUTCHISON: If the option -- which option is on the table?

CHAIRMAN LYNN: Option four.
MR. HUTCHISON: Which version, west or east ripple? Ripple through Maricopa attempting to balance population which concerns districts, population percentages, or free to move east into the Eastern Arizona Counties?

CHAIRMAN LYNN: What if I were to say to you to look at both?

MR. HUTCHISON: That's like two different scenarios?

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I respect what you are saying. I know we have to go the second mile. You will recall there were some important mapping options I also wanted to slow-down and consider but was outvoted, but we elected and I was persuaded we need to do the best we can with this and get something out there. To make the fine point, though, I would vigorously oppose trying to ripple 50,000 people through the Phoenix Metropolitan area. We worked very hard on the districts directly in the line of fire, worked very hard on the districts of Mesa, Gilbert, Chandler, Tempe, Ahwatukee, and this moves then directly into the majority-minority districts of central minority Phoenix. Those are good districts the way we have them now.

In my mind, it does not make sense to go
back and think about doing all those things. That is an option I would vigorously oppose doing now, next week, or whatever. If you want to consider moving population east into eastern Arizona counties, then I think reading between the lines that's not the purpose of this motion. Purpose of this motion is to find a way to avoid, to avoid doing that. So why would we go to all this trouble.

Ms. Minkoff suggested a very simple way of doing this that doesn't involve redrawing any of these lines that has the effect of putting population back into EACO. If we do it, let's do it in a simple way.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I'm just curious how long it's been since either of my Commissioners have been up in the northeastern Arizona area you just proposed amending.

I think that probably speaks --

COMMISSIONER HUNTWORK: Want an answer or was it a rhetorical question?

COMMISSIONER HALL: When is the time you've been to Eager?

COMMISSIONER MINKOFF: I've never been to Eager. I've been in the area this last year.

COMMISSIONER HUNTWORK: Last three years.
COMMISSIONER HALL: My point exactly.

The whole point of what we started with, we felt the eastern Pinal District, whatever it currently is, was not acceptable for a variety of reasons. One of the major reasons was the relation of the communities appeared to be unrelated, the relation of rural unrelated communities.

What Ms. Minkoff did is she's given a designation that's massacred a variety of communities of interest, created a District, two districts now that looked more ugly, two districts more ugly than two districts. That District is more ugly, and this District is unacceptable.

Well, the proposal to rotate, my opinion, the proposal to rotate one or more additional districts is equally ugly, equally unacceptable, depending on one's perspective.

Therefore, the motion on floor, while not simple, I think provides an opportunity, given the fact there are 50,000 people among the three million, is 50,000 among 170,000, ripple, if handled with expert, delicate gloves of ours, which may, I don't know, may have a delicate impact.

Therefore, Mr. Chairman, that's why I made the motion the way it is. I personally would say let's
go ahead and see, in reaction to all the concerns we can
debate until next Tuesday, take the map to the public,
let them tell us what you can tell us about that, every
particular criticism, tell us what you can, provide,
find a solution. Are there other solutions to be
presented that still keep eastern Arizona, southeastern
Arizona intact, and also I think address some problems
that are already concerning us here.

CHAIRMAN LYNN: Mr. Hall, if I understand
your comments, at least the last portion of the
comments, are you then suggesting that we could adopt
the map as presented without looking at the option your
previous motion suggested we explore?

COMMISSIONER HALL: That's one suggestion.
What I heard from fellow Commissioners is they are not
willing to do that. They wanted to consider other
options. In light of that, that's why I made that
motion.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: Mr. Chairman, I'm
very sensitive to the EACO AUR and not comfortable
breaking it up. I'm less comfortable going forward with
the map we currently have.

I'm not sure of the exact population
distribution, but it seems to me that we still have an
AUR or major portion of an AUR that works. I think that the part we would have to pull out of EACO to make it work are two Indian reservations, sort of our own community of interest, and the rest of Gila County. And the rest of EACO would remain intact with some portion of Cochise County. Knowing what I know about that part of the state, and of course I don't live there, but Payson, the Tonto Basin, the Globe-Miami area really connects south and west, I think, as easily as they do east, putting them with eastern Pinal County I don't think is a bad fit. Putting two Apache Reservations with other reservations I don't think is a bad fit. Leaves the rest Navajo County, the rest of Apache County rest of Graham County, all Greenlee County, all Graham, Apache, Greenlee, Graham County, excluding Native American Reservations which remain a part of the EACO AUR. Only non-Reservation territory are pulled out of it. If population figures bear me out, the remaining Gila County geographically separated from the rest of EACO does have connections to the area to which it would be added.

CHAIRMAN LYNN: There's a motion on the floor.

Further discussion on the motion?

If not, roll call.
Mr. Huntwork.

COMMISSIONER HUNTWORK: "No."

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: "No."

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: "Yes."

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: "Yes."

CHAIRMAN LYNN: Just what I wanted.

The Chair will vote "no" with the understanding I may want to resurrect that motion. But I need to ask more questions. I'm not ready to vote for it at this moment.

I need to know, if the motion were to pass, whether or not -- well, what is the time frame for complying with the motion as it was made?

(Motion fails three to two.)

CHAIRMAN LYNN: Dr. Adams.

DR. ADAMS: Chairman Lynn, members of the Commission, it's a major redrawing of the map. It is something that would indeed affect many districts in Maricopa County. It's also going to have voting rights effects, as we already have a number of majority-minority districts in Maricopa County. So we're going to have to, as we move through the county,

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be sensitive to the majority-minority districts. We're going to have to move some of that population from the Hispanic AUR out of Maricopa County and around. So there are a lot of implications to this. We would not be able to finish that today. We would definitely have to have at least 24 hours and probably some sleep in that time period.

CHAIRMAN LYNN: I understand. And to be able to analyze each one of the new districts as it would then be configured, we'd also want not just a representational map, a map where analysis had been performed, so it would even take longer.

DR. ADAMS: Yes. Under the circumstances, that would be necessary. We're not going to be able to tell you exact numbers or total impact without doing a redraw.

CHAIRMAN LYNN: This may not be a fair question. I'll accept the answer.

If ask you to do that, it would necessitate meeting next week. When we had that meeting, would that assignment as described, as heard today, do you see anything on the face of it that would make that assignment a futile exercise? If you would like clarification, I'd be happy speak to it.

MR. JOHNSON: Let me speak to it.

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CHAIRMAN LYNN: There are certain things we cannot do. We cannot violate voting rights. We cannot vote to violate the Constitution. We cannot violate the tenets of 106 where they are laid out except where they make choices among variables, among variables we're capable of doing. Those are things we can consider. To the extent the motion impacts a significant number of districts, many of which we already adjusted for particular reasons in particular ways, my concern is all of that work would not be altered but undone. And it is a concern, regardless of the Tucson configuration.

I care about the entire map and care about what we've done to date.

The reason I'm asking for the question, I don't want to send you away for days with the idea when you've done all the work you come back with such drastic differences we simply in effect are starting over with the Legislative map. I'd rather try to reach some other conclusion rather than that one. That's the reason for the question.

MR. JOHNSON: Mr. Chairman, as the districts are currently configured, we've essentially treated the Hispanic community, AUR, the northern and southern portion of Maricopa, and the rest of it,
southern portion, in order to meet the goals that the
Commission has set in terms of representation of the
minority populations. And to achieve the goals of this
motion, we would need to, I believe, combine some of the
northern portion of that AUR with, perhaps, the Tohono
O'dham region in order to maintain the number of
districts as discussed. And that's the difficult
decision. It would mean an entire reconfigure of the
Maricopa portion of the AUR and some more significant
bridge between that bridge of the AUR and the southern
portion of the AUR.

MR. HUTCHISON: Additionally, and this is
probably something to bear in mind, we're talking about
keeping this area whole, as far as I understand.
Essentially what we're talking about in terms of a
bridge, it's westward down south and around.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: In my mind this
question is complicated also by the fact I want to see
five Tucson districts. And to me that's the top
priority. We send them away to do something. That
needs to be added to the task list. Personally, I want
it to be the number one item.

MR. HUTCHISON: Actually, it would speak
directly to that. The point is to get five districts.
You'd get five districts. The matter of five districts being rippled around clockwise to the west rather than --

COMMISSIONER HUNTWORK: Fine.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I'm going to ask you a question. If we take the southern portion of the current District E, including Saddlebrooke going into Pinal County, Pima County portion and Saddlebrooke, put it into the Tucson metropolitan portion, we now have five districts in Tucson.

CHAIRMAN LYNN: Population for it.

COMMISSIONER MINKOFF: Right. Taken 70 some thousand people out of District E, what I would like to know is what is the way to put 70,000 some people back into District E that, number one, complies with the Voting Rights Act and, number two, creates the least disruption among the other 29 districts? What is the simplest way to do it?

CHAIRMAN LYNN: I like that question.

MR. JOHNSON: Commissioner, what we'd be creating is a fifth Tucson District which is, you know, 80,000 people. We're talking about in the Pima portions of E and Saddlebrooke, I assume we're not looking at the exterior effects, focusing on the Cochise portion, on
Pima, Santa Cruz County, about 53,000 people. That's the District G portion.

COMMISSIONER MINKOFF: Where is 53,000?

MR. JOHNSON: 53, the portion not Cochise.

155,000, rough terms. To finish that, we still need 35,000. That would come from essentially I, the Tohono O'odham District. That District is now moved out of Tucson, for the most part, almost entirely. And then they'd swing back around somewhere. So that -- essentially the easy part of drawing the fifth District is the southern portion of E and the east-west portion of G, still 35,000 short. We still need to pick up 35,000 for G somewhere.

COMMISSIONER MINKOFF: If you take it from District I, do we run into voting rights issues with District I? My question said without violating the Voting Rights Act.

MR. JOHNSON: That's correct.

COMMISSIONER MINKOFF: That's not an answer if that will negatively impact on District I. So putting District I aside, what is second easiest way to do it since that obviously is going to create voting rights issues.

MR. HUTCHISON: First off, so I don't misinterpret --
COMMISSIONER MINKOFF: I said comply with voting rights.

MR. HUTCHISON: That is understood.

Easiest, in terms of districts affected, in terms of numbers, is have one, two, three. Go E into G, G into E 1, the EACO District, and then E 1 into E. That is the least number of moves in terms of moving around.

COMMISSIONER HUNTWORK: Could you move whole counties, keep Graham and Greenlee Counties whole?

MR. HUTCHISON: Non-Reservation portions of Graham, Greenlee, looking more at population than they had.

CHAIRMAN LYNN: Only 23,000.

COMMISSIONER HUNTWORK: I think -- thought they had more.

COMMISSIONER MINKOFF: 41, 42.

CHAIRMAN LYNN: Only 41, 42.

MR. HUTCHISON: You are looking for 90, 95.

COMMISSIONER HUNTWORK: Right.

MR. HUTCHISON: Essentially the entire District has 170,000. You'd have to take more than half of it, unless you move west and take part of Pinal County, the remainder into District G, and take less of

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EACO; but less than unite G with EACO, and that's
another question.

CHAIRMAN LYNN: Here is what I know at the
moment. We need to take another break. Some people
need to check out of the hotel. We probably need to
think a little more about this reflectively.

I'd like to take, again, a 15-minute
break, give people a chance to check out if they need to
do that, get back together and see if we can unjam the
logs and figure out where we go next.

(Recess taken from 11:59 until
approximately 12:44 p.m.)

CHAIRMAN LYNN: The Commission will come
to order.

The record show all five Commissioners are
present along with legal staff and the consultants.

Is there any member of the Commission who
wishes to forward a proposal that would move us ahead in
this process? If not, I'll suggest one.

Go ahead, Mr. Huntwork.

COMMISSIONER HUNTWORK: There was one
other option that the consultants suggested that we
haven't talked about. I think we ought to at least put
it on the table. That was a much simpler switch to
bring the population in Saddlebrooke and other or more
urban areas of southern Pinal County down into Tucson,
simply build a District in Cochise County and back up
into what was left of Pinal District, a simple switch
would get -- create the five Tucson districts and leave
us with one very ugly District, but it solves the other
problem. And there are some arguments to be made in
favor of that District. Obviously it's not compact, but
it is primarily rural.

CHAIRMAN LYNN: Actually that option I
think was offered previously at one of the map
iterations we saw, and it was -- it didn't light
anybody's fire then. I'm not sure it will now. It is
another option.

COMMISSIONER HALL: I might suggest it
didn't light anybody's fire then because we didn't know
how desperate we were. I -- I think the strength is
that does create a greater preservation of rural areas,
and I'm not sure it's not worth reconsideration.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I'd like to ask the
consultants how long it would take for you to give us
something to look at there. It's a relatively simple
population swap, actually would involve three districts.
I'd still like you to exchange population to the
northern Tucson districts. That I think would be pretty
easy.

DR. ADAMS: Commissioner Minkoff, and Members of the Commission, it would probably take about 45 minutes to an hour, then we could come back with that option for you, if you'd like to see it.

CHAIRMAN LYNN: I think we conceptually know what that looks like. I don't think there's a big mystery there.

COMMISSIONER MINKOFF: I would like to see how much of, you know, does it take all of the portion of -- I guess it's District G. I presume all the Pima portion of District G, also probably takes all the Santa Cruz portion of District G, to link up what we're pulling out of District E, then some of Cochise County. What I'd like to see is what are the areas going to be combined with in this north Pima County Saddlebrooke area, what is left over, how is it going to run in. It looks like a census tract in the extreme corner of Pima County. It doesn't have a lot of people in it. It may be our path between Cochise and Pinal.

I'd like to see what is let of Cochise, how it divides Cochise. Are we carving up Cochise to avoid carving up something else, keep Sierra Vista, Huachuca, at the expense of something else?

DR. ADAMS: One way to do it fairly
quickly, if we didn't reconfigure the Tucson districts,
looked at the districts and looked at districts, adding,
what it looks like for the Cochise districts, that we
could do fairly quickly, we could do that while we sit
here, if you would like to see that.

CHAIRMAN LYNN: Let me tell you where I
am, while I sit here, and ask any other Commissioner to
weigh in. I have an idea between Cochise and Pinal
County, and so on, it's certainly an option to look at.
Again, Mr. Hall's point it's not so desperate, I don't
have an answer at this point in time. I'd like to
explore it, at least.

I'd like explore three options. I'd like
the consultants to fully explore the concept of starting
with five Tucson districts. And in my mind that's five
fully in the Tucson environment, or at least four plus
one heavily influenced by Tucson, either one of those is
acceptable. Start with that premise. The result of
that is that the populations in northern Pima County and
southern Pinal need to come south. And the result of
that needs to be explored, in my mind, in three
different ways. One we just talked about, which is the
creation of a District that goes through Cochise and up
into parts of Maricopa county.

The second one we discussed earlier, which

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uses, essentially divides the District we're currently looking at into three portions, one portion coming south, one portion reunites much of Pinal County, and the third portion to the north having an impact on the districts in that part of the state, not knowing exactly what those impacts are.

If memory serves, the previous discussion, there would be a bit of a ripple effect of somewhere of 50,000 plus individuals from the eastern Maricopa area through that state, and eastern Maricopa and parts of Pinal.

The third option is one which instead of going in that direction goes in the opposite direction, which is to say bring population south. That population then moves from the central Tucson area east into Cochise moving then north up the eastern part of the state which would necessitate taking a look at, again, a number of options with respect to probably more around the periphery of the state rather than the central portion of Phoenix, but a separate, identifiable option and solution.

I don't think, speaking for myself only, I don't think I can move forward in terms of determining a map I would like public comment on unless I fully explore those options and understand the ramifications.
of each. I would certainly indicate that none of those options should negatively impact issues which are voting rights or constitutional issues. Those are inviolate, sacrosanct, not to be dealt with. To the extent any of the other things we've done previously in terms of adjusting Phoenix districts, in terms of making decisions in other parts of the state, granted those will have to be flexible in terms of your analysis, I'd like to know which of those is impacted by each of those options and how, which and how much they are impacted.

Now I recognize what I just said is probably several days' worth of work, several days unencumbered without going back and forth into meetings. I would like to know for myself how long that might take to get an idea when we might schedule another meeting to schedule results of that, get closer, to get a map we or at least I can vote for to take to the public.

DR. ADAMS: Commissioner Lynn, Members of the Commission, I think in order to fully develop those, I think it would be necessary, certainly on the option that moves through Maricopa County, to fully develop data, we could come back Thursday, I would say. We're looking at three, I presume, fully developed options for -- and with the impacts, I would say -- I would say we could be back Thursday morning.
CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I'm really concerned about the time line on that based on notice, outreach, and various other things. I'd prefer we take a look at an option yet this afternoon to see if it resolves a majority of our issues, and as long as with your caveat at the end that the issues that are involved are ones that public comment could resolve and the ones that they can't resolve we should have under toe right now, I would like to take a look at any one or at least maybe ask the consultant for the three, four you put out there, is one most likely to resolve, they are more knowledgeable, more in-depth than mine right now, resolve most issues we've been talking about than during the six hours, take a vote on that, see if we can go out to the public with maps knowing they are not exactly the way we want them with a list of issues we'd like comment on, items in each one of the areas around the state.

CHAIRMAN LYNN: Dr. Adams.

DR. ADAMS: Commissioner Lynn, Commissioner Elder, Members of the Commission, there is one very simple one we can do fairly quickly, and that's the one we just described to you previously, of moving Cochise County territory through into Pinal County and

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then up to Apache Junction, take a look at that fairly quickly this afternoon. The other options take considerably more time. I think that's really the best we could do on that.

I have a lot of concerns about the option that goes through Maricopa County, not concerns because of necessarily voting rights issues, because I don't know until we get into it. It is going to mean a lot of changes and a lot of reconfiguring. We're basically redrawing the map for the majority of those districts. But we certainly could take the time and go ahead and take a look at at least one of the options and possibly eliminate that one this afternoon.

COMMISSIONER ELDER: Mr. Chairman, I don't like to do that. I think we have to give adequate time for the public to be able to look at maps. I know the first ones in Tucson and Maricopa County. Irrespective, we can't cut down to two, three days for time for the published maps. We need to get on, bite the bullet, figure out where we're at, and move on down the line.

CHAIRMAN LYNN: Well, is that in the form of a motion?

COMMISSIONER ELDER: I would move that we direct or request the consultant to develop the option as described with Cochise County and Pinal County

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modifications to sustain the five districts within the Tucson metropolitan area and come back to us with the ramifications of that option.

CHAIRMAN LYNN: That's essentially the option presented earlier.

That's a motion.

Is there a second?

COMMISSIONER MINKOFF: Second.

CHAIRMAN LYNN: Thank you.

COMMISSIONER HALL: Do you not already have that? I think you already did that once, in concept.

MR. HUTCHISON: We have a portion of that.

But that was built on a different District configuration in Tucson. I mean it's not difficult, but --

CHAIRMAN LYNN: Well, and again --

Mr. Huntwork.

COMMISSIONER HUNTWORK: My understanding, you just said you could do this conceptually simply by showing, doing the wraparound district that shows what the outside limits of the Tucson districts would be in just a few minutes.

DR. ADAMS: Yeah.

COMMISSIONER HUNTWORK: I think that's a free option. Do that. Take a look at it. Beyond that,
I say, Mr. Chairman, I obviously, a lot of your comments, I share. Essentially what I've been saying yesterday. But before -- we've solved some of the other problems I was concerned about. And before we give this up, I would like to see what that looks like before we make a decision.

CHAIRMAN LYNN: Mr. Elder, is that preliminary look sufficient for you in terms of what you would like to do this afternoon?

COMMISSIONER ELDER: I think if it gives us a visual imagery of what it looks like with some numbers, in other words, if we do something and it throws our minority-majority districts out of wack, that's what I mean by things that the public could not comment on and we'd probably make changes. If it's something that says we do not have community of interest here but over here it might work, yes, that's more than adequate. An ability to effect change, need to redraw something after public hearings, great. I don't have any objection. Matter of fact, I plan there will be substantial, we call it anywhere from tweaking, anywhere from a major line change after we're done with this.

With that said, I think we need to be able to see that and see what the general numbers are. It won't get down to one and two percent, generally where

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we're at.

Does it solve or resolve the problem?

CHAIRMAN LYNN: Dr. Adams.

DR. ADAMS: Commissioner Elder, just for
clarification, that's just on the first option, moving
through Cochise County, the very first option.

COMMISSIONER ELDER: Okay. And it may
very well include a conceptual line, need to use Casas
Adobas to pick up 20,000, adjust the line, put a big 20
in the middle, adjust the direction, put 30,
conceptually going in the plan, enough information, look
at it, see yes, going in the right direction, no,
doesn't make sense and, fall back to one of Mr. Lynn's
options or Mr. Hall's options. Might turn out to have
been.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: As long as we're in an
utter state of confusion, I'm wondering, is it possible
to take the district that we're currently in, it doesn't
appear to be the most popular one, and do something
similar that has been proposed wrapping around and make
that majority-minority and make one southwest
majority-minority, in other words, trade?

COMMISSIONER MINKOFF: Which district
would you make majority-minority?

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COMMISSIONER HALL: What is the new
district on yellow?

DR. ADAMS: E.

COMMISSIONER HALL: Make E, moving west,
if you will, garnering reservations, including
additional Hispanic in the southern portion of Phoenix,
utilizing some population figures, making that majority
minority, and not the one presently majority-minority?
Just in concept, I recognize numerous ramifications.

MR. HUTCHISON: Did you want to try to do
that without affecting any districts, majority-minority
districts in Phoenix?

COMMISSIONER HALL: Well, I think it will
affect them, not minimize them, is what I'm saying. I
think it will probably affect them. I just don't think
it will minimize them.

CHAIRMAN LYNN: You have a separate
consideration. There is a motion on the table to go
ahead and analyze the one option.

COMMISSIONER HALL: I guess, to my point,
Mr. Chairman, is that I guess with respect to the
motion, there is -- I think to conceptualize, visualize
how that will look, to conceptualize how we can see it
will work, I prepared a couple more I made a motion on.
Here's another idea, say here they are. At what point

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do we quit considering multiple ideas, say to the public quite frankly no. They can probably tell us more than we already know. At what point do we garner additional input, the expertise of all other minds out there to help solve this?

I'm saying in light of the fact we've already scheduled hearings starting on the 25th, which I am unwilling to move, I'm wondering if it wouldn't be appropriate to say here is a draft map, folks. We recognize the challenges with it. Help us solve some challenges.

My understanding that was the intent of the process, anyway, to go forward utilizing the expertise of variety a of minds to be there to help us.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I have a suggestion that we take a look at one District. I think it's the only option we have for doing this today. If that doesn't work, let's get a look at that as soon as possible. If that doesn't work, let's have a discussion about what alternatives we'd like to have considered, some of which will be more invasive than others. Let's look at that first, then have other discussion.

CHAIRMAN LYNN: Speaking in favor of the motion then, Mr. Elder's motion.

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Further discussion on the motion?

If not, all those in favor of the motion.

All those in favor, say "aye."

(Vote taken.)

Opposed say "No."

(Motion carries.)

CHAIRMAN LYNN: Now how best to do that?

Want us to leave? What time frame do you have on completion of that task?

DR. ADAMS: Actually, if you want to stay here, we can stop projecting, simply go to the screen, start working on it. If milling around, I don't think that will bother us.

CHAIRMAN LYNN: Approximately how much time do you think you'll need, just ballpark.

DR. ADAMS: I think about 45 minutes.

CHAIRMAN LYNN: All right.

DR. ADAMS: May be appropriate for lunch.

CHAIRMAN LYNN: Why don't we break for a lunch break.

Let's split the difference. If we could be back at 2:00, 50 minutes.

DR. ADAMS: That's fine.

CHAIRMAN LYNN: Stand in recess until 2:00 o'clock.
(Recess taken from 1:07 until approximately 2:09 p.m.)

CHAIRMAN LYNN: Could I have the Commission seated, please.

The Commission will come to order.

The record will show all five Commissioners are present along with legal staff, counsel, and consultants.

Mr. Johnson.

A VOICE: The light didn't go on.

MR. JOHNSON: There it is.

COMMISSIONER MINKOFF: Can you brighten up that District a little.

MR. JOHNSON: Sure.

MS. REZZONICO: Is that okay?

CHAIRMAN LYNN: Yes.

MR. JOHNSON: Mr. Chairman, Commissioners, the District that you see here is as we described. We focused in on a number of areas.

First, as instructed, we isolated the northern areas of Tucson, the census tract that encompasses Saddlebrooke. We brought that around first. Primarily for speed of analysis, we drew the wraparound district. It comes around. If the Commission so chose and gave more time, we could reconfigure within these.

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For purposes of this analysis, your analysis, we wanted a quick approach. The district that was Saddlebrooke retains the letter E on this now comes along the east side of Tucson, down into Green Valley, down into Santa Cruz County, and comes over into Cochise.

Within Cochise County we still need to pick up approximately 38,000 people, I believe the number was.

Let me zoom in a little more. The areas we have here are the Sierra Vista, City of Sierra Vista southeast which is down here, and then a region to the west of Sierra Vista that brings us up to population and includes unincorporated areas within Sierra Vista. That brought us to the population we needed for District E and essentially made the fifth Tucson District which is closely related to Tucson as you can without impacting the District to the west. Our goal was to keep it as close to it, to the prior, as it could.

The result was as close to the other district as it could. And then it goes up through various sparsely populated census tracts, I think about 50 people in this census tract, up through the valley, and into eastern Pinal County.

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This eastern Pinal County is the same as District E, takes in Apache Junction, Grand Canyon --

CHAIRMAN LYNN: Gold.

COMMISSIONER MINKOFF: Gold Canyon.

MR. JOHNSON: And then the urban reservations as well.

COMMISSIONER MINKOFF: Doug, can you show us the demographics on the District?

MR. JOHNSON: Certainly.

The Cochise to Apache Junction District, as with the previous District E for this area, is overpopulated by about 2,000. That population needs eventually, when we get to the population equalization stage work, to work its way to District B, Maricopa. Demographics of it, 173,000 people, 48,000 Hispanic origin, 16,000 Native American origin, and the percentages, here, 28 percent Hispanic, 9.3 percent Native American, about 40 -- well, 40.3 percent total minority District.

Going over to District E, it has 22,000 people of Hispanic origin.

COMMISSIONER MINKOFF: Can you move that over.

MR. JOHNSON: Sorry. 22,322 of Hispanic origin, 1,786 Native American, and that makes it 13
percent Hispanic and one percent Native American and
about 21 percent total minority. So neither one of
those, when we started, was a heavily minority
population District and remained that way.

CHAIRMAN LYNN: Pretty much what we
expected, or what I expected.

Mr. Huntwork.

COMMISSIONER HUNTWORK: There were some
choices, made just curious about that there. Seems to
be less of an area in southern Pinal County, picks up
Saddlebrooke, but are there other population areas right
around there or have we pretty well captured the Tucson
influence in that area?

MR. JOHNSON: Commissioner, we took in the
census tract, generally the focus of Saddlebrooke these
days? The census tract does not define exactly where
Saddlebrooke is. This is an area generally the same,
some proposals for the area are north and west to
Saddlebrooke included in the area by the definition of
Saddlebrooke. That area entirely is zero population, I
guess, from their plans, anticipated to grow.

COMMISSIONER HUNTWORK: I did not attend
the hearing in Sierra Vista. I'm wondering what the
reaction would be of being included with Tucson in this
particular way.
CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: Let me give you then the synopsis.

COMMISSIONER HUNTWORK: I could guess.

COMMISSIONER ELDER: We probably would have to close the doors to not have the howling be heard from here.

I -- the synopsis, they want to be whole, Cochise County, including Sierra Vista. They did not want to be a part of Tucson. So probably the result, at least, is not a part of Tucson. Then to throw them right back in with the state of Maricopa where you have the Apache Gold, not Apache Gold -- Apache Junction and Gold Canyon, so it's a what evil do you want to be put with.

COMMISSIONER HUNTWORK: By association.

COMMISSIONER ELDER: The only probably good things I see about it is probably ranching, agriculture, mining, mining in Bisbee, combining Bisbee, mining in San Manuel, Hayden, Kearny, to the west, agricultural areas in Pinal County. That is the only glue I see that holds it together. It is rural, probably percentagewise remains rural, maybe through the next 10 years.

Who knows whether out of Apache Junction

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whether Apache Junction will control that District or not. It's my opinion it will be close. If looking at growth rate, what might be able to control it from Cochise County, I think they would probably, rather than take a risk with Tucson, rather than the state of Maricopa.

COMMISSIONER MINKOFF: It's the state of Pinal, please.

COMMISSIONER ELDER: Yeah, whatever. It's the metropolitan area.

So I'm not -- I came into the second half today with the feeling, or with the presence if I had something that came even close, I'd probably want to run with it and let the public make some comments to see what we do. And I -- there are so many issues in that one spread-out district, that I don't know I'd want to go to public. I think we'd get such a shotgun of comments, it still would not lead us to a direction of focus for that area. I need to think about it some more. Right now my tendency is to say is this isn't -- it may be a little bit better trying to tie the northern parts of Tucson, Marana, Oro Valley. I guess it takes it to two issues instead of three is where I'm at.

CHAIRMAN LYNN: Regardless of the peripheral areas, I'm asking this question

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hypothetically to Mr. Elder, because I share some of those same concerns. If instead of wrapping the district around, I understand that's convenient for purposes of demonstrating this solution, if we kept more of the central core of Tucson the way it appeared this morning and merely flow the population from the north across the top end of Tucson and down the eastern boundary of that general metropolitan area, which is not quite the way the wrap works now, in other words, not creating a new district, rather flowing population through a series of districts that look more like a series of districts looked like this morning, would that make you more likely for putting this out or is it the rural portion the big problem? It is a big problem but is it overwhelming?

COMMISSIONER ELDER: I think that would resolve the core issues within the Phoenix and Tucson area, in my opinion. But what that does is it lets the rural, or the peripheral, all the way around those two entities, go in flux. It brings up issues I don't even want to revisit in the northeast part of the state, revisit there, Sierra Vista, southeast part of the state. But if we feel that we've resolved or will have resolved with some pushing and pulling within those two areas, and then trying to remain or retain the rural

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characteristics and minority-majority districts,

combination in those areas, I think we'd be a long ways
to where we need to be.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: This does a couple
things. I'm not sure I understand your question. Seems
to me if we take the northern portion of Pima County and
wrap it into the existing Tucson Districts, we have
close to 80,000 people. And we can't add those into the
existing Tucson districts. We have to take more
territory in.

CHAIRMAN LYNN: The only point is instead
of doing a big C, if you will, if you have to make a
district, go to the southeast, it ought to come off the
southeast portion of the community rather than all the
way around it, is my point.

COMMISSIONER MINKOFF: The other thing of
course we talked about, you did not do, because did not
want to take time to do it, is add that northern portion
in the blue district, I forget what it's being called
now, redivide those two districts, so that takes some of
the C away, I presume the northwestern portion. What
it's adding into the Tucson metropolitan area combined
with the western portion of the blue district and the
rest come down and have that part shaped a little
better.

CHAIRMAN LYNN: Exactly.

COMMISSIONER MINKOFF: This is not a pretty district. I think what we've achieved by doing this is we have workable situations in both metropolitan areas of the state. I think that's a very important accomplishment. I think that the only option to going with this is to kind of draw circles around the two metropolitan areas that we have and then completely redraw the entire rural part of the state. We may end up doing that at the end of public comment. But I believe that we have separated urban and rural areas, which was a very, very important thing we wanted to try to achieve. We don't have much of Metropolitan Phoenix or much of Tucson combined with rural areas. And if we haven't divided the rural areas appropriately, let people tell us how they want us to divide them, and we can redo them.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, that is 90 percent of what I wanted to say. I agree with that completely.

The question that leaves is how do we deal with Tucson, the five districts now comprised of Tucson. And I would like to ask you and Mr. Elder to focus on
that with us, if you would.

I don't really -- I want -- I believe in
the proposition Tucson needs five districts. I want to
listen to your arguments, but I would like you to
provide us with guidance as to how that should be done.

CHAIRMAN LYNN: Well, I think -- again,
I'm not going to sit here and draw the districts.
Conceptually, as Ms. Minkoff said earlier, it seems to
make sense to me you combine the population of the area
just brought into the Tucson area from Saddlebrooke
south, and you begin to shape districts using the
population that would be, I can't even see the numbers,
or letters, that would be on the screen, the dark blue
district.

COMMISSIONER HUNTWORK: My question for
you: There are two minority-majority districts in
there.

CHAIRMAN LYNN: Wouldn't touch either one
of them.

COMMISSIONER HUNTWORK: Move population
around them, distribute them?

CHAIRMAN LYNN: Mr. Elder is free to have
a very different opinion. In my judgment, the districts
that we saw this morning, and I don't know whether those
are -- are those the ones we saw exactly this morning?

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The central city districts, to the extent that we can possibly not disrupt those, we should not disrupt them. And, therefore, that population that flows from the population area brought into the dark blue district across the top of the community which flows into what is now the wraparound district, redistribution of existing population, not a wholesale change.

My point is instead of having Sierra Vista, have to do it with Casas Adobas and Saddlebrooke, redistribution might have them have to deal with southeast Tucson; but that's a better fit relatively speaking. Relatively speaking it's not a good fit either way.

Mr. Elder.

COMMISSIONER ELDER: I agree with that. I think the potential of taking some of that western part of the blue and bringing the blue down, or taking whatever population that we need from, I don't know what the name is on that one section right in the middle of the blue, but if that is where the 50 percent population, I'm wondering if it makes sense instead of wrapping around, combine the tan, blue, find out where
the fifty-fifty line is, make a northwestern and
southeastern. I think you may find that right out there
through the Tanque Verde Valley through the brown or
whatever we're calling the other district might be a
split line, everything south of there is one district
and everything northwest of there would be another
district. That might be another way dividing things up,
making it more compact. Make it more definable for both
citizens as well as candidates.

COMMISSIONER HUNTWORK: Well, if we do
that, I move we adopt basically this map as it is shown
with essentially -- with E and K along equal population
lines.

CHAIRMAN LYNN: This map, the Tucson
portion only or whole map?

COMMISSIONER HUNTWORK: I'm including, at
this point I'm talking about the whole map. We
previously adopted resolutions that included the rest of
the map.

COMMISSIONER MINKOFF: I'll second that.

But I also have a question.

CHAIRMAN LYNN: Moved and seconded.

COMMISSIONER MINKOFF: How long it would
take you to show what the divisions of E and K would be?

We need to see that to be completely correct before we
adopt a map. We need to know what it looks like.

DR. ADAMS: Commissioner Lynn and Commissioners, we could probably have that back to you, I'm almost certain, in a couple hours.

We need to clarify another move in the Maricopa County area I noted where we would actually be equalizing some population and then a second item in Chandler that you wanted us to take a look at those lines.

Would you want us to also include taking care of those moves?

COMMISSIONER MINKOFF: I think if you could do all of that within a couple of hours, from a legal standpoint, I guess I'm asking -- I'd have trouble approving a map I haven't seen.

I think we can approve it in concept.

Before we approve a map to send out to the public, we have to see a draft, don't we?

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Simply seeing where equal the population line is, we wouldn't necessarily have to see it. We should see it, see what that does, adjourn, come back in a couple hours would be the preferable way to do it.

I did want to see the change in Chandler.

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asked about, basically withdrawn. I thought

Commissioner Minkoff said what happened if that was

brought down, if I remember. Said you know if people

want that, to tell us in public comment period.

COMMISSIONER MINKOFF: That's correct.

DR. ADAMS: Okay. Thank you.

CHAIRMAN LYNN: The equalization issue in

Maricopa county.

COMMISSIONER HUNTWORK: Right.

CHAIRMAN LYNN: Instruction there, perform

that as well.

MR. HUNTWORK: Do that as well.

CHAIRMAN LYNN: Is that included in the

two-hour time frame?

DR. ADAMS: Marguerite just escalated it
to two-and-a-half.

It's 2:30 now. Have it by 5:00 o'clock.

5:00 o'clock.

CHAIRMAN LYNN: So what we'd have, if I understand the motion, that's included in the motion.

COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: What we'd have at 5:00

clock is a redivision of Tucson, using methodology we
talked about, combining the area brought down in the

blue area, finding a midpoint in terms of population,
and bringing it to the east and then to the south,
trying to keep the core relatively the same. That's the
intent of that portion of the motion. Also, you would
do the steps necessary to equalize the population from
eastern Maricopa county through to the one district in
the western part of the valley, about 2,000 in
population short.

DR. ADAMS: Yes.

I want to make absolutely certain that
both Doug and Chris understand.

Clear on that?

MR. JOHNSON: I'm seeking one point of
clarification on that. The fifty-fifty split in Tucson.
There are four cities involved in that blue area. The
preference is to get it closest to fifty-fifty or
closest to fifty-fifty while respecting the city lines?

CHAIRMAN LYNN: Blue has no cities,
Marana is unincorporated. Casas Adobas is
unincorporated. At the moment it's not. Foothills is
unincorporated.

COMMISSIONER ELDER: Flowing Wells is
within the City of Tucson.

CHAIRMAN LYNN: Flowing Wells is in the
City of Tucson.

If you punch up the city boundary, if
that's useful to what you are doing, does that make
sense, the city has very few areas, does not go north of
the river. It does in a couple of areas, not much.

COMMISSIONER MINKOFF: Mr. Chairman, in
terms of population equalization, the overpopulation, as
I recall, the district we were having so much fun with
for a few hours, that is still overpopulated. The
switches you made still has excess population?

MR. JOHNSON: Yes, Commissioner. I
brought the District, Saddlebrooke District, to
population equality and left additional people still in
G. It is still up by Maricopa.

CHAIRMAN LYNN: Further discussion on the
motion?

All those in favor, say "aye."

(Vote taken.)

CHAIRMAN LYNN: Opposed say "no."

Motion carries.

With that motion, then, we will recess
until 5:00 o'clock at which time we'll see the revised
districts with analysis and perhaps be able to vote on
an entire map.

DR. ADAMS: Thank you.

CHAIRMAN LYNN: There are other items on
the agenda?
Just before we break, I want to be sure, once we have a map, we need to have some additional discussion once maps are adopted. We also may or may not, depending on whether or not we have -- we need to discuss the schedule regardless. We'll do that at the 5:00 o'clock session. We'll just keep going as best we can.

The Commission will stand in recess until 5:00 p.m.

(Recess taken from 2:36 p.m. until approximately 5:14 p.m.)

CHAIRMAN LYNN: If the Commissioners will take their seats, we'll get started. The Commission will come to order. The record will show all five Commissioners are present, legal counsel and the consultants are present.

Dr. Adams or Mr. Johnson, either, want to give us a report on your work over the break?

I believe Commissioner Lynn, Members of the Commission, we accomplished everything you asked us to do over the break. We are currently, have Tim running some numbers. And I also have some numbers to hand to you. I'm going to pass those out to you while I ask Doug Johnson to make a presentation.

CHAIRMAN LYNN: Mr. Johnson.
MR. JOHNSON: Mr. Chairman, and Members of the Commission, we set out with three tasks in mind, three tasks in mind. One was down in Tucson, the realignment of Districts E, which is the Saddlebrooke, Oro Valley District, and District K, which at the time was Casas Adobes, Catalina Foothills, Tanque Verde District. What we did was took population from the south wrapping around and essentially dividing at the midpoint. Let me zoom in and give you a sense of where that midpoint ended up. It's within the area known as -- known as Catalina Foothills. And the sheets, it runs along Swan Road is the primary dividing line between the two districts in here.

As we go to the north, it wraps around a little bit as you can see here, purely for population reasons, St. Andrews Drive and Glen Eagles Drive are the two roads in here.

As we go further out, zoom a little bit, Savino Creek (phonetic) is the border for most of this. Obviously it's up in the hills.

Take off the rivers so it's not quite as busy. We also made one other modification to this area. District H, the green area, kind of south of the river area, we moved to the northwest of it there to take in the City of Flowing Wells. As a result of that, the
blue District, District K, came down and took in a bit more of eastern Tucson. That dividing road or dividing area, actually, is -- the lineup in the north is a drainage way, in a sense, you called it, is in the area of Vantana Road on this side, a drainage area on the east of Vantana Road. On the south it follows the drainage way all the way past Broadway, the follows drainage past Camino Saco (phonetic). And this line is the previous border.

Then again it continues south. The Blue District here continues south all the way to Sierra Vista.

So, Mr. Chairman, would you like me to address other issues now?

CHAIRMAN LYNN: Let me stop, get whatever reaction there might be in terms of this particular region of the map.

COMMISSIONER HUNTWORK: That appears to be what we asked them to do.

CHAIRMAN LYNN: Clearly follows the instructions. I think post public hearing and post public comment period, some other adjustments are quite likely in terms of not only the exterior of the district but also the specific lines that make the -- comprise the interior Tucson districts. But I think those lines

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are satisfactory for the moment for public comment.

Mr. Elder.

COMMISSIONER ELDER: For reference, Mr. Johnson, the southern boundary, green, end up at Broadway or 22nd?

COMMISSIONER MINKOFF: 22nd.

MR. JOHNSON: 22nd.

COMMISSIONER ELDER: Okay. Thank you very much.

CHAIRMAN LYNN: Okay. Mr. Johnson.

MR. JOHNSON: The other area we worked on during the break was population adjustments between the extra population that -- before we started was in District G here and then a shortage of population in District B in Central Phoenix.

What we did to adjust that issue in macro level, then I'll zoom into show the changes, was took population, was in E, moved into District I, then District I gave up regions around Buckeye and south Avondale into District T which borders on District D and transfer population, swung population to east Pinal, 2,000 people, involved each of the steps around and into District B. To show exactly where changes took place, first was around Florence. I don't know if you can read the numbers, 10 to 50 people in each of the blocks, each
area, west of Florence. Florence did not change. It was already in District I. Then --

DR. ADAMS: In regions east of Florence. Primarily large census block, 345 people here, also a block anywhere from five to 100 people in the area here. That was the primary change. Also, you might imagine this part of area was tough to find population centers to move outside of the cities, again trying to avoid any city splits that we can. The Other change took place between reservations.

Previously this area was divided as well. Essentially this portion on the east edge between Ak-Chin and Gila River reservations, already in I for population reasons, extend that over, take in the area of Maricopa here and surrounding unincorporated areas. Ak-chin remains connected and contiguous through the area west of Maricopa. It's A little bit awkward area, contiguous or compactness, follows the tribal river borders, and keeps Gila with the Ak-Chin reservation.

The next step of moving these people around was south of Avondale, Goodyear, and involved portions of Buckeye.

These very sparsely populated areas to the south were taken out of District I, the blue District, and put into District T, which includes Goodyear and

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Avondale. In addition, that wasn't quite 2,000 people.

The only real population, even for just
the couple hundred we needed, was in the area to the
west, to the west of Buckeye.

So it would have been very odd looking for
us to swing to the Avondale, Goodyear District around
Buckeye.

What we did was add that area into the
Buckeye District and took a little bit off the east edge
of that into District T.

These are, you see, some of the faded
lines there, actually city borders. What those are all,
they're annexation arms. Since Buckeye was already
divided, because of population below, this portion in is
in other District, we took a little more of the
annexation, area surrounded by it's annexation lines.

So seeing the difference between the sparsely populated
rural area, just talking about, and much more densely
populated areas of Phoenix, going here. In this all
that moved was this small purple here between Northern
Avenue and Maricopa Avenue, blocks going West of 47th
added into District B, transferring the final leg of the
transfer 2,000 people.

CHAIRMAN LYNN: Any more comments?

COMMISSIONER MINKOFF: Once again, I think

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it conforms with our instructions.

CHAIRMAN LYNN: Any other instructions?

COMMISSIONER ELDER: Could you zoom back out to incorporate the whole valley here?

CHAIRMAN LYNN: Mr. Johnson, anything further this evening?

MR. JOHNSON: Just one comment, lettering jumps around a bit. If the Commission wishes, we'll reletter north to south or east to west.

CHAIRMAN LYNN: I want to reemphasize, we've gone back and forth from the maps. From the standpoint of anything put out, ultimately we they should be numbered, but should be lettered until adopted as a plan.

Hear from other members of the Commission?

COMMISSIONER MINKOFF: Letters as well. Go back to what we used before and number districts A through Z, double EE, N and M1, don't have A, but double A, so really confusing. Please renumber them and do it in some kind of order that makes sense going across the state.

CHAIRMAN LYNN: Without objection.

MR. JOHNSON: Mr. Chairman, I neglected to mention one area. This morning, as walking through the changes made last night, we did not get to one section.
I did want to mention Yavapai County information to the Commission, what we did up there.

CHAIRMAN LYNN: Please.

MR. JOHNSON: Changes made in this area were largely as a result of the instructions, the instructions and changes made both in the Winslow, Hopi Reservation area where we did not, in the end did not change Winslow and the Kingman area. As a result, the population of the river district, we had here, we did -- what we needed to take out of Yavapai was reduced. This district was reduced a bit. The Town of Paulden, I believe it's pronounced, was reduced.

Now if you moved into the yellow district, Coconino, Flagstaff, Sedona area. We also worked very hard to avoid splitting any cities in this area. And again, it remains our top priority to avoid doing so. However, for population numbers it was inevitable at this stage of the map to divide Chino Valley, a small portion, the small east valley is moved into the Flagstaff, Sedona District. Our hope is, obviously, if there are other changes to the map, we can fix that.

CHAIRMAN LYNN: Thank you, Mr. Johnson.

Mr. Huntwork.

COMMISSIONER HUNTWORK: How many people were involved in that exchange in Prescott Valley area?
MR. JOHNSON: 3,420 people in Paulden were affected, and it looks like maybe 1,000, or that ballpark, in Chino Valley.

CHAIRMAN LYNN: So the split in Chino Valley has affected about 1,000, give or take, in terms of that one.

All right.

Ms. Minkoff.

COMMISSIONER MINKOFF: Just a question. I'm looking at what I have on my screen. And what is up there, it looks very similar. Was this done before you presented to us? Looks like what I have up there was not changed up there.

MR. JOHNSON: It was done last night. When we went through this morning, did the walk through, it wasn't on.

CHAIRMAN LYNN: All right. Other comments or questions?

COMMISSIONER MINKOFF: All right. All right. Mr. Johnson, I wonder if you zoom out, give us a macro view of what we have of a Legislative draft.

COMMISSIONER HALL: Mr. Chairman, for lack of a better metaphor, we're on a train, if you will, it appears we past stations as we go. I think we've come
to a crossroads, as it were, as to whether to stop the
train and try and say, you know what, let's stop and go
and make this map better, because I think everyone here
realizes there may well be certain areas we can make
improvements, but I think the key word here is draft.
I'm wondering if we're past the station draft without
stopping the station of draft and immediately continue
to allow our consultants to continue to work on this as
we progress along with public input, period, and try not
to lose momentum as we go, as it were.

CHAIRMAN LYNN: Again, if I understand
your comment, I think you are suggesting at this
juncture, or very close to this juncture, we entertain
the motion to adopt the draft Legislative map and
subsequent to that vote, assuming that the draft is
adopted for public comment, that we may issue additional
instructions to the consultants relative to areas that
we, ourselves, have identified as we've gone through
this process that we know are going to be the subject of
and the rather pointed feedback that we will get from
the public on the map itself.

COMMISSIONER HALL: That's correct,
Mr. Chairman, along with addressing some of the issues
we're immediately aware with, along with beginning a
more detailed analysis as we receive important data
relative to the competitiveness issue.

CHAIRMAN LYNN: Can I get a sense of the Commission on that?

COMMISSIONER HALL: Therefore --

CHAIRMAN LYNN: Silence is good enough.

Any objection to that sort of methodology at this point?

Okay.

COMMISSIONER HALL: Mr. Chairman, I make a motion, this, as it stands, be our draft map.

CHAIRMAN LYNN: Second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, we've all identified problems with this map that we're aware of. A number of them are rural areas, some of them are in the urban areas. I think we made a change in the West Valley that we haven't really completely gone through in order to make the best possible sense of the districts in the West Phoenix metropolitan area.

I know the approach we took with the five Tucson districts was pretty quick, but the -- never the less, we've worked very hard and we have something that generally, I think, reflects the culmination of the
decisions we've made up to this point. It's an honest
effort. It's as good as we're going to be able to do
without substantially delaying the schedule. And I
believe the misgivings I was expressing rather
vehemently yesterday have been to a large extent
addressed.

I personally feel we're in a position
where we can put this out for comment by our fellow
citizens.

CHAIRMAN LYNN: Any further discussion?

I would like to just reiterate a comment I
made earlier. I am still very concerned about a number
of areas of the map. Some elicit more concern than
others, because some are more easily addressed than
others. And clearly, the southeastern portion of the
state, particularly the Cochise County corridor as it
now exists all the way up to a portion of Maricopa
County, is extraordinarily troublesome. Clearly we
must, in my opinion, come up with a further solution to
that problem, because, again, I don't think that
particular district is going to be met with much
admiration as we go out for public hearing. And I
suspect that we're going to have to deal with that as
well as a number of other things.

I certainly, I'm prepared to put that on

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my list of things the consultants need to continue to work on.

With that caveat, that said, understanding the position of the draft is, in effect, a part of the work product as we move forward and it still is available to be influx as we discover other solutions that work, I, too, have had many of the reservations about voting in favor of the map reduced. And I think for the purposes of public hearing I may be able to support the map as it currently exists again noting a couple very specific exceptions I'll speak more about once this motion is decided and we begin our instructions post adoption.

Mr. Elder.

COMMISSIONER ELDER: Do I understand your comments to represent we're going to adopt a draft map and that we are going to then have the consultant review or look at a series of options, or address a series of issues where we will have better numbers and better things we can give the public on which to base a decision when we have the meetings?

CHAIRMAN LYNN: I don't know that -- I mean, again, Mr. Hall made the motion, but my take on that is that both in terms of reality and in terms of perception, that the work on these maps will continue.
That the adoption of the draft is a point in the process that we need to come to and get past, as Mr. Hall indicated earlier. I think we may be ready to do that. I want everyone to understand and make no mistake about the fact there are issues that remain and those issues need resolution, and in manner are beyond where we are right now. We need to look at competitiveness, an issue we need to look at as soon as we have maps we need to look at. Those have to be looked at. We need to do a number of different things. My hope is as, almost on a dual track, some things are more easily done, more quickly done, as the review period begins, the review period cannot be done until we adopt both maps, once the review period begins, I hope simultaneously as we getting input from public, we are also recognizing ourself areas we'd like to have different solutions available. As those become available, we can certainly address them.

I'm not sure all of them will be available by the time we have the first hearing. To the extent we can do that analysis as well as other things, we'll give consultants them to look into. As those options become available, we can certainly begin discussing them as we go through the process. And clearly we'll have all those options available to us, certainly by the
conclusion of public hearing process, so when we, as we
must, revisit both these maps once adopted, make final
changes that need to be made to bring all variables to a
level we're comfortable with, we'll have full, complete
information on how best to do that, what the
implications of each of those changes might be.

COMMISSIONER ELDER: I think that's
probably the way I would like to see it approached.

I think I would like to end up with the
Commissioners being able to identify issues in areas as
they see them. I don't have a good example other than
we might take a look at Kingman and say we struggled
over this. This is where we're at right now. Here's
input. Here's the ramification. Here's problems. If
we do this, here's items we need to address. Make sure
you consider this. Here are comments. In meetings,
we're probably closer than they will be to it. People
are closer to their areas than we are. If we identify
areas of concerns as we come back together, we'll have
had input from public, input addressing specific issues
we'd like to see resolved, and it may give us the
context or at least focus as much as we can on the
issues we see and give us advantage to then begin to
prepare a final map.

CHAIRMAN LYNN: Ms. Minkoff.

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COMMISSIONER MINKOFF: Mr. Chairman, I think that's an excellent idea. And questions, in fact, I'm asking, two categories, one of the general categories, looking at the entire map and really asking the same questions of everybody in the entire state. These are things that generally concern us about the entire map. If there are concerns we have about a particular area, I would suggest we do those geographically. We can do it on our website like we did citizen kits, various areas, click on an area, in this case, click on an area and you'll find specific questions that we are looking for input on, and we can also do it for people who come to the public meetings, maybe have a handout as they come in, tell them general questions we're concerned about, and these are questions specific to an area we're visiting this evening.

CHAIRMAN LYNN: Other comments?

Ready for the question?

Roll call.

Mr. Huntwork?

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: "Aye."

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CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

CHAIRMAN LYNN: Motion carries five-zero.

We have two draft maps.

Mr. Hall.

COMMISSIONER HALL: Mr. Chair, in the effort of not allowing the train to slow down, and with, I know Doug was thinking he may have tonight to sleep, I wanted to dispel any of that notion, I suggest immediately I'd like to instruct the consultants immediately to start looking at a few areas and alternatives wherein we can, over the next undefined period, analyze and begin to see ramifications of those alternatives and, you know, with permission of the Chair, I'd like to give a few I have on my list.

My recommendation is each Commissioner identify some areas so we immediately move as rapidly as we can.

CHAIRMAN LYNN: Without objection, proceed.

COMMISSIONER HALL: I am convinced that if we were to take eastern Pinal with Casa Grande and portions of the Southwest valley, that would make that majority-minority district, the district then to the
south, putting those reservations with a different
district, which I believe then solve the problem of
Cochise.

I would like to see whether or not that is
a reality, that alternative. And with the caveat we
want to insure that. Of course, we do not minimize
minority-majority issues in the metropolitan area as we
attempt to do that. I think that capability is there.
That was one.

As we receive the data, I think primarily,
and you folks along with counsel can correct me if I'm
wrong, I think we're going to have capability within
urban areas to make adjustments to accommodate this
issue of competitiveness. When the final data is
forthcoming, I would like to have the consultants to
advise us with respect to that issue to assure us we
have done all we can do to make sure each and every
district that is possible, that we increase the level of
competitiveness where possible, I guess would be better
stated.

I would like to revisit some of the
issues that affect Northern Yavapai County, for example.
If we place the City of Flagstaff in the Northern
District, the presumption is that Kingman and other
populations come south. And my suspicion, unconfirmed
suspicion, is that would again place the split in
Yavapai County back to Yavapai Falls, or would that move
all to northeast. What would that do. I'd like to see
what would that do in that ripple affect in that
respect.

I'm sure, Mr. Chairman, there's a few
missing. As an initial list, that's what I have.

CHAIRMAN LYNN: Thank you, Mr. Hall.

I'd like to add to that list. I'll be
happy to defer if somebody is ready to go.

COMMISSIONER MINKOFF: It isn't
necessarily all I have. It relates to somewhat what
Mr. Hall said.

One split we have, Yavapai County,
Prescott, Prescott County, the separate communities,
cohesive community, population of Prescott combined
Kingman, New Kingman, Butler area. I'm wondering if we
move New Kingman, Butler out of the river district into
the northern district. Move Prescott City proper in
with Prescott Valley, in with the District that includes
Flagstaff, and without dividing Flagstaff, which is
larger than Prescott or Kingman, New Kingman, Butler,
area, if approximately 33,000 rural population in
Northern Coconino County we can move into that Northern
District, I don't know if it works. Maybe population is
too concentrated in Flagstaff area. I would not do it 
at the expense of splitting Flagstaff. If there is a 
way to do it without dividing Flagstaff, it might make 
sense.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Kingman. Kingman 
is closer to Tucson, I think, than it is to, for 
example, Window Rock, or at least the distances are 
close. The political center of that district, in any 
event, is dramatic and far reaching. I just don't 
believe that is a tenable arrangement. I think everyone 
else in that district would feel better if that were out 
and I think Kingman would feel better if Kingman were 
out.

Whatever it takes, that would be better if 
Kingman were out. Obviously whatever population it 
would provide to even the district, make sure the 
demographics enhance the Native American voting strength 
in that northern District.

The other thing mentioned earlier, I 
really would like to take another look at soon is the 
West Valley area. The districts really are driven to 
some extent by those long east-west districts, P and T, 
I think they were called. In any event, we rearranged 
them now, now we have a much freer hand to take a look
at the West Valley area. I see a lot of odd-shaped
noncompact and odd-shaped districts there I think could
probably be redone better if you take a fresh look at it
now that you have the new arrangement in place.

CHAIRMAN LYNN: Okay.

I would like to maybe just reiterate, or
at least support some of the things that have been said
so you get a sense of where we're, where collectively
we're coming from.

Clearly, whether it's revisiting the
Cochise corridor via the consolidation of Pinal, or
whether it's through other means, that's a District I
want to highlight. I want to make sure we're working on
a possible solution for that district. I want to
emphasize competitiveness. We'll have the numbers
shortly, which will be preliminary numbers, I
understand, but I want to be sure that we look at that
throughout the state, and make sure we stay on top of
that issue as we move forward with the process to insure
we do the best job we can in terms of competitive
districts.

I want to reiterate if Flagstaff could
move into the Northern District, accomplish a couple
things, reunification to the west, Kingman belongs in
with the river districts, if we can get it there without
doing other harm. And that ought to do me for the moment. There may be others.

Anybody want to add any to the list.

Mr. Elder.

COMMISSIONER ELDER: Don't know about add, but open the door somewhat. We were looking at Yavapai, looking at some of the areas in that area. I would like to at least give the flexibility for the consultant to look at the balance of the Verde Valley as it looks as EACO and goes through the northern part of Fort McDowell Reservation where the Verde comes back in or the Salt. But in that area, it may very well be possible, depending on what we want to do there. I'm in support of looking at the Pinal area as a minority-majority district, see if we flip-flop that, see if it resolves any Cochise County issues.

I'm still very much disturbed with the Cochise, the Pinal, the Pima County, Tucson, all that interaction, I guess, on the tan or brown.

If anything, going down, picking up the northern part of brown to Yavapai makes sense with the shift, all the dynamic shift in Flagstaff, the shift in Prescott. I echo Ms. Minkoff's comments in Prescott, to Prescott.

Tempe to Chandler, unless there's a sign

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there, you don't know when you are in one or the other.

So with that said, with looking at minority-majority, and the central part of Pinal, I'm hoping we'll resolve the Cochise Pinal County problems there, at least not say easily a line Pinal and Cochise, shall not go through. If a little reason for a chip up there, chip up of EACO, go up, at least say it worked or didn't work.

CHAIRMAN LYNN: Thank you, Mr. Elder.

Other additions to the list?

Very well.

Then let us move to other issues we have on the agenda.

Ms. Hauser.

MS. HAUSER: Mr. Chairman, we are in the process right now of running a competitiveness analysis using the more limited approach that we discussed with you at our last meeting. And we should have that report for you around 7:00:

CHAIRMAN LYNN: Then in the interim, I wonder if we might do some other business.

It occurs to me there are other items on agenda. There is the other public comment period we might be able to fit in before the 7:00 period as well.

It occurs to me we need to talk a bit
about future meetings and scheduling for the balance of the process. And that, on your agenda, is item VII.

Just so I know, are you contemplating that would be to follow an Executive Session?

MS. HAUSER: I don't believe so.

CHAIRMAN LYNN: All right. Thank you.

Let's talk a little bit about future meetings. One of the things that has become clear to me, with the action taken this evening, is to remain on the front end of schedule, we will have draft maps available to the public by tomorrow which then will allow us to become a public period a week from tomorrow, allow public hearings by August 25th. At the back end of that process, when the public hearing process has concluded, we have a situation where the situation -- there's two issues to discuss, one is a realistic amount of time the consultants will need to analyze, digest, and assimilate the information that has been received from the public during that three-week period as well as other comments that will have come in during the 30-day, total comment period, and the amount of time it will take them to get back to us with meaningful information. And I fear another fairly thick notebook of material that we will need to read, digest, and come to grips with. That's one item, the timing of that. I believe
current space for that is a matter of days, and not very
many days at that. I don't believe that's adequate.
Secondly, when we do get back together with all that
information in hand, as well as everything else that
will be collected to that point, and we as a Commission
sit to make final recommendations for changes to the
draft map, I believe, based on experience, that will be
a rather protracted meeting.

I want to be sure we all understand
approximately how many days that might take and clear
our calendar appropriately to take as many days as it
might take to get to a finished product that we are
pleased to adopt finally and ultimately submit to the
Department of Justice.

So those are the issues that I think we
need to deal with.

Dr. Adams, I don't want to put you on the
spot. I hope you had some time to think about this.

Ms. Hauser.

MS. HAUSER: I thought it would be helpful
to know what you adopted in the past.

CHAIRMAN LYNN: I thought you were doing
competitiveness analysis.

MS. HAUSER: No. Waiting for the computer
to run.
CHAIRMAN LYNN: Want to use the microphone, Ms. Hauser?

MS. HAUSER: What you decided?

COMMISSIONER MINKOFF: Do you have a dark marker.

MS. HAUSER: No. They gave me red. We have green and --

Black is good. Okay.

September 15 is the last day of hearings.

See that?

CHAIRMAN LYNN: Better.

MS. HAUSER: September 17, according to the schedule you previously adopted, is when NDC is recommending modifications, final modifications, which would be a Monday. That's a Saturday, the 15th.

And then we had a brief period, and remembering that the first of the Jewish holidays, Rosh Hashanah, is right after this date, the 18th and 19th, so Commissioner Minkoff is not available then.

And we had also a period of analysis and briefings to go through with Commission hearings, the 25th and 26th.

So essentially we're looking at a day, portion of a day. I think --

Where is Jose?
Do we want --

CHAIRMAN LYNN: Jose who?

MS. HAUSER: That guy right there.

Your counsel had a brief meeting on this earlier. If you would like to hear our suggestion, take it and do whatever you like with it.

CHAIRMAN LYNN: Did you have an opportunity to coordinate it with Dr. Adams in terms of her opinion about it?

MS. HAUSER: It will be long enough.

MR. RIVERA: We decided Dr. Adams is way, way too optimistic. Her estimates are always too optimistic.

MS. HAUSER: This is our recommendation from the dark and gloomy side.

MR. RIVERA: Want to see my handwriting?

MS. HAUSER: September 15 is the end of the hearing. We suggested giving until the following Friday, the 21st, to report on the following changes. Just right under the line. A week, a week writing.

COMMISSIONER MINKOFF: Final changes?

MS. HAUSER: Recommendations for making changes that would result in a final plan. The changes coming out of the public hearings.

COMMISSIONER MINKOFF: Okay.
MR. RIVERA: I feel like Vanna White.

MS. HAUSER: Then we discussed, on the following, giving you all adequate time and us adequate time to review that and prepare our final recommendations, the 28th, which would be a Friday, to do individual Commissioner meetings in Maricopa County for the two Maricopa County Commissioners. And then on Monday, October 1st, to do individual meetings during the day in Tucson with Commissioners Elder and Lynn. And Monday evening, October 1st, to meet with Commissioner Hall.

COMMISSIONER HALL: Where?

MS. HAUSER: In Phoenix.

MS. HAUSER: And then to schedule the final meeting for adoption of final plans for -- beginning Tuesday October 2nd, and just noticing that through Saturday October the 6th. Hopefully we wouldn't need all that time. But the way things tend to go, you never know. So -- that was our initial thought.

COMMISSIONER HALL: What is wrong with the 29th?

What is wrong with the 29th? That's a Saturday.

COMMISSIONER HALL: Right.

If we do not starting meetings until --
MS. HAUSER: I understood no Commission meetings on Monday. Not have you come down earlier than Monday.

COMMISSIONER HALL: The meeting is starting Tuesday. I see.

MR. RIVERA: Individual meetings again prior to that.

COMMISSIONER HALL: Why not start the meeting Monday?

MS. HAUSER: The Commission previously said not to have meetings on Monday.

COMMISSIONER HALL: They lied.

MR. RIVERA: We had individual meetings on Monday.

COMMISSIONER HALL: That's me.

MR. RIVERA: Also Elder and Lynn.

The 28th, Maricopa.

COMMISSIONER HUNTWORK: They can be on the 28th -- 28th, Friday. 29th is Saturday.

MS. HAUSER: Let us just indicate one or the other thing to you.

We also, and this is partly a request for NDC and for the Commission, partly NDC and partly the Commissioners. In watching this process unfold, Jose and I are thinking it may be helpful to you, once you

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get the NDC report that recommends changes, that the
Commission might want to have a meeting, a brief meeting
at that point, to direct or to give NDC some direction
as to which of those changes should be put into a final
map or do it all in this time frame. You could break it
up.

MR. RIVERA: Before NDC comes out to give
directions.

MS. HAUSER: It couldn't be before the
report. They wouldn't have any idea.

In here. Again, do it all at once or give
direction, go away a few days and then come back. Let
them talk.

Jose and I are having an issue whether or
not, I don't know if you could make recommendations
whether they could make them come out.

MR. RIVERA: Theoretically, so every
Commissioner could be at every one of the meetings, be
at every one of the meetings, focus where they go,
whether or not they get the general report and refocus.

CHAIRMAN LYNN: I understand the issue of
focusing, to the extent NDC would be at all the
meetings. They'll be hearing the same thing we are.

We've already identified this afternoon the beginnings
of the focus. We have a list that I don't think there's
any doubt that that list will be referred to, perhaps
not with the same specificity, but in terms of the
issue, of the issues we raised. We'll hear that and
others at the public hearings. I think I would -- I
think I would like to see the report before we start
discussing things with consultants.

Mr. Huntwork.

COMMISSIONER HUNTWORK: I agree with that.
I would like to see the report as soon as possible. If
NDC actually is comfortable they can get us the report
by the 17th, I don't want to artificially prolong it.
The sooner we get the report, the sooner we can begin
disagreeing with it. That has really been how this has
gone. I just, in my view, it's up to them, if they feel
they can get material sooner.

CHAIRMAN LYNN: Mr. Elder then

Ms. Minkoff.

COMMISSIONER ELDER: I'd like to know what
we're doing in individual meetings. Being presented
with graphics of the report, or being asked to respond
and make recommendations, or requests? If that's the
case, those need to be moved up then during the meeting
and beginnings of hearings. If all we're going to be
doing is being presented with the graphics, that can
come over e-mail or disk on Fed Ex if not an interactive
meeting. And then during the time we had interactive an
meeting, it had to be in public. So an individual
meeting did no good.

CHAIRMAN LYNN: I think we may have too
many conversations going on at once. I'd like everybody
concentrating on what we're doing, trying to get some
answers, a little time on this, hands on. I'd like to
do this in the most efficient way possible.

Mr. Elder raises the nature of the
individual meetings with consultants. The question is
the nature of the meetings, will we be presented
information or whether the meetings will be interactive
in nature. Will the Commissioners be able to directly
raise the nature of individual of questions, get
responses from the consultants in advance of the public
meetings on the 2nd or 6th.

Is that correct?

COMMISSIONER ELDER: That's correct. My
preference is the latter. Otherwise it's a waste of
time.

CHAIRMAN LYNN: So -- I mean if that is
something we can do, that is what we will do.

DR. ADAMS: Commissioner Lynn, Members of
the Commission, just a couple of comments. As we were
adopting that schedule, there were a couple of calendar
conflicts from staff, and so on. We were trying to be accommodating. Also, we were thinking as we went through the process, we would be gathering information, analyzing as we went. And we, I think, understand now that we don't always get the information back from these meetings in the timeliest manner. The only person that seems to get things to us very quickly is our own Lisa Nance. So we did have some difficulty getting materials so we could analyze and get them back to you in a very timely manner.

I have no objection to having additional time to prepare a report. I think that the individual meetings definitely should be interactive and you should have time to review the materials. I think that if you think back to your own meetings with us, if you have had time to review the materials, it tended to be a more effective meeting.

So I would want to give ample time to you, also, to review the materials we provide you so we can have a very good interactive meeting.

I personally have a difficulty starting on the 28th with those individual meetings. We have staff or can work something out so staff can cover it. I'm not terribly comfortable with it. That's a difficult date for me to start. I'd rather start on the first
rather than the 28th.

CHAIRMAN LYNN: That's probably workable.

COMMISSIONER MINKOFF: I'm not sure it is.

Let me explain the issue. We thought we'd have draft maps done a week ago. This portion of the process has taken a week longer than we thought that it would. We have no way of knowing whether or not that will happen with the second part of the process as well, especially the amount of time that it takes after we've come up with something after long breaks we need because computers only work so fast. The last day I'm in this country to go to a meeting is October 12th. I've come too far in the process to let the other four Commissioners make the final decision.

COMMISSIONER HALL: You can sign a power of attorney when you leave.

COMMISSIONER MINKOFF: Not on your life.

We need to develop a schedule that allows enough flexibility at the end if we run into the kinds of problems we run into, I'm here to make the decision. I announced when we began the entire process when I was leaving the country. The alternative is recess and finish up in November. I think we need to compress a little bit, not plan on finishing on the sixth. Plan on finishing earlier than that so if we have to stretch a
bit, we have time to do that. I'm also wondering about
a break between the individual meetings and Commission
meetings. If I may make a couple suggestions, the other
Commissioners make a couple suggestions, based on public
comment, what I've heard and read and seen leads me to
believe this is a change we wish to make, you'll need
time to do that. From my comments, Mr. Huntwork's
comments, everybody else's comments, and show us how it
impacts the map, show us drafts, when we get together,
then when we see what all five of us have said, that's
when the fun starts.

My guess is this, then during the stage is
going to take a lot longer because what we said today is
maps are okay to take out for public comment. If these
were the final maps, we wouldn't be anywhere close to
being done. I'm concerned that the schedule starts too
late.

CHAIRMAN LYNN: Let me turn to Ms. Hauser
first then get to you.

MS. HAUSER: Mr. Chairman, one of the
things you need to consider in connection with
compressing the schedule, I'm assuming the number of
days, Jose and I were trying to set aside five meeting
days, October 2nd through the 6th. So the compression,
if looking at more meeting days, that's not time to
compress, earlier than that.

COMMISSIONER MINKOFF: Exactly.

MS. HAUSER: The time you need to consider, while we're essentially on the road for three weeks, having done this once before now, I can say it is very difficult to get other things done during that process, working in hotel rooms in the morning, shifting to different locations, these meetings go on longer in the evening than first round, we can be guaranteed that. During the time we're on the road, we will be receiving the rest of our racial block voting analysis, we hope, and the more sophisticated competitiveness analysis, all of which we need to review, digest, and wrap into the final report.

So that is something I just want you all to keep in mind as well.

We do have more factors that have to go into that report than you due now.

COMMISSIONER MINKOFF: Mr. Chairman, we've spent six days in public meetings, four days in meetings, two very long days in Tucson. Draft maps, we're all willing to be flexible where boundaries are concerned. We knew they could be changed later on.

I'm not sure we'll do it for five days. Somehow, some way we can compress the schedule, hearings
four days a week, maybe the other three days a week work
days, I don't know. What I suggest, I do know I'm very
concerned about the schedule, that we'll not finish by
the 12th.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I think I need two
days after I get the NDC report before I meet with them.
Furthermore, I would be eager, extremely eager to meet
with you after two days. To have to wait a week would
be frustrating. Why don't we look at saving a
substantial amount of time there.

COMMISSIONER MINKOFF: I would agree with
that.

DR. ADAMS: I have no problem with that.
I'd rather meet sooner rather than later.

Commissioner Lynn and Members of the
Commission, may I also suggest that we may want to
streamline the information-gathering process. We will
come out with a report based on a lot of information.
My understanding is a lot of information we put together
you receive via your e-mails. We do compile a lot of
information for you. And we'll do that. There may be
some elements of that that are being duplicated and that
are not necessary, and it would be important for us to
find out where areas of duplication are so we wave some
effort in that regard. That would save some time.

MR. RIVERA: Mr. Chairman, the only problem with this scenario, you are not leaving any time for attorney briefing.

It's been difficult all along when we get something, we're not going to have a day or two to give you the answers to questions you have. Commissioner Huntwork has been particularly concerned, has raised a number of issues throughout this.

This is probably the most significant time in terms of legal issues we'll have to review.

The other issue is I'm out of the country until the 24th, from the 21st until the 24th of September.

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Hall and Mr. Huntwork.

COMMISSIONER HALL: Mr. Chairman, there are other considerations. Correct me if I'm wrong. At many public meetings, we'll have a quorum there. What is wrong with the concept of identifying specific suggestions. A quorum would be necessary to make that instruction at that time. Certainly NDC has staff at home to make a fluid processing process versus trying to wait until the very end, wait, say here is a list. Why keep the list? Why keep it? Why not on an interim
basis make changes instead of at the very end dealing
with the latter issues? Probably the most difficult
issues, 80, 20, 80 percent of the time, on 20 percent of
the problem, we'll be about there as we speak.
Certainly there will be some challenges, but with
respect to comments we're going to start all over, well,
without the competitiveness issue yet, or data yet, who
knows what that will do to us? Given that caveat, I
suggest we may be able to do it simultaneously in a
co-processing fashion.
There are a couple problems. But correct
me if I'm wrong, you are here to the 12th?
COMMISSIONER MINKOFF: I'm leaving on the
15th.
COMMISSIONER HALL: 10-2 to 10-12, if
we're unable to draft, given all the will up and through
in that amount of through, 10 solid days of meetings,
you know what, we may never get it done. So I feel like
the schedule makes sense from a realistic standpoint in
light of the individual schedules.
If it's helpful to bump it up to the 26th,
or something, I'm only gone the 28th.
DR. ADAMS: The 27th and 28th are
difficult days for me.
COMMISSIONER HALL: Jose is gone the 24th.
Maybe work around that.

COMMISSIONER MINKOFF: I don't think Jose's being around is a problem.

We get the report. Commissioners get the report on the 21st. You've already reviewed it.

MR. RIVERA: No.

COMMISSIONER MINKOFF: You don't review it before you send it to us?

MS. HAUSER: No.

COMMISSIONER MINKOFF: If they can have it ready by the 17th, maybe get it to you before the 21st, look at it, get to us by the 21st. It all happens over the weekend while you are gone, and we are individually reviewing the report so we meet with NDC the following week.

MR. RIVERA: Dr. Adams can give the best answer. That's giving only two days.

COMMISSIONER MINKOFF: Giving three, to the 18th, and you can still look at it before you leave.

MS. HAUSER: Transcripts, they won't even have them at that point. This is the place where there is real precision and care needs to go into the process. To rush madly into the hearings, I mean my advice would be give them some time to make sure they have all the information.
As we've seen happen so many times, it wouldn't be the same way. They won't have the transcripts, don't have this or that, just a lot of commotion or confusion. We're not opening -- we take a lot of time to develop good public testimony. We don't want to confuse it. Give them enough time to have a report ready. Give counsel enough time to look at it. It's probably the most important bunch of legal advice in that phase. Give us a chance to look at it, develop legal recommendations, meet with you, and move more quickly through the hearing process, or your meetings.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: What I was trying to focus on was the difference between the NDC report, our review of the NDC report; our meeting with NDC to ask questions and see how some of the ideas that have been percolating in our mind would work out, and then the legal advice from counsel. It sounds like counsel is saying no, you can't do that. You shouldn't meet with NDC, shouldn't ask your questions of NDC until we've had a chance review the report and give you our advice. I'm wondering if that is a different step or does it have to be part of the same meeting.

CHAIRMAN LYNN: Dr. Adams.

DR. ADAMS: Chairman Lynn, Members of the

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Commission, this evening we were given some instruction
to look at some issues. And we plan to do that. That
is going to be an ongoing process. I see no reason as
we go through these hearings that some of these issues,
as they arise, cannot be addressed to us. And we
would -- we would advice you on them as we go along. It
would be my hope you sort of keep a running, possibly
binder, whatever, of what we provide to you. But the
materials we provide, based on questions you ask us, as
we provide to you, as you accumulate them, many of your
questions, we hope, will be answered by the time we get
to the end of the hearing process. There will be some,
I'm sure, remaining. And they will probably, not all,
some may have answers that not conflict with each other
cause you some decision points.

CHAIRMAN LYNN: In effect, isn't it the
case as we get more of the issues on the table and
answered as we go, the final report really has fewer
items in it that haven't already been looked at and
discussed in some fashion?

DR. ADAMS: That's true, Commissioner

Lynn. Theoretically we'd have covered many items what
we'd do in final report is give you a summary of those
issues and recommendations, possible alternatives for
solution.

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CHAIRMAN LYNN:  Mr. Elder.

COMMISSIONER ELDER:  Yes, Mr. Chairman.  I tend to support the shifting of that time line as far back as possible.  And with all respect to Ms. Minkoff, there is 10 days from the second to the 12th.

Two issues come up, advice, comment from counsel.  We are noticing the 15th, 17th meeting around the state so they are legal, open meetings.  Can we also have item number one be, in effect, before the meeting, that we could meet, discuss what we had heard, and/or give direction to NDC as a Commission, even though it would be in a different part of the state, the hearing is, gets over at 2:00 o'clock in Yuma, get over to Phoenix the next morning, talk about Yuma as part of Phoenix for the notice as the next part of the meeting?

MS. HAUSER:  Mr. Chairman, I counsel against doing that for a couple reasons.  The first is that -- I think you want to have an opportunity to consider public testimony from various parts of the state instead of reacting only to the last thing you heard.  That's number one.  Otherwise you'd be giving a lot of inconsistent instruction.  Finish up Yuma at 2:00 o'clock, the next day, a Phoenix hearing.  People in Phoenix don't want to sit and listen to you rehash Yuma.  They'll want to get on making their public comment.  So
for those rather practical reasons, I counsel against it.

I don't know if NDC has input on that, but --

COMMISSIONER ELDER: I guess my intent was we might meet, in effect, at -- for going over previous comment, have a public meeting at 6:00 for the balance of the comments in that area. I guess the goal was to be able to discuss and give direction to NDC as to options that we heard or maybe think about so they could be proceeding during our 15 or 18 days of public hearings. And if we can do it on just would you take a look at, doesn't have to be a formal meeting, that does not have to be involved?

The second thing involved in the schedule is we haven't really had to have a legal review of a complete document that we're going to stand upon to go to Department of Justice. And to give our legal people with Jose out of town for two, three days one or two days to make a judgment, is it acceptable, or flawed, do we want to make revision to it before it even comes to us or we have it at the same time, I think we want to maintain that week in there. I can't see giving it a one-, two-day gloss down a road we have to try to come back from.
I want the 21st to 28th in there, give the legal team to give advice, minor things in there, give us time to get it corrected. Have the 10 days in there to develop the plan.

MS. HAUSER: Mr. Chairman, certainly that's something legal counsel is supportive of. And based on some earlier comments, I might also suggest the NDC report on the 21st. The Commission, I guess, needs to direct you that that should to come to legal counsel for review and then come to you thereafter along with our legal opinion so you have everything together or whether you want to have it come out to you so you are reviewing it at the same time we are. I think we would recommend that it come to you with our legal opinion.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I would concur with that, Mr. Chairman. I think the whole point we have counsel is to do exactly that. I think the point is they review and give recommendations to that report before it becomes part of the report.

Backing up, I hope we're not giving knee-jerk instructions. Someone comes up, "We'd like to move the line three blocks north of Broadway," that's not what I'm referring to. In the event there are macro type issues that may take more significant type
analysis, notice it appropriately, that's something we
may well want to have. It may be a legitimate
suggestion. There are folks around the state, I've been
continually impressed with how their grasp of the
process, some items we garner, garner items, three,
four, five, six ideas work, wouldn't it be nice if the
consultants could say: Look, that's an excellent
suggestion. I think that is a notion we should consider
the ramifications of, consider moving X, Y, Z. Simply
give clear instruction of making it, versus waiting
until the very end of the time and saying: By the way,
here's an additional list of 30 items which equals 150
plus 10 we gave you and wonder why they want 10-hour
delays. It doesn't seem to me we need to wait the full
three weeks to try to adjust the map. Some we've
already given as indicated.

They may want to respond to some of those
or tweak.

MS. HAUSER: Mr. Chairman, that is a good
point. And the Commission only needs to, I guess, take
note of the fact that according to the meetings that
Commissioners have signed up for, we do have a number of
meetings where all Commissioners will be present and a
number of meetings where there are only going to be
three. So that's something -- as long --

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COMMISSIONER HALL: Correct me, can a quorum take action?

MS. HAUSER: Can be less than full the Commission giving some instructions.

CHAIRMAN LYNN: We may, at the end of that schedule, have one meeting where you may only have two.

COMMISSIONER HUNTWORK: Mr. Chairman, it appears to be there may be one meeting you may only have one.

CHAIRMAN LYNN: May very well.

COMMISSIONER HUNTWORK: Number one, I think the item needs to be noticed as we discuss and give directions, not take action any other way, so it is limited and people are present. I don't feel like they are at any risk of missing out on important action.

Second thing I wanted to suggest is I'm not -- I want to clarify something. The NDC report, as soon as NDC makes it, will be part of the record. Our attorneys response will be privileged confidential information to us, but an entirely separate matter. I want to get the NDC report as soon as I can. I do not want to wait. I do want to wait for our attorney's advice. I think that is sound. Contrary to what I said earlier, I don't want to sit down with a meeting and waste everybody's time. I do want the report. Waiting, having it go from them, to
them, and finally get to us, doesn't save anything as far as the record is concerned, just delays the date on which we get the report.

COMMISSIONER ELDER: Mr. Chairman, I'd like clarification. If the report is not presented or released for our review, which I don't believe it is, talking legalese, is it part of the record, goes to attorneys and then is released, that is a released portion, revised portion --

COMMISSIONER HUNTWORK: Part of the record, part of the record when sitting down and writing words, no privilege involved, no confidentiality involved. I want that report as soon as it's ready.

MS. HAUSER: As soon as the NDC report is delivered to the Commission, it is public record. Probably one of the most confusing things to people about public records law is that there are all kinds of public records. Everything we have at the Commission is a public record. Not all public records are open to inspection. This Commission is pretty unusual. We essentially have everything open to inspection. But for a period of time, for example, if the Commission's desire is not even to see the report itself until it's subject to a brief legal review, it would at that point in time be not open to inspection, as I said, for a
brief period of time while subject to legal review, and
then released to the Commissioners. But that is your
call. We can do that any way you want.

I think it is entirely possible, again,
we're talking about a document we haven't seen, there
might be a recommendation in that report,
hypothetically, that is violative of a principle. I
would tend to think not. The consultants are very good.
If there was something that was something that was in
violation of the constitutional provisions, or Voting
Rights Act, that Jose and I would want to correct prior
to having that released to you all, then that might be
something that you would like us to take care of for you
before it becomes public. If you want to let it out
there and our legal analysis comes to you separately and
is privileged, confidential information to you, that's
fine as well.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I want to separate
two things here. Correct me if I'm wrong. You treat a
document, unlike most things we have, for a period of
time in which to respond to a public document request.
That's what you mean by delaying it.

MS. HAUSER: No.

COMMISSIONER HUNTWORK: What do you mean
delaying it. Whether we review it, you review it?

(Reporter changes paper.)

COMMISSIONER HUNTWORK: What I don't want
to do is cause an unnecessary delay right there. Two
days of review, or very quick review by legal counsel.
I'm not sure I see the purpose of it, or that it
guarantees anything. I'd rather get the report. Our
report doesn't bind us to anything. We don't have to
agree with anything. No one attributes the process
until in account with anything. I want to start on it.

I'm sensitive to Commissioner Minkoff's
need to be finished. I'd like to be finished before her
schedule becomes an issue. We wanted to be done by the
end of the August 1 point, end of September. This delay
seems to be completely unnecessary to me.

CHAIRMAN LYNN: To the schedule, then, I'm
not sure what we settled on. I have a feeling, then,
are we saying that we will keep the, essentially the
schedule as is on the board or are we asking to make
specific changes in that schedule, revised, lower the
schedule?

COMMISSIONER HUNTWORK: As I see it, the
issue on the 21st, we all get the NDC report on the 28th
start, start having meetings after reviewed by counsel,
may have been corrections, counsel may have gotten back
to NDC saying this is wrong, we'll have gotten a
supplement. In any event, meetings with NDC and
counsel, have gotten advice all at one time, be ready to
rock and roll next week.

CHAIRMAN LYNN: Earlier comments, moving
earlier meetings back up, really can't happen.

COMMISSIONER HUNTWORK: Could happen, but
I was persuaded by other remarks it was much better to
have counsel there with their advice at the same time
we're going through this.

CHAIRMAN LYNN: May we have a motion,
because we have a previously adopted schedule, may we
have a motion to revise the schedule as represented on
the lower portion of the board?

COMMISSIONER ELDER: Mr. Chairman, I move
we adopt the amended original schedule two as reflected
with the changes made as shown on the board.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Thank you.

Discussion?

Ms. Minkoff.

COMMISSIONER MINKOFF: I'm having trouble
seeing the board. There were some changes. Can
somebody read it?
CHAIRMAN LYNN: Let me read it.

NDC report will be made available to the Commissioners on September 21st. Beginning -- and between the 21st and 28th we will also receive, during that period of time, a report from counsel, should there be any need to be any communication between counsel and the Commission. Beginning on the 28th, individual Commissioner meetings will commence. They will end on the 1st of October. And we will meet in session beginning the 2nd of October for what I fear will be, and look forward to, as a fairly lengthy and fairly detailed meeting. I will be pleasantly, as we all will, if by the 6th we are completed. I look forward to it.

That's the schedule as appears on the lower board.

That's the subject Mr. Elder's motion.

Further discussion?

If not, all in favor say "aye."

(Vote taken.)

CHAIRMAN LYNN: Opposed say "no."

Motion carries unanimously.

Ms. Hauser, are there other items?

Are we still several minutes away from our competitiveness analysis?

MS. HAUSER: Mr. Chairman, we've received the computer run. Jose and I need -- we need about 30
minutes -- I'm sorry, but we need 30 minutes to review it and get it printed out so you can see it.

CHAIRMAN LYNN: I'm disposed to take public comment. We need to do that in the interim.

COMMISSIONER MINKOFF: I have a question.

CHAIRMAN LYNN: Mr. Huntwork has one as well.

COMMISSIONER MINKOFF: I'm not sure we're going to do anything with this report tonight other than receive it and be given some information to understand it. I'm wondering if we need to take time during the meeting to do that or if it can just be transmitted to us.

We're not going to take any action on it, are we?

COMMISSIONER HUNTWORK: Mr. Chairman?

CHAIRMAN LYNN: Well, let's have -- listen to one question at a time. I don't want to miss anything.

Ms. Hauser or Mr. Rivera?

MR. RIVERA: Mr. Chairman, Ms. Minkoff, we're doing a number of things, letting the public know what is going on, establishing a record, establishing a record, both for the purposes of the benefit of our opinion, to review those. At one time, Commissioner
Minkoff, there were a number of comments based on review of these. You may want to review this and give NDC direction based on them in point in time. If you don't do it at this point in time, I don't know when you perceive you would give NDC any suggestions when to do it, since we're going into public meetings and there is no official meeting of the Commission where all five of you are together for a period of time.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, this is impossible. I cannot receive this information tonight, digest it, and make suggestions about how to adjust these lines after all the work we've just been through. It's impossible. We can't do that. What we've done tonight is do the districts in the initial phase of mapping as Proposition 106 calls for. What we have to do next, as 106 calls for next, is evaluate competitiveness. We need to get the information, need an opportunity to reflect upon it. It's a very complex issue. The idea we were going to do anything with this, you certainly had a vastly different idea than I did.

COMMISSIONER MINKOFF: Mr. Chairman.

CHAIRMAN LYNN: Let me get a response to that.

Ms. Hauser.

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MS. HAUSER: Mr. Chairman, it may be appropriate to have a brief Executive Session so we can explain more fully why we'd like to explain that.

COMMISSIONER MINKOFF: Explain going into public hearings, only having for the most part one public hearing at a time. There will be times when all five Commissioners are present at the same time. Why can't we just notice a public hearing for that day and deal with that issue at that meeting.

I have to tell you, even if I listen to what you say, I'm not sure my brain can process the information at this point. I can't be sure any input I give would be worth anything at all.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I would just like to say my gut instinct to check back in after the hour I checked back out was appropriate. I'm sure glad I still have a room here.

COMMISSIONER MINKOFF: Well, I don't.

COMMISSIONER HALL: So, Ms. Minkoff.

COMMISSIONER MINKOFF: It's just a matter of being able to process information.

COMMISSIONER HALL: Hold on, sincerely.

COMMISSIONER MINKOFF: I can't process.

COMMISSIONER HALL: I apologize. I
I would like to avoid an executive session. And I would like to trust the instincts of what counsel is saying to us. Therefore, I would suggest we receive the report that they are recommending that they give to us tonight. And what we do with that is another issue. But rather than us go another hour in Executive Session, have us explain in all the intimate details why and therefore and be convinced why every time. They haven't been wrong yet.

MR. RIVERA: My middle name is Jesus.

COMMISSIONER HALL: I suggest we take a brief recess, hear their report, then at that time if we say thank you very much, at least we have heard what they have to say, hopefully we'll have complied with counsel to the greatest extent.

MR. RIVERA: Mr. Chairman, if I set out the scenario, the answers to Commissioner Huntwork and Commissioner Minkoff's questions, our suggestion, to allow us to give a half-hour analysis of this material, you can do a number of things at that point in time: Make a determination at that time as a Commission, gee, numbers are good, bad, but we want to think about it, and don't want to have another meeting. You can decide
gee, want to have a further discussion, and let's go on, come back and have a second meeting; gee taken into account, as the Commission suggested, hear local testimony and wait for Judge It, the second, more thorough analysis, wait for that aspect of the thorough analysis. I think you have to listen to -- you'll be getting raw numbers, raw figures at this period of time. It does not give enough assistance to make determinations.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I make a motion we instruct our counsel to take their time to analyze the information carefully and provide to us, at the earliest opportunity, a written report and that, if necessary, we have another meeting to discuss results of the report and take appropriate action after they've made a report, taken time to prepare a report carefully and I've had an opportunity to consider the report carefully.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER MINKOFF: Second.

CHAIRMAN LYNN: Discussion?

COMMISSIONER HALL: Can we make sure the potential meeting is in Pinetop?

COMMISSIONER MINKOFF: In your living room.

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COMMISSIONER HUNTWORK: So stipulated.

CHAIRMAN LYNN: On the motion, I'm disposed to vote against the motion. I'll tell you why. I think it's very important in keeping with our scenario of review that at a minimum, and specifically, when we have draft maps, that we begin to look at the issue of competitiveness in a very serious way. It is important therefore we receive the initial report, understanding it's incomplete, but it begins to give us an opportunity to take a look at what we've done with the two maps in terms of competitiveness and gives us background at a later date when more information is available.

To that point, I believe at a minimum this evening what we should do is wait for analysis, get it, take a look at it, and at least receive it as a Commission, then make a judgment on what, if anything, we'd like to do past that point.

Understanding your motion, I'm not able to support it.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, let me say you and I agree completely on the reason for whatever action we're about to take. The whole point of my motion is this is a serious issue. It is not a sham. It is not an action to be taken quickly, glibly, or
lightly. It is a genuine study of competitiveness of
these districts.

I want the issue to receive, the first
information is raw data produced by computers.
Personally I want the next information I receive to be
careful analysis of that. And then I want the next
action I take to be a thoughtful response to. That is
the reason for my motion.

Perhaps that will bring us together or
perhaps not. At least we agree on the reason for
whatever action we're going to take.

CHAIRMAN LYNN: Ms. Minkoff.
COMMISSIONER MINKOFF: Mr. Chairman, we've
been meeting today for 11 hours. The issue for
competitiveness is probably one of the most important
remaining issues we have to deal with as a Commission,
because it is going to drive some of the decisions we
make on the final districts. I want a written report so
that I can read it, reread it, study it, look at it with
the data next to me. And the reality of it is, we are
not going to make decisions based on preliminary data.
What we have tonight is preliminary data.

CHAIRMAN LYNN: That's correct.
COMMISSIONER MINKOFF: I suggest we take
the data tonight, or for a day or two, if counsel
chooses to send it to us with a written explanation of what it shows and what it doesn't show, with a written explanation of what the more thorough analysis will show, and the way that analysis can guide us to making the decisions we need to make. I want that in writing. And that's the only way that I'm really going to be able to assimilate it and to guide some of the decisions I'm going to want to make regarding competitiveness.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: We have some categorization aspects here I thought were apparent. We have a draft plan. We are going to get information is my understanding on competitiveness that could be equated to be draft competitiveness. It is not the precise analysis we'll have. I think we should get that and get it out so we can be taking a look at it and wait two, three days for analysis. I'd like to see numbers.

COMMISSIONER MINKOFF: I don't have objection to numbers being passed out.

COMMISSIONER HUNTWORK: Numbers immediately sitting over there.

COMMISSIONER ELDER: After we see that, I think probably then we take the next step. Anything we want do with it, thank you very much, go now and analyze ourselves, wait for counsel, NDC, anybody else to come
back, give insights to what we're seeing. Proceed and
either go at the Chair's discretion as to whether public
comment now while waiting for and come back. I think we
need to go ahead with disbursal, give them the 30
minutes, and go ahead.

CHAIRMAN LYNN: Motion on the floor.

COMMISSIONER MINKOFF: Doesn't say we
can't disburse information tonight. Strictly analyze.

COMMISSIONER HUNTWORK: I'd like to amend
the motion to say the information be distributed right
this minute, immediately.

COMMISSIONER MINKOFF: When done.

COMMISSIONER HUNTWORK: Be done now. I
want to be looking at it, too.

CHAIRMAN LYNN: Is that acceptable?

COMMISSIONER MINKOFF: I accept it.

CHAIRMAN LYNN: Amended motion.

Mr. Hall.

COMMISSIONER HALL: Well, Mr. Chairman,
we've discussed it almost long enough to complete the
analysis, a little longer. I'm joking.

I would -- I again do not support the
motion. I think we need to follow the advice of
counsel. I think there are additional reasons for doing
so. Therefore, I would not be willing to do so.

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Call the question.

CHAIRMAN LYNN: On the position.

Further discussion.

Roll call.

Mr. Huntwork?

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Mrs. Minkoff?

COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: "No."

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: "No."

CHAIRMAN LYNN: Chair votes "no."

(Motion fails three-two.)

COMMISSIONER HALL: I suggest we proceed with public comment and then executive session.

CHAIRMAN LYNN: Only items left are the public report and call to public.

We are going to hear from the public, but we do need to take a brief break. We'll take 10 minutes.

(Recess taken from 7:01 p.m. until approximately 7:11 p.m.)

CHAIRMAN LYNN: The Commission will be in order.

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Call to the public.

The first slip I have is from Wayne Anderson representing himself.

Mr. Anderson.

Is Mr. Anderson still with us?

Mr. Anderson?

Ben Anderson? Mr. Ben Anderson?

MR. ANDERSON: I'm Ben Anderson, Chair of the Cochise County Republican Committee, also Chair of LD 8, mostly Cochise County. You can imagine why I have some interest in what happened here today, especially when I looked at the map during the week and this morning and then took my father to the VA to have some work done and oh my gosh, what is going on here. I'm a bit distressed, I need to say. I need to bring this up so you don't think we're sitting back doing nothing.

Right now, Cochise County, Sierra Vista, they are having a big gathering of people thinking a lot differently about what is going on than what has happened today. I wish they were here, but they are not.

As I look at the map that you have come up with, or the grid, or proposal, or whatever this thing is, one thing stands out. I would like to be very objective and stand back, I wish you would, too, to
where it's called gerrymandering. It's very big. There
is nothing compact about what you have done with this G
area, which is primarily Cochise County. There is
nothing contiguous about it. All of a sudden a county
or area since statehood that never had anything to do
with Indian Reservation now has a couple. You can be
certain we wouldn't know what to do proper by it. Think
of the Indian Reservation and people that live there.

Furthermore, it's rather strange and
unique when we had than during the public hearing in
Sierra Vista, everyone stood up and said one thing:
Leave Cochise County as one entity. I believe you tried
to do it on the first cut. Computers did a wonderful
job trying to get 171,000 people in contiguous counties.
We were pleased with that. I did not vote for 106. I
was against it. I thought at that meeting: I was
wrong. I was wrong again. I withdraw that. You have
gerrymandered out of Cochise County the main city, the
largest city, the economic engine that drives Cochise
County, Fort Huachuca and Sierra Vista, and given it to
another district you cannot drive to unless you fly to
because mountains are in the way. It would appear if
you have to give to us anyone in the Legislature, it's a
Legislator to get around in an aircraft.

Look at the distance to Douglas. I can't

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pronounce the name of the place out of the horseshoe reservation way north of Phoenix which is kind of unique, I must admit to that.

I believe, in your guidelines to the NDC, and yourselves, you spoke of communities of interest. I cannot conceive of what communities of interest are in common with certain of the general portions of Cochise County, those areas up near the Salt River Indian Reservation, or Roosevelt Lake, or wherever else all the way up there, Eloy, Mammoth, Oracle. We can't get there. It would be a major safari any time any of our representatives or any time party members of any party, either party, wanted to go up and talk to people. It would be a major inconvenience.

I do not think it was your original intent to put such a district or a package together. I think this fell out by accident today. I consider it an aberration. I think you all know it.

I think you will come to Sierra Vista, and when you do come, you will feel a little uncomfortable presenting this map and saying this is what we have to offer you, this is what Proposition 106 gave us, this is what 106 voted for, with all of our computers, wisdom, and knowledge, and all of that, this is the best we could come up with is this gerrymandered obscenity.

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called whatever district you want to call it that goes
from Douglas up to within Phoenix.

So I would be glad to answer any
questions.

I can't tell you how disappointed I am.
I'm sure I speak for everyone in Cochise County
regardless of the party.

I thank you for your attention. I know
you meant to do well, but I think something went wrong
today.

I appreciate your time. I know you spent
many hours here today. I suppose that may be the cause.
But I got to tell you right out, this is not good and
you will meet with a lot of opposition and -- if not
some questions by Department of Justice.

Thank you.

CHAIRMAN LYNN: Thank you, Mr. Anderson.
Steve Gallardo representing the Coalition
for Fair Redistricting.

Mr. Gallardo.

MR. GALLARDO: Thank you, Mr. Chairman,
Members of the Commission.

I'm with the Coalition for Fair
Redistricting. I want to thank you and the Commission
and staff for the work they put in on this map. I know

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it was not an easy task to do, and I want to once again thank you for the efforts you have put into it.

The Coalition is in -- is somewhat pleased with this map. There are some exceptions and some corrections we would like to request regarding the minority-majority districts.

We'd especially like to thank the Commission for its work done on Legislative District -- Legislative District P, which is the West Phoenix Tolleson District. The Coalition feels carving this District to bring in the City of Avondale, southern part of Glendale, makes a strong minority-majority district which allows for future growth and will still not be diluted for the next 10 years which allows for a minority candidate to have a fair chance of winning that district.

With respect to the three other districts, the S, W1, I believe, which is the Yuma District, District V, I'm sorry, District I, which I believe is the southern part of the State of Arizona, and District TT, Tucson District, these are three districts that are noted as minority-majority districts which are, based on population, if you look at voting age population, turn out not to be minority-majority districts, not if looked at from performance of voter turnout. I may be wrong.

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Like all of us, we have to look at additional information before we analyze it, see how it affects communities.

I ask the Commission to please look at the three particular districts, see how to possibly make stronger minority-majority districts, allow minority candidates to be elected, have citizens within the districts to be able to fully exercise voting power.

Also, real quickly, I'm sorry, let me look at my notes real quick.

With regards to District V, which is one of the Phoenix districts, it is also a minority-majority district. Although the population numbers look good, I'm a little concerned. Again, we won't know until actual the performance numbers come out. More than likely we might ask the Commission to make a couple corrections to this District in order to be sure that again the minority communities have maximized their voting strength within Maricopa County.

Other than that, again, I thank you for your time and effort and the opportunity to comment. I guess we'll see you on the 25th.

CHAIRMAN LYNN: Thank you, Mr. Gallardo.

Again, Wayne Anderson.

Is Mr. Anderson here?

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Is there any other member of the public that wishes to be heard at this time?

Do we have a speaker slip for you?

No. I can fill one out.

Mr. Bohnee, please let me have that, if you haven't filled that out.

MR. BOHNEE: My name is Gary Bohnee with the Gila River Indian Tribe. I want to echo the sentiments of Steve in trying come up with a map, fair and reasonable, coming up with all the criteria you are asked to meet.

Just a couple comments with respect to the most recent iteration of the map.

We want to thank the Commission for keeping intact the four metro area tribes. I think in that regard there's a significant community of interest. I think it's readily seen. The one exception I think also mentioned by the gentleman from Cochise County, if the Commission is looking at moving south, perhaps one suggestion might be to move south with respect to Pinal County, going into the Tohono O'odham Nation which, in our view, also is a community of interest with many points of view, also.

I don't know what the numbers are there, but in that regard, I believe there probably would be a

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stronger community of interest perhaps going directly
south and to the west rather than going to the south and
the east. Those are just a few suggestions.

As the previous speaker mentioned, the
community will be, continue to offer hopefully some more
detailed suggestions in the coming weeks.

CHAIRMAN LYNN: Thank you, Mr. Bohnee.

Are there other members of the public who
wish to be heard this evening? If not, we'll close the
public comment period.

And I am waiting for counsel to return.

COMMISSIONER MINKOFF: Mr. Chairman, do we
know?

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: Do we know what
we're going to do when counsel returns?

CHAIRMAN LYNN: Well, we're going to
listen to what they have to say.

I don't know where they are or how long
they are going to be gone.

COMMISSIONER HUNTWORK: Mr. Chairman?

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Are the numbers
available? Could they be handed out at this time?

CHAIRMAN LYNN: Ms. Leoni, I don't know if
you've been involved in that process or not.

MS. LEONI: Mr. Chairman, if I could offer

some enlightenment on the last two questions, the disk,
on which the numbers now exist, have been taken to the
NDC suite to be printed. And I believe they will be
down here shortly.

CHAIRMAN LYNN: Is there any way to call
the suite and get an ETA?

(Whereupon a brief recess is had until
7:47 p.m.)

CHAIRMAN LYNN: The Commission will be in
order. The record will reflect all five Commissioners
are present along with legal counsel.

Which counsel would like to begin.

MR. RIVERA: Start with Marguerite.

MS. LEONI: It's kind of appropriate. I
didn't know I'd do it, but I'll tell you what I know
about it.

This is a compilation of data which we
have, among the attorney group, been referring to as the
quick and dirty. It is a common method of analyzing
competitiveness which remains a subjective and somewhat
idiosyncratic concept.

I want to explain to you a bit how it's
been put together and tell you what you are looking at

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and advise you you'll be getting additional information, more data in the near future.

What this chart, first of all, this methodology was discussed among the attorney group and with the experts that have been retained to assist on some rather technical matters. And those experts, Dr. Lisa Handley and Dr. Michael McDonald. They are both experts in racial block voting and political behavior and well-respected and well-known in their field. This compilation of data was performed by taking actual election returns, disaggregating those returns to the block level, and rebuilding them in the districts that were accepted and passed by the district by instruction.

May I ask Tim Johnson.

MR. JOHNSON: Yes.

MS. LEONI: The actual returns were as if the election happened in the districts that have been put out for public comment? These are the Arizona Corporation Commission returns.

Let me just mention I'm going to hand off to Mr. Rivera.

Our best advice was that these analyses are generally done using lower ticket races. And the race that was suggested be chosen, I'll let Mr. Rivera
address this, was the Corporation Commission. For balance we picked other races as well, so you can see races in addition to lower down ticket races.

MR. RIVERA: We went to election races 1998 and 2000, using criteria Ms. Leoni described, the only place Republican and Democrat were running competitively in 1998 and 2000. So we ran races for those two years, strictly with the Corporation Commission. We also looked at other races more competitive, but they didn't work out because of name identification and the type of race that it was brought in other factors besides party registration, party voting.

We stayed with the Corporation Commission. There really was no other race in 1998, 2000, that ran Republicans, Democrats in such a race. Based on that, we came up with the figures we have.

Now I'll hand that off to Lisa.

MS. HAUSER: The charts you have in front of you, let me address the Congressional first.

In the left-hand column, you have the IRC draft plan relative to the existing Congressional plan, which, of course, is two districts smaller than our plan. And we also did a comparison with the Democratic Party plan, because that was the plan that was submitted

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to us with reference, specifically, to competitiveness as a factor that went into that plan. And we wanted to see how these things stacked up against each other.

We ran the Democratic Party plan using our program. So they were -- we're comparing apples and apples here.

Based on the percentages, within a five percent window, we're considering that competitive. But the competitive District always has a leaning slightly one way or the other, so we've noted that.

If a District is more than the five -- if more than a five percent spread, we've classified it as either Republican or Democrat in nature, and then there are instances where, in all of these plans, where the registration is particularly lopsided, for example, and we've just picked 60 percent, basically, where it is a very strong district with respect to a particular party. And sometimes there's a reason for that, for example majority-minority districts, you'll find very strong democratic registration in those districts.

If you look at the IRC draft plan, let's with the start existing, existing draft, three Republican, one Democratic, one Democratic, very heavily uncompetitive, no Democratic districts, Democratic plan presented. As a competitive plan, eight districts, has

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three total Republican districts, two of which are very heavy, very heavily Republican, two total Democrat districts, three competitive Democratic districts, no competitive --

CHAIRMAN LYNN: Sorry, Ms. Hauser. I don't have any numbers you are talking about.

MS. HAUSER: I thought we passed out Congressional.

CHAIRMAN LYNN: No, I don't.

MR. RIVERA: Gave you Legislative?

CHAIRMAN LYNN: I don't know what this is, not what you are talking about.

Thank you.

I'm sorry, Ms. Hauser.

MS. HAUSER: Do you have it now?

CHAIRMAN LYNN: Thank you.

MS. HAUSER: Democratic Party plan presented three competitive Democratic districts, no competitive districts, Republican leanings. Our plan has four districts we classify Republican, one heavily Republican, very heavy Republican, two Democratic districts are majority–minority districts within our Hispanic AUR, both heavily Democratic, one competitive Republican, one competitive Democratic District. And, of course, through Judge It, we will have a more

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sophisticated analysis that is going to run through many
more elections. But as Marguerte indicated, using one
baseline election, and I think we also ran a heavily
Republican and heavily Democratic race as kind of a test
against the baseline, which was the Corporation
Commission race, the three Corporation Commission races,
correct, turning to the Legislative plan, again,
District by District, I would indicate particularly on
the Legislative plan, we have 30 districts in each plan,
but AA is not necessarily the plan, the same, the
existing Legislative one, or Legislative one, Democratic
plan. Can't take left, right, compare one or the other
that way. Totals on the second page is what you want to
take a look at.

The existing Legislative plan, 15
Republican districts, six of which are very strongly
Republican, 10 Democratic districts, six which are very
heavily Democratic, four competitive Republican, one
competitive Democratic districts. The Democratic plan
presented to you by Mr. Eckstein, 13 Republican
districts down from the existing eight, which are
heavily Republican, total of 11 Democratic districts, up
from one existing, five of those heavily Democrat, four
competitive Republican, two heavily Democratic
districts.

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The plan you just adopted earlier this evening under this analysis, 16 Republican districts, eight of which are heavily Republican, 10 Democrat districts, eight heavily Democrat, one competitive Republican, and eight competitive Democrat districts.

Again, with Judge it coming, you'll have more extensive analysis. This gives you an idea of exactly of where your plans stack up in comparison to existing and the one other plan presented with competitive information at this point in time. You'll also be getting side-by-side registration figures with each of the new plans and, of course, registration figures, mean percentages. You are getting not percentage registration based on actual voting patterns, also registration figures to look at as a key. There's obviously more work to do on those.

And here's Jose.

MR. RIVERA: That's basically it.

The Commission can take it with them and review this and analyze it. After the analysis, if you want, there are a number of choices you can make at that point in time. You can reconvene as a Commission at that point in time and make suggestions for changes to NDC if you want to. You can allow it to continue to go into public comment and make changes as described.
earlier. But it really is your decision in terms of
where you go at this point in time.

CHAIRMAN LYNN: Thank you.

Mr. Elder?

No? I'm sorry.

COMMISSIONER ELDER: Let me ask one

question of Jose.

When you said we'll be getting
side-by-side data on the competitive nets of voting age,
I guess will there been correlation between voting age
and party registration and the way the Corporation
Commission, whatever, race shows? In other words, right
now taking total registration but we don't know --

MR. RIVERA: Have to be 18 to be able to
register to vote.

COMMISSIONER ELDER: Never mind.

MS. LEONI: Commissioner Elder, may I
mention something? What this chart shows you is the
vote share a candidate would have gotten if the race
were run in this District, in this draft district you
have put out for public comment. This is not
registration. This is vote share.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I
would like to thank our counsel for the information. I
think it's interesting. And one thing that would help it, help me make more use of it, is if I can be sure, are the labels for our draft plan the same as the districts that have been put into our laptop computers?

MR. RIVERA: It is my understanding they are. I wanted to get the labels and numbers on correctly. The should correlate to the draft plan you adopted today.

CHAIRMAN LYNN: Other plan corrections?

COMMISSIONER HUNTWORK: Let me say with that information, I really need to look at this carefully. Because a lot of the competitiveness or lack thereof relates to geographical areas, compactness, and all the other things we've taken into consideration. The raw number at the end is not useful without that analysis. But I think that this information can be useful when combined with a careful analysis.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: A couple things. Number one, when do we expect to have the Judge It Analysis, the more sophisticated analysis?

MS. LEONI: It's my understanding, Commissioner Minkoff, we're authorized to proceed with that. We're having a conference call in the morning. It's our understanding once we have the authorization to

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proceed, it takes about a week to run each one, right.
So -- but the plan is to run that analysis twice, one on
your draft plan and then when you get close to the final
plan, run it at that time. Each one will take about one
week. We have the 2000 and 1998 data. We're having an
usual problem with 1996 we think is resolved. It should
not be a long wait.

COMMISSIONER MINKOFF: 10 days, it might
be available?

MS. LEONI: I hope so.

COMMISSIONER MINKOFF: A procedural
question. Should we want to begin to give direction to
NDC not to change any lines, to begin examining certain
possibilities, we've already set the dates for our next
meeting, which is far in the future. Is there any way
to call a public meeting if we're all going to be
together at one of the hearings, publish the notice and
put out the agenda?

MR. RIVERA: The simple answer is yes.

MS. LEONI: You turned it off. You can --
if you look to see -- first of all, look to see where
everybody is going to be, what meeting that is. I guess
what that would be, you can always notice it, based on
what any Commissioner wants to do. Based at that time,
based on whether the Commissioner wants to do.
COMMISSIONER MINKOFF: See what data is
close when we get it, what we can do with it; if we can, we
might want to talk about it, have NDC find and run
scenarios without making decisions once we have a
scenario.

CHAIRMAN LYNN: Once we have all the data,
once we have all the data, how we best make use of it.

Mr. Hall.

COMMISSIONER HALL: This data here gives a
brief snapshot. What would preclude us asking NDC to
already consider possibilities, at least at the
Congressional level? I'm not so sure given some
instructions they've already received on the Legislative
level, at least on the Congressional level it would
appear to me they could already start creating
alternatives or possibilities that would not affect any
of our Voting Rights issues and simultaneously maybe
consider some of the issues here that are referenced.

I mean there's no question that some of
these districts as shown are not going to change after
we get a 28-page report, given the discrepancy of the
numbers. So, Mr. Chairman, I suggest we direct them to
initiate the Congressional process of analyzing
possibilities versus waiting for an extended period and
get the ball rolling.
Chairman Lynn: Ms. Minkoff.

Commissioner Minkoff: Mr. Chairman, as

impatient as I am, and screaming competitiveness since
the beginning of the process, I see what happens every
time we begin to propose something. We put the draft
map up tonight, it has changes from the map we're
looking at this morning. And understandably we got
strong reaction to that map. And the next one we put up
is going to have strong reaction from somebody else, I
don't know who. It depends on what we do with that map.

I'd be concerned about doing anything
preliminary that would either raise expectations or
concerns among the public when it's not based on full
information.

As anxious as I am to get started on this,
I really want the most complete information I can get
before I recommend any development of scenarios because
those scenarios will either excite or upset people
around the state.

Chairman Lynn: Mr. Huntwork.

Commissioner Huntwork: I agree with that,
particularly with regard to the quality of the
information, the completeness of the information, and
secondly, I also hesitate to simply turn the consultants
loose making value judgments, as you will.
The districts we have were based on our best consideration of the -- with the other factors. And I think that we need to be involved in the process. And at the point where we can give more detailed and more principled guidance than simply go try to make it more competitive, we'll have to do that at some point, but it's premature to do it now.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I'd clarify I'm not asking them to make any value judgments, I'm asking them to give us ideas and possibilities as we have every other adjustment.

To Ms. Minkoff's point, anything we do, we get reaction, and should not prevent us from doing something. Doing nothing will get reaction if nothing more than doing nothing. Therefore, Mr. Chairman, I make a motion we instruct NDC to simply provide alternatives with respect to the Congressional map with respect to competitiveness in the handout we received.

CHAIRMAN LYNN: Second? It appears the motion died for lack of a second.

I'd add to the comments. My concern is twofold. I think any adjustments we might contemplate in terms of competitiveness should be based on full and complete information, full and complete information.

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before we move in any direction. Secondly, anything we
do in any sense to the consultants may, I stress may,
turn out to be a blind alley, or time not well spent,
given the additional information which may, may cause us
to make different conclusions and, therefore, give
different recommendations.

So having said that, and with the motion
not having a second, any further comments about the
report having been received this evening?

COMMISSIONER HALL: What I hear Commission
saying, in light not having full detail, let's do
nothing before we have full detail. When we have full
detail, ask them to make complex adjustments and also
head down potential blind allies.

I challenge anyone to say full detail will
change, for example, a 20 odd percent difference with
respect to competitiveness just because the report is
thicker. Given the time line discussed, the intimate
detail and schedule we have, I think it's imperative,
this is six, eight districts, we still have 30 more to
consider, for us this is an opportunity. We think it's
the 11th hour. You know what, tweak these. Make them
more competitive, folks. It's not only naive, it's not
possible.

CHAIRMAN LYNN: Any further comment?

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We have completed the --
Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I think I'm going to weigh back in with Mr. Hall.

I will make motion we do ask NDC to make a preliminary analysis of the numbers as conceptual and provide back information at the same level of detail and hear some concepts we should consider for the Congressional map.

COMMISSIONER HALL: I'll second that motion.

CHAIRMAN LYNN: Discussion.

COMMISSIONER HALL: I would be curious from some of fellow Commissioners at what point do they think we're going to make any type of adjustments or any analysis of this issue without -- and at that point that they make that decision then have to instruct NDC to give alternatives, then delay the opportunity to make their analysis? I'm curious as a practical nature. At what point do we anticipate my Commissioners to my left, that we would do a competitive analysis.

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: I propose that as soon as the more sophisticated analysis is available from the Judge It program, and you led me to believe 10
days is not unreasonable, we examine that as rapidly as
possible, that we find a time all Commissioners are
going to be in the same community for a public hearing,
that we notice a meeting, and we begin at that point to
do a more sophisticated analysis and give instructions
to NDC to make some proposed adjustments in the draft
maps based on competitiveness.

I think by delaying it those 10 days we'll
be able to do it once rather than twice and get a better
and more complete set of instructions for NDC because
we'll know what we're asking for at that point.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Ms. Minkoff, I guess
because we're going into public meetings, we'll make
adjustments anyway, we'll go into precise, specific
analysis, we'll be listening to the public, to adjust in
the first place doesn't seem to make a lot of sense. I
think it's nice going in, conceptual ideas. I'm
directed at the demographic company to look at. I'd
like to have some idea of the options, alternatives
before we go into public meetings to take a look at
alternatives they are proposing to solve some of the
issues we have in each one of areas and know how it fits
together on a conceptual basis. I know we'll move
probably every line on map some.
COMMISSIONER MINKOFF: But I don't think we're going to get the kind of information we need to make competitive adjustments.

I'm not suggesting when we have the more complete report in 10 days we can tell NDC to start moving lines. We're not going to move lines until the end of the public comment period. They can begin to develop more sophisticated scenarios for us. We just adopted draft maps today. And I don't want to change those maps until we've heard public comment and until we have a sophisticated, competitive analysis. I do want NDC to begin to apply that data to draft maps we've been adopting and to tell us some areas where shifts might be made with Voting Rights information. It doesn't mean we're authorizing them to make shifts.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Commissioner Hall asks a good question. I want to --

I think there may be some --

Excuse me. Maybe I could point to a question over there, ask a question I'm attempting to answer while he's speaking to someone else.

Commissioner Hall, if we could simply say now that NDC should begin analyzing competitive alternatives for both the Legislative and the
Congressional plan as soon as we have the --

COMMISSIONER MINKOFF: Judge it.

COMMISSIONER HUNTWORK: -- the Judge It program in place, and very early in that process consult with each of us informally on the telephone to get our reactions based on the preliminary data that we've gotten and hopefully our initial confirmation of that data based on the Judge It program. I think we don't need to call another meeting to get them started. The problem I had was I want that all in place, don't want to waste time on preliminary data and want them to have some guidance from us as they go through this process. If we agree on that, that's the sense of the motion. I'd gladly vote in favor of it.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Again, realize it's not my motion, it's Mr. Elder's motion.

COMMISSIONER HUNTWORK: It was your question.

COMMISSIONER HALL: I needed to clarify a couple things, ask Mr. Elder. Did your motion include Congressional and Legislative?

COMMISSIONER ELDER: Congressional per the original motion. I wouldn't mind if it includes
Legislative. My sense is as we ask them to address certain issues, I'd also like to have a sense when it comes back to us, here are alternatives, and this is how it affected competitiveness. Rather than looking at a series of alternatives, we get a sense how it fits into the fabric, not address competitiveness at the same time.

COMMISSIONER HUNTWORK: May I explain the difference between Congressional and Legislative? I take the point we need to get busy looking at this, the sooner the better. Also take Commissioner Minkoff's point of not going to do anything with it in the interim. So I don't see why we have a distinction between the two. We need to get going on both, and we need to do it as soon as we have the data and the Commissioners can provide guidance.

MS. LEONI: I would like to throw some additional considerations into the discussion of this motion, because it will be important to my client in following your instructions.

Number one, we would need to presume that based on some very preliminary data the Commission is prepared to make a determination that the drafts are not competitive. And at, after that determination is made, we would need some guidance on the specific districts.
that the Commission would like to see rebalanced for
competitiveness and precisely what ranges or criteria
are that the Commission would deem to be appropriate.

We're pleased to follow instruction. I'll
assist my client in doing that. Vague instruction to
examine competitiveness is not helpful to us in being
responsive to you.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, that
really isn't my point. The consultants need guidance
from the Commission. There isn't no indication based on
this, we find districts competitive, noncompetitive, are
surprised by it, disappointed by it, anything else, no
reaction at all. We don't even know how this
information -- I can't visualize how this column of
information relates to districts laid out on the map or
why we made a decision about a particular District.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HUNTWORK: Therefore the
District has to include additional input from the
Commission.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: We have, for example,
speaking Congressionally, several districts that are in
very tight quarters. I would suggest, respectfully, and
would request a correction if my suggestion is inaccurate, District F, for example, wherein percentages are 62.4, four Republican, two 32.56. Any additional information is not going to somehow reveal Democratically dominated districts. We can analyze reports until next Friday, and I would suggest that fact is going to remain the same.

While I understand, I see this as a two-phase process. I agree we need to analyze additional information. I welcome any and all information that would be forthcoming. Meanwhile, given the time schedule we just reviewed for an hour and change, I think it's imperative you guys at least would say look, here are some ideas; because we also know in that area there are some districts that have some very sensitive voting rights issues. So it seems to me you can give us some general ideas, alternatives, parameters, and principles relative, for example, to possibly adjusting Congressional Districts, increasing the level of competitiveness and maintaining compliance with the Voting Rights Act and, thereby, we look at that or hear that, or read that, or whatever the format is comfortable for my fellow Commissioners, and then at some future date say: You know what, we need another opportunity to have another level of input and thereby

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we can look and hopefully make more specific
recommendations for guidance with respect to moving
lines.

CHAIRMAN LYNN: Mr. Elder and then

Ms. Minkoff.

COMMISSIONER ELDER: I guess I had a
concern with one of Mrs. Leoni's comments, that we first
have to make concern known with districts not
competitive. I disagree with that standpoint. We need
to get advice from counsel on where we are in light of
Voting Rights Act constraints or opportunities. So I --
I want to still have information be fed as to how we can
make them better and how they can be improved.

I also need to wait until I have advice of
counsel on what represents a noncompetitive or
noncompliance district. It may be a few days before we
get advice from counsel. I'd still like to see the
effects as we go through and consider the changes or ask
you to consider the ideas. It would be nice, I'd like
it if we had the data that said this would modify an
AUR, or modify Hispanic percentages, and might take it
out of a minority-majority district. The same would be
ture to say this would be a further difference between
competitive and noncompetitive, or make it closer. It
can be a plus or remain. Are we going by the right

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direction? I don't care specifically -- is there
something I missed here? Why do we have to make a
decision?

MS. HAUSER: Mr. Chairman, at this point,
I don't think you have to actually make a specific
decision or finding that the districts are not
competitive. Remember, under the constitutional
provision created by Proposition 106, it is
competitiveness that is a criteria that should be
considered. You are now using it to test the map that
you have, the draft maps that you have adopted. You
should do so insofar as practicable but not to the
substantial detriment of other criteria. Those are the
types of things you are thinking of, Mr. Elder,
specifically, as I mentioned before with respect to the
Voting Rights Act.

Some of the districts, all districts
qualify as majority-minority districts and will be
heavily Democratic districts. That is a given. So the
suggestion I have is to take preliminary information,
get familiar at least with looking at where those
particular districts are on the map.

You are familiar enough with the state and
demographics within the state to have some idea with
respect to the districts you'd like to keep an eye on
with respect to possibilities for additional competitiveness. Again, they will be districts whether because of geography or because of other criteria that are going to tend to go one direction or another. You need to get familiar with this point.

CHAIRMAN LYNN: Ms. Minkoff, I'll call on you in one second. If I may, let me move this on, listening to the discussion.

What I take from that is it seems to me what we ought to be doing is essentially the same work contemporaneously with our consultants, that is to say we just received this preliminary data this evening. No one had a chance other than to look at raw numbers, get a very brief explanation of what the numbers mean. Over the next 10 days we'll receive additional information. I believe what we need, in order to have a reasonable discussion of competitiveness, application of competitiveness to what we've done for consultants as well as the Commission, as well as legal counsel, to complete the data review, and then to engage in a discussion about some of the issues Ms. Leoni brought up, some of the issues we've yet had to discuss, how to apply criteria we're going to establish, what criteria should be, and how we will essentially go through the process that we have, and make adjustments as

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appropriate. I think it is a dual track process.

Again, I think part of the intent of the motion is to say: Let's not wait. Let's get started. And I take that point.

I think to the extent that these numbers are instructive to anyone, we can all get started. There are other numbers coming, other formulas coming, other things going to come. I do not think we can have meaningful discussion about the next steps until all the information is available.

I suggest we simply all get started, all get started understanding the numbers, all think about ways the numbers can be helpful, all take a look about the numbers we have as drafts and ways we might be able to apply the numbers we'll get. At the point at which we are comfortable we have information in order to have discussion, we should call a meeting, whether it's -- whatever the date is, we'll have a full, formal discussion about how this should be applied. I think that's the only way to proceed.

Mr. Huntwork, Ms. Minkoff.

COMMISSIONER MINKOFF: I just wanted to make a point. I believe the reason we needed the more sophisticated Judge It data, you can not tell me a 65-35 percent district is competitive. I know it's not
competitive. If I wanted to make it more competitive,
I'd probably need more sophisticated information to
determine how to do that. I can't do it based on what
was passed out today. It helps focus thoughts as to
where we might have flexibility.

   If I look at a district, want to make a
district more competitive, I need to look at adjoining
districts, where things can be shifted to make it more
competitive. I don't think I know that.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I agree with the
suggestion. To the extent there's a motion on the
floor, I feel it's overly specific and would vote
against it.

   We either need to call the question or
adjourn.

COMMISSIONER HALL: I guess I'm hearing
something different. I understood the precise intent of
both motions. For them to do that and come back
whenever that future meeting was and say here are the
ideas, the alternatives, that is the intent of what my
motion was. Correct me, Mr. Elder, that's the intent of
your motion. I guess, maybe it's the sound, whatever,
that's exactly what we've been proposing for the last 35
minutes.

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COMMISSIONER HUNTWORK: Call the question.

CHAIRMAN LYNN: Well, you know, in truth,

I would like, just for a moment, to explore that last comment.

Mr. Elder, in the motion that you made, the explanation I just tried to give in compromise, of point of view, is there anything different about your motion than what I said, that is to say, the consultants and we both embark on the study of what we have done in terms of competitiveness with both data received tonight and data that will be received and will we not, essentially not, what we're saying to the consultants is we don't want to wait to begin thinking about the application of not only this data but other data coming. And at some point we'll get together and talk about that rather than suggesting that consultants operating on their own come to some conclusions without further discussion with us.

I think that's the essence of the difference in the argument. I'm asking the question for clarification.

COMMISSIONER ELDER: I suppose the nuance of it is my assumption was we as Commissioners would also be doing our own analysis. It takes that part of the equation out. We were asked for direction by the

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consultant, in fact, authorization to proceed. They wanted us to give authorization to proceed, things to proceed on evaluating requests already made.

I'd like the idea as to what the effect is on the balance, on the competitiveness between districts is, so as we start to consider what the preponderance of information is we know what the effect on competitiveness is. I'm not asking for analysis from the standpoint of competitiveness solely. I'm only asking it be integrated from this point on, since we have some numbers in the decisions, in the body of information we get.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: So is the motion anything we change has to include consideration of competitiveness?

COMMISSIONER ELDER: I would like to consider it, as our counsel said, it is a should, not a will, a should issue. I would like to have that so when I am deliberating and say yes, I recommend, or support this change, I know at least how it will affect competitiveness. I want to know how it does that.

COMMISSIONER HUNTWORK: I agree completely with that.

COMMISSIONER MINKOFF: We don't need a

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motion to do that.

COMMISSIONER HUNTWORK: The proposition requires us to from this point forward, I believe,

COMMISSIONER HUNTWORK: It shouldn't say it requires us. It strongly encourages all of us,

expressed we will consider competitiveness in further changes we make.

COMMISSIONER ELDER: Let me pose an example to both of you, and tell me why or why not it doesn't work. An example in trying to run the eastern valley through a flip-flop of a majority-minority district from the west south Tucson area to the Casa Grande area and west valley, asking how does that affect voting rights. Is it a minority-majority district? I'd like to know the effect of the shift, how did it affect competitiveness of the district that surrounds it.

COMMISSIONER MINKOFF: I don't see a problem. The consultants read Proposition 106. They know from this point on competitiveness becomes a part of our consideration. They've responded to every question we asked them, what are the characteristics of the district. Now we add one additional, competitiveness. We haven't been able to do this until we adopted the draft maps. Now we adopted the question. I'm sure they'll be able to come up with an answer. I
don't understand why it develops scenarios for us now when we have no idea what changes we're going to want to propose.

I'd like to wait until we have some idea of other directions we may be going and then let them factor competitiveness in and give us the whole picture.

CHAIRMAN LYNN: On the motion, further discussion?

If not, Mr. Huntwork?

COMMISSIONER HUNTWORK: "No."

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: "No."

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: "Yes."

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: "Yes."

CHAIRMAN LYNN: Chair votes "no."

Motion fails three to two.

It is the sense of the Commission notwithstanding defeat of the motion we should, the consultants and the Commission, proceed with this and other information as it becomes available and consider competitiveness as we move forward in all of our deliberations on any changes that may be contemplated or any suggestions made by the public, that there is
agreement on that whether we have a motion to that or not.

MS. LEONI: Commissioner Lynn, Members of the Commission, we will do so.

CHAIRMAN LYNN: Is there further business to come before the Commission?

COMMISSIONER ELDER: I move we adjourn.

CHAIRMAN LYNN: No need to move it.

Ms. Hauser, anything further to come before the Commission?

Ladies and gentlemen, we are adjourned.

(Whereupon, the Commission adjourned at approximately 8:46 p.m.)

* * * *
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 236 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 17 day of October, 2001.

LISA A. NANCE, RPR, CCR
Certified Court Reporter
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