STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Phoenix, Arizona
August 9, 2001
12:00 p.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 9, 2001,
at 12:00 o'clock p.m., at the Pointe South Mountain
Resort, Conference Rooms Estrella and Flagstaff, 7777
South Pointe Parkway, Phoenix, Arizona, 85044, in the
presence of:

APPEARANCES:

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

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ADDITIONAL APPEARANCES:

ADOLFO ECHEVESTE, Executive Director
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MARGUERITE MARY LEONI, NDC Counsel
CHRIS HUTCHISON, NDC, Support Staff
MARION PORCH, NDC, Support Staff

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SPEAKERS FROM CALL TO THE PUBLIC:

PAUL ECKSTEIN
FRANK SEANEZ
AMBRE WAKEMAN
TOM SIMPLOT
REPRESENTATIVE SYLVIA LAUGHTER
JIM HARTDEGEN
STEVE OWENS

AGENDA DESIGNATED SPEAKERS:

DR. ALAN HESLOP
DR. FLORENCE ADAMS
DOUG JOHNSON
CHRIS HUTCHISON
ADOLFO ECHEVESTE

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CHAIRMAN LYNN: I would like to call the meeting of the Independent Redistricting Commission to order. The record should show all five members are present.

Ladies and gentlemen, the next order of business on the agenda is call to the public for public comment.

Before we have public comment, I wanted to make some prefatory remarks.

What you see displayed on the easels to the left and right of the Commission are the initial drafts of maps that will be discussed over the next three days. And it's fair to say that those drafts will be modified to some extent, perhaps to a great extent, depending on the discussion over the next three days.

I'm reminded of family trips that we used to take to California when there was an awful lot of discussion in the car as to whether we're there yet. I want to assure everyone that we're not there yet. For
our benefit as well as the benefit of the public, it's very important that we do this in a progress -- that we progress through this process in a manner that gives everybody an understanding of where we started and, ultimately, where we will wind up and why we got there.

So, to that end, what I would suggest, without objection from the Commission, is we will have public comment at the beginning of the meeting. But I would ask those that have specific comments on the drafts that are being presented today, to perhaps hold their comments until the maps have been presented. There will be a full formal presentation of the two draft maps. And as those maps are presented, we will all learn information that may be useful in framing some of the comments that you might make to us. What you will then do is have public comment after presentation of the draft. At that time, your comments would be put in the proper context as you consider them, as we consider the proper consideration or changes to the maps as they exist.

Again, I'm not at all trying to dissuade somebody from speaking early. I want to give you the option of speaking later and give you that opportunity without any sort of penalty, if you will.

There will be ample opportunities for

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public comment throughout the course of the day.

Again, this is a work in progress. And this work in progress will not be finalized until after our second round of public hearings.

Our job this weekend is to move the process forward so that the maps to be taken around the state will be maps that we wish specific public comment on.

Our last round of public comment was designed to elicit comment from the public on communities of interest. Those comments along with other input that had been given to the Commission are actually things that had been taken into account on the maps that you see before you; however, it's clear to all of us that many of the comments that were made by the public, if taken side by side, are contradictory, or competing. And, therefore, the information that we were given, we had given to the consultants to prepare the draft that you see, are the basis of some compilation of that information and some definition of the Arizona units of representation as was the subject of last week's meeting.

We will have more comment from the consultants about map development and specific development of these maps as we move through the meeting.

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So with that said, let us move to public comment as is scheduled on the agenda, again with the idea that those whose cards I already have, if you wish to be heard on this subject and would like to defer that to a later point in the meeting, we'd certainly understand that.

As I go through these cards, and again anyone who wishes to speak at this point or later in the meeting, we ask you to fill out a speaker card with your name and who you are representing.

As we go through these, I'd ask if you wish to be heard now or might defer that to a later point.

Item II, public comment: This is the time for consideration and discussion of comments and complaints from the public. Those wishing to address the Commission shall request permission in advance by filling out a speaker slip. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

The first slip I have is from Paul Eckstein.

Do you wish to be heard now?
MR. ECKSTEIN: At both times.

Mr. Chairman, members of the Commission,

I'm Paul Eckstein. I'm representing the Arizona Democratic Party.

When I spoke last time, I believe it was, I urged you strongly to take into account competitiveness as you were drawing these lines. I pointed out that one can look at Proposition 106 and see that the competitiveness criteria is last listed. And it clearly says that to the extent practicable, one should take into account competitiveness to the extent it does not significantly diminish the achievement of the other goals.

And I think that maps we submitted last week, both at the Congressional and the State Legislative level, demonstrated it clearly, that one can achieve all the other goals that are set out in Proposition 106 and meet the requirements of the United States Constitution and Voting Rights Act of 1965 and have competitive districts and, indeed, increase the number of competitive districts that exist.

At least at first glance, and perhaps second and third glance, the maps that have been submitted by your consultants do not do that.

And if they take competitiveness into

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account, which it does not appear that they do, to us, they clearly do not achieve the kind of competitiveness that can be achieved as demonstrated by the maps that we submitted last week.

And I'll speak at the 50,000-foot level rather than dealing with individual districts.

To give you some sense of our concern, at least in looking at the maps and the preliminary data that we have seen, it appears to us that of the eight Congressional districts that have been drawn by your consultants, four are safe Republican Districts, as you label them, A, B, E, and F. Two are safe Democratic Districts, with all the provisos I gave last time. No district is entirely safe all the time. If one has the unusual circumstances and the right candidate, which was demonstrated in Legislative District 30, miracles can happen, but miracles don't usually happen.

And by that standard, there are two safe Democratic Districts, D and G.

In our view, it's clear say there clearly has been packing in Congressional District D. And there are only two swing districts, C and H. And I think H is somewhat problematic as a swing district.

If one takes the most extreme view of that, one could say there are five safe Republican

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Districts, two safe Democratic Districts, and one safe -- two swing districts. That does not comply with Proposition 106.

Under the map we submitted, there were three safe Republican Districts, two safe Democratic Districts, and three swing districts. We think that demonstrates, clearly, the competitiveness and other goals met at the same time.

There's a similar story with respect to state Legislative Districts.

By our count, there are 10 safe Democratic Districts, three swing districts, and 17 safe Republican Districts.

According to the maps we submitted, there were eight safe Democratic Districts. You may say we are you nuts. Hear you are representing the Democratic Party. You submitted a map with eight safe Democratic Districts. We have 10 safe Democratic Districts. What are you doing? Are you crazy. Because we were trying to comply with Proposition 106. Under our map, we had nine swing districts. We think there are three, arguably, there are five swing districts. We think it really is three. And if you assume that there are three swing districts, then there are 13 out of 17 safe Republican districts. Under our map, there were 13 safe

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Republican Districts, eight safe Democratic Districts, and eight safe swing districts.

At the very short level, I understand you've had a very short time to look at the numbers. But we believe that, given the time we have, those points are valid.

We ask as you meet over the next several days you make every effort possible to make these districts as competitive as possible. You can do it without diminishing the other criteria.

And as I am trying to talk to you individually, and I've left voice mail messages for you, you have to do it now. If you wait until end of the process, get to the end of the process, you'll have a third round of hearings. I don't think you have time for that. I urge you to do it now and thank you for your time.

CHAIRMAN LYNN: Thank you, Mr. Eckstein.

The next speaker is Frank Seanez who represents the Navajo Nation.

MR. SEANEZ: Good afternoon, Chairman Lynn.

As with Mr. Eckstein, the Navajo Nation, we reserve the option to speak now and later.

I speak on behalf of the Navajo Nation.

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There is so little similarity between the proposal submitted, between the information the Navajo Nation submitted on June 25th, between both the grids and maps submitted by National Demographics and the Navajo Nation.

The Navajo Nation is very concerned about the lack of a Northern Arizona Congressional District, even though we saw in downloading the Power Point presentation from August 2nd that such a recommendation was made by this Commission in a unanimous matter.

As well, the Navajo Nation, another one of the recommendations which was apparently voted on by a vote of three to two and later modified by four one indicated one to two rural Congressional Districts would not go into an urban area, and we do not believe that is the case under the Congressional District draft map that we're seeing today and which was published this morning on page eight of the Arizona Republic.

The Navajo Nation is concerned about the extent of the district, concerned about it's connection into Maricopa County. We think there are problems with that. Of course, as well, the Navajo Nation extremely concerned about what appears to be a total abandonment of compactness to gain contiguity in District A.

Inclusion of the Hopi Nation and Hopi

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partition lands, the Moencopi, Moenavi, in District A is only obtained through an extremely bizarre gerrymandering, so extremely discernible on the maps there.

The Navajo Nation is extremely concerned about the wholesale incorporation about the EACO proposal, Eastern Arizona Counties Organization proposal for a Legislative District within the Legislative draft map, inclusion of the southern portions of Southern Arizona counties, Graham County, Greenlee Counties, while I don't see any reflection of the Navajo Nation's proposal for a Legislative District within the draft NDC maps.

The Navajo Nation is concerned with regards to the -- both the Legislative District and Congressional District proposals in that the escape valve is that corridor that you can see there for the Hopi Nation into another Legislative District and another Congressional District necessarily involves not only the creation of a gerrymandering corridor, but separation of the Navajo, of the Navajo Nation in both a Congressional District and Legislative District as questioned by the Navajo Nation in the report from National Demographics Corporation on July 25th, it indicated that the EDS information necessary to make

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determinations with regards to political cohesiveness and voting history was not available at that time.

We don't know at this point whether that information has been made available and whether it is -- whether it has been incorporated within the draft maps. That is something we would very much like to know.

The information relative to the racial and ethnic breakdown, all the numbers we've seen, and, of course, we understand it's just a printing within the Arizona Republic, not the Commission's own documents, contains only raw population data, does not address voting age data.

One of the Navajo Nation's main concerns in this area is information the Navajo Nation population, as with most Native American populations, are of a much higher percent not voting age population. In order to really have a true opportunity to participate within the electoral population, the numbers of Native Americans need to be higher than the general population in order to provide that opportunity.

The Navajo population is as well concerned that there are not -- that there are not individual packets available at this meeting, as there have been at the other meetings of the Commission, to allow the public to more readily access information. We do
understand draft maps are now up on the website.

Unfortunately, being up on the website, we don't have
the same access in the city as we do up at the nation.
If at all possible, we would like to see information in
hard copy, if not this afternoon, as soon as possible.

CHAIRMAN LYNN: Thank you, Mr. Seanez.
The next speaker is Amber Wakeman.
Is that correct?
MS. WAKEMAN: Yes.

On behalf of the City of Tempe, I would
like to take this opportunity to express the views of
the Tempe Community Congressional Legislative Districts
in Arizona.

This letter was sent earlier this week to
the Commission.

The City of Tempe boundaries represent a
distinct community of interest by recognizing common
interests unique to Tempe. The Commission expressed the
most accurate interpretation of law might by
representation of communities of interest. We'd ask the
guidelines in creating these maps conform to Tempe's
boundaries and provide, two, a geographic and compact
and contiguous district, and, three, incorporate visible
features provided by them and respect the boundaries as
conveyed through the overwhelming input as submitted in

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the recently held hearings for dividing this community
into multiple districts so as not to dilute us.

The East Valley residents, in and around
Tempe, have made their position clear. Tempe should be
represented by one Congressional and Legislative
District.

Put simply, the community's best
represented by municipal boundaries.

Thank you for your time.

CHAIRMAN LYNN: Thank you, Ms. Wakeman.

If you wish to address the Commission at
this time, I need a speaker slip filled up out. Hold
your hand up, and they'll give them out.

The last speaker slip, Tom Simplot,
Chairman of the Historical Preservation District.

MR. SIMPLOT: Thank you.

As the current Chairman of the Historic
Preservation Commission, we're not pleased the Historic
Districts are now carved out into two innercity
Legislative Districts.

The Historic Districts have numerous
common interests, not the least of which are state laws,
federal laws, federal grant money, state grant money,
city grant money. They have common interweaving
throughout different entities. And we would simply ask

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you restore all Historic Districts into one cohesive
district.

CHAIRMAN LYNN: Thank you, Mr. Simplot.
Are there other members of the public
wishing to be heard at this time?
If not, we will return to public comment
before we recess for the afternoon and at other times
throughout the meeting as appropriate.

Item III: Discussion and possible
approval of the minutes from the July 17 meeting.
Those minutes should have been provided.
Are there any additions or corrections to
the minutes?
If not, can I have a motion to approve the
minutes?

COMMISSIONER ELDER: So moved.

CHAIRMAN LYNN: Second?

COMMISSIONER HALL: Second.

CHAIRMAN LYNN: All those in favor?
(Vote taken.)
(Motion carried.)

CHAIRMAN LYNN: Item IV: Executive
Director's report on current status and revisions,
discussion and possible decision regarding the
Commission’s budget.

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MR. ECHEVESTE: I was asked to have new staff here to introduce to the Commissioners. I'd have Susan Svitak stand up and be recognized.

That's Susan Svitak, the Administrative Services Officer. She's here and will handle that duty and a couple other housekeeping items.

I noted in e-mail some questions regarding travel and transportation for the second round of hearings. We completed all scheduling of all the Commissioners. This coming week we'll touch base with everyone, tie-down all the travel arrangements. So you'll be hearing from staff.

The third item, I want to hand out to you a copy of the revised budget. The actual expenditures from last fiscal year through June 30th is on a single sheet. And the budget and current expenditures and projections through this fiscal year is in the second handout, which is two pages. I merely will hand them out to you and ask you to peruse them during these three days.

If there's any questions, I'd be more than happy to answer them at a later date.

CHAIRMAN LYNN: Thank you.

Any comments or questions on the Executive Director's report?

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CHAIRMAN LYNN: If not, item V:

Presentation and report by NDC concerning modified grids.

I've asked NDC if they'd mind doing this in two stages so we might focus on doing this in two stages.

At this time I'd like this to be on the Congressional map. If we move forward on deliberations on that map so we offer direction and possible modifications to the consultants including comment, additional public comment on Congressional comments as they are discussed, then move into Legislative comments as we do that one, give the consultants time, if not today, overnight, on how some discussions might impact the entire map.

Mr. Elder.

COMMISSIONER ELDER: Do we still have the opportunity, after seeing the ramifications of directions give them, to enter into discussion, ramifications of the map?

CHAIRMAN LYNN: Absolutely. It's an ongoing process. We'll not conclude this meeting, however long it takes, until we are satisfied that the maps, as modified, are in a form we wish to take to the public.

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DR. HESLOP: Mr. Chairman, Members of the
Commission, we are anxious that these maps be changed,
that the Commission can change them as their own.
They are currently NDC's maps. And we
hope at the end of the next couple days that the
Commission will proudly refer to them as the Independent
Redistricting Commission maps.

As the Chairman and Members of the
Commission and also NDC have been emphasizing
throughout, we are all involved in an unusual
experiment. This is redistricting in public. As a
result of a public process, that public process is far
from done. These are works in progress.

Let's go on.

As the Commission well knows, and as I
think perhaps the public understands, it was on August
the 2nd that the Commission framed 16 instructions to
NDC to develop both Congressional and Legislative
District maps.

NDC's effort has been to translate those
instructions into district lines. So we are very
conscious that we have done so imperfectly. We are
conscious that the Commission will wish to adjust these
maps.

Let's go on.

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We believe that the Congressional plan that we have brought before you has some very important features. We believe that it does a good job in terms of uniting Hispanic communities. We believe that it does a pretty good job in terms of uniting tribal reservations. It certainly reduces city and tribal reservation splits from the grid plan.

As to the major communities that the Commission identified, the Native American and the Hispanic community, we think that the Congressional plan does well.

We are much less satisfied with the Congressional plan in terms of separation of rural from urban areas. But this is an area, the issue of rural and urban, on which we seek the Commission's help and guidance.

Let's go on.

Our understanding of the process is that these three days will be used by the Commission to adjust the plans. The Commission will not only hear from citizens now, but once the plans are framed, there will be a second round of public hearings.

We have a great deal of experience over the last 28 years in citizen redistrictings. And we know that the second round of redistrict hearings will
be very different from the first.

The lines that you put on the map will
focus citizen interest. You will have many very
specific proposals for change. We believe that the
Commission should encourage these proposals for change.
But in order for them to be successful, in order for
them to fit with the principles and priorities of the
Commission that are well-established, we believe that
the criticisms must be focused on the map as good as you
can in this three-day period.

We believe that map should clarify to the
greatest extent possible Proposition 106 criteria and
the Commission's own principles and priorities. And
then, essentially, we think that you should challenge
the citizens of Arizona to see if they can adjust that
plan to record a great many other priorities.

We have not used registration data in the
development of these plans for reasons that the
Commission well understands. The registration data and
the racial block voting voting data have not been
available to us.

So this information, too, needs to be
taken into account in the second round prior to the
final adjustment fine-tuning release of plans, which I
might comment is followed by yet a further period of

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public review.

Mr. Chairman, Members of the Commission,
we will be guided by your instruction. And here my
thought is I will ask Doug Johnson, who is our senior
mapping analyst, to go step by step through the
Congressional plan to describe the districts, their
origin, how they were developed, and as he does so, to
comment on our sense that perhaps a better district
could have been drawn here or there, that perhaps an
alternative should be explored here or there, and then
at the end of his description of these districts, and
after public comment, we would be happy either to either
still tell further of these alternatives we thought of
or tell further of alternatives the Commission wishes us
to explore.

Mr. Chairman, Members of the Commission,
we can explore these alternatives here.

Laptops here are slow. It would be
tedious to go through these. It might be best for the
Commission to recess when we -- it would be best to
recess for us before we go into major adjustments. I'll
ask Doug Johnson to go through the district by district
requirements.

MR. JOHNSON: Mr. Chairman, Members of the
Commission, I appreciate the opportunity to walk you

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through the plan and let you know what was our thinking
as we encountered the principles of Prop 106 and
instructions you've given us so far.

I will start with what we have labeled
District A, which is the Hopi and river areas.

This district starts, as both origins
started, by focusing on the three major principles the
Commission established, the Hispanic populations, Native
American populations, and rural-urban divisions of the
state. And then once we address those principles in a
given area, we would incorporate the AURs the Commission
developed and specific instructions you gave us the
other day. The instructions also incorporated three
major principles.

Starting with this district, the Native
American population, the Native American population in
District C to the east, and the Hopi, as instructed, was
removed from the denomination with the Indian Tribal
Reservations from the west.

Let me get my pointer. This will be a
help as go through the areas.

The Hopi here, we had a lot of testimony
and good direction about having different interests in
some respects from the Navajo. One difference you'll
notice from the current district is this arm was moved
from where it is in the current districts. Previously it was down here. What we encountered was two pieces. Number one, the current districts have two fingers connecting the links, one main body, one here. This is also part of the Hopi Reservation. What we found, some people moved into this area. The numbers of the Navajo Reservation affected has gone up. If we go this way up, one finger instead of two, and we minimize the number of Navajo incorporated, according to the Census people, there are less than 10 people living in this arm. It's not a major difference. I wanted to point out the difference because it's so visible on the map.

Thank you.

From that step we then worked our way westward taking in the other reservations here, the Grand Canyon and Colorado River here, and then worked down to the river communities AUR, the Mohave, La Paz counties region.

One of the directions had been to unify Yuma County. There were too many people to incorporate in an entire district. We were to go down to Yuma County, keeping Yuma County unified. That still made the population short for a district. We went inland, have taken portions of Yavapai County to make district

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C's population work.

The dividing line, we used input from the community and input from the Commission, unified Sedona. The city crossed the county line here. We put together the area, the valley line here. And this region here is the Prescott region. Those two areas are separate.

The Verde Valley community area are unified with Flagstaff. That's a division that primarily is to keep this AUR together and the needs of the population, an equality to divide by county, then move south into Maricopa.

One of the goals is to definitely separate the rural and urban interests. The two have very distinct interests in Arizona; however, they also need to respect population equality. We were not able to make a majority rural district and respect many of the West Valley Districts here.

We have, the pink colored here is the district we drew. The blue lines are the grid districts.

So we, in an effort to both gain population needed, unify cities, respecting city communities, we unified Peoria here, moved over to the city border through it, the district takes in Surprise, El Mirage, the Sun Cities in that area.

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Going down to, this is Luke Air Force here, have Southern Glendale, and a little bit of Phoenix.

So that is, of course, took this district, see how we run into conflicting principles as the Commission discussed and well-understood weeks ago when we discussed principles and goals and focused on that community. We tried to look at different ways on the map. All things super relate. And it's tough decisions.

We're presenting one set of decisions we're open to review of.

I'll zoom back out and move down to --

Oh, I should mention in your packet is a list of exactly what cities, counties, AURs are included and split by each district.

One thing we were very glad we were able to achieve in the grids is a great reduction in tribal reservations. It was reduced because the Census, we followed Census tracts, and we stayed about the same as them on that.

We do have a much lower number of cities and tribal reservations divided.

I should mention before we move on I've included in your packet brief comments on possible
alternatives.

We could go more into Glendale, you know,
adjust areas of the West Valley included in this
district.

There is the opportunity to make a more
bizarrely-shaped district, which we're trying to avoid,
in trying to unify Yavapai County. It does have effects
on District C, as you'll see as well. That's District
A.

Let's move on to District B,
alphabetically. Central Phoenix, Northern Glendale
District.

This district, as you can see, we closely
follow city lines. This is the Peoria border. It
doesn't run across into Peoria. It follow the Glendale
city line around here. Once we get down into the lower
part of Glendale and the lower part of Phoenix, you run
into a lot of other AURs, Hispanic AUR, the Indian
Reservation. We weren't able to respect the city AURs
here. Given the size of Phoenix, some division is
required. We attempted to achieve communities of
interest.

We stayed out of Scottsdale over on the
east side and put that together with some of the equally
fast-growing suburbs to the north.
This is probably the simplest to describe

district, compact, very densely populated, a small area,
doesn't cross counties. It only splits Phoenix which
has to be split from Glendale.

One alternative has to be discussed which
we looked into. Some proposals were received from
communities groups and adjusted -- it took this arm here
we had in our proposed district, flattened that out,
made this the blue district here which stretched across
Phoenix. It does reduce the Hispanic percentage of the
district slightly; however, this district remains a
majority Hispanic district, remains a Hispanic district
which you saw in some plans. We did not want to do it.
We did want to achieve what the Hispanic goals asked to
achieve, one thing for the Commission to achieve.

Let's move on to District C, the Navajo
east counties.

It was an attempt, as I'll discuss, both
to put together the Native American communities of
interest and to make a rural dominated Congressional
District. And I'll describe what our thinking was in
the definition of rural.

We're certainly open to input of the
Commission on the definition of rural or changes to the
district.
So you see the district starts in the north with the Navajo Tribal Reservation, comes down, takes in Flagstaff, takes in Verde Valley, all the Navajo County, Apache Counties come down here, includes Gila County, and the two tribal reservations over here, and then uses the county lines down here.

There is one county split you see here, the San Carlos Reservation where it stretches down into Pinal County.

Most county splits are the result of tribal reservations that stretch across county lines.

Then, that area, I think, is pretty naturally considered naturally rural; however, it is not in populationally in equality with Gila.

We looked into Cochise south. Once we looked into the Native American tribal reservations and the rest of this rural area, Cochise had too many people to do that. We went west to northern Pinal County and eastern Maricopa County. And here we wrestled with how to do this.

You see we respected the Scottsdale City line, went north from Scottsdale to the county line down here to the tribal reservations. We wanted to include it with the tribal reservations in this district.

This line we arrived at fairly quickly.

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Down here is where we ran into population with the border. We described other borders. This is the other border where we needed to get our population. There was considerable testimony reviewed about Apache Junction.

While this is obviously, as you know, a fast-growing area, it does at this point have somewhat of a rural character, had some rural characteristics. Given a choice of where to go in this area, we felt Apache Junction was a choice to make in that area.

These areas of Mesa are also very fast growing. And we're very reluctant to include them. We do have a population equality requirement. These areas are not densely populated. That may change, as you know.

At this point, it does have a lot in common with Apache Junction. So the approach we took was to unify those, Queen Creek down bottom, the issue of Queen Creek, that's one of the cities in Arizona that crossed county lines. It made sense to unify it to the east. So that was our thinking as we drew this district.

We were able to put together and respect a

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number of AURs with this, Apache Junction, the Hopi
Indian Reservation, unite Sedona, united Sedona with
Verde Valley. We did have to split Pinal County. We
were able to respect Scottsdale. We also had a number
of tribal reservations, a full list is included in your
packet.

It also, as I mentioned before, we worked
very hard to minimize city and town splits and to keep
counties together, to keep areas together and in keeping
communities, we went into only splits of Mesa and
Winkleman.

Winkleman, as you may know, is a small
town in the corner, crossed a county line, and that one
we did not split. Those are the only two splits out of
20 plus in that district.

If you go up to District D, the South
Phoenix Congressional District.

This district corresponds very closely to
the northern part of the Hispanic AUR established by the
Commission. It is a strong effort to meet the Hispanic
representation goals that both the Commission set and
the Voting Rights Act. We also looked very closely at
the various proposals from the South Mountain Community
College group and the Coalition for Fair Redistricting
group. So we -- established these lines.

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Up in here, as I mentioned before, we got into a lot of population trade-offs. We did look as well at community input we received from the Historical District and attempted to follow that. As you've seen in past presentations we've made, that district conflicts almost directly with Hispanic communities in the area. It's very difficult to do.

As we drew district lines, we tried to follow district lines one or another group proposed.

This is a good example Dr. Heslop was referring to of the nature of public comment as it comes in the second round. The first round of public comment was the very big picture. Now we will have specific comment. We expect to get a lot of comment on this line here. Should it be a block up. We should be open to that kind of comment and welcome it heartily.

One interesting piece of it is the Avondale leg of it coming down here. We had a great deal of public testimony from various groups advocating Avondale in with this area, the economic political interests with Avondale, and the smaller corner of the jut, smaller City of Guadalupe, had an AUR shared that interests with the South Mountain AUR.

This region is South Mountain. The region south of it is the Ahwatukee portion. South Phoenix,
much input was received that clearly stated the
interests of Ahwatukee and South Mountain did not
include this in the district. The area you see is the
Gila River Reservation, attempting to respect that
border sets our border in this area.

Cities included in this is heavily inked
over on this side. It does pick up all of Tolleson. We
attempted to respect city borders the best we could
within the other principles you set; included all of
Tolleson, all of Avondale. We do have pieces of
Glendale in here.

Glendale is kind of a city on the edge as
one city always is on the edge of redistricting. We
attempted to respect Glendale as best we could,
especially out here where all the pieces are and
annexation lines.

I discussed earlier a potential line the
Commission may want to look at, a potential tradeoff.
This line was not the most compact. We've drawn this
configuration. Some of the proposals we have do have
more compact lines, small, but it does keep a Hispanic
voting district.

The next district is E, the east suburban
city. This is a very odd-shaped district driven by the
characteristics of this community.
We have, starting at the bottom, the Ahwatukee area I discussed, which is growing rapidly, has been growing rapidly. We have respected Tempe's border and have incorporated it. We do leave out the City of Guadalupe, then go up and follow the Scottsdale line, attempt to keep Scottsdale together. We also looked at where to go up here. And the thinking that we employed on this, all areas are fast growing, shared issues of growth, recent development, and incorporated them on that.

We worked down into Phoenix, worked toward population equality. This area shares population growth with this area. This population was driven by equality. Down in here, this jogging is both driven by population numbers and by an attempt to respect the Historical District and the South Mountain Coalition as much as we could. Did not have a lot of input that directly addressed it from this neighborhood, but that is the direction we took.

One thing here down in Ahwatukee, we do end up splitting the Ahwatukee area, which is enclosed entirely with Phoenix.

This arm from the Southeast Valley Congressional District comes over into Ahwatukee. The tradeoff here is to unify this in a number of different
ways. But they, generally all lead to division of Chandler. This way we're able to unify Chandler entirely in one district. That's the tradeoff. That's the east suburban Congressional District.

District F is the East Valley Congressional District. This was another another much discussed Congressional District. All the districts in the East Valley really start with the Indian Reservation line in the north.

You may notice, it's noted in the packets, the Census information actually is incorrect in actually where the reservation line is. We were able to confirm, have a map from Maricopa County, the reservation does not cross into the city line of Mesa. We were able to respect the reservation border and city line border. We took the majority of the city border, we lose these parts I discussed earlier, go down through all of Gilbert and all of Chandler.

This arm to the west, the weird looking, this is Chandler, as long as the arm is out there, when needed to pick up population. The tribal reservation is here. City lines are over here. City lines are over here. We went into the already split Phoenix to find population.

As I described by the various borders of

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that, this district is fairly limited.

One option we looked at is an option to unify all of the Ahwatukee area with Chandler. That can be done by a more severe split of Mesa where the Scottsdale Tempe District and east into Mesa and pick up population while the Chandler District is no longer here. Things are possible that the Commission may want to consider.

Next and second to last, we have district G, the border rural Congressional District. This is actually one of the first that we drew. It's a much discussed and well-defined AUR. It includes all Yuma County.

You see the blue line is the grid district split right through the county and towns, cities and area. We unified that area, came over here, unified the Tohono O'odham Reservation by the grid split into four pieces, unified the arm, the noncontiguous arm here, the only place not in the district, the tiny dots here, small ranges, I believe, north of Gila Bend that in the testimony were not the focus of the community by any means. We'd love to unify it if possible.

We did reduce the splits from the majority unified. We also unified it with the Ak-Chin Reservation up here and Gila River Reservation.
We have significantly reduced the influence on the Native American Reservation in this district. We put it together with the Hispanic community in the area. As you know, we have the Casa Grande AUR. So we take in that community. As a whole, that AUR is unified.

Go into Santa Cruz County, unified that as well on that outline. We also had an AUR, the I-19 corridor. With respect to that, the only split of that AUR is Green Valley. We did have testimony that Green Valley encompasses the north and east. Then with respect to west and south, when it came time to draw, that was the logical place to draw that.

In Tucson, testimony was clear and fairly unanimous the grid dividing line ran northeast to southwest. It was not the logical division of the Tucson area, nor did it respect communities of interest. So our first step was to switch that to a more, I guess, a dividing line more in line with the expressions of the citizens of the area, move it more from a northwest to southeast division. This also unified the Hispanic communities in these areas in respect to the AUR, Hispanic AUR, ordered by Commission. We did a lot of work, not perfect work, intermixing areas here, worked very hard in respect to intercity lines, the intercity

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lines in Tucson.

One of the things I should point out on the maps, in areas you are very familiar with, the cities, towns, places, places are unincorporated areas defined by the Census and local government areas as communities. So areas like Summit is a designated place. We, when we could, respected the Census data designated 12, as those do not enjoy protection as official designated towns. We did not protect those places like cities in splitting those places.

District G, it's just over 51 percent Hispanic population, a majority Hispanic District. It, along with the majority Hispanic Phoenix District, South Mountain area, more or less follows Hispanic AURs as developed by the Commission.

Our options for division in this area, we looked a lot at Pinal County, how this was done. Obviously we'd love to unify Pinal County. Options are fairly limited in this area by the Hispanic AUR. Any attempts to move more into Pinal or more into eastern Tucson rapidly dilute this percentage, in Tucson, saying this line made no sense, that there could, we certainly realize, in testimony, could be testimony of a better spot to draw this line within that area, and we certainly expect public testimony on exactly where that

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line should go and obviously welcome testimony from the
public.

District H, the final district, eastern
Cochise District, 110,000, 120,000 people from Cochise,
and roughly the Tucson suburbs extend up into Pinal and
other parts of Pinal into here. The line drawn to
respect city borders whenever possible and within the
city of Tucson and the Hispanic community and need for
equality, despite all the jumble of towns and annexation
lines, as bad and difficult to incorporate as they are
in Maricopa, they are still the same issue we faced. We
do only split two cities.

I'm not sure Santa Rita in the south wraps
around Green Valley. Only two percent of the city's
population is down here. That was divided for
compactness to accommodate Green Valley and then split
Tucson. That district is 25 percent total minority and
only 17-and-a-half percent Hispanic. You see the
tradeoff, how rapidly this line is, as any adjustment is
made to that line, because of the already-defined
community of the Hispanic AUR.

So that concludes the introduction to how
we drew these lines.

DR. HESLOP: Mr. Chairman, you have in
your binders full detail on the adjustments to the grid

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that were made as each of these districts was developed.

We made careful notations on the adjustments. You also have on in your binders the notations on the changes to AURs.

DR. ADAMS: Mr. Chairman, Commissioners, thank you, Doug, for going through the maps for us. We do have broad maps take a closer look at alternatives that Mr. Johnson mentioned. And you may wish to explore these concepts prior to engaging in your general discussion. It is at your pleasure. We'd be happy to share those with you prior to your general discussion.

COMMISSIONER MINKOFF: Alternative maps?

CHAIRMAN LYNN: Not alternative maps. I understand there are alternatives within portions of the maps in terms of where maps might be moved.

DR. ADAMS: Correct.

You'll notice at the end of each narrative in the binder a section for alternative sections, broad, at the Census tract level, just giving you a sense of what the implications might be of such a move.

COMMISSIONER MINKOFF: If you show us, if you demonstrate such a change, you also have the information as to how it affects district by district?

DR. ADAMS: We can share some fairly broad
general statistics.

CHAIRMAN LYNN: Mr. Huntwork.

MR. HUNTWORK: Alternatives mentioned in the presentation, alternatives mentioned in the presentation are not necessarily the ones I was interested in exploring. So my reaction is it might be a waste of time to do that en mass. There may be individual ones we'll want to do. I think we ought to see what direction we're heading before we take the time to do that.

CHAIRMAN LYNN: Other comments?

COMMISSIONER HALL: I agree with Mr. Huntwork.

CHAIRMAN LYNN: It seems to be a consensus to engage in discussion of alternatives you have. If that fits in the discussion, you might want to show alternatives we want to try ourselves.

DR. ADAMS: Mr. Chairman, Members of the Commission, that's fine as well.

CHAIRMAN LYNN: Since this has never been done before by an Independent Commission, and since the methodology we're using is very public, the next phase of this is going to be an interesting experiment for all of us.

We're going to engage in discussion in

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perhaps some broad general terms. At some point we would want to invite, I think, additional public comment specifically on the Congressional Districts as presented and then engage in further discussion by the Commission and specific direction to the consultants of what we'd like to see redrawn or recalculated based on what we'd like to make.

Does that methodology sit well with the Commission or would you like to do it some other way?

All right, then, why don't we begin the discussion.

If we may have -- to the extent we can turn some of the lights up, without destroying all of the ability to utilize the map, we may want to do that.

If we may, I wonder if we can at least partially -- partially close that outside door so we don't get the glare.

At this point the Commission would start discussion of the map, Congressional mapping, as presented by NDC with respect to how that map might be altered. I ask we try as best we can to give that direction with a goal in mind, or principle in mind, that we be directed by that principle to make a change to the extent that is applicable.

Who would like to start?

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COMMISSIONER HALL: Mr. Chairman, should we start in linear fashion?

CHAIRMAN LYNN: I'll take anybody that is interested. It's tough to be first.

COMMISSIONER HALL: I'll be first, since nobody else will.

As we discussed at the last meeting, with respect to three area principles of communities of interest, as I recall, they were the Hispanics, and Native Americans, and the rural. And my recollection is we instructed the consultants to provide us with one rural district completely outside an urban area. With all due respect, Apache Junction and Mesa might consider themselves rural, but they're not. Therefore, I request we reissue the directive that we -- our consultants come back with a proposal of one Congressional District that is entirely rural.

Is it necessary, Mr. Chairman, I make the same motion, again?

CHAIRMAN LYNN: No.

I think in terms of offering specific direction to the consultants, I think it is useful to do it by motion.

COMMISSIONER HALL: I make the motion again.

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CHAIRMAN LYNN: Is there a second?

COMMISSIONER HUNTWORK: I'll second it.

CHAIRMAN LYNN: Thank you, Mr. Huntwork.

Discussion.

Mr. Huntwork?

COMMISSIONER HUNTWORK: I voted against this motion. I may do so again. But I want to validate Mr. Hall's comment. The direction was given. My objection was given. We wanted one clearly rural district. That may be difficult to achieve. And the consultants may have had some good reason why they didn't do it. But the attempt would have certainly been instructive. And I think it should have been done. I would like to see that district. We should make a decision where we might want to go.

DR. HESLOP: Mr. Chairman, I don't know whether it's appropriate. We do have a rough alternative drawn up that may more nearly fit the alternative we were instructed to follow.

CHAIRMAN LYNN: In showing that, would you show why this alternative was included in the plan and other was rejected and is now an appendage?

DR. HESLOP: We will indeed.

Since Doug Johnson was the final author, I'll ask him to speak to it.

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MR. JOHNSON: Thank you, Mr. Chairman.

The alternatives we have here, there is one caveat I should add. These were concepts to see how districts might be considered. They were done at the Census tract level, not as fine-tuned populationwise, and to illustrate one approach we could use, as discussed before, focus in on, to put into more detail, during a recess, if that was something the Commission wishes to do. Chris is switching over the alternatives, so just a second while we bring up the map.

When you see it, you'll see the difficult choices faced by the issues we wrestled with as we tried to draw the districts.

One thing I should note, too, when drawing the districts, we did maintain the split of the Hopi and Navajo Nation. And I'll point out how that change in that direction developed the map.

MR. HUTCHISON: One second.

MR. JOHNSON: What we have is a rural concept that will show a district that stays out of Maricopa County in the north. Because of the use of tracts, it is -- it's to the rural concept.

The Commission wants the rural concept in Congressional.

One thing we should discuss, we have

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faster computers faster than 10 years ago but not as fast as we want.

DR. HESLOP: Discuss why.

MR. JOHNSON: It's not as fine-tuned. I should point out, there is one big Census tract. This is much more compact than it was in the Census tract on the display. So --

Show Maricopa.

MR. HUTCHISON: Don't want me to show?

MR. JOHNSON: There we go.

The differences we see here, there's more of a split of Yavapai County. Again, drawing the Census tract, this tract does go into Phoenix and the urban-rural area. This tract does as well. However, I looked at how blocks were configured and could stay well to the east of it.

One thing we wrestled with is the definition of rural and definition of urban.

We avoided city lines, but clearly the area is fast growing. And it's not, by any means, a perfect definition.

What I looked at in doing these numbers was a 45-mile circle from the center of Phoenix. We drew a district that stays outside of that circle. By use of tracts, it makes it look like it came in, and
potentially could do it.

If we zoom in.

What we end up with, if we retain the Hopi
division here, the division takes in counties, comes
into Cochise, splits more in this area, pulls back way
out of here. You can't follow exactly the division, but
one of the concerns was this district really ends up as
the odd man out and goes deeply into the East Valley,
deeply into Tucson, also.

This is an alternative the Commission
could consider as one of which to address. This
district is also one that follows to the block level.
It can be done. It does result in difficult decisions.

One other thing to point out. North of
Phoenix, what happens here is the north population needs
to shift west. So this district comes very heavily into
Maricopa, goes into a fifty-fifty rural district into a
good two-thirds, three-quarters of the Maricopa
District. But the advantage of that is this area stays
entirely out of this 45-mile circle of Phoenix and
30-mile area Tucson.

COMMISSIONER HALL: The numbers of this
idea, the numbers are correct here?

MR. JOHNSON: Population numbers, they're
off a couple thousand. Taking off block numbers, we
could make it.

COMMISSIONER HALL: Zoom in on the knob there, by Maricopa County. Where does that go in, this notch?

MR. JOHNSON: This notch is Indian Reservation, a tribal reservation. And again, when going down to the block level, instead of here, you go down to here.

CHAIRMAN LYNN: Doug, when you say you used a 45-mile radius, there's nothing magical about that. How did you arrive at 45 miles?

MR. JOHNSON: Nothing magical, there's nothing official defining that radius. That's the radius you need to go to to get out of all city borders. Before you watched city borders, it brings you in close up here, keeps you out in the south. We just stay out the same distance all around the city.

CHAIRMAN LYNN: Other comments or questions?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Another way of creating a completely rural district would be to divide the state north and south. Have you looked at that possibility?

MR. JOHNSON: Not in the detail of this.

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Not without a lot of population shifting. I mean in Maricopa, obviously.

In the northern lines, if you ran north and south, there's 4,000 to 7,000 people in this entire section, just below 7,000 in the Hopi Reservation. I'm sorry, 7,000 in the Hopi Reservation. So you could take out population out, put it with the Navajo Nation, and pick up additional population down here. As I said, fifty-fifty urban-rural population, if you had the original District A, this kind of configuration, A, down below 30 percent rural. That would give you an additional opportunity to enhance the rural nature of this district at the cost of the Hopi Reservation.

This is a good example of the trade-offs we face even when those Reservations are on.

COMMISSIONER HUNTWORK: Mr. Chairman, I'd like to talk very big picture urban as well.

It would be useful to have one of those laser pointers. I don't need it at the moment. We should have them as we discuss these things, questions Josh was asking a moment ago, designating what he was talking about.

All right. The question I want to ask, if talking about rural versus urban, you would quickly figure out where the rural areas lay if you start with
the urban areas.

Let me just give you an example by how many numbers are right in these metropolitan areas. You gain 62 percent of the state population. That is five out of eight Congressional Districts, almost exactly. This map has four, which means that a full district in the Phoenix Metropolitan area has been allocated to otherwise rural districts. So they are less rural than they would be in the Phoenix Metropolitan area, it has fewer urban districts.

If you look at the Tucson area, it has something like one-and-a-half districts. With the split that is being made, there's a minority population in southwestern Tucson that goes off into the -- District G, I guess it's called. If you -- that leaves essentially one-and-a-half rural districts. One of them, one of them is used to complete the Tucson district, I suppose. But what is left over is a rural district, purely rural district, which would consist of much of the northern part of the state, both east and west, comes down a good distance below the point of Arizona. I don't need to have all the magic computers to do that kind of population.

Have you created such a map in theory or could you do so?

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MR. JOHNSON: Down in Tucson, it is very difficult to isolate it because of the nature of the Hispanic community.

What you described in Phoenix is very true and much more possible.

This is very similar to an attempt to do that.

The Hopi is a compilation of the map.

This district, although takes in a large population on the map, is population dominated by the Phoenix area and will be, if you try to keep the Hispanic community down on the southern border of the state. We have done the -- that's where we always start with the big picture behind in this area, as you say, roughly five districts in Phoenix, one and a half in Tucson, and try to allocate around that. What we're into once we found other principles of keep Native Americans together, Hispanic communities together, as defined by Hispanic communities together and districts, it won't be perfect on the map.

COMMISSIONER HUNTWORK: How could you not divide that? We have one Hispanic District in the Phoenix Metropolitan area that wasn't affected by the ideas of the outline, and reservations would all be included in that district.
MR. JOHNSON: In Phoenix you are
definitely right. It can be done similar to this. We
could pull the northwest district in more and bring --
were we not to have the issue up here, could swing
around, have more to the north.

In Tucson is where we run into problems of
the Hispanic area definition, separate communities. In
Phoenix, we have the attempt, as this was attempted to
do.

COMMISSIONER HUNTWORK: This has not
attempted to do that. There are four districts in the
Phoenix Metropolitan area.

MR. JOHNSON: This keeps mid-Phoenix as
one, South Mountain as one, the four, and increases --
instead of what was detailed in the maps you've seen,
touching the edges, green edges was --

Chris, zoom in on the area.

See, it comes all the way over to Cave
Creek. This dividing line could be drawn down here as
well, depending on the interests of the Commission or
direction of the Commission.

This takes in almost all of the West
Valley. It's almost all a West Valley district except
for the portion of Glendale included in there.

Population could be traded here and here. This is to
trade off population here and here. It doesn't
illustrate population here and here. It's to
illustrate.

COMMISSIONER ELDER: Mr. Chairman.
COMMISSIONER HUNTWORK: Yeah.
MR. JOHNSON: My -- it would be more in
lines of direction of the district. We could do that.
Essentially you'd lose population here in the far north
and focus it entirely down there.

Does that answer your question?
COMMISSIONER HUNTWORK: It does.
It just seems to me, in struggling to
divide rural and urban, that's one alternative that we
need to look at.

CHAIRMAN LYNN: Mr. Elder.
COMMISSIONER ELDER: Chris, could you zoom
back in on what I call the West Valley, a little further
back out?

Could NDC give me some idea what the
population of the West Valley, the district there, is it
something like 25, 30,000, or something like 250,000?
MR. JOHNSON: West Valley population?
COMMISSIONER ELDER: The part that's green
looks urbanized there.

MR. JOHNSON: Patching in there, Goodyear
is in there as well. It is -- I have the numbers.

Let's see if this will run it for you.

MR. HUTCHISON: It's doing it.

Selecting all areas in the district within

Maricopa County. There's almost 1,500 in the area of

the West Valley.

COMMISSIONER MINKOFF: Wickenburg, Gila Bend, maybe 5,000.

MR. JOHNSON: Maricopa outside --

COMMISSIONER ELDER: Specifically the area right there.

MR. JOHNSON: The far west Maricopa, not in cities, about 12,000 people in the towns you mentioned, Commissioner.

COMMISSIONER MINKOFF: If you do the entire west portion of the county, West Maricopa County portion of the district, 8, 10 12 thousand people off?

MR. JOHNSON: Once you get the other districts to the east, I would guess -- it's probably four, 450,000 in those towns, off the top of my head. We can certainly run the numbers and get back to you.

COMMISSIONER ELDER: It makes the whole green block controlled by the West Valley, not rural-urban, swing, nothing.

COMMISSIONER MINKOFF: The world's largest

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urban district.

COMMISSIONER HUNTWORK: I said it's a rapidly growing area and will become more urban as time goes by.

COMMISSIONER MINKOFF: A is not a rural district. The only semi rural districts on the map are C and G. Neither are semi rural, have portions of Phoenix areas, and G is a portion Tucson.

COMMISSIONER HALL: The rural -- the river AUR is disenfranchised.

COMMISSIONER MINKOFF: The river AUR isn't large enough.

COMMISSIONER HALL: Therefore, by reason of this, it's disenfranchised.

MR. JOHNSON: Mr. Chairman, if I may, the information in the corner, there's 418,000 people in that district in Maricopa County. In this configuration, what the concept I was looking at when I did this was we were making a northeast district pure, but definitely the northwest district loses it's urban character completely. Completely.

CHAIRMAN LYNN: Do you wish to remind us of the motion or redirect to create a purely rural district for the sake of discussion?

COMMISSIONER MINKOFF: Look at District C,
see what portions of that district are in Phoenix Metropolitan area?

COMMISSIONER HALL: It goes clear to Greenfield, if I'm not mistaken. Superstition Mall is in there.

MR. JOHNSON: East Mesa?

MR. HUNTWORK: Doesn't it go to --

MR. JOHNSON: It was done quickly on the Census tract level.

COMMISSIONER MINKOFF: District C --

MR. JOHNSON: The original plan?

COMMISSIONER HALL: She wants to know how much it goes into the urban areas.

MR. HUTCHISON: Into Mesa.

COMMISSIONER ELDER: While waiting for the map to go up, it appears there's enough population in the West Valley to -- or West Maricopa County, if we go all the way over to the county line, with that population and the population outside the area in Mesa and the East Valley, it would mean shifting all, you can't connect all those together, it appears there's enough for another Congressional District. And that would resolve a lot of problems we have with the eastern district being all the way into the entire Scottsdale and western district, being urbanized. So it's

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something that, just looking at it, trying to find
numbers, east and west, to see just where we could end
up in trying to attain the rural character of those two
areas.

COMMISSIONER MINKOFF: It seems to me all
of this came about, if you look at population
distribution of the state, we can make in the state five
Congressional Districts entirely within Maricopa County,
excluding maybe Indian Reservations, may cross county
lines, and adjustments may need to be made for that,
could make a case for five Congressional Districts in
Maricopa County, don't take into account anything else
than three districts in the rest of the state.

We made a decision to separate the Hopi
and Navajo. We made it more difficult for that. There
are only three districts for the rest of the state and
Tucson. The Tucson area has too much population just
for one district. There is going to be at least two
districts that include a portion of the Tucson area.
Then we have to have outside Maricopa County two
districts with a southern component. Then we have
either one northern district, or if you split the Hopi
and Navajos, as we decided to do, with good reasons, you
create issues that it either has to link up with
Southern Arizona and Tucson or, as they've done, with

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Maricopa County. I think that's where we're seeing the issue arise.

COMMISSIONER ELDER: My sense is we haven't really looked at alternative ways of maintaining the Hopi-Navajo separation and developing districts, that there is no reason that map has to go west. It could go south.

COMMISSIONER HUNTWORK: What?

COMMISSIONER ELDER: The Hopi, the district to the west, to go south, could go into the Navajo, separate -- there's testimony they did not want to be separated, White Mountain Apache did not want to be separated from the Navajo, did not to be separated, be divided horizontally like the Navajo had in their original proposal, coming down the two lands the Hopi have acquired in the central part of the state now. In my understanding, it is being asked to become a part of the Hopi Reservation. If that is in effect reality, maybe we should look at a horizontal as opposed to vertical separation. I don't know if we've had discourse as to whether that may or may not work.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I was going to say, as Commissioner Elder did, the Navajo plan, essentially, as representatives were planning to provide
a copy of, is essentially a vision of the state, a truly
rural district in Northern Arizona, North Maricopa
County, and shows very graphically how it is laid out.
It truly would require a significant extension north to
connect to the Hopi Reservation. I cannot recall which
we would be doing, in any of these plans, to have
significant extensions, obviously, for the sole purpose
of connecting the Hopi Reservation to something else. I
can't recall whether we are legally required to have
contiguous districts.

COMMISSIONER HUNTWORK: Yes.
COMMISSIONER MINKOFF: Yes.
COMMISSIONER HUNTWORK: I know one of the
goals of 106 is contiguous, compact districts, to the
extent practicable. And the other is to reflect
communities of interest, to the extent practicable. If
they are truly of equal weight, then my question will be
do we not have the discretion to create a district which
is not compact and contiguous.

CHAIRMAN LYNN: Well --

COMMISSIONER HUNTWORK: In order to
reflect the community of interest we consider to be
significant.

CHAIRMAN LYNN: I don't know whether
counsel wants to weigh in on that.
COMMISSIONER HUNTWORK: We need an answer shortly if we head in this direction.

CHAIRMAN LYNN: I'm struck by the logic of the argument. But not being a lawyer, one of the few who isn't, I'll defer.

Mr. Hall.

COMMISSIONER HALL: I want to clarify. I don't think this Commission has made a decision with respect to the Navajo-Hopi issue. I think we made a direction and start there. That was the direction, to start there. I don't know, in my mind, maybe I'm the only one, I don't know if that's still a decision still we need to discuss and analyze.

I'm concerned if we sacrifice, if you will, for lack of a better word, all of rural Arizona in an effort to accommodate in a way a situation nonetheless difficult, no less it is a real issue, but I wonder if the needs of the multitude may well take precedence over the needs of a significant and less number of people.

CHAIRMAN LYNN: And I think your point is well taken, insofar as what we've given so far as preliminary instructions for mapping, and the results of preliminary instructions are what we're reviewing today, if indeed we believe instructions will be more

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beneficial to the people of the state, to issue those
instructions and give instructions for the map,
notwithstanding the legal response coming, that's
coming.

COMMISSIONER HUNTWORK: With respect to
the motion, there are two approaches to a district, one
along the lines that is here now, and one along the
lines suggested by the Navajo plan.

CHAIRMAN LYNN: In other words, another
way of putting that, one which maintains the separation,
maintains the Hopi-Navajo separation, and one that does
not.

COMMISSIONER HUNTWORK: One that divides
the state east-west. In order to do so, one divides the
state north-south. I don't believe the Hopi, Navajo are
involved in either of the issues. Personally, I think
we can deal with that either way, if we choose to do so.
That it's not a driving factor or nor will it preclude
us from taking it into consideration either way.

CHAIRMAN LYNN: Looking at a north-south
versus east-south orientation.

COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: Mr. Hall, maker of the
motion, want to deal with that?

COMMISSIONER HALL: I'm willing to amend
CHAIRMAN LYNN: Let's assume that motion is amended.

Is there further discussion on the motion?

COMMISSIONER MINKOFF: Mr. Chairman,

before we vote on that, could you just restate it so we know exactly what the amended motion is?

CHAIRMAN LYNN: The amended motion, as I understand it, is to direct the consultants to show us a representation of the Congressional Districts which includes a purely rural district that would be attempted to be drawn in two ways for the purpose of review. One would be with a division of the state horizontally, north-south, and another with a division of the state horizontally, east-west.

That's my understanding of the motion.

COMMISSIONER HUNTWORK: That's my understanding as the seconder of the motion.

CHAIRMAN LYNN: Dr. Adams.

DR. ADAMS: Mr. Chairman, Members of the Commission, we'd clarify, in both attempts, we're still keeping the Hopi Nation divided from the Navajo Nation; is that correct?

CHAIRMAN LYNN: The motion doesn't speak to that at the moment, and, therefore, unless someone
wants to further amend the motion, the direction you are getting is to attempt a rural district with those divisions in mind.

COMMISSIONER HALL: Is it possible to get four alternatives then?

DR. ADAMS: Yes, sir, that's possible.

CHAIRMAN LYNN: I'd like to look at alternatives, dealing in all cases, sometimes, with competing, sometimes with a great deal of differences, and sometimes make decisions on which one is best or better, or even marginal alternatives. Those decisions have to be made.

Ms. Minkoff.

COMMISSIONER MINKOFF: They'll ultimately have to approve public comment drafts that include the entire state.

My question to NDC is it be passed, a motion giving instruction to prepare new totally rural Congressional Districts, would that include the other seven districts as well? Would you give us a complete map of the State of Arizona incorporating these changes?

DR. ADAMS: Commissioner Minkoff, Members of the Commission, we could do that. We would need some time to work those up, so -- at the Commission's pleasure, we would be happy to do that.

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I'm going to get an estimate from staff.

I am told we could probably provide that in a couple hours, provide at least a rough cut of those concepts.

COMMISSIONER MINKOFF: From my point of view, it doesn't do us any good just to look at just one isolated district. We've looked at one isolated district, and it made a lot of sense. It's when we tried to combine them with other considerations we've run into challenges such as we're discussing right now.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I obviously propose, obviously, from what I said, what happens when we try to put five districts into Maricopa County. I do put that into the question.

I was saving that for a separate motion.

I respectfully will try to make it immediately after we vote.

CHAIRMAN LYNN: What we need to do at some point, we need to keep a running track of the amount of work we're asking the consultants to do, a time estimate to complete the work, and recess to see the full value of the amount of work we're asking them to do, try to do, the linear work in this session, coming in and out of session so much. It may interrupt the flow of our
discussion in an inappropriate way.

Try another way.

Mr. Hall.

Dr. Adams.

COMMISSIONER HALL: Call question.

CHAIRMAN LYNN: Dr. Adams, a question?

DR. ADAMS: Chairman, Members of the Commission. The point is well-taken. There could be other things that come as a result of discussion that affect other areas of the map. I think if we take all of those into consideration, and in trying to address them, each problem in the four maps, so when we come back you'll have something fairly close to what you have, that would be best.

CHAIRMAN LYNN: And if you would, try to keep a running tab on what we've asked you to do.

Is there further discussion on the motion?

Mr. Elder.

COMMISSIONER ELDER: Discussion only from the point of view I believe it efficient for EDS -- excuse me, NDC and others, after the vote to give additional considerations or criteria we're looking at, some of the things I addressed, a personal thing I'd like to see, what are the ramifications. It may come out in this iteration. I'd like to have chance to say

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would you consider these things also when looking at
this in a purely rural district.

COMMISSIONER ELDER: Before we recess?

CHAIRMAN LYNN: We'll recess much later in
the afternoon.

Mr. Huntwork wants to make a motion on
five districts in Maricopa County. You may have others.
I may have others. We'll try to get them all on the
table for NDC to have a full evening of activity or full
night of activity, or whenever.

COMMISSIONER HALL: I just think it's
important to move a piece at a time. That's what I'm
intending to do.

COMMISSIONER HUNTWORK: I accept that as a
second.

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

COMMISSIONER ELDER: Call the question.

CHAIRMAN LYNN: All those in favor of the
question motion, say "aye."

(Vote taken.)

CHAIRMAN LYNN: Chair votes "aye."

Motion carries unanimously.

Mr. Huntwork.

COMMISSIONER HUNTWORK: I'd move we ask
the consultants to present a conceptual Congressional map for the Phoenix Metropolitan area, not necessarily Maricopa area.

COMMISSIONER HALL: Second.

CHAIRMAN LYNN: Discussion?

COMMISSIONER HALL: This may be an appropriate time to raise this issue.

Am I correct in understanding by creation, do I understand correctly, what I heard is in creation of Congressional Districts, competitiveness was not part of the consideration; is that correct?

DR. ADAMS: Commissioner Hall, that's correct.

COMMISSIONER HALL: I'd ask as we go through this process, folks. No question, as we've heard, competitiveness is one of the requirements of 106. And versus have them compact, which is lines, I'm suggesting that in creation of new Congressional Districts we're proposing, that also be a proposal for consideration.

I'm asking, this would be speaking specifically to Mr. Huntwork's motion, if you start, for example, at the bottom of the blue District C, and you do a horseshoe all the way around to Parker -- that is the community over here, right? Is that Parker?
MR. HUTCHISON: Right down here.

COMMISSIONER HALL: I think that there is more population than one district in that, correct? I guess my question to you is that in proposing five Congressional Districts within Maricopa County, what do you do with whatever remainder there is? There's more people. I don't mean Maricopa and Maricopa alone is sufficient. What do you do with what Maricopa has left?

COMMISSIONER MINKOFF: Maricopa has pretty close to it. The population of the state is a little over 5 million people. Maricopa has a little in excess three million people. Give or take very small numbers of people, it has five-eighths -- three-fifths. It has in excess of 60 percent of the population of the state. Five districts, you need 62-and-a-half percent of the population of the state, close to it. For five districts in the county, some areas extend to other areas of the county. There are portions of Phoenix population areas that do extend across population lines, Yavapai County, Yuma County, et cetera.

CHAIRMAN LYNN: Clarify the motion.

Mr. Huntwork was very clear saying "Phoenix Metropolitan area" as opposed to "Maricopa County area."

COMMISSIONER HUNTWORK: Right.

CHAIRMAN LYNN: Be clear. The motion as I
understand it, the Phoenix Metropolitan area, we should attempt to draw five districts in that area.

COMMISSIONER MINKOFF: Right.

CHAIRMAN LYNN: Do I understand the motion to say wholly contained in that area or dominant?

COMMISSIONER HUNTWORK: The motion is to the extent possible contained within that area.

CHAIRMAN LYNN: I just want to understand.

COMMISSIONER HUNTWORK: If a percent is outside, we have to go outside, but try to keep it where it goes.

COMMISSIONER HALL: Well, where again, what do you do with Parker?

COMMISSIONER MINKOFF: What do you do?

COMMISSIONER HALL: The question is what don't you do with it?

COMMISSIONER MINKOFF: The problem, like I say, La Paz County, relates not to this motion but a previous motion. NDC will have to come up with an answer. We told them we want one completely rural district and also told them we want to separate the Hopi and Navajo communities. And in order to do that, they're going to have to do something other than what just straight population would have them do, taking AURs into consideration. They'll have to figure out what to
do with Parker regardless of the Phoenix Metropolitan area. That was affected by the previous motion more than this motion.

COMMISSIONER HALL: The previous motion, Parker, given the example, the current configuration, go across west, that's why it's taken the communities, for example, the four proposals we requested out of NDC, that's Parker. That's my question, is given your motion, given the Hispanic AUR of the southwestern part of the state, what do you do with the community? I don't think it's even possible for your motion to occur, given the geography of the state.

COMMISSIONER MINKOFF: It seems as I recall public testimony that occurred, many people both in their testimony and citizen input forms filled out referred to the State of Maricopa and said basically, not just people in Maricopa County, concerned about their representation, people outside of Maricopa County, were saying don't put us with Maricopa County. If you do, we'll be dominated by Maricopa County. While we have to deal with communities like Parker and find district that work for them, I don't think it's going to be in Maricopa County.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Commissioner Hall,
I think that the question really is can you do -- is there enough to divide districts in the Phoenix Metropolitan area.

Perhaps our consultants have those numbers handy.

When we look at -- in our presentations we did during the initial round of hearings, we had a chart that showed the population of the state. I took my calculation off those numbers, basically, as a way to make a rough percentage of the total population of Maricopa County. The number I came up with was close to 62 percent. Perhaps we can verify that right now. If it doesn't work, we'll see what the result is. I think that this has an appreciable chance of making Parker something other than the rest of a Phoenix district, which is what it appears to be in that map, along with every other city along the river. They probably didn't think of themselves as being part of Phoenix.

CHAIRMAN LYNN: Dr. Adams.

DR. ADAMS: Mr. Chairman, Members of the Commission, we do have some numbers Chris would like to share with you.

MR. HUTCHISON: Maricopa County, but the county itself has about 3.07 million people, 3,072,140. The ideal size is 640,321. Multiply that times five,
that's 3,206,645, which essentially means Maricopa County itself is 134,496 over five Congressional Districts. There is additional population, if you look at areas of Apache Junction, Casa Grande. Those areas are just about that size 135,000, people. That's where you are looking in terms of the outer reaches of what you might consider the Phoenix Metropolitan area, where population could be. There is not just enough within Maricopa County.

CHAIRMAN LYNN: I want to say something about the motion. I'll try to express why. The prior motion which dealt with trying to correct what we felt were specific instructions to consultants in terms of mapping that were not achieved, that motion in its four iterations gives us an opportunity to explore ways we might be able to get to that specific instruction which we had given them.

My concern about this motion is that it gives a brand-new instruction without regard to any of the impact to the rest of the state which had not previously been given.

I'm not suggesting we shouldn't give new instruction today, but I'm not sure on the pure basis of population, with the numbers being what they are, that this particular motion is going to be in any way useful.
That is my personal opinion, that what we will find is those numbers are correct, that we could make four and a fraction districts in the Phoenix area, if you did that in the most compact way possible, you'd still, in order to achieve the rest of the goals in rest of the state, need to do something different from that to make all eight fit together.

On that basis, it might be an interesting exercise but not particularly useful.

At this point, I'm not sure I can vote for the motion.

Mr. Huntwork.

COMMISSIONER HUNTWORK: The sole intent of motion was to build on a previously approved principle, separating urban and rural. We have basically something like 4.8 districts, even with those numbers, 120,000 short, 641, so very close to five districts in Maricopa County alone. And that's a good way of separating, looking at a way of separating the urban from the rural. It isn't a map we're asking them to draw but consistent with the principles we're asking them to recognize.

I want to see where it goes, at least. It may turn out to be the cornerstone of how we do it or may turn out to be just an idea to throw by the wayside.
It seems promising to me in the big picture perspective. It's certainly a question of where we get the population that is key, that you we get the question of perspective as the dominating key. We're concerned now that one seems like it probably does more damage to the rural-urban split.

CHAIRMAN LYNN: Further discussion on the motion?
If none, ready for the question?
All those in favor of the motion, signify by saying "aye."

(Vote taken.)
CHAIRMAN LYNN: Opposed, say "no."
(Vote taken.)
CHAIRMAN LYNN: We'll call for a roll call with the division.

Mr. Huntwork?
COMMISSIONER HUNTWORK: "Aye."
CHAIRMAN LYNN: Ms. Minkoff?
COMMISSIONER MINKOFF: "Aye."
CHAIRMAN LYNN: Mr. Hall?
COMMISSIONER HALL: "No."
CHAIRMAN LYNN: Mr. Elder?
COMMISSIONER ELDER: "No."
CHAIRMAN ELDER: Chair votes "no."

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Motion carries three to two.

Ms. Minkoff.

COMMISSIONER MINKOFF: Competitive districts.

I understand competitiveness is not taken into consideration, competitive districts. Looking at them at the Congressional level, I think Proposition 106 requires us to create competitive districts, if we can do so. I believe by shifting population, this is doable.

I would like to propose we request the consultants in redesigning the eight Congressional Districts that at least three of those districts have a division of population between the two major parties of no more than about five percent.

CHAIRMAN LYNN: Is that in the form of a motion?

COMMISSIONER MINKOFF: It's a motion.

CHAIRMAN LYNN: Second?

COMMISSIONER HALL: Second.

CHAIRMAN LYNN: Discussion?

COMMISSIONER MINKOFF: I made the motion.

I think this is probably one of the most important things we can do for the people of Arizona. I may be concerned my rural interests be represented or my

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urban interests be represented or my particular AUR has representation, but the most important thing to me as a resident of the State of Arizona that my vote matters. I think that in order to empower people when they go to the polls, the best thing we can do is as much as possible to create districts where votes can mean, when people go to the polls at the -- on the general election day, that their vote matters, that the issue has not already been decided in the primary. It would be wonderful if we could do that in all districts. We cannot comply with all the other requirements of Proposition 106 and cannot comply with all the realities and requirements of 106. To the extent possible Prop 106 requires we do this, we'd be in violation of the requirements 106 if we do not do this as long as we can achieve all the goals in 106. That's the purpose of the motion in drawing these districts, that party registration be a factor in three districts, that we make an attempt to have them be competitive, arbitrarily defining competitiveness as no more than five percent.

COMMISSIONER ELDER: Competitiveness, what the five percent is based on, is it registration, is it where voters voted, 18 plus? What categories are you using to define --

COMMISSIONER MINKOFF: People below 18 are
not defined as Democrats or Republicans. There may be
more refined information later on in the process as data
comes in and NDC analyzes data. Right now all we have
is party registration, and we've got it in figures we
received today. We do have party registration figures.

COMMISSIONER ELDER: I agree it's
important, but I almost believe we're premature in
trying to attain that goal, trying to attain major
concepts of how the state fits in. So my sense is that
we should give direction to NDC to, if, when possible,
when looking at this, report back to us the data in each
one of the four plans we approve or have authorized them
to do now so we see what the balances are based on 18
plus registration. But to go in there and try to assess
that now, and also take the time now, and the delay,
before we're able to debate, discuss other issues with
plans returned, I'm afraid it would take so much time
we'll not be able to achieve our goals by the end of
Sunday or Saturday.

COMMISSIONER MINKOFF: I'm trying to get
as much done before we go out for public comment as
possible.

CHAIRMAN LYNN: Ms. Hauser or Mr. Rivera.

MR. RIVERA: My turn.

I want to make the Commission aware, as

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discussed before, we do not have the raw material available to make a determination on what is competitiveness. That's something the Commission will be looking into from the state and also material from some experts we've hired. They're making a determination on competitiveness. Without the determination, what it is --

COMMISSIONER HALL: I thought we received raw data yesterday.

MR. RIVERA: In terms of raw data, it determines party registration, but it does not tell what is competitiveness or how to determine that in Arizona. In some places, for example, running a Democrat and Republican in Cochise County, there may be substantial competitiveness, and that may be different than Tucson or South Phoenix. The same thing for Tucson. Voting patterns, how people voted, we have to have evidence. We don't have evidence.

NDC is contacting somebody nationwide to make a determination on that.

Also, as part of -- part of the process, we're having to ask for input throughout the state as to what is competitive throughout state for various reasons.

CHAIRMAN LYNN: Mr. Huntwork.

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COMMISSIONER HUNTWORK: Mr. Chairman, I will speak against the motion. I want to say -- I agree to a large extent. We are required to take competitiveness into consideration before we're done. I'm concerned if we don't find a way to try to do it in this round, and in the maps we put out now, we may end up being faced with another complete round as -- as Ms. Minkoff suggested, Mr. Rivera, Mr. Eckstein said, with a big adjustment, and we might need another round of public comment. I'd be loath to complete this process over the next few days without taking that into consideration to some extent in some way.

Having said that, I disagree philosophically with the approach being suggested. It seems to me that our constitutional obligation is to apply the other criteria and then apply competitiveness criteria as an adjusted factor.

We make decisions with regard to Hispanic AURs, rural issues, and so on. We have to carry those before we can take competitiveness into consideration.

And the second thing that then concerns me about the way the motion was stated, when the question of competitiveness was debated in the context of adopting Proposition 106, what I heard was we don't want districts which are so weighted in one direction that

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there is, in effect, no accountability. It's not a question of 60/40, a question of 75/80 percent, so people are there for, to take extreme positions, no accountability. I believe that's exactly what took place. Now the process that is being suggested, whether intentionally or not, would be let's pack some districts so that we can have others that are more competitive. And that I think that's exactly the opposite of what the proposition is telling us to do.

We need to take competitiveness into account so we don't paint ourselves into a corner.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: I suppose to put it into the context of 106 and what we've had all the way through the process is this is the last item considered, and it says "where practicable." I think we should go through and try to amalgamate or reaggregate, if you will, other considerations, see where that leads us, and ask NDC to give us the data by the district so that we can look at it. And then if we can see opportunities to make adjustments, to bring those closer together, that's where the word "practical" comes in. We should do it. To start off now and say let's "start moving lines irrespective of the AURs" or "irrespective of the other conditions of 106 and federal laws," I don't think is

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CHAIRMAN LYNN: Mr. Hall then Ms. Minkoff.

COMMISSIONER HALL: First of all, Ms. Minkoff didn't propose we move lines and place competitiveness over communities of interest or voting rights. Second of all, she didn't say consider it last, list it last; then said consider it not to the detriment of other goals.

We have proposals. Whether we like it or not, some are good. Some aren't. There are proposals out there that have considered competitiveness and kept intact all other goals: Voting Rights Act, communities of interest. And while I'm not so sure, Andi, we should place a specific parameter at this phase of game, I concur with Mr. Huntwork's comment in that respect.

We, folks, do not have option as to whether or not we consider competitiveness. We must consider it. We have to consider at this phase or how else are others going to be able to provide to us intelligent, relevant feedback related to those issues? Granted competitiveness is linear and relevant issue to get our arms around. At least we should place party registration and what data we have to place interest. Consider communities of interest and what consultants told us to do, then say when you draw that map or draw

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that district, show us what it is. If it's way out of
whack, you have showed us what it is. If way out of
whack, make adjustments to show that. Otherwise, we
make ourselves open to a potential challenge stating
that we didn't consider it and, therefore, are in
violation of state law and, therefore, more subject to
increased criticism.

I feel like to the extent practicable we
need to make sure that threshold is unique.

COMMISSIONER MINKOFF: The reason I made
the motion at this point, even though I recognize that
there are a lot of other things that need to be done, is
that we need to approve draft maps by the end of this
multi-day meeting. And in order to do that, I think, as
Mr. Huntwork said, that we must take competitiveness
into consideration.

We do not have all of the data. We don't
have all of the data, quite honestly, to deal with some
of the AURs we're dealing with, because we need some
voting analysis that isn't complete yet and there will
be changes that need to be made.

These are maps we're asking the public to
comment on. At the end of the second round of public
meetings, the changes we make should reflect that public
comment. But we also have an obligation to comply with

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the Constitution, 106, part of the Constitution of Arizona. It says we have to consider the Constitution of Arizona. At the end of the second round of the districts, now we have to consider competitive districts, wholesale lines for districts we've asked the public to comment on. I believe to an extent we can, at this point of the process, but we must consider competitiveness of districts before we take it out to the people for public comment.

NDC told us already with the instructions we've given them they're going to need several hours to react to our instructions and come back with what we've asked them to come back with. We can do it without competitiveness and then give them, without competitiveness, incorporate those instructions with what we're doing.

I'm concerned we keep the deadline set and make sure we're finished by the end of the multi-day meeting.

The purpose of the meeting is not a set hard-and-fast rule. Given the instructions before, sometimes we can't achieve one because of conflicts with one or two. I want them to understand as they redraw these districts, if they take competitiveness into consideration at this point, maybe we don't need to go
back and do it all over again after they've brought it again.

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

COMMISSIONER ELDER: Step back to Mr. Hall's discussion. I agree with him up until last the sentence or last two sentences. We need data that shows what competitiveness is. NDC can redraw the lines based on competitiveness rather than us making decisions and seeing where numbers are and saying: Well, this would work better than that. That's where I'm going.

I believe we should have data each time one map's drawn. Just like I'm adamant it hasn't done any good without streets, county lines, to have no context for what we're looking at, we need registration numbers so we know what we're hooking at there also.

So as long as data is back, so we can look at it and evaluate it, that's one thing, not so we have additional data, that we have to have it now, have to have it during considerations.

We're going to have to have it.

Maybe I'm being very pessimistic, asking for one set of plans. Now it may take two hours, and they'll come back and say that's a plan. When we get done with it, I think there's four or six more

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iterations to go. That puts us into Saturday already.

I'd like to try to get as much of the
discussion based on what we do have an address it for,
understanding the underlying numbers as much as we can,
then for the next iteration have a little bit more
knowledge give the better direction, and each iteration,
more finite numbers.

I'd oppose the motion. I want to see the
data as best we can.

CHAIRMAN LYNN: Mr. Huntwork then

Ms. Hauser.

COMMISSIONER HUNTWORK: Two big points.

Number one, I think that just as a purely logical point,
in order to know that the adjustments we're making for
competitiveness, to not substantially impair the
factors, we need to make best judgment to map out
factors, they need to be taken out of consideration in
as a purely logical function. I know some of the maps
presented purport to have done that, and I accept and
multiply some of the faith in those efforts. We need to
do some of that ourselves. I won't know the baseline
until we've done it.

The second thing, another lead approach, I
apologize, counsel is getting overworked by my question,
I need to say, I intend to personally, personally intend
to take competitiveness into consideration just as if it were a mandatory requirement of Proposition 106. I do think it's the intent of Arizona voters, and I point out, if not mistaken, Proposition 106 shall take into consideration, if I'm mistaken, by the way, I'd like to have, go to church with my Bible here, when here we probably should have Proposition 106 in front of us so we can be sure we know exactly what we're talking about at all times.

CHAIRMAN LYNN: Ms. Hauser.

MS. HAUSER: Mr. Chairman, Jose and I conferred on this over here a minute. We think we have sort of a semantic bit of legal advice that we can offer on this point, and that is that there is a difference between registration figures and making adjustments based on registration figures and testing for competitiveness.

The discussion has been focused on competitiveness and making adjustments on that basis. But at this point, again, because we don't have the data, it is possible for the Commission to see a district that is very lopsided in one direction or another. You can, of course, issue instructions to NDC to make modifications, to make the registration less lopsided, aimed at ultimately testing that for

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competitiveness. But you are not actually making --
when you do that, you are not actually making
adjustments based on competitiveness, given in that
particular area, or in any area of the state, it is
undefined at the moment.

That may assist you in giving some
instruction that there's nothing wrong with making
adjustments based on party registration; but it really
shouldn't be put in terms of adjusting for
competitiveness.

CHAIRMAN LYNN: It seems as though the
difficulty is that we cannot definitively make
adjustments for competitiveness until, for one, we have
more complete data available and, two, we have
established in more detailed terms just a five percent
spread, what we believe competitiveness to be as related
to all that data when it becomes available.

I understand the issue of timeliness. And
the issue here is whether or not that data will be
available and useful to us in a manner which precludes
us from having to make substantial changes to districts
that have been taken out to the public for review.

I think there's a clear difference of
opinion of how substantial changes will be based on the
fact none of us have been there before and made changes

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to this process.

I don't know any more than anybody else how much change will have to occur after the fact. I believe, since we're talking about, in many cases, an ability to take districts around the entire -- take Census tracts around the entire circumference of the district and either move them in or out to achieve that purpose to do so, it may, I stress "may," might not be as difficult as we imagine it to be. My concern is the arbitrary definition of competitiveness.

I do think from this point forward now we have a definition competitiveness, taking into account gross registration numbers, now it's available.

I can't support the motion because it contains a specific, albeit preliminary definition of competitiveness which is incomplete. I don't want to give it definition.

We can give direction when we see the maps whether or not it's in line with what is reasonable, whether they need more work or more analysis or what it should look like.

COMMISSIONER MINKOFF: Mr. Chairman, I hear the discussion. I would like to withdraw the motion and substitute something else to perhaps achieve it.

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CHAIRMAN LYNN: Mr. Hall, will you withdraw the second?

COMMISSIONER HALL: Yes.

COMMISSIONER MINKOFF: Looking at the eight Congressional Districts presented to us, four of them have approximately a two to one dominance of one party over another. It happens to be split two two, two Republican Districts, two Democrat Districts. If I were a member of the smaller party, I'd feel pretty disenfranchised as a member of the smaller districts, four districts drawn up. What I'd like suggest, I do not presume to say party registration equates to competitiveness, but just trying to get us closer, and I understand there will be adjustments made after this plan when we meet after the second round of public hearings, but I would just like to move then that in any readjustment and realignment of districts based on instructions given to NDC by the Commission, that party registration be addressed and considered to minimize wide variations as much as practicable when complying with all other instructions of the Commission.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HALL: Second.

CHAIRMAN LYNN: Discussion on that one?

CHAIRMAN LYNN: In the interests of time,

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not that this isn't a critical issue, it is, we do need
to take a break.

I do want to dispose of this issue before
we break.

I would ask, if we could, for those that
have spoken against the previous motion, if you would
weigh in in terms of your being more or less disposed to
support this one.

If I could ask, Mr. Huntwork?

COMMISSIONER HUNTWORK:  Again, I'd oppose
this motion for the other reasons that logically I would
not be able to determine whether competitiveness
adversely affects other factors until we've taken our
best shot at creating maps that affect the other
factors.  It's a point of logic, and I'm afraid if we do
anything else, it flies in the face of 106.

CHAIRMAN LYNN:  Mr. Elder?

COMMISSIONER ELDER:  I agree, this is more
problematic than the other motion.  I disagree from the
standpoint of the other motion, I'd want to see that and
after that, the making of districts more competitive by
NDC.  It's not something I want to leave to chance.  And
the last part, the last part of the motion is something
I disagree with.

CHAIRMAN LYNN:  I, too, functionally am
finding difficulty with it, how to fully deal with it.
I do want to look at it, want to see the registration
data. How to fully get past the point, I don't believe
we at this point can go forward and fully define it.

Mr. Hall, want to be heard on motion?

COMMISSIONER HALL: My question is when do
you three gentleman want to deal with it? When?

CHAIRMAN LYNN: The question is not up to
us. We don't control the data. When we get all the
data we need. When we fully define the data.

COMMISSIONER HALL: The question is to
whomever in this room can answer the question. When?

CHAIRMAN LYNN: Let's see if Ms. Leoni can
take a chance at it.

MS. LEONI: It's a tough question. I'll
have an answer, one part of it, for you probably after a
break. I have communication to one of the experts who
is assisting on the voting behavior analysis for the
systems on competitiveness as well.

But competitiveness, as Mr. Rivera has
pointed out, is idiosyncratic to districts. And some of
the evidence -- we can have an academic analysis of it
for you of it. But what really happens on the ground is
going to be something that you are going to learn

through public testimony.

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What will be competitive in one part of the state will not be competitive in another because of behavior of third parties, crossover voting, incumbency, quality of candidates.

The answer is we can get you one part of that. Another part of that will come during commentary on proposed draft maps.

Have I misstated that?

MR. RIVERA: If I can add, we'll not be considering incumbency. That's one of the things 106 prohibits. On what NDC will provide you, what competitiveness provides you, you can define, refine that as you go out into general hearings, smaller, sharper definition you have to make when you go out to hearings. You'll have parameters from NDC and EDS when you go out.

CHAIRMAN LYNN: On the motion.

Mr. Hall.

COMMISSIONER HALL: So, Mr. Rivera, as our counsel, what are advising us regarding this issue?

MR. RIVERA: From a legal component, when Ms. Leoni gives you general background, you'll have a general parameter as to what you want to do generally on the competitiveness aspect of it, then refine it and look at it further as you go off to hearings and hear
individuals coming in and hear changes from district to
district and standard to standard. Like any other
criteria, you'll be refining that as you go out to the
community. It's no different from the way you are
judging all the other criteria.

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: That's all I'm
trying to achieve. I don't believe, and obviously
counsel has made it abundantly clear, that we are not
going to be establish competitive districts in the draft
that will go out to the public for comment.

We're also not going to be able to
establish districts that fully comply with all the
wishes that have been expressed until now. That's why
we're going off to public comment.

However, we're making an attempt to come
as close as we can in all other areas, rural divisions,
being sensitive to AURs as they've been adopted.

I understand we don't have racial block
analysis that allows us to do certain things. We also
don't have the partisan voting analysis that our counsel
had talked about. That will allow us to greater define
it.

I want to make sure we don't ignore it in
this stage of the mapping process, that we make
adjustments that we believe come closer to what the end
result is that we're trying to achieve, then go out,
listen to what people have to say, then go out and
readjust the districts. That's all the motion says,
consider it when NDC is coming back to us with changes,
to at least look at how it impacts on party
registration, which is all we have.

I know it does not define competitiveness.
It defines better than completely ignoring.

CHAIRMAN LYNN: Ms. Minkoff, if your
motion, as you explained it, I want to double-check
Mr. Hall if that's the understanding, is come back with
maps that provide appropriate analysis of voter
registration data for voter districts, I agree with
that.

COMMISSIONER MINKOFF: That doesn't mean
anything.

CHAIRMAN LYNN: Correct.

COMMISSIONER MINKOFF: I mean as making
changes to maps, if, without -- not to the detriment of
any of the other things we've asked them to do, which is
the language in Prop 106, also look at party
registrations and level it out some, some, I'm asking
them to do it, if it will work not to the detriment of
other things we're asking them to do, which obviously my
motion nor Prop 106 allows them to do.

CHAIRMAN LYNN: Roll call is easier.

On the motion. Mr. Huntwork?

COMMISSIONER HUNTWORK: "No."

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: "Yes."

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER ELDER: Yes?

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: "No."

CHAIRMAN LYNN: Chair votes "no."

CHAIRMAN LYNN: Motion is defeated by vote of three to one.

(Recess taken.)

CHAIRMAN LYNN: The Commission will stand in session.

Are there additional Members of the Commission that wish to make additional motions relative to Congressional Districts?

Mr. Elder first.

Ms. Minkoff?

COMMISSIONER MINKOFF: I have a question.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: Things we're looking at relating to trying to improve competitiveness

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of the district, are those better held in --

MR. RIVERA: Could you speak into the microphone?

COMMISSIONER MINKOFF: Is this better?

I mentioned things I was looking at, I think might work better in terms of improving competitiveness of the districts in terms creating more diverse districts, whether this is the time to present them or whether I should present them when we have further data.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: Ms. Minkoff, I've been educated over the break.

COMMISSIONER MINKOFF: It's about time.

COMMISSIONER HALL: Evidently, there's more than one.

I feel until we have all the appropriate information that we need, we probably would need to defer that. What I'm hearing, possibly we'd be able to do that in the next day or two. My sense, from Marguerite, today is probably premature. Maybe tomorrow.

MS. LEONI: Right.

COMMISSIONER HALL: It will be Saturday before we have all that data.

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COMMISSIONER MINKOFF: I'll hold off on that. No sense.

CHAIRMAN LYNN: One issue that occurs to me. I know we had a discussion about it at our last meeting last week. And you can see the effect of that discussion is we voted to attempt to draw districts with a separation of Hopi and Navajo for good and proper reasons. I'm wondering if there is not, if it would not be useful to look at the configuration of the districts if that separation were not maintained. By that I mean there are, again, it's compensating factors. But if that separation were not maintained, there would be other benefits achieved in terms of the way that the rest of the state's districts flow. And I'm wondering if we should not explore that the same way we're exploring five Maricopa County Districts, the same way we're exploring horizontal versus vertical separation for a rural district. I'd certainly, at least if another member of the Commission feels the same way, think that's something we ought to explore.

COMMISSIONER ELDER: Is that in the form of a motion?

CHAIRMAN LYNN: The Chair can't really make a motion, but I'd be happy to entertain one.

COMMISSIONER ELDER: I'd make a motion we
should at least look at opportunities that may be
developed by not separating the Hopi from the Navajo.
And I -- I should make that as a motion.

CHAIRMAN LYNN: Is there a second?
COMMISSIONER MINKOFF: Can I ask question
before seconding?
COMMISSIONER HALL: I second.
CHAIRMAN LYNN: Now ask a question.
COMMISSIONER MINKOFF: Congressional or
Congressional and Legislative?
COMMISSIONER ELDER: Right now I'm
referring to Congressional.
CHAIRMAN LYNN: Okay.
COMMISSIONER MINKOFF: Okay.
CHAIRMAN LYNN: Mr. Huntwork.
COMMISSIONER HUNTWORK: Because of the
question I asked earlier, I'm not sure that there is any
substance to the motion. I look -- if, for example,
we're not required to have contiguous districts, then
the effect of separation is very small, because the
population in the Hopi, there is only 7,000 people.
Secondly, even if we are to have contiguous districts,
we don't know what measures might be available to
connect Hopi to other districts, including possibly
north Phoenix would be the closest if we divide north
and south. But we -- in that map that we have, there's virtually no population in the area that connects, so we're talking about 7,000 people. It doesn't seem as if that is a major driving force in the design between east and west, north and south, or anything else.

I am still thinking, in my own mind, that unless there is a legal impediment that I'm not aware of, the Hopi separation is not rightly anything.

CHAIRMAN LYNN: Except if we leave it as an instruction to the consultants.

COMMISSIONER HUNTWORK: Correct. But the sense of the motion was how the other motions we're making are impacted by that. If it's truly just a question of 7,000 people, I'm questioning whether there is any impact.

CHAIRMAN LYNN: It goes back to the issue of compactness and contiguousness. In those two instances, there's clearly a more compact contiguous solution. If those are the only issues you are considering, if you contain the Navajo and Hopi Reservation together in the same district, if you make determination to separate them, clearly you have the situation as we see it, and some resolution, shape the Hopi Reservation where you connect the rest of state, where you connect to the rest of the district, you draw
a threshold you draw for the district where you draw it.

My point in asking the question, because it was such a definitive and critical decision in terms of instructions, was to at least have the opportunity to look at districts that did not have that constraint so we could look at the impact on the rest of the state.

Mr. Elder.

COMMISSIONER ELDER: Yes. I would like to put this in the context of the framing of the motion. I voted for the five districts out of Maricopa County because I think it's something we should take a look at to see what the effects of that decision would be, not that I'm in favor of it. I'd like to see what the ramifications are. I'd like to see what the ramifications of compactness, contiguousness are of the decision we gave NDC, the morphology of, see how modified, if the constraint is not there. I'd like to see what the effect of that would be.

The third thing I'd like to look at, I'd like to take a look at a plan NDC has now to see if we made these modifications, how will that plan look? I want, in effect, to really take a look at three plans, eventually, so that we can have the best information we've got to be able to make a decision.

It may be it's a moot question with the

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Hopi. If it is, great, then we respect things we've
heard in the various meetings.

If we end up with a problem being driven
by that population, then it may be something we've got
to look at and see if we bite the bullet on that issue.

CHAIRMAN LYNN: Further discussion on the
motion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: I agree with the
motivation behind the motion. Personally, I'm convinced
that we can accommodate the Hopis, if we choose to do
so, regardless of the other decisions that we make.

Therefore, I don't believe it drives anything. That's
my personal conclusion. For that reason, I'm going to
vote against the motion. I want to explain that in
advance.

If I felt it was a driving factor, then I
would vote the other way, just to explore, make an
impact.

CHAIRMAN LYNN: Thank you, Mr. Huntwork.

Other discussion on the motion?

Roll call.

Mr. Huntwork?

COMMISSIONER HUNTWORK: "No."

CHAIRMAN LYNN: Ms. Minkoff?

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COMMISSIONER MINKOFF: "Yes."

CHAIRMAN LYNN: Thank you.

Mr. Hall?

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "aye."

Motion carries four to one.

Other discussion on Congressional Districts?

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, I would like to propose we as a Commission go around, either in roll call order or by volunteer, whoever wants to go first, and address issues in the Congressional plan submitted by NDC so that as they make revisions either for the five District Maricopa concentration, or make changes to districts based on the Hopi amalgamation with the northern regions, or whatever it turns out to be, they also can look at issues we as individual Commissioners might have with the plans here. If they can resolve some of them as they go, it benefits us all.

Is that an appropriate process or course of action?

CHAIRMAN LYNN: Let me ask is there anyone

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on the Commission that would object to doing that?

I would, however, Mr. Elder, just want to make sure there are no specific substantive motions we've overlooked, although if something out of the discussion turns into a new motion, if appropriate, without objection, if we may do that, without going into forced order, if someone is ready to make comments, I'd be happy to do that.

Mr. Elder.

COMMISSIONER ELDER: Chris, could we put up the state map with Congressional Districts as NDC proposed them? I'd like to point out areas I'd like to have addressed, point them out on that.

I think, conceptually, I'd like to see, if we can, to have Yavapai County, in effect, made whole. That might mean we need to take Sedona, pull it out of Yavapai County. We heard Sedona did not want to be split down the center of the county or put into Prescott as whole and put into Coconino, I think, is the county to east. Take that portion of Verde Valley, Coconino, which seems to make sense. That's the first one. Once you adjust the map there, the corollary to that, balance it out, it will help with the grid, in one sense.

COMMISSIONER HALL: I'd like to discuss points with NDC and discuss them, or what is your
COMMISSIONER ELDER: I'd like to go down through my list and discuss them or would other Commissioners?

COMMISSIONER HALL: Okay.

COMMISSIONER ELDER: Pile them on, whatever the case might be.

Chris, zoom in on that area, including that tab.

The area, for the public and rest of the Commissioners, take the area right here, combine that back into Yavapai County, in this area here. The possible corollary modification of that, this area here, bring that down here. Put this part over in, bring the balance off that line into Yavapai.

MR. RIVERA: Mr. Chairman, I hate to be picky on this. Identify the changes you make. Make them verbally for the record. "This and that," nobody going back will know what changes you're making.

COMMISSIONER ELDER: Counsel, tell me what to call it.

MR. RIVERA: Draw the line. Identify the cities.

COMMISSIONER ELDER: From Big Lark, which I never heard of it, straight south to the Yavapai
County line, everything east of that going to the, I
miss it, the yellow zone, or district. If we can't get
population, keep Yavapai totally in the area. Keep this
area, do the entire portion of Yavapai. Put in balance
the Yavapai area, the blue and yellow communities, seems
to be the sense from my position.

Chris, if you'll go down to the West
Valley, Phoenix down a little further south from what we
have there.

I'm concerned that if we look at rural,
this area right in here has got, to my understanding,
somewhere in the range 400,000 people.
MR. RIVERA: Which area?
COMMISSIONER ELDER: The area including
Surprise, Litchfield, Avondale parts of Sun City,
Goodyear, in there somewhere, I don't know, El Mirage,
what others, Peoria, Sun City West. So that area there
is a fairly dense or urbanized area.

I would like, as you are looking at your
five districts, to try to get the West Valley where it
does not dominate. Maybe what our goal should be is to
ty to bring enough in that, as a resultant of the urban
area, what I'm calling the west area, to bring about a
balanced or competitive district, so have a balance
between urban and balance with a rural. Maybe that's

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another way look at it. Even though the West Valley will continue to grow, and we know the balance of urban and rural change, but there might be a way to accomplish both goals of this Commission.

Further to the south, Gila Bend, those areas, Chris, or south, further west, looking for an area, I don't know what this will due to the racial block vote, or standing demonstration, looking to areas added, or considering adding areas to population to the purple to -- I have numbers, to Congressional District A, to compensate for that, I'm wondering whether it would make sense to bring the southerly line below Gila Bend and bring it to the north and possibly as far as Avondale. Is there enough population in the area to help offset gains included in Congressional District in Yavapai? I know Gila Bend does not have have much population. I do not know what this urban population demographics might be. Can we look at that as a way of getting population back in or added to an area or subtracted from an area for balance?

Mammoth and Winkleman, the north of Tucson or Pima County, this area here that goes from about Saddlebrooke up to Florence east to Kearney, Duddleyville and the county line, we heard testimony that Thatcher, Globe, and one comment, I believe, in

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Tucson that this area is primarily mining and agriculture. It fit very well with the AURs, agriculture areas of Gila River, Clifton, another mining area northwest of Thatcher, older mines at Globe and Miami. There is a Hispanic area here. If we tied Hispanic areas there, it might have balance and the numbers we're looking for for the work there. It would seem like it fits better with that than it does with the Casa Grande area. So I would like to see that area possibly combined with the pink, which is Congressional District C.

Then pull down south into the Tucson area.

CHAIRMAN LYNN: That would be G, not C.

MR. HUTCHISON: It's C.

COMMISSIONER ELDER: C. Is it C --

MR. HUTCHISON: G.

COMMISSIONER ELDER: C and combine with G, so combined with the Gila River and agriculture, mining here, Globe, Miami, mining down through this area. That seemed to be a combination here.

CHAIRMAN LYNN: Move the area into C or move the area you described to pick it up?

COMMISSIONER ELDER: It really wouldn't make any difference.

CHAIRMAN LYNN: Keep them together.

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COMMISSIONER ELDER: Keep them together,

Gila Valley mining communities are a very strong
linkage, moved into the valley, G within C, the balance
of the north or eastern county district. It doesn't
make a whole lot of difference. These two areas should
be together.

Then lastly, let's move down to the Tucson
area. Let's zoom in right around the center part of the
city here.

I would like you to take a look at, I know
by clicking on the tracks here, these were probably
needed for the Hispanic area, but it's also the
appendage that sticks out. We also have an area here
that has a fair amount of Hispanics. We had testimony
from both the Tohono O'odham areas. I believe the
University is right in this area here, the area of the
University and surrounding area north was area they felt
an affinity for, shopped, socioeconomics, the people in
the Tanque Verde area do, I think from the standpoint of
the grid and the way the system works. If this area was
traded for people going to the river, it would be a good
break, balance here. Look at having this go to the east
and this area going to the west, I think this would make
sense from that standpoint.

Those are my comments and things I would

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like NDC to look at as making adjustments to the grid.

CHAIRMAN LYNN: I wonder if I might weigh in, make my own suggestions, reinforce or challenge, weigh in with my own suggestions. I've put my own list together of my own recommendations.

Who would like to go next?

Mr. Hall.

COMMISSIONER HALL: As I mentioned to Mr. Elder, I think we need to be careful not to give conflicting instructions.

So what I heard you say, Mr. Elder, is combine Yavapai County. What you've instructed NDC would be impossible to do without at least taking a portion of Yavapai County.

I guess what I'm hearing, I'm hearing we've already instructed them to do one, what I heard with respect to Yavapai County, in my opinion, NDC is welcome to weigh in on this subject, conflicts with what we instructed them to do with a rural district.

Would you like to comment on that, Dr. Heslop?

DR. HESLOP: I think either Commissioner Elder is saying stay alert to these particular areas as we develop the maps under your formal instruction and we can report back with the implications concerning these
areas, and either the current draft map or current draft
map as amended, and we're happy to do that.

COMMISSIONER ELDER: Joshua, to elaborate
on that, I wouldn't care if it shoots, works well, that
all Yavapai County is moved to the east district to get
to the numbers you need for an urban context. If that
works, that's fine, too. It seems that split, this
didn't make a lot of sense to me. And --

COMMISSIONER HALL: If I -- if I
understand that split, I think that split is Mingus
Mountain, is it not?

Is that correct? Close?

MR. HUTCHISON: Yeah, it's close.

COMMISSIONER HALL: So, in essence, the
split would divide Verde Valley from Prescott and
Prescott Valley. There was testimony Verde Valley was
divergent and had separate interests. Whether we agree
with that, that's the rationale behind it as it
presently exists.

With respect to the West Valley issue, I'm
just coming at you with your issues, and this harkens
back to the previous motion we had with respect to five
Maricopa districts. That won't make, the way the state
is outlined, Parker, Parker and those same places, will
be sub-lined to that proposal. It's impossible for that
to work. I agree with Commissioner Elder with respect to Mammoth, San Manuel, moving them to a rural district closely aligned to the other mining communities.

I guess, without objection, I would like to focus maybe more, spend more time on outlying areas. I'd like to focus more, if we could, on more urban districts as they presently exist, specifically B, D, E, and F.

CHAIRMAN LYNN: Better known as greater Phoenix.

COMMISSIONER HALL: Maybe address these alphabetical order, start with B. How is that? Do I understand, correctly, essentially this is a nonmajority-minority district; is that correct?

MR. HUTCHISON: Which?

COMMISSIONER HALL: B.

MR. HUTCHISON: B is not.

COMMISSIONER HALL: Help me define, for my benefit, the parameters of that district.

MR. HUTCHISON: Borders.

COMMISSIONER HALL: Parameters as far as roads?

MR. HUTCHISON: Sure.

COMMISSIONER HALL: The perimeter, I
MR. HUTCHISON: Perimeter. The perimeter on the authority, the border on the north is the Maricopa County boundary up here. I'll zoom in on that.

COMMISSIONER MINKOFF: E?

COMMISSIONER HALL: B as in Boy.

Alphabetical order. B before E.

COMMISSIONER MINKOFF: Pinnacle Peak Road on the north.

MR. HUTCHISON: Thunderbird Park then becomes Pinnacle Peak. And it follows Pinnacle Peak Road. I believe that's a canal.

COMMISSIONER MINKOFF: No, it's not a canal.

MR. HUTCHISON: That is the Granite Reef Aquaduct. It follows that for a while, that becomes the CAP Canal until Tatum Boulevard, south on Tatum, west on Thunderbird, down to 40th Street, then follows Sweetwater Avenue, then south on 34th Street, continues on 34th Street, south on 32nd Street to the Squaw Peak Highway. Follows the Squaw Peak Highway, goes all the way on Northern to 16th Street. Follows 16th Street south to Highland Avenue, west on Highland to Seventh Street, north on Camelback, and follows Camelback west to 43rd Avenue. Goes north on 43rd Road west, north on
51st Avenue, and then to Orangewood west, and then on
55th Avenue, and then to Olive Avenue, goes west to
59th, following north to Ortiz Street west, to 64th
north to Cactus west, and then north on 67th Avenue. I
believe that's a city boundary. Yeah, that's the Peoria
city boundary. Then goes around the Arizona Canal.
Then goes along the Peoria City boundary here to south
of Bell Road. And still traveling around the red
boundary. Which is --

COMMISSIONER HALL: What is the red boundary?

COMMISSIONER MINKOFF: It's the city boundary.

COMMISSIONER ELDER: Peoria?

MR. HUTCHISON: It's roughly even with
75th.

COMMISSIONER HALL: You are saying portions of Glendale and Phoenix are in this boundary?

MR. HUTCHISON: Yes.

COMMISSIONER HALL: The rest of Glendale is in E?

MR. HUTCHISON: Portions of Glendale are in A, B, and E. I highlighted Glendale so you'd see the division.

COMMISSIONER HALL: So my question is, not

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being intimately familiar with this area, given the principle of the desire not to split cities, what is the rationale of Glendale, for example, of dividing Glendale to that degree?

DR. ADAMS: Actually, in some of the testimony, I think you will discover Glendale doesn't have a serious problem with division. When reach a serious problem in the map, you make a serious decision with division. There are very few divisions in the map. There are very few cities out of -- Chris has very those very few numbers. When you come up to a point like this and need to find a point of division, you try to do it with a city that expressed less concern about a division.

COMMISSIONER HALL: So from a --

DR. ADAMS: Let me mention one other thing. There is an AUR that also comes up into a portion of Glendale, and that AUR is a Hispanic AUR.

COMMISSIONER HALL: And that reaches where?

MR. HUTCHISON: The suburb right here.

COMMISSIONER HALL: The AUR is here?

MR. HUTCHISON: Is in D as in dog.

I can give you the exact numbers of the split in Glendale here. The portion of Glendale in
District A to the west, 38,812 persons, 12 percent of
the city's population, over 220,000 people, over 220,000
persons. 56 percent of the city, a portion D south, is
Hispanic. 56,300 persons, 56.3 persons.

COMMISSIONER HALL: What is wrong with
shifting B east to align with the -- shifting B east to
align the western boundary of Glendale with the
exception of the Hispanic AUR.

MR. HUTCHISON: There is nothing wrong
with it. It's preferable. We then have 122,000 persons
then shifting into A.

If you do that, the obvious implications
are where to drop off 122,000 from District A. Most of
the population in District A we'd like to come from
there.

COMMISSIONER HALL: It may be the desire
to accommodate the western valley to have the benefit of
that.

MR. HUTCHISON: Right.

COMMISSIONER HALL: Eliminate the Eastern
Mesa place and shift to the east, from my standpoint,
taking this example, it's not a benefit, from that
standpoint. It's logical all the way across the board,
especially in connection with your desires,
Mr. Huntwork, to accommodate the metropolitan area and

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simultaneously consider boundaries of municipalities.

MR. HUTCHISON: I think it's definitely advantageous. We're probably going to look at if we work on the five districts.

COMMISSIONER HALL: Great.

I highlighted one example. No one wants to plow through each of these in this phase of the game. This is one example, in my mind. I'm purely operating from purely a theoretical example based on principles of palate, accommodating communities of interest, and that's a logical line I'm curious about. To that extent, it's a numbers game.

I'm wondering about, given our previous direction, a shift to the east to accommodate many of the interests you've already heard in this meeting.

MR. HUTCHISON: I think it will. Just speaking, trying to keep the urban areas together, even more substantial than we already have, if you recall in the West Valley, the Maricopa portion of District A, talking about adding to, 418,000 persons, it could accommodate 1,822. That is something that particular --

COMMISSIONER MINKOFF: What?

MR. HUTCHISON: We looked at numbers earlier today. The portion of District A, where Commissioner Hall was proposing to include the rest
into, that portion of District A within Maricopa County, had 418,000 persons in it. Essentially the other roughly 200,000 persons were in La Paz County, up in that area. If this is something we do, could possibly take a look at, as instructed, the five districts of this area, if you take, take out the rural portions, you could be left with the possibility of adding that. You have to look at everything -- it's something to look at.

DR. ADAMS: Commissioner Lynn, may I get clarification? Is this something we're being asked to look at as we go through the map?

COMMISSIONER HALL: As we move to another level of detail, my understanding is you've already been asked to look at that pursuant to Mr. Huntwork's motion and pursuant to the motion of -- with respect to a rural district.

What I'm saying, I highlighted this example of so doing, just purely from looking at a purely objective, logical standpoint, it appeared to me that's an area with respect to boundaries, look at the City of Glendale even more. I'm simply making an observation.

DR. ADAMS: Commissioner Hall, we'll be happy look at that as we look other issues. I'd also like to revisit testimony from the Mayor of the City of

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Glendale. I have the facility for that. We'd be happy
to do that.

COMMISSIONER MINKOFF: I, too, and my
fellow urban Commissioners would like to weigh in on
that, what our preference is, Mr. Lynn, before we move
to another area.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I had thoughts on
the same area.

CHAIRMAN LYNN: Give it at the same time
so the consultants understand. It's easier for Chris
not to go back to geographic areas.

COMMISSIONER MINKOFF: Most of what I had
to say involved these areas, B, D, and A, primarily, and
a little bit in G.

I was concerned about the northern part of
District D, which is the part that is in Glendale. I
guess it's the part north of Camelback Road that I
really feel that that belongs more in either District A
or B than it does with District D. I think that the
northern portion of District D I would like to see
shifted into A or B, I think probably B, because I would
also like to see just the northern portion of B.

MR. HUTCHISON: B as in boy?

COMMISSIONER MINKOFF: You've described
District B as Central Phoenix and Northern Glendale.

Yet when you look at District B, it goes so far north it really loses -- it has a distinctive character, Central Phoenix, the older portions of Phoenix and older portions of Glendale. Especially if you put portions of Camelback into portions of District B, the mature area of the District may have common interests, common issues, if you put it with the northern portion, north of Bell Road, it's an entirely different area and it might be better served by being with one of the northern districts that it shares more of the issues with. It takes Glendale out of one of the Congressional Districts, takes out of a portion of D, unites it, goes together with the city. It doesn't chop it up as Commissioner Hall was trying to do.

We also heard the Gila River Indian Reservation wanted to be in D, not to be in a rural district. They do abut District D. You might move them into District D where I think they feel more comfortable than where they are now.

And if you pull enough out of District G in that area, it might allow us to move La Paz County. They very clearly wanted to be part of Yuma County rather than Mohave County. You might put them in Yuma County rather than Mohave, move them counterclockwise.
Obviously, not having the Census data in
front of me, I don't know what other data shifts there
would be, putting La Paz with Yuma, Gila River into one
of the metropolitan Phoenix Districts, perhaps D where
it seems to fit, pulling out the northern portion of
District D, and putting it in with B and the northern
portion of B and putting it with either A or E.

The only other thing I had --

CHAIRMAN LYNN: Commissioner Hall was not
quite finished.

COMMISSIONER HALL: So with respect to
District G, we can go to that whenever convenient.

There was a proposal made by Mr. Elder to
move some of the eastern mining communities, if you now
have outlined District G, Chris, I guess I'm wondering
and somewhat concerned with how much of Tucson
influences District G.

What is the influence on that particular
district?

MR. HUTCHISON: I'd obviously like to
check the numbers to give an accurate number.

I believe, roughly, the Tucson Maricopa
area is 250,275.

COMMISSIONER HALL: A third?

MR. HUTCHISON: A third, 40 percent.
DR. ADAMS: It's about, if you look at the description in the binder, 55 percent rural, a 55 percent rural non-Tucson area.

COMMISSIONER HALL: 65 percent?

DR. ADAMS: 55 percent.

COMMISSIONER HALL: 55 percent.

COMMISSIONER HALL: I guess what I'm saying, in light of the previous instructions you received, in my mind I'm trying to watch the ripples of the stone, if you will. I'm wondering, if you will, if G can be shifted more up into the western portion of the state, maybe even taking in Gila Bend to make that figure. I'm not sure why Gila Bend was left out.

COMMISSIONER ELDER: I believe that's what I suggested.

COMMISSIONER HALL: Right. Gila Bend left in G. Bringing G back up the western border a bit. If in reality you shift your districts internally, or urban districts east, then you have to put some of those folks somewhere.

I'm simply trying to visualize in my mind what the ripple effect is going to be. And I'd welcome any input with respect to that.

Is my assumption correct the intrusion of G into Maricopa County is simply the Native American
community?

MR. HUTCHISON: The Tohono O'odhom community. The southern area here?

COMMISSIONER HALL: Maricopa County.

MR. HUTCHISON: Gila River.

COMMISSIONER HALL: Maricopa.

MR. HUTCHISON: Both Maricopa.

COMMISSIONER HALL: The desire was to combine the two reservations?

MR. HUTCHISON: Yes.

COMMISSIONER HALL: Was there a desire -- this is the reservation.

MR. HUTCHISON: The desire was to combine the tribal reservations to as few as possible so as to not break them up.

COMMISSIONER HALL: I'm done, Mr. Chairman.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: The only other thing I had to ask, other than the part I presented about the urban area, to respond to Commissioner Elder's suggestion, I recall there was a great deal of testimony, primarily from the Sedona area and other parts of the Verde Valley, they really saw themselves linked to Flagstaff more than they did to Prescott.
Mingus Mountain is a pretty powerful barrier. So if it makes some sense to split Yavapai County, that's a very good place to split it. They already stated they really would rather move north than west for their district.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: One of the benefits of going last, I don't have to reiterate a lot of things.

There's only one thing I want to focus on, and that is the District E. In order to talk into the microphone and look at District E, I'll put it here. I don't know if anyone noticed it or not, I think if you were to turn that around 180 degrees at a vertical axis and put the cartoon of the gerrymander up next to it, there's a striking resemblance. And, you know, this district doesn't do the things it's supposed to do. It's sort of -- it doesn't do what we're supposed to do. You get the feeling it's what is left over. There are certain things in achieving that that is true.

I'm concerned, particularly, when you look at B and E together, you could create equally, it would be logical, if you look north, took E north, a little bit of B north, a little bit of P north, a little less of a gerrymander, a little bit of P that is growing very

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rapidly. Other things are growing rapidly.

If I heard what you are saying, I think I disagree with it philosophically: Rapidly growing areas are growing rapidly; as a result, they are vastly growing and people quickly will be under-represented. At least if you put the same amount of people in B to E and static people, you balance it. You try to balance it. I thought we talked about it in principle. I thought we talked about it.

After we adjust populations to be equal, to the extent we allocate the growth areas among districts, we ought to try to do that. I certainly don't think we should consider growth areas that will have this incredibly disproportionate effect on population very quickly. And it's unconstitutional. It's certainly something we should not set out to do.

CHAIRMAN LYNN: Thank you, Mr. Huntwork.

COMMISSIONER ELDER: I have a question.

What is that 162,000 people?

MR. HUTCHISON: That was a label we put on much earlier so we wouldn't forget. It's data.

Commissioner Minkoff asked a question to know how many people were in the Maricopa County section of District C area where it comes down. I think this was of

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significant interest to the Commission in general.

There were 162,000 people in the yellow area of Maricopa County.

CHAIRMAN LYNN: Then let me round out the discussion. Mr. Huntwork wanted to ask, and I'll have to jump in behind him and say most of the conversation that just occurred, at least to me, has been very useful in terms of trying to get a sense of where each of the Commissioners finds, shall we say, spots of concern or issue in the maps that have. Let me reinforce a couple. Mr. Elder's point regarding the areas of Pinal County, mining specific, and his discussion about reworking that area, I think are very apropos. I'd support that. I think his comments regarding Tucson are also apropos and I agree with everything we heard from Southern Arizona and all the input we received both in terms of testimony, citizen information, and as well as information from specific groups. I would concur with those recommendation as well. I'd ask you look at them.

With respect to the Maricopa County situation, I also agree that we have a situation where District E, either along the lines of Mr. Huntwork's suggestion and/or suggestions made by other Commissioners, needs to be looked at in terms of a couple that the first two at the southern end of
District E and the sort of interposing of District F, where you have the split of Ahwatukee, I think that's troublesome, even though Ahwatukee is not an incorporated area. Certainly the area considers itself a community. They have similar interests in terms of things that go on in that area. That's an area that ought to be looked at in addition to the general configuration of E.

I think Mr. Huntwork's description of sort of a well-fed or pregnant salamander makes sense. I think there are other solutions in the central area where when you look at those districts that need to be drawn, you might take that into account.

I think the other issues I would have have also been covered either by motion or by other suggestions by Commissioners.

At this point, any other last-minute additions to the list?

Mr. Elder?

COMMISSIONER ELDER: Yes, Mr. Chairman.

Looking at this map way up here, a comment earlier, I don't remember, Mr. Huntwork or Ms. Minkoff, the Gila Tribe considered themselves more an urban tribe, or linkage, if you look at that, with South Mountain, a portion of E. It has to have very little

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population. It would almost make sense to bring those into Congressional District D, if we're looking at the area north of Camelback and bringing that down, as Ms. Minkoff made the comment. That might compensate for population, although a hundred some thousand, if above Camelback. I could see those, given it being more compact, more contiguous, to help resolve some issues on E.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: It's certainly worth considering. That area in E is actually south of South Mountain.

COMMISSIONER ELDER: Ahwatukee.

COMMISSIONER MINKOFF: That's Ahwatukee.

CHAIRMAN LYNN: East.

COMMISSIONER ELDER: Racial --

COMMISSIONER MINKOFF: No. E doesn't have the reservation. E is all Ahwatukee Foothills, Gold Mountain Ranch, and is fairly well-populated and has distinct population.

COMMISSIONER ELDER: Didn't really get the population. The heavy Hispanic population north of Camelback, that would change that dynamic. How much it would, that's something to consider when we get the dynamic racial block voting, how that fits in with the
Hispanic population goals.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Just a request for the consultants. The foot Mr. Lynn referenced, the foot on District D.

COMMISSIONER MINKOFF: District what?

COMMISSIONER ELDER: D as in David. Is that there because of the large Hispanic population?

COMMISSIONER MINKOFF: Avondale.

CHAIRMAN LYNN: City limits of Avondale?

DR. ADAMS: District D. A Hispanic AUR.

COMMISSIONER HALL: My understanding, in making that look cleaner, as has been requested by the Commissioners, would that affect the majority-minority aspect of this district?

DR. ADAMS: It would definitely have an impact on it.

COMMISSIONER HALL: My understanding with respect to the gerrymandering, as it were, is for the benefit of creation of a majority-minority district.

DR. ADAMS: To keep the minority AUR, Hispanic AUR, intact.

COMMISSIONER HALL: Would any other suggestions have been made with respect to the metropolitan areas also inhibit or restrict, in your
opinion, some of the voting rights issues you've attempted to address by reason of this map?

DR. ADAMS: Yes.

The other one, the Glendale Hispanic area is part of the AUR.

Again, Commissioner Hall, I think what we must do is be very careful at this point and wait until we have further data, know how we can adjust these things. We'll certainly assess the impact of these possible changes.

COMMISSIONER HALL: Thank you.

CHAIRMAN LYNN: Any further comments at this juncture? If not, I'd like to make a suggestion. Before I make a suggestion, I'd make a suggestion to the consultants. It might be an appropriate time to break, notwithstanding the consultants also to need to eat.

Are there answers to some or any answers to pose, if we gave you a period of time, let's say for the sake of argument, two hours, or some period that would still allow us time to meet into the evening, if we took an extended dinner break, would you be able to come back to us with some portion of what we asked you to consider or ask you to look at or is that sufficient for you to look at or would you need more time?

DR. ADAMS: Chairman Lynn, Members of the

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Commission, rather than a need for more time, we're
talking about four maps. I'm presuming for each of the
maps, of course there are some common features, there
are some common concerns you want us to look up. I'd
recommend probably about four hours.

CHAIRMAN LYNN: Clearly I don't think we
can break for four hours and come back this evening.

Ms. Minkoff.

COMMISSIONER MINKOFF: I wonder if we take
the break for an early dinner, do the Legislative
Districts, make suggestions, then they'd know what
changes to make, Legislative as well as Congressional,
find out how much time is necessary to do it, if
necessary, delay the start tomorrow to do the work and
come back to us.

DR. ADAMS: Chairman, Commissioner
Minkoff, I'd suggest it's best to concentrate on one
map, bring resolution, or try to bring it to resolution.

COMMISSIONER HALL: Such a thing as too
much information?

DR. ADAMS: I think that's true.

COMMISSIONER HALL: Given what you've
said, what is your recommendation?

DR. ADAMS: Well, we could probably be
back at 8:00 o'clock with most of the answers. 8:30
1 would be better, if we come back. It would be wonderful
2 to have 9:30 to come back. Let's say we come back at
3 8:30 with most of the answers with what you want to
4 know.

COMMISSIONER HALL: Here's my question,
5 Mr. Chairman, and NDC, would it be possible to maybe
6 prioritize these issues into two or three categories,
7 have two hours, come back with phase one while you have
8 your minions working on categories phase two.
9
10 MR. RIVERA: Watch out with what you say.
11 I didn't do it.
12
13 DR. ADAMS: We don't have any minions in
14 this company.
15
16 COMMISSIONER HALL: I understand. I'm
17 being facetious.
18
19 It's a simple discussion.
20
21 Early on, the rural issue, Hopi-Navajo, in
22 two hours reconvene on these four options we asked for
23 there. I'm sure we can chew on that for a while, given
24 history as a guide. By that time come back with some of
25 the other.

22 Whatever is the preference, Mr. Chairman.
23 The southern rural issues, the metropolitan proposal, if
24 you will, that Mr. Huntwork requested, the five
25 districts, it would be easy for you to come up

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with, I'm just trying to find solutions here.

DR. ADAMS: Commissioner Hall, if we said the time to come back is 8:00 o'clock, two hours working time, that would be a chance, at least, to get something to eat. We probably can again come back with those four, phase one, what you are talking about, phase one information, probably some other information as well.

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: Mr. Chairman, I'd tend to like to see that happen.

One of my goals was to take a look to see what the ramifications of that urban district, or five-district concept did. If it doesn't do what I think we as a Commission want it to do, I'd like to get that decision done this evening, if possible, so we also start town another track, if need be.

CHAIRMAN LYNN: Dr. Adams, I don't want to rush you, but I want to make as much use of today as we could. It is a quarter of 5:00 now. If we split the difference and said 7:30.

DR. ADAMS: It's 5:00.

CHAIRMAN LYNN: 5:00 o'clock now.

MR. RIVERA: So 7:15.

CHAIRMAN LYNN: Split the difference, said 7:30, look at the list just prioritized at 7:30, go

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through as long as it takes tonight, reserve the balance
of the work we asked you to do for first thing in the
morning, then move into the Legislative presentation
after that.

DR. ADAMS: We can do that, see what we
can get through.

CHAIRMAN LYNN: Is there an objection to
that schedule?

MR. RIVERA: One thing, we don't want them
rushed.

Ask Chris if he can do it at 7:30 or 8:00.

CHAIRMAN LYNN: Dr. Adams, two hours work
time, Chris' work time. Dr. Adams' work time, we're
negotiating lunch or dinner.

MS. HAUSER: They need to move to another
location.

CHAIRMAN LYNN: I understand. 7:45.

DR. ADAMS: We'll try to be back by 7:30.

We'll plan to be back by 7:30, Commissioner.

CHAIRMAN LYNN: The thing that complicates
it, we indicated before we broke to do this work an
additional call to the public. We want to have that.

There's one slip.

Do others wish to speak at this time
before we break? Is there anyone else?

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MS. REZZONICO: Is there anyone else that wishes to speak before we close and recess?

CHAIRMAN LYNN: I'd suggest NDC might want to start working and leave one person behind to carry a message behind from the call to the public.

If we could take it in order, the first person asked to speak was Representative Silvia Laughter from District Three.

Is Representative Laughter here?

I'd just as soon ask them to go where they need to go and then be happy to give you our full attention.

I think we can get everyone's attention.

REPRESENTATIVE LAUGHTER: Thank you very much.

Thank you, Commissioners, for allowing me the opportunity to speak with you.

With regards to both the Congressional and Legislative District discussed earlier, you suggested a motion to include the Hopi Tribe with the Navajo Nation. And I would highly recommend you reconsider that motion, and for a number of reasons.

One, we know we have a federal statute that will continue to remind us that we consider communities of interest. And as I have read the Arizona

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Republic, and it sounds like according to the article in
the paper that everyone is benefiting, and it is an
opinion I don't agree with. And perhaps minority
population in the state as a whole is getting
represented, but the Native American population is not
getting the representation they need according to the
proposed boundaries that have been set.

As you know, we have 23 tribes within the
State of Arizona. And of all of the 50 states, Arizona
has the largest number of Native American tribes. And
it would be very unfortunate if we don't have both
Congressional and Legislative representation.

And I understand the argument that the way
the Congressional grids have been proposed, we are going
to be underconsidered as a rural area. And I see that
the southern and the southwestern portion of the
Congressional proposal does not include a rural
district. You will note that Apache Junction, the
northern part of Mesa, Fountain Hills, within 10 years
is no longer, and even at this status right now, is not
even considered rural. Their issues are not rural
issues. They are urban issues. Within 10 years' times,
they will be so far from understanding what the rural
concerns will be, to me that argument doesn't stand.

And the article also says that Native
Americans will have a fighting chance at both Congressional and Legislative issues. I'm wondering if they are referring to a literal fighting chance; because that's basically what will happen, and we won't have a chance at all, whether we fight or not.

I think we need to remind the Commission of the importance of considering the communities of interest. We see minorities, the Hispanic population has been very assertive, aggressive in their commitment to get representation. I would strongly recommend that you consider the Native American population as well as rural areas.

What I'm recommending, I know 7,000 people really doesn't do a whole lot. But with the pros and cons, I know you understand the reasons behind why the Hopis might not want to be included in being represented with the Navajo population. Having talked with my constituents in the last three years, I think there's more of a benefit to including them than there is to not.

I think it's critical we include them and we try to exclude some of the urban areas on the southern, southwestern portion, and so that we can create more of a rural and possibly Native American District.

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I know that some of the --
You mention also the Gila River, Salt
River want to be included in the urban districts. I
recommend we include them as a rural -- in our district
as well. If that is -- if there's any consideration at
all, mainly because I think we do need to have some
representation Congressionally and Legislatively. I
don't see that is happening right now. Congressionally
representation has been more beneficial to us.
I recommend you strongly look at this grid
and consider the proposal that the Navajo Nation has
made.
Thank you very much.
CHAIRMAN LYNN: Thank you, Representative
Laughter, very much.
Jim Hartdegen representing the City of
Casa Grande and Chamber of Commerce.
MR. HARTDEGEN: Thank you.
It's a great day. I'll go home and won't
be confused and will know what you are up to.
Just a couple comments.
It's -- AURs. I learned not all AURs have
the same strengths, not all AURs have the same strengths
as others.
The Congressional map, grid you're talking

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about now, if you're having a community of interest, to
me, common sense would say Gila Bend would be included
in the Pinal community area. At one time the largest
contiguous farm was in Gila Bend. That has a lot in
common with the Pinal County area. Large grants
probably don't know it. It's hard to pick and choose
from a map and a computer. It's very hard to pick and
choose on a computer.

Even though you need numbers, we have very
little in common with Tucson.

Believe it or not, Western Pinal County
associates more with Eastern Pinal County, not the last
couple months, but years.

I know you have a rough job. People in
California, they have to do with what they do with
numbers and stuff. I know you've made great choices,
have sent folks back to the table to look at things.

I think we do need to have some
representation in Congress.

We like you sending the folks back to the
table to look at alternatives. We appreciate that.

We'll see what happens tomorrow, and we
appreciate the effort and time.

CHAIRMAN LYNN: Thank you, Mr. Hartdegen.

Are there other members of the public that

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1 wish to be heard?
2
3 If not, the Commission will stand in recess until 7:30 this evening.
4
5 Thank you.
6
7 (Recess taken from 5:09 p.m. until approximately 7:30 p.m.)
8
9 CHAIRMAN LYNN: I'd call the Redistricting Commission back in session.
10
11 I'd turn the floor over to NDC for their presentation on the work product over the last couple of hours.
12
13 DR. HESLOP: Mr. Chairman, Members of the Commission, we have worked at the questions that you gave us, and we have a report for you.
14
15 Just so you know who was responsible for what, Chris Hutchison worked on the Northern Arizona District development. Doug Johnson worked on the East-West District development. Florence worked on the Phoenix issues. And Marguerite Leoni worked on the voting rights issues. Ian Rudge and Christiana Dominguez worked to develop the power points, and I ordered dinner.
16
17 We have a Power Point which I think will answer your questions and also speed us as we move through here.
18
19

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By the way, I should say I'm delighted by
the result of the Northern Arizona District. This is a
wonderful solution for a very bad problem. It comes to
you with the unanimous and enthusiastic endorsement of
NDC staff. We are truly grateful for this instruction
that you gave us.

Some of the other items you suggested you
gave us aren't so quite as positive and give us a
significant number of items of concerns.

Chris, why don't I give the podium to you
and have you lead the Commission through the Northern
Arizona items and then the East-West.

MR. HUTCHISON: Okay.

We proceeded to draw Northern Arizona and
the East-West District along the lines that the
Commission had laid out for us early on. As you see
above, it includes the pulling the areas, all of Mohave
County, Coconino County, Apache County, Navajo, Graham,
and Greenlee Counties, includes northern -- with Yavapai
County taken in pretty much all of except to the
southern Census tracts, one Census of the tracts, not
wholly excluded, I forget the name of it. We can look
at it. We did that to reach equal population. It takes
all of the White Mountain Apache Tribal Reservation, and
the White Mountain Tribal Reservation is included in the
1 District.

2 Let me give the run-down of deviation.

3 It's 32 persons above. That was with just unification
of the city, didn't put in any other modifications, and
subtract, have total minority of 36.47 percent. The
vast majority, you can see. There's 30.63 percent.

4 Beyond that, you can see the data.

5 Consequences: You have items, I guess is
the best way to put it. One of the instructions we had,
one of the other instructions I didn't personally put
on, five districts in Maricopa County centered in
Phoenix, Maricopa County. Let me draw in Arizona,
rural, all rural, not all rural counties, leave out La
Paz County in the west, leave out non-Reservation
portions of Gila County, mining areas in northeastern
Pinal County, the district -- the red mining areas.

6 Rural areas on the east side of Maricopa
and west side of Maricopa are not connected, and there
is really no way to connect them, thus there's no way
they'll be united with a district centered in Maricopa
County. There's no way around that.

7 You have Pinal, Tucson, and Maricopa, with
no population around.

8 Possible alternatives. We looked at
several, mining areas in Eastern Pinal County.
Commissioner Elder addressed it pretty specifically, mining maybe would belong together to the east, to the rural district.

If you include those, you run into the problem of where do you drop off population.

As I explained before, we split Yavapai County south. You have to go farther into Yavapai, 10,000 people further.

Prescott, we split at least one city, not specifically Prescott. It has to be something.

We take the remaining portions of Gila County, non-Reservation portions, and run into the same portions of Prescott, take the nonmining remaining -- the Prescott area there is fairly large. I believe it's roughly 90,000 people, something like that, maybe a little less, but not 90,000 people in mining areas, plus the remaining portions of Gila County.

The other possible alternatives, La Paz County, go ahead and include that into the northern district, take out it somewhere else, either Yavapai or a possibility of Graham, Greenlee, which aren't reservation areas. You end up with what is called an umbrella district. If you do that, you take that out take of Yavapai. You have a McDonald sign, two arches that come around Maricopa, extend around the far south

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into the state, hollowed out in the middle. Doesn't go
g straight out of the south. If you keep taking more out
of Yavapai, each of these involve decisions on how to
split the Prescott area and include -- keep the mining
area of Yavapai out of La Paz.

I also, at this point, in this Power
Point, my portion of the Power Point is done, so I'll
Bring open the map if you want to see the map, see how
it looks.

CHAIRMAN LYNN: Please.

MR. HUTCHISON: As you see, the light blue
northern district as I just described it, zoom in on the
Yavapai area in terms of what I was talking about in
terms of the split.

I should explain the green. I didn't get
the plan completely finished in the time allotted. Sort
of where we were going with it, we were taking La Paz,
moving the East-West valley, taking the remaining
portions of Yavapai, the portion above the county line,
dropping it off right here, uniting Glendale, and could
still pick up 150,000 people for that district. That's
as far as we got. Area where the split mainly is is
right here. Let me put the label on the city, it's just
south of Dewey-Humboldt. That's what we united. The
Census tract split it.

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Otherwise, along Mohave Valley, it goes south to Prescott, Verde Valley, Flagstaff, and so on. Gila County, it includes the two reservations.

The reason, just to address why we decided to drop off the southern end of Yavapai, it's 13,000 people. Rather than dropping off Graham or Greenlee, Graham and Greenlee are more rural.

There has been discussion by the Commission about the Black Canyon area, I believe I can zoom in on it, how Southern Yavapai is expanding out from Phoenix, Black Canyon City. It's just a choice of do we keep Graham and Greenlee together and whole, as it does in a lot of polls we've seen, and also the Commission, with regard to the Eastern Arizona Counties for the legislative land. We decided it would be better to drop off the southern part of Yavapai and Maricopa.

If the Commission has any questions or concerns?

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Tell me the population of the rest of the -- in the portion of Pinal that includes the mining communities. Can you tell me that?

MR. HUTCHISON: Asking how much it is? I believe -- offhand, I don't know. Let me -- I can start aggregating it.

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I believe 75, 65 thousand people,
something like that.
The Pinal area, probably around 15,000.
The Pinal area, probably 15,000.

COMMISSIONER HALL: Total of what, 80?
MR. HUTCHISON: What?
COMMISSIONER HALL: Total of 80?
MR. HUTCHISON: Pinal, 15,000,
MR. JOHNSON: 51.

MR. HUTCHISON: I can get the exact number.
MR. HUTCHISON: Only two tracts in the county are included in this plan. And it would -- they total out to about 60,000. In the county, 51: 45,000 plus 15. 65,000 between the mining areas and the remaining portion.

COMMISSIONER HALL: 60,000?
MR. HUTCHISON: Roughly.
COMMISSIONER HALL: What is the population of Mohave?
MR. HUTCHISON: Mohave, 155,032.

COMMISSIONER HALL: Pardon?
MR. HUTCHISON: 155,000 people.

COMMISSIONER HALL: What is the population of the remaining portion of Southern Yavapai?
MR. HUTCHISON: 12,500.

COMMISSIONER HALL: Including Cave Creek, New River, only 12?

MR. HUTCHISON: Two tracts, 12,000. We took another 12,000 out of that when reuniting Dewey-Humboldt.

COMMISSIONER HALL: What is the population of Lake Havasu?

MR. HUTCHISON: 41,138.

CHAIRMAN LYNN: Other questions?

So what we have is a rural district. And it -- in order to create this rural district, it does not separate the Hopi and the Navajo.

MR. HUTCHISON: Actually, I can address that, if the Commission would wish.

CHAIRMAN LYNN: Go ahead.

MR. HUTCHISON: It's NDC's position that this map represents what the district can look like regardless of the Hopi decision. You can take the Hopi out of there. It just involves what the Commission is willing to take out from that distance. We can make it contiguous this way. We can find a contiguous way to take the Hopi out regardless of how far you need to take them out, run a neck, a line around the river, along the highway. It's a decision the Commission has to make.
CHAIRMAN LYNN: With minimal, with relatively minimal impact on population other than the area that would be removed?

MR. HUTCHISON: Exactly. There are around -- very few people by the Hopi attachment affected. 7,000 people. Population would be minimal.

DR. ADAMS: Excuse me, Commissioner Lynn.

CHAIRMAN LYNN: Put it on the board.

DR. ADAMS: Oh, it's on. I just want to make one comment, Chairman Lynn, Members of the Commission. This scenario would divide the Hopi from the Walapai and Havasupai, so you are aware of that.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: If you take the Hopi out of that area with some kind of narrow connector.

COMMISSIONER ELDER: Can't hear you.

MS. HAUSER: You have to use the mike.

COMMISSIONER MINKOFF: If you take the Hopi out of that area, taking seven or eight thousand people out of that area, you then have to replace them from someplace else.

MR. HUTCHISON: Exactly.

COMMISSIONER MINKOFF: Any suggestions?

Would it be the southern part of the county?
MR. HUTCHISON: Southern Yavapai. They're already split for equal population purposes.

COMMISSIONER MINKOFF: Kind of equate that for population purposes?

MR. HUTCHISON: It equates to one tract, the southern part of Yavapai is 13,000 people. I highly doubt we'd equal them perfectly. Two parts to unify Yavapai, take out the Hopi and be exactly the same. 6,000 extra people.

CHAIRMAN LYNN: Other questions?

COMMISSIONER HALL: I guess my question is if we include Payson, Globe, Superior, Kearney, all of that, all those rural areas there, and exclude some portions of Mohave, do we have the numbers?

MR. HUTCHISON: Do I have the numbers?

What is the number I said a second ago, 54,000?

MR. JOHNSON: 51.

MR. HUTCHISON: Saying roughly 55 -- the Gila portion was just 46,000, about.

COMMISSIONER HALL: I'm saying include all of that.

MR. HUTCHISON: If we include all of that, take out --

COMMISSIONER HALL: Everything from Superior to --
COMMISSIONER MINKOFF: Apache Junction and Gold Canyon in that as well? That's -- that's a large portion, probably that, 50 some population.

COMMISSIONER HALL: In there you are saying?

COMMISSIONER MINKOFF: Gold Canyon certainly is.

COMMISSIONER ELDER: Not including Gold Canyon, Apache Junction, are you?

MR. HUTCHISON: No. I specifically excluded them.

COMMISSIONER HALL: Trade this portion here, those rural areas for a portion of Mohave, do the numbers crunch?

MR. HUTCHISON: I don't think you could even get through Lake Havasu. If you stayed interior, you'd probably get into Kingman. If you wanted to go up the river, you wouldn't get up to Lake Havasu. It has 46,000 or 47,000. We just looked it up before.

COMMISSIONER ELDER: 47 plus 15 or 16 thousand.

MR. HUTCHISON: I'll put a label on the tract with population.

MS. HAUSER: Right.

MR. HUTCHISON: This tract has 8,152, not
all the way out to the tract line. I can see the totals. Can you read those?

I'll make them bigger.

COMMISSIONER MINKOFF: Can that total for you?

MR. HUTCHISON: I can total it.

That will work.

COMMISSIONER HALL: What is Desert Hills?

MR. HUTCHISON: At that point, just with those tracts, 42,307.

COMMISSIONER HALL: I guess my question is, Chris, go north or east, whatever is most appropriate. What does it look like if we trade? I want to know approximately what it will look like.

MR. HUTCHISON: If we wanted to take Mohave County, take it out of the mining communities, take it out of Mohave, it is 155,000.

COMMISSIONER HALL: Where is the line in Mohave if you do that, approximately?

MR. HUTCHISON: I can go ahead and draw it for you, if you want to see.

This may take a minute or two.

MR. HUTCHISON: This won't be exact.

We're taking it at the tract level.

Those tracts there, mining tracts there --
those are mining tracts.

COMMISSIONER HALL: Is Florence in the room?

MR. HUTCHISON: Florence is out.

Highway 79 out, most of the population, 13,664 west of it, that's why I hesitate to take out population, say 63,000 people, 63,745. The district is overpopulated 63,777. That's essentially what you can take out of Mohave.

COMMISSIONER ELDER: Which would send us how far north?

MR. HUTCHISON: That's what I'm about to see. I wouldn't really know offhand. This is also assuming no reunification of Yavapai.

MR. HUTCHISON: This district is 3,200 short at the tract level. That's as close as you can get it.

COMMISSIONER HALL: You can pull that CD and Kingman into a rural district.

MR. HUTCHISON: Uh-huh. It just drops out Lake Havasu, Mohave, and the Colorado Indian Reservation.

COMMISSIONER HALL: That segment, the green district, rippled the metropolitan district east replacing a portion of Gila and Pinal previously in the

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Congressional District, right?

MR. HUTCHISON: I guess I'm not following.

You would ripple -- lose population from Gila and from Pinal. Those districts wouldn't have to be --

COMMISSIONER HALL: Eastern districts.

MR. HUTCHISON: More urban.

COMMISSIONER HALL: Western districts are too much. Western districts followed --

MR. HUTCHISON: Are not filled in yet.

COMMISSIONER HALL: In theory, correct?

CHAIRMAN LYNN: Does everybody understand the last statement? I want to be clear everybody understands where we're going.

I understand what Mr. Hall just said.

Take the area along the western border now shown in white, the area removed from the original district as we added the population on the eastern end, and if you started adding that to what is depicted up there as the green District A, correct me if I'm wrong, Mr. Hall, if you add that to A district, that district becomes overpopulated by the amount of white --

COMMISSIONER HALL: 60,000.

MR. HUTCHISON: It's still underpopulated.

As it stands, it's still underpopulated. District A is
still underpopulated. The remainder of draft District
A, if you recall, included all of Mohave County,
originally, and Yavapai County, the Hopi population, and
Williams. Most of that dropped off. After you unite
Glendale, it was 150 short. Now it's 90,000 short.

CHAIRMAN LYNN: The rest of the state is
not yet balanced from having created the Northern
District.

MR. HUTCHISON: Yes, exactly. The map is
not complete.

COMMISSIONER HALL: I'm interested in my
fellow Commissioners' reaction to that particular
adjustment.

I guess if I can, and Dr. Heslop can
correct me if I miscue you here, but regardless, some
communities of interest, or AURs, will be divided. The
question is east, west, or south. So divide Prescott,
divide the urban community, or divide mining
communities, correct? There are about only three
options, if I'm accurately summarizing the choices.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: Is Bullhead City in
the white area or the rural district?

MR. HUTCHISON: Rural district.

COMMISSIONER MINKOFF: Rural district.
If we pulled Lake Havasu out, put it with Parker, La Paz County, et cetera, if we add Bullhead City in that mix, it might be a more workable district for them. We still have the rest of Yavapai County in the white area there. It's possible, I don't know how much population is there, if we're going to split Mohave County, I'm not sure if the best place to split it is between Lake Havasu City and Bullhead City. I'm wondering if Bullhead City was pulled out of that and the more eastern white unallocated area was pulled in and put in the white allocation.

COMMISSIONER ELDER: The portion of Eastern Yavapai, 15,000.

DR. ADAMS: Could you excuse us just a moment, Mr. Hall.

COMMISSIONER HUNTWORK: I have a question that doesn't relate to that comment.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: In adjusting the details for this district, I would like to see how it relates to everything else. To me, that's where the question is. As Mr. Hall correctly pointed out, if we create this district, we do split some communities and counties from the other criteria that are important to us. And how does that affect the rest of the state so
we can minimize those effects throughout the state as a whole?

COMMISSIONER HALL: Well, if I -- I think that is going to become clear as we see the analysis of your proposal with respect to the five. And clearly, assuming there are two southern districts that are approximately close, I don't know -- utilizing that assumption, and assuming we do something in the north, the five are simply going to change. And that was speaking to my previous point. No matter what you do, Parker is with the valley, it doesn't matter how you slice it, because the horseshoe is there. We can readily see. The adjustment within Metropolitan Phoenix, depending on what you throw from west and east, throw Pinal and Gila east, throw more from the west, trickle more from the east.

I could be wrong, you folks correct me, that's just a general point.

I guess with respect to if it's the will of the Commission that we have, I understand that's certainly our wish, to have a Northern Rural District irrespective of the Navajo-Hopi issue, that essentially that is how that is how it's going to look. We'll have to tweak borders, tweak lines, make internal districts longer, shorter, wider. Essentially that's the basis.
Parker, no matter what, given this scenario, will have to go to the valley, unless a decision is made that the southwestern district, with our Hispanic AUR, we amend that and then bring that up. That would affect the majority-minority Congressional District, which we feel like is certainly important.

CHAIRMAN LYNN: Dr. Adams.

DR. ADAMS: Commissioner Lynn, Members of the Commission, the only thing I want to comment upon is in what we presented to you, no counties were split except a tiny portion, two tiny portions of Yavapai. Now there are three county splits in this scenario.

COMMISSIONER HALL: In your scenario, two?

DR. ADAMS: Only one.

MR. HUTCHISON: Gila, Yavapai portions were taken. Only Indian reservations.

COMMISSIONER HALL: Nevertheless, three were split previously.

DR. ADAMS: We typically don't consider, if unifying Indian Reservation that crossed a county boundary, we don't consider that a major county split. It's a technical split.

COMMISSIONER HALL: Three before, three now, correct?

DR. ADAMS: Technically.
COMMISSIONER HALL: Technically or not, I'm okay.

With respect to Ms. Minkoff's question on Southern Yavapai, is it correct the population is only 15,000?

MR. HUTCHISON: 12,500 at this point.

COMMISSIONER HALL: New River, Cave Creek?

MR. HUTCHISON: Yes.

COMMISSIONER MINKOFF: Black Canyon City, Maricopa.

What is the white area of Maricopa, all urban?

MR. HUTCHISON: No. The white area to the east, if I zoom in on that, I'll explain as well. Those areas were previously in District C that we dropped off to have an entirely rural district. They are currently unassigned. They will go in with -- as it stands now, they'll go in with the eastern side of Phoenix.

COMMISSIONER HALL: How much population do we pick up with that north Fort McDowell Reservation?

MR. HUTCHISON: Fort McDowell and Salt River?

COMMISSIONER HALL: Both.

MR. HUTCHISON: To get there, the

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difference, how to do it, full Census tracts, 4,120.

Get through the Census tract there and then pick up Indian Reservations that are contiguous to that.

COMMISSIONER HALL: Total of that is?

MR. HUTCISON: 824 persons in the Fort McDowell Reservation. Salt River, there are 6,400. So together, 7,200, roughly 11,500 max.

COMMISSIONER HALL: 11,500?

MR. HUTCHISON: Yeah.

COMMISSIONER HALL: What, up to now, Chris, if we included reservations, given the current configuration, amendments we played with, what is the total tally?

MR. HUTCHISON: If we included those, also including Southern Yavapai?

COMMISSIONER HALL: Excluding Southern Yavapai.

MR. HUTCHISON: Excluding, 11,500.

Include those, you can drop off 11,500 more people in Mohave. That's really --

Want to know percentages?

COMMISSIONER HALL: I want to know the total tally now, with two additional reservations included, excluding Lake Havasu, and including the Gila portions. What is the total tally? I lost track.

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MR. HUTCHISON: Oh, sure.

COMMISSIONER HALL: It's like three children got off the bus and four got on.

MR. HUTCHISON: 649,337. 3,000 below.

COMMISSIONER HALL: 8,000 over; is that correct?

MR. HUTCHISON: 8,000 over.

COMMISSIONER HALL: Okay. So what is the population of Bullhead City?

COMMISSIONER HUNTWORK: I've eagerly awaited to know the principle and incident so I can see what happens, what the other five may create. There are some important interconnections with this. So I think we should -- I suggest we should move to that and then come back to this point; because I'm not really getting any criteria for making a decision.

CHAIRMAN LYNN: The other point, Mr. Huntwork, the purpose of the demonstration this evening and reporting back was to show us what the Northern Arizona District would look like. Having not balanced the remainder of the state, it's not up to us to do it this evening. This is sort of on the road we embarked upon.

I think from the standpoint we see what the Northern Arizona District would look like, the
Northern District without ties to Maricopa County, we get that. That's clear.

Without objection, I'd like to move to Mr. Huntwork's suggestion, take a look, rather than complete this, it's not for us to complete tonight. We have a pattern, if we chose to suggest to the consultants this is something we'd like to see flushed out, that could happen, go through with it tonight, I don't think it's inappropriate.

COMMISSIONER HALL: Mr. Chairman, I do object. I'm almost done. Mr. Huntwork will get it when I prove to him what we do is completely relevant to what occurs to the two major relevant areas.

Is it a major issue?

MR. HUTCHISON: Yes.

COMMISSIONER HALL: At this point, given these proposed adjustments, we're left with some decisions. Just making assumptions, as I understand it then, we're 8,000 over.

You approximately have dealt with the Hopi situation, or, if there's a determination to leave them together, we simply tweak the borders. I would suggest that this, in principle, or I make a motion in principle that this would be what the Northern Arizona, completely rural district, would look like as we then iron out the
CHAIRMAN LYNN: I understand you put that in the form of a motion. I ask you hold the motion. There are several interdependent things. The rest of the state is not balanced. I feel it is not appropriate yet to vote on it.

Notwithstanding your conviction it will not have any impact, I'd like to see it. I'd like to look at it. Everything is interdependent. I'd not want to vote on it, because I've not had a chance to take a look at it. If it seems to me they seem to fit together, then we should determine it. I'd like to look at it in totality.

Again, if you'd like to make the motion, I'll certainly try to get a second and work it.

COMMISSIONER HALL: The motion has been made.

CHAIRMAN LYNN: Is there a second? Then we'll revisit that later this evening.

(Motion dies for lack of a second.)

CHAIRMAN LYNN: Might we then move to Mr. Huntwork's --

Is that where go next, gentlemen? I don't want to foul up your order.
The five greater districts next?

DR. HESLOP: Yes.

MR. HUTCHISON: Mr. Chairman,

Commissioners, I'm speaking about the Maricopa, the
Maricopa Districts.

DR. ADAMS: We did work on east-west,
north-south, a number of the issues. We were in the
midst of working on this at 20 minutes after 7:00. We
had just begun really getting into that. It was a more
difficult issue to deal with, making adjustments. We do
have some issues within Maricopa County.

Chris can work on some things we'll advise
you of, and then we'll examine them in more detail.

MR. HUTCHISON: I'm putting up place
labels.

CHAIRMAN LYNN: With the caveat I'm not
sure without place labels, unless we see it.

DR. ADAMS: Possibly true. We were just
going into it.

Chris, describe what we had done in that
shift, how much we had done --

COMMISSIONER MINKOFF: Dr. Adams, how long
would it have taken you to prepare those maps?

DR. ADAMS: Probably another 45 minutes or
so, maybe to an hour.
COMMISSIONER HUNTWORK: Let's embark, see
if it's --

CHAIRMAN LYNN: Chris, proceed.

MR. HUTCHISON: Thank you.

We talked earlier about how Maricopa County had somewhere close to 3.07 million persons within it, according to the 2000 Census, .02 million short of a fifth Congressional District. Where you get the population for the fifth Congressional District is where we'd like to possibly get instruction from the Commission on.

If you look around Maricopa County, there's not a lot of populated areas, except for Pinal County. There's Pinal County, and we're trying to stay out of rural areas, areas immediately surrounding it, Apache Junction, Gold Canyon, a little further away, Casa Grande. Those areas do total up to 125,000 persons. Apache Junction, I'm Gold Canyon, I'm not trying to dispronounce it, together in one district, there would be trade-offs, splits, most likely in one of those cities, because there are areas in between that do have populations as well.

The other option would be to move west. La Paz has 20,000 persons. The remaining portion -- we already included all of Maricopa. La Paz only has
20,000 persons. There isn't a lot for you to grab. You could go up to Yavapai. Yavapai has 168,000 persons. You may come close to Verde Valley. I don't know yet. That would be something we could look into.

Moving east, Gila County has 51,000 persons. That's pretty the much surrounding area you could look to for the extra 125,000 persons.

The other issue, once you get the 125,000 persons, what happens to the rural areas to the east and west, actually I addressed that in the other, when addressing the Northern Arizona Rural District. Those areas left, islands attached to the Northern District, or Southern District, aren't currently attached to it now, speaking specifically La Paz County areas, Gila County, possibly Graham, Greenlee, if there is a Northern District.

Any questions?

COMMISSIONER ELDER: Chris, could you show the boundary areas you are referring to in Gila?

MR. HUTCHISON: Gila County, if I zoom over, Gila, 51,000 persons, which includes Native American persons. If I exclude those 85,000 persons, leaving it 85,000 persons short of a fifth Congressional District.

I'll also go through all, for the Maricopa
County point of view, the relatively unpopulated areas on the eastern edge of Maricopa County.

COMMISSIONER ELDER: What is the population in that Maricopa, Black Canyon area south combined?

MR. HUTCHISON: This area?

COMMISSIONER HALL: 15,000.

MR. HUTCHISON: 8,000, 4,000, I forget which.

I believe it's roughly 6,000, 7,000, all together, up in the Yavapai white area. Down south in the area, white within Pinal County, roughly 50,000, maybe a little more.

I can tell you exactly.

COMMISSIONER ELDER: Then, Chris, on the other side of the Metropolitan area, Buckeye, Goodyear, Sun City, how many people in that --

MR. HUTCHISON: Those are already included in the Maricopa County total, so they don't really add anything to your numbers.

COMMISSIONER ELDER: Okay.

COMMISSIONER MINKOFF: Chris, you have Rio Verde hung out by itself. You have Rio Verde hung out. It's not a large area, but it has to be something.

MR. HUTCHISON: Where?
COMMISSIONER MINKOFF: The Rio Verde Hills out by the reservation.

MR. HUTCHISON: Again, it's within Maricopa County and doesn't affect -- it's the unassigned here, but it doesn't affect what we're talking about. The area of Pinal is 41,460 persons. This area here is now highlighted. Combined with the 7,000 here, it's roughly 50,000.

Those areas combined with the entire Gila counties, non-Indian reservations, still less than a hundred thousand people, looking for 30.

COMMISSIONER ELDER: Mr. Chairman?

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: I just guess I'm coming to the realization there isn't a good way of getting five districts in the Maricopa County area, that it looks like with four, and then a transitional, four may be the best for both the rural and the urban issue that we have as well as the communities of interest. It seems like we're really going against a lot of things we were trying to do by trying to get five districts within that Metropolitan area.

CHAIRMAN LYNN: Chris?

MR. HUTCHISON: Mr. Chairman, Commissioners, it was just pointed out to me it's
important to remember a fifth Congressional District,
regardless of where you put it, would still be dominated
exclusively by Maricopa County. We're talking 85
percent of the Congressional District, depending on
where you draw it, one coming out from the west, still
from the east, would still dominate the district when
drawing the lines.

CHAIRMAN LYNN: Wouldn't that be
commensurate with what we discussed earlier, take the
population of the county, it's enough for approximately
4.75 districts, which would be four inclusive, if that
were your choice, one and three-quarters dominated by.

MR. HUTCHISON: Sure.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: The problem, this
is a very difficult problem. There is no good way to do
it that solves everything. We've not nearly seen enough
here to begin to come to the conclusion that this isn't
the best solution.

I think that that in itself convinces me
that we need to see some maps. I don't think we should
talk about this without maps. Because we can't possibly
begin to make that statement.

What we saw first thing this morning were
five districts dominated by Maricopa County, but the

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domination wasn't even close. One went all the way over
to the Colorado River, all the way over to the west
corner of the state. That was a fifth district already
dominated by Maricopa County.

CHAIRMAN LYNN: We should be careful not
to confuse geography with population in view of
dominance. There is a significant amount of land where
fewer and fewer people live as you move out of the core,
but I understand your point.

COMMISSIONER HUNTWORK: It wasn't compact,
and the further away you live, the less people believe
they have the Town of Maricopa County. We're not going
to end up having Maricopa County dominating at least
five districts. There is, however, potentially a
solution with Maricopa County dominating at least six
districts. What we saw on the board first thing this
morning ran the risk of that. Maricopa County, I should
have is said the Phoenix Metropolitan area. That's what
I really meant to say, had five already, and we have,
you know, an exploding area on the very east which is
not entirely Maricopa County which part is quickly
growing, connected by the freeway to Maricopa County,
will quickly grow. So that had six areas that would be
dominated by the Phoenix Metropolitan area, if I don't
miss my guess.
I think this is the way, and I'm moving to come to the conclusion we're not onto something here. I think we need to see some lines before we really get into it.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: I would like to see the maps, also. That's the reason I voted for and supported the review of the five districts wholly centered with the Metropolitan area of Phoenix. Mathematically, those, as connected to Jim's last comment, you could indeed have the option, alternative, with four solid districts and that 4.7, and dividing that .7 into the surrounding four districts and come out with four four as opposed to five three or six two. Mathematically it can be done.

I guess what I'd like to do is see the maps, move onto our north-south options to see what we have there, and see if we can get those maps together where we can make a decision.

CHAIRMAN LYNN: Without objection, take those comments. Without objection let's have the consultants complete the mapping process four five districts and look at that in the morning.

DR. ADAMS: Mr. Chairman, that was our intention.
COMMISSIONER MINKOFF: I want make sure it was understood, in agreement with Commissioner Huntwork, what we're trying to do by this: Make sure Maricopa County, Arizona, the 500-pound gorilla, does not dominate all Congressional Districts in the state. It could be drawn that way, having all eight districts dominated by Maricopa County. We, the Maricopa County residents, are trying to make sure that does not happen. We want to make sure Maricopa County's dominance does not extend to state-wide dominance. I believe there is a large growth rate in Maricopa County. Look at the numbers beginning with. Even Maricopa County does not yet dominate six eight districts. In six years it soon will. And the population does not yet exist to justify that.

CHAIRMAN LYNN: No one will be more grateful than those of us that don't live there.

COMMISSIONER MINKOFF: Grateful you don't live in Maricopa County?

CHAIRMAN LYNN: Grateful you are taking an interest in the decision.

Mr. Hall?

COMMISSIONER HALL: At the risk of being redundant, for me it's very simple. I'd welcome some comment. If logic fails me, the alignment, with respect
to the numbers in the Phoenix Metropolitan area, there
is a remainder. Therefore, the remainder must be
gathered from either one of four directions, or we could
have a combination of any of the four directions. For
the sake of simplicity in discussion, we must gather the
remainder from the north, west, south or east.
Therefore, in order to identify the remainder, we must
make considerations of what is most important. The most
important items we have determined as this Commission
are communities of interest. Communities of interest
constitute Hispanics, Native Americans, and rural versus
urban. Therefore, I reiterate if this Commission is in
agreement, the Southwest District essentially is fair as
it stands as a draft, and I capitalize Draft Map. Then
we lock, we have that to move forward, to move forward
for public comment. Then if the Commission is of the
opinion the Southeast District is essentially okay as it
stands as a draft map, we make a decision regarding the
rural Northern Arizona District. We just played several
games to determine leaving the remainder of Gila County
or the leave the remainder in Mohave County, increase
the remainder in Mohave County. Those seem to be three
logical choices, combining as many Native American
voices as possible remaining with as much rural texture
as possible, not now or for the future.

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Once there are those decisions now, we have a remainder. Once there's a remainder, then it's subject to discussion. The remainder, wherever it is, or whatever it is, it becomes a component. The lines go diagonal, horizontal, or vertical.

Back to my point, I think given the principles already established, no matter how you slice it, Parker will be in some Congressional District with Metropolitan Phoenix because it's almost impossible to get to that point, no matter how you slice it. So, therefore, I reiterate the fact that we all would like to look at the Metropolitan maps but it, in my humble opinion, is not going to affect what we do with respect to the three outside districts. Those decisions need to be made first. In the nature of geography of the state, we have to draw outside in.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, the distinction here is what you are saying, Commissioner Hall, is certainly correct. And it almost goes without saying that the issue I'm -- I want to look at is how then do we create the connections with Maricopa County. Which of these other areas fits best with Maricopa County. We, Maricopa County, counts as well. So you have shown that that Northern District and put it

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relatively evenly across the north half of the state, or it can be tilted to the left, or it can be tilted to the right. Now that we have, what we have to do now is look at how Maricopa County fits into this and with the remaining issues, which ones fit best with Maricopa County, which are more compact, refine the interests, and so on. How can we do it, divide counties as little as possible, and so forth. Those are questions we need to ask. We need to start with maps in order to do it.

CHAIRMAN LYNN: Further discussion on this issue before we move on to some of the vertical versus horizontal split issues?

I think -- I mean if I can convey the sense of the Commission without a vote being taken, I'd like to see the maps on the Maricopa County Districts. If time permits between now and tomorrow, again, in terms of some of you can sleep, others can work, a shift kind of thing, or however you might want to configure it, it's also nice to know, the essence of what Mr. Hall is saying, with Mr. Hall's concurrence, we may be interested in the total configuration, very interested to know how all the pieces fit together before we decide on any one of the pieces. Because we had this morning maps, complete maps, not necessarily perfect, complete in terms using all areas of the state to look at each of
the districts and determine what was the composite
configuration in each of the districts.

I think we need it, speaking for myself, I
need that to be able to tell you that we like that
direction in its totality more than we like other
directions. So we'd like to see that tomorrow morning.

DR. ADAMS: Mr. Chairman, Members of the
Commission, may I request that the meeting start just
slightly later tomorrow? We have been working many,
many hours, rather intensely. I want to make certain my
staff does indeed get some sleep tonight.

CHAIRMAN LYNN: My only concern, we
noticed the meeting for 8:30 tomorrow morning. Perhaps
a member of your staff can get the early bed shift, have
one person be with us for public comment, other issues
we might take at the beginning of the meeting, the
schedule of the presentation, then we'll have the next
presentation from NDC as close to 9:00 o'clock as we can
make it.

DR. ADAMS: That would be helpful. We'll
have staff members here by 8:30.

CHAIRMAN LYNN: Thank you.

Are you prepared to talk about the
horizontal-vertical split?

I've just been informed as well, the

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Commission and consultants should be aware, the Gila Indian River Communities are coming in tomorrow morning to make public comment and will be making a bit of an extended comment that will dovetail nicely with the need to delay NDC's presentation.

MR. JOHNSON: Mr. Chairman, Members of the Commission, we don't have as highly developed a map for this one as we did the last one.

You are now familiar a lot with the population numbers. I did show you the effects of this northwest dividing line between the East-West District will affect what you are discussing today. And I'll bring up a pen here.

What we're talking about as we -- with what Chris was describing, if the Hopi come in or go out of this district, it's without a major impact to the look, feel, the same issue Chris was describing.

The base map is the one prepared from this morning. We were focusing on changes that we need to create a district.

This area, we need to move to the east. And we also want to take this portion out. It's a letter priority because this would be the primary rural district, as we discussed this morning.

The impact of these changes, as you
probably caught on through discussion of the ripple
effects of such moves, the district effect in the west,
the need to move south, as you know, that runs into
problems. The likelihood is this district will become
more more urban as we make this district a purely urban
district, as the goal has been expressed. So similar
features come into play, although this one keeps, as
Chris was describing, this keeps somewhat of a flavor of
a north-south orientation, the heavy orientation is
here.

This district will need to come south in
order to get it out without going all the way into the
configuration just described. The effect is this
district down in the corner will be disrupted. Instead
of the population shifts Chris described here, we have
population shifts here. To make up for shifts in this
side here, this side -- this region, the not heavily
Hispanic portion relative to other portions. It's also
not very densely populated. You could move it this way.
You do end up with two districts passing on the side.
It's part of the reason we focused on the district Chris
focused on.

This could be done. You'd end up with a
purely rural eastern district, a kind of, almost a
district freeway, you might say, riding just east of the
freeway, you might say, to keep population equality
around.

This one we obviously didn't spend as much
time on, go into as many details on. I think you are
familiar with as many of the details or the nature of
it.

CHAIRMAN LYNN: Any questions?

Ms. Leoni.

MS. LEONI: I want to point out the
necessity of moving La Paz into the Southern Hispanic
AUR affects one of the most sensitive areas of the
state. The La Paz County portion of it is about 20,000
people, and it's only about 22 percent Hispanic, and I
think not much more than that total minority. The
southern state AUR is borderline, right now at about 50
percent Hispanic, and somewhat higher than that
minority, and will be easily diluted by this sort of
arrangement.

CHAIRMAN LYNN: Comments or questions?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Conceptually it
seems to merge with the plan we talked about before in
red, an extreme clockwise shift of the Northern District
which becomes an Eastern District in part, as was that
plan, the result left over becomes a Northern District.
I think this illustrates if you took the Northern District to the extreme, have it become an Eastern District, and push it all the way down to the southeast of the state, obviously what that does. Anything that creates a purely rural district phases the rest of the -- goes more and more into urban domination.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I have a question on this district, whether you have any decision about the Hopi Reservation. Is it in the Eastern District or Western District as it currently is?

MR. JOHNSON: Similar to Chris' presentation, it could go either way without significant impact. The finger would be shorter than the case Chris was describing. We do think the other had advantages.

COMMISSIONER ELDER: Mr. Johnson, I might not understand your hieroglyphics. Does this area get attached to the urban core? Is this area attached to the urban core, and north-south?

MR. RIVERA: For the record, would you identify the areas you've talked about, give a designation or something?

MR. JOHNSON: Eastern Maricopa as included in District C would now be merged with the urban districts in Maricopa County, and district C's border
would move to the east and be left out of Maricopa County. The west side, the option there is to keep somewhat of a rural flavor.

This would never achieve a purely rural flavor. The western Maricopa County portion joins up with the urban portion to the west and joins up with La Paz.

CHAIRMAN LYNN: Further comments?

Ms. Minkoff.

COMMISSIONER MINKOFF: I understand the point you make about the eastern portion staying with the Maricopa County Metropolitan area. That western portion you outlined is a pretty urban area and includes parts of Peoria, the Sun Cities, Litchfield Park, a lot of western communities.

Are you saying that is now moving to a rural district? It can't. Wherever it moves, it is no longer a rural district.

MR. JOHNSON: Right. The directions we're trying to implement here, the difficulties we moved into are not as developed as the previous one, trying to get one pure rural district, one somewhat rural district. It doesn't work very well, as you illustrate.

COMMISSIONER MINKOFF: It seems to me, if changing the western district, dropping down into Yuma

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County, you've now taken the Southern District, I think
originally District G, taken population away from it
that you have to pick up someplace else.

MR. JOHNSON: The Maricopa County area.

COMMISSIONER MINKOFF: Why, what are you
trying to achieve by doing this?

MR. JOHNSON: The Commission had given us
the instruction to try to look at two configurations to
see which ones would work. We wanted to fully report
back to you that we had looked at both approaches, and
the results are fairly clear.

COMMISSIONER MINKOFF: This is what you
call the north-south dividing lines.

MR. JOHNSON: North-south dividing lines
of the East-West Districts.

COMMISSIONER MINKOFF: The point you are
making is the other one --

MR. JOHNSON: We think the other one has
fewer problems.

COMMISSIONER MINKOFF: Okay. Point made.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: I guess I have to
agree. There are just a tremendous number of things
from either AURs, from counties to other things on this
plan, that just go against most of the things we've

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given direction we agreed upon, to course of development of draft plans. In the Yuma area, there having been dilution issues that come into there. Cochise in the southeast corner, and moving further on up, and that doesn't seem to make sense. Bringing the Eastern Counties into Cochise and breaking Cochise doesn't seem to make sense.

I would have to say right now, and without looking, unless we're going to get a map there, I don't think there's a lot more reason to go forward with the exercise of the vertical east-west, whatever we want to call those districts.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I want to make a point, again, I'm not sure I said it right the first time. Phoenix, G and H, for the sake of argument, we're not going to change G and H. Then all we're doing, say one purely rural district, then all you are doing is moving it around from the east side to north to the west, and whatever is left over gets put into Phoenix. To do this you don't have to go into G and don't have to go into H unless you decide to do it. Automatically say don't touch G and H. Automatically say whatever is not a purely rural district gets united with Phoenix and, therefore, be open to that extent. Everything except
Cochise County here -- I don't know why you're saying in
order to create essentially an east-west tilt instead of
a north-south tilt, one floating district, you have to
invade the Hispanic AUR, because obviously don't.
Simply drive the western district further into the urban
areas of Maricopa County.

MR. HUTCHISON: I'd actually agree with
that. The only reason to describe this option was the
goal to find any way to do this with a north-south
dividing line. I think we found there really was not,
as long as we were going to respect the areas of
District G.

District G is going to be discussed in
considerable detail by counsel.

CHAIRMAN LYNN: I do concur with the
premise, making the assumptions Mr. Huntwork outlined
that the rural district could rotate on its axis down
the west side and east side of the state to the extent
necessary again, given the parameters you wouldn't
invade G and H given the scenario whatever you needed to
make up the difference would force you to the center of
the state to align with something in Maricopa County.

MR. JOHNSON: We could do that in the
center of this. District, we could arrive at that
point.
CHAIRMAN LYNN: Further comments or questions on this analysis?

Now, is this the bulk of the work?

You have more to tell us?

DR. ADAMS: Mr. Chairman, Members of the Commission, we do have other analysis to show you in a Power Point.

CHAIRMAN LYNN: I'd ask at this point, Mr. Hall needed to be absent for a few minutes. I wonder if we to take a short break.

We need a short break.

Let's all keep it to a 10-minute break, if we could.

(Recess taken from 9:02 p.m. until approximately 9:24 p.m.)

CHAIRMAN LYNN: Ladies and gentlemen, I'd ask everyone to take their seats, please, and we'll reconvene the Commission, and we'll hear the balance of the report from NDC.

Ms. Leoni, are you making your report?

MS. LEONI: Yes. I'll be making this aspect of my report with my trustee superior here. We have no minions in the firm.

MR. RUDGE: We have the Power Points here.

MS. LEONI: We wanted to address this

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We had a number of issues raised in regard to some of the Maricopa County neighborhoods, because they will impact, I think, what we do in tonight's work. I want to address them quite quickly.

The first one was a suggestion that we look --

Is Doug there?

MR. JOHNSON: Yeah.

MS. LEONI: Doug, were you going to draw some circles for me?

We were going to look at drawing Ahwatukee into Congressional District D. Two main comments up there on the Power Point. I wanted to talk about that.

First, let's highlight the Ahwatukee area, get our little pen out here. And this is an area with 54,749 people. And the proposal was to move that into the Hispanic AUR. And the compensating move would be to take the portion of the Hispanic AUR that is in Glendale and unite it in one of the more Northern Districts with the rest of the City of Glendale. Now, that more northerly portion of an AUR has 57,297 people, and it's about half Hispanic. It's that area right there. The resulting impact on the AUR would be, number one, a social AUR, a community of interest impact in that you

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would be bringing in a dissimilar neighborhood in Ahwatukee and losing a portion of an AUR specifically included. It would have a diluted effect on numbers, but whether it was an effect of significance, we're not prepared to tell you yet.

It would reduce the Hispanic nature of this district from about 59.6 or 7 percent to 56.1. The impact on the voting age population would be a drop from about 54 percent to about 50.

Now, this is a total overall majority-minority district. And while these are possible moves, I think they remain to be refined based on the voting analysis that we are in the process of developing.

I am not prepared at this point to tell you that this is absolutely not possible. I think it's on the list of possibilities. We need to bring you more information.

A third addition to this move was the movement of the Gila. I think we're going to hear more about this tomorrow, a movement of Gila River Reservation into District G.

Let me address the La Paz area since that's up here on the Power Point. And I've already mentioned that when we were discussing the east-west
orientation for the rural districts, the movement of La
Paz into Congressional District G, which is most
representative of Hispanic AURs, would result in
dilution, I believe, which is much more problematic than
working with the Hispanic AUR in Maricopa County.

Moving on.

We've already discussed the Glendale
issues.

Let's move on, too.

We don't have Gila. I'll address that in
a moment.

There's also a suggestion of moving the
Gila Reservation into an AUR. There would be a slightly
more dilutive effect in terms of the Hispanic
population.

That portion, that reservation, has about
12,000 people in it. It is very slightly Hispanic,
although it is 96 percent total minority. But bringing
that group into the Maricopa County AUR, Hispanic AUR,
would require a loss of an equal number of people
elsewhere. So we have some additional dilution issues
there that impact not only the Maricopa County AUR but
also the southern AUR.

Once again, we're taking a highly minority
area, removing it from that southern state AUR.

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My concern, once again, is the possibility of a legally significant dilution in that area of the state.

The last issue that we were looking at that impacted our Hispanic AURs were Tucson issues.

There was a suggestion to move a neighborhood surrounding the University into District G, not because of the racial make up but because of an identity of political and social issues. We've looked at those neighborhoods, neighborhoods under the thematic map, the areas in there north and east of the boundary lines of the draft plan we showed you this morning, not highly minority, however information we're receiving which is also part of the public record is they do have a social and community orientation to the south. Obviously, bringing a high population density population area around the University into the minority AUR will have an impact in terms of numbers. Whether it has an impact in terms of voting strength, we can't tell you that. There may be a strong crossover of voters on issues of importance to the southern state AUR.

And we also have flexibility in La Paz County. Right now it is not divided. However, there is an option to divide that, to try to rebalance numbers once the neighborhood is moved. This is something we
1. did not look at in detail and would like to bring you 
2. more information on.
3. 
4. CHAIRMAN LYNN: I think you mean Santa Cruz County, not La Paz.
5. 
6. MS. LEONI: I'm so sorry, I do mean Santa Cruz, not La Paz.

7. CHAIRMAN LYNN: Any comments or questions?
8. 
9. Ms. Leoni, thank you very much.
10. 
11. Are there other issues or direction that we need to give the consultants this evening before we adjourn and before we are prepared then to see the full mapping of the Maricopa County Districts and also the impact of the other work that we did this evening on the full statewide map Congressional Districts?

12. Ms. Minkoff?

13. COMMISSIONER MINKOFF: I've had a chance to think about some of the things that were said and also the original draft map, and I find myself in an unusual position. I'm agreeing with Commissioner Hall.

14. Looking at the map, the two southern districts really do seem to make a lot of sense. Maybe they need a little bit of tweaking here and there, but I think that those districts do work. I didn't raise the issue of possibly moving the Gila River Indian Reservation out. It's not a large number of people.
And if that is what they want and tell us tomorrow and we choose to do it, there may be some minor adjustments. Commissioner Hall said awhile ago probably what we need to do get the rural districts in place and then divide up the rest of it. That may be a good approach for you to use. You have districts G, H, south of the eastern corner. Even though H is not really a rural district, they seem to work.

We looked at a Northern Arizona District tonight that seems to have the potential for further development. And I would just suggest that maybe the way to go is to nail down those three districts and then the rest of it gets divided in five pieces. And those are just my thoughts.

CHAIRMAN LYNN: But it's not an five easy pieces.

COMMISSIONER MINKOFF: I never said it was easy.

CHAIRMAN LYNN: I just wanted to be sure.

Mr. Hall.

COMMISSIONER HALL: Thank you,

Mr. Chairman.

Dovetailing on that, I agree totally, as was totally made clear, and I appreciate Commissioner Minkoff's comments.

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Therefore, I make a motion that we would essentially instruct NDC to continue the drafting process, leaving District G essentially as it stands with the adjustments that were just noted by Ms. Leoni, and District H essentially as it stands with the adjustments as noted by Ms. Leoni.

CHAIRMAN LYNN: Is there a second to the motion?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion?

COMMISSIONER ELDER: For clarification.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: For clarification, Mr. Hall, does that preclude the shift of the map, and that, into C --

COMMISSIONER HALL: The question, I discussed that briefly with NDC. I think we have a population problem. Furthermore, we may have a voting rights issue there. I don't know. They can look at that. I guess, as I understand the concern, Ms. Leoni, I welcome input on that issue.

If you took a sample, Mammoth, Duddleyville, et cetera, moved it east, picked up Gila Bend, not trading people for people there, both in respects to numbers and in respects to necessarily the
make-up there, Ms. Leoni, please, if you would enlighten us, Chris, or whatever.

   MS. LEONI:  Chris pointed out the numbers for me in the minority communities there.

   The impact on the Southern Arizona Hispanic AUR, there are 8,000 people there, about half Hispanic.

   COMMISSIONER HALL:  Certainly, Mr. Elder, it would not preclude us, again. I'm just trying to get somewhere. We can tweak it again as we look at it. I'm just trying to give our consultants a little clear vision as they move into the wee hours of the morning.

   So that's my opinion, just start here and try to work to that goal.

   CHAIRMAN LYNN:  Mr. Huntwork.

   COMMISSIONER HUNTWORK:  A question first. Is the reference to the changes Ms. Leoni discussed, maintain flexibility to do those after we looked at the results of her -- we're not making those changes now.

   COMMISSIONER HALL:  I understood -- my motion, the intent of my motion was for them to incorporate the changes with respect to Santa Cruz County and the University as she specifically just discussed and reflect those in Districts G and H so we
then could analyze those, whether or not --

COMMISSIONER HUNTWORK: What I understood her comment to be was she thought they might be possible to make, but she needed to look at it further. She intended to say this has promise, I need to look at it further and get back to you.

COMMISSIONER HALL: So we instruct them to do it and let us look at it further tomorrow.

COMMISSIONER HUNTWORK: Complete the investigation to consider it further.

COMMISSIONER HALL: Make the changes.

Bring back the lines. Let us look at it, and we'll evaluate it tomorrow.

COMMISSIONER HUNTWORK: Then let me treat the motion, for descriptive purposes here I've drawn a map of Arizona which has labeled these districts a little differently. I've called the southeastern district one, the Hispanic south district two, drawn a square intended to represent Maricopa County and called it 4.8, and I have drawn the entire rest of the state and called it 1.2. What that is intended to show is there is 1.2 districts floating around in the rest of the state. I feel very strongly that where that one whole district ends up depends in large part on which .2 makes the most sense to unite with Maricopa County.
This is the point I've been trying to make. And to me, to simply say we're going to do it this way without looking at those connections violates the spirit of 106. I think there are communities of interest we need to know.

If there is a way to do it that makes the districts that relate to Maricopa County more compact, more contiguous, or divides fewer counties, et cetera, we need to know.

I would say before we fix the location of that district, we need to look at the Maricopa County situation first.

COMMISSIONER HALL: When you say that district, you say referring to which district?

COMMISSIONER HUNTWORK: The one purely rural district --

COMMISSIONER HALL: The motion, Mr. Huntwork, doesn't have anything to do with that district.

COMMISSIONER HUNTWORK: Please clarify.

COMMISSIONER HALL: I just wanted to bite the sandwich one bite at a time. My motion is we accept G and H with the adjustments noted, start them utilizing those two before they move into the other areas of the state.

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CHAIRMAN LYNN: Mr. Hall, for my clarification, when you say "accept," are you saying that in terms of accept them for inclusion in our map for public comment or are you saying accept them in terms of progressing to a point where we will vote for a map to be included for public comment?

COMMISSIONER HALL: The latter. Tomorrow we have to look at something. In order for us to look at something, we have to tell them something. If we don't tell them something, nobody is going to sleep tonight. For tomorrow, for additional and multiple consideration, I recommend they utilize leaving G and H essentially as they are with inclusion of the changes as noted. Then we'll address, of course, Northern Arizona next. Then based upon those three decisions, they then will go and map the Phoenix Metropolitan area, in my opinion. But the Northern Arizona is a separate issue. At this time I'm only speaking to G and H. Which are the two southern districts.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I did indeed misunderstand the original motion. I think that's a good idea.

CHAIRMAN LYNN: Further discussion on the motion?
COMMISSIONER ELDER: I'd call the question.

CHAIRMAN LYNN: All in favor, signify by saying "aye."

(Vote taken.)

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries unanimously.

COMMISSIONER ELDER: Took 10 minutes to get the motion out.

COMMISSIONER HALL: I understand.

I'd like to make another motion we instruct NDC, for further consideration and analysis, that they would, for mapping purposes, tomorrow draft the Northern Arizona District similar to what we saw in the initial presentation, including the adjustments I recommended wherein they remove portions of Mohave County and include the portions of Gila and Pinal in the rural and including the portions of the two northern reservations.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: I don't know. I made the argument previously, I believe. I would like

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to add to it that we are -- where exactly we draw the
lines for this other district, even if we take
essentially the approach that was being developed, it
still doesn't work. I was not commenting, I was
responding at that time to the particular point of
Mohave County to separating now two places in Yavapai
County, and so on, letting it go, because it illustrated
one possible way of adjusting that 1.0 district in the
northern part of the state. In fact, there is .2 of a
district that is also located somewhere in that area and
an infinite number of possible variations of how to draw
that district, an infinite number. The connections of
that .2 and the 4.8 districts in the Phoenix
Metropolitan area are as important as any other decision
we're going to make. I don't believe we can make a
decision on that Northern District without considering
the relationships with what is left over, and that is
the remainder.

I oppose the motion. I believe we need to
look at the Phoenix Metropolitan area and what
connections there are in the Northern District.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: It goes back to
comments about the ripple effect and the direction we
need to give NDC about where to start and adjust that

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ripple.

We seem to have two options. One we had at the very beginning of discussions, the change in the Mesa split, in the Mesa shift in the East Valley, that starts ripple back, or start in West Valley and start adjustments and go east. Seemed like those two areas are areas where we it's problematic and are the eventual solution. So I think that probably working with the East Valley, trying to make Mesa, Chandler, and the communities there whole and working back would be my approach, or my feeling of the approach we should take, and whatever happens on the west happens.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: That doesn't solve the problem. All those areas are already in Maricopa County. That's another issue.

The issue is within Maricopa County, where do we draw the lines? That's obviously something we're going to have to deal with.

What we're talking about is what areas outside of Maricopa County are going to be incorporated into Maricopa County districts?

One thing, one question I'd like to ask, Ms. Leoni, at what point are you going to have voting data which would factor into drawing of these districts?
MS. LEONI: Are you talking about racial voting data?

COMMISSIONER MINKOFF: I can't hear you.

MS. LEONI: Racial voting data?

COMMISSIONER MINKOFF: Not racial voting data, I'm talking, you know --

MS. LEONI: Competitiveness?

COMMISSIONER MINKOFF: Some voting data, not perfect, it will need to be adjusted, we'll need to begin to approach districts that begin to make sense that can be fine-tuned at a later date. I'm also talking about competitiveness.

MS. LEONI: If I understand our capabilities now, we will be able to give you voter registration on districts as they are developed. So we will have the registration data. We're on a conference call tomorrow morning at 7:00 a.m. to confirm when we can get a more whole analysis of that.

COMMISSIONER MINKOFF: You would not be able to use that to help us make decisions in this particular area for us to see tomorrow?

MS. LEONI: We will not have that data at the meeting tomorrow morning.

COMMISSIONER MINKOFF: Then we're still left with the issue of what there is outside of the

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Maricopa County that should be incorporated, what is the .2 that comes out of the rest of the state. That's the issue that needs to be dealt with. One area that seems logical to me, although it's not enough, is the area of northern Pinal County, Apache Junction, Gold Canyon Ranch. Even though Pinal County seems to connect to East Mesa, it's an easy place to get population to Maricopa County, maybe cut down to 1.15, 1.5 -- I recommend adding that to Maricopa County. As to where the rest of it is going to come from, I'm not sure.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I would be interested in seeing the map that results from moving the 1.0 whatever district as far as east and as far to the south as possible while not -- while remaining entirely rural. I'm not sure that that is exactly what the exercise that we went through proves. But certainly one way to do this is to take this and just turn it that way as far as possible and then we would see what -- we'd see how the rest of the state, including Maricopa County, is laid out. That would define where the other .2 came from and properly wind up in West Phoenix that way. There's no question about it.

One of the points is that's not the only way to do it. I'd like to see it that way. I'd also

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like to see it as simply an entirely separate analysis, Maricopa County and the surrounding areas, to determine whether there is a more logical way of completing the five districts in Maricopa County than simply going to Pinal.

CHAIRMAN LYNN: Mr. Elder and Mr. Hall.

COMMISSIONER ELDER: Talking the same terminology, there was earlier discussion talking about the Phoenix Metropolitan area, not specifically Maricopa County. The first submittal was a presentation of areas to the east. Maybe these areas, and we went through an exercise of subtracting out areas, adding areas, plus and minuses. And I believe the intent of the motion was to look at those plus and minuses with the Metropolitan Phoenix approach as opposed to a Maricopa County approach. I want to find out and make sure we're still talking the same language here.

COMMISSIONER HUNTWORK: If the motion had been what I outlined, to move that way as far as possible, not using any urban areas, exclude the Pinal urban county areas, if they meet that definition, define the urban areas, I support that. I agree. I want to see what that looks like.

I haven't had an opportunity to really understand or agree that what we were doing there is the
specific lines we were drawing in Mohave County, some
areas were down in the southeast quadrant, some weren't,
and so I -- it wasn't -- it was sort of an arbitrary
shift. We got part way there but not all the way to
that configuration. I don't know if the pieces left
over in the southeast made any sense and could wind up
with Maricopa County. It may have been logical, may
have made no sense whatsoever.

CHAIRMAN LYNN: I'm wondering if we could
get clarification, to bring closure to the argument,
if there are two points of view. I think I understand
both. If the consultants remember specifically, maybe,
Mr. Hall, you recollect, what is the southeastern most
corner of the district that we discussed earlier as
being the rural district? We now know it doesn't go as
far south, doesn't go into Cochise County. Does it go
all the way to Cochise County?

COMMISSIONER HALL: To Greenlee and
Graham.

CHAIRMAN LYNN: No shifting can be done.

If I understand, essentially it has been shifted. We
adopted G and H as a starting point. The top part of H
is the county line of Cochise County. Immediately above
it is the rural district we've been talking about. It
has been shifted as far to the east and south as you are
suggesting as it can go.

COMMISSIONER HUNTWORK: Well, but then there are also rural areas in -- I think in Pinal County.

COMMISSIONER HALL: They are already included.

CHAIRMAN LYNN: They were included in some adjustments made as we discussed earlier this evening.

COMMISSIONER HUNTWORK: Can we see it back up on the board?

CHAIRMAN LYNN: I suspect we could.

COMMISSIONER HALL: Mr. Hall, folks, we have to start somewhere. Okay? I'm suggesting we start here.

And, Jim, the whole reason we have these high-dollar laptops and high, big consultants is so we can do individual meetings, play what-if games to our individual heart's desires.

I'm just not sure that all that needs to occur here.

I would, therefore, encourage if you play every what-if game, and I have done that, therefore, I'm saying there are not an infinite number of possibilities. There are only a relatively limited number of possibilities for the .2, and they are very
easy to identify. I'm not sure to identify those is the purpose here.

Therefore, Mr. Chairman I think we need to give direction, a starting point, and from that see what happens inside the Phoenix Metropolitan area and then go ahead and then analyze from there.

Therefore, I call the question.

CHAIRMAN LYNN: The question has been called for on the motion.

Roll call.

Mr. Huntwork?

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "aye."

(Motion carries.)

CHAIRMAN LYNN: Other direction?

Mr. Huntwork.

COMMISSIONER HUNTWORK: I would like to make a motion we ask the consultants to make a recommendation to us as to where the additional .2 would
most ideally come from in order to complete the
districts in the Phoenix Metropolitan area.

CHAIRMAN LYNN: Is there a second?
COMMISSIONER ELDER: Second.
CHAIRMAN LYNN: Discussion?
COMMISSIONER HALL: Call the question.
CHAIRMAN LYNN: The question is called
for.

All in favor, signify by saying "aye."

(Vote taken.)
CHAIRMAN LYNN: Opposed, signify "no."
(Motion carries.)
DR. ADAMS: Could you restate that motion
and also the previous motion?
CHAIRMAN LYNN: Dr. Adams.
DR. ADAMS: I want a bit of brief
clarification. I want a bit of clarification on the
recommendations.

We've had two recommendations. The Tucson
motion could be dilutive, as we explained. Also, the
motion to alter the Northern District by taking out some
areas of Pinal County out of G is also dilutive, also.
I want to be certain I have clarification.

COMMISSIONER HALL: I'll attempt to do
that. I'll also attempt and hope I won't misspeak.
CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: With respect to G and H, it is my understanding that there was a desire to move the dividing line, move some areas within, along the dividing line. Ms. Leoni proposed some ideas, did she not.

DR. ADAMS: Ms. Leoni spoke to the implications of such a move and said they would be dilutive.

CHAIRMAN LYNN: Might be dilutive and need to be tested.

DR. ADAMS: Would be dilutive. What the impact would be, we'd need to wait until we see the racial block voting analysis. Once we see the racial block analysis, in terms of racial block analysis and total analysis, then analyze in terms of the district located in the Phoenix area.

The second point.

And we're happy to make the change. We just want you to understand the implications of it. I wasn't sure you totally understood that.

The second situation you just voted on, it also moves territory out of G into the rural district, and that is a second impact on District G and would be a further dilution of the Hispanic population of G.

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I just want to make certain that you understood the report we gave you. It's getting late and we're all a bit tired. I wasn't certain you understood.

COMMISSIONER HALL: I don't think we understood taking anything out of G to D.

DR. ADAMS: Mining areas?

COMMISSIONER HALL: I wasn't referring -- maybe we were. If so, then fine. I think the intent was to include the remainder of Gila with Superior and the top of the mountain, and that area. If -- then the mining to the south. If we made that, that was simply the numbers game. Fine. The remaining portion of Gila, the rural area of Pinal, in that district. I was just wanting to see and look at it. Guessing at some numbers, fine, leave G intact. Make adjustments to the south.

What I was trying to say, then make adjustments with respect to dilute -- increasing the impact on Mohave, increasing Mohave County to include the northern reservations in the Northern District. My understanding is it would be approximate numerically, not be super close in all draft maps, but as close as we can.

My understanding was, Dr. Adams, if you
split Santa Cruz County, it's fine with respect to the
dilution issue.

CHAIRMAN LYNN: It's to be determined.

MS. LEONI: That had to be tested to see
if that was available to address the dilution issue.

We're pleased to test it. We wanted to

know, you may make a decision in 10 hours you want to
move it back.

COMMISSIONER HALL: Great.

COMMISSIONER ELDER: Fine.

CHAIRMAN LYNN: We'll be happy to do so.

DR. ADAMS: Thank you for the

clarification.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: We won't be able
to do the testing for quite some time, correct?

When will we be able to test the
effectiveness.

MS. LEONI: We'll be able to see numbers
right away, racial block.

DR. ADAMS: We will know about the
dilution. Racial block voting?

COMMISSIONER HUNTWORK: When will we know
about racial block voting?

MS. LEONI: It's going to be a bit. We're

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still waiting for at least half of the data base.

MR. RIVERA: Mr. Chairman, what Ms. Leoni says is true. The Southwestern District is really close to 50 percent. If it goes below 50 percent, you don't need to get any more information to find out that's a Voting Rights violation.

CHAIRMAN LYNN: The point is we don't need any more additional data to find out. If it goes below 50 percent, we'll know that tomorrow, so we'll be able to determine that tomorrow, right?

MS. LEONI: Right.

CHAIRMAN LYNN: Thank you.

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: When we voted on the previous motion, I did not understand with regard to that.

I want to say drawing a line that would have a dilutive effect without putting it through testing, that's something we can do later. I didn't understand -- I did not understand the substantive reason for doing it. It just -- it sounded like it was just out of curiosity. At this point I would prefer not to do it.

CHAIRMAN LYNN: We've given direction to

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the consultants to take a look at adjustments in H. If
they do not meet the prima facie test for dilution,
don't do them. But they are to look at it. If they can
figure out a solution to make those changes without
affecting dilution, then we'd like to see that, how they
would do it.

MR. RIVERA: Mr. Chairman, I want clarify
it. I forgot Tohono O'odhom, the other non-Hispanic
minority. It doesn't have to be a total 50 percent
Hispanic. There are serious possible consequences with
other minorities. You can see possibly, how they vote
together. If you go below below 50 percent, it's not a
definite absolute.

MS. HAUSER: 50 percent total, voting age.

MR. RIVERA: Voting age.

COMMISSIONER MINKOFF: Total number.

Okay. Thank you.

CHAIRMAN LYNN: Again, we're not directing
you to dilute. Take a look at dilution. Give us the
benefit of your wisdom as to whether or not it can be
accomplished without diluting.

DR. ADAMS: Thank you. That answers that.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: I'd like everyone to
raise their hand if I'm beginning to sound like a broken

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record. We have got to look at something tomorrow. We
want to look at it.

I think there's clear direction for these
three districts, just to look at them, discuss, and I'm
fully confident additional analysis will occur. Then in
that respect, then go ahead and do something internally,
kind of to get our arms around this, that's our intent,
in the event it's the wish of this Commission not to
mess with District G, our rock of Gibraltar, if you
will, our majority-minority district.

So I also recommend we adjourn.

CHAIRMAN LYNN: We indicated we'd end with
a call to public. One member of the public indicated a
wish to be heard.

We'll end with a call to the public.

This is the time for consideration and
discussion of comments and complaints from the public.
Those wishing to address the Commission shall request
permission in advance by filling out a speaker slip.
Action taken as a result of public comment will be
limited to directing staff to study the matter or
rescheduling the matter for further consideration and
decision at a later date.

MR. HARTDEGEN: I'm confused. I got up
early to fill in potholes. I love that light sound,
keeps out the riffraff. I'm confused. I feel like the
car has got to the destination. If I understand the
motion, I'm not too sure everybody does understand the
motion Mr. Hall made on G, it sounds like G is a done
deal, especially if it comes back saying it meets the
AUG (sic) definition for Hispanics, or whatever else.

I'll say this one more time, and I'll
probably say it again tomorrow and until Christmastime,
or the cows come home, or Casa Grande runs out of money.
But the scenario is probably the worst case scenario
that Pinal County, Western Pinal County, can be put in.

Let me tell you again, Yuma County, Pinal
County, the area you are going to put in D, Red Rock,
Marana, Avre Valley, are all agricultural areas. They
have a common interest. Everybody pretty well knows on
the Democrat side, Independent side, Republican side,
everybody else, there's 99 percent chance it will be
controlled out of Tucson, which has had a negative
attitude toward agriculture. Money, economics out of
those districts is heavily dependent on agriculture, no
two ways about it.

I don't care who you are, don't care if
Hispanic, Swedish, male, female, whatever. If you do
away with or hurt the economic base of that district,
you are out of a job. And no lawyer in Washington that

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works in the Justice Department will come to the rescue, because they already have a paycheck.

I'd like you guys to really think about it. It's suicide, flat suicide, to do this.

We're talking about economics, talking about politics, talking about feeding your families.

If you put that agricultural district into an area in Tucson, you are creating problems.

Thanks.

Oh, by the way, if the Casa Grande, Eloy, Coolidge area, if you were looking for an area to sacrifice to Maricopa County, we'd rather go into Maricopa County rather than than Pima County. It's kind of like do you want half a dose of castor oil rather than a full dose of castor oil. We'd rather have half a dose.

CHAIRMAN LYNN: Thank you, Mr. Hartdegen.

The other is Steve Owens.

Mr. Owens.

MR. OWENS: Thank you.

I've attended quite a number of meetings and never felt a need to comment.

Having sat through the discussions today, I did feel a need make a couple comments.

Having been through some long meeting

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sessions with Former Representative Hartdegen and Former
Representative Valdez, I believe I'm the only one
running for Congress. I ran for Congress in
Congressional District VI, one of the closest
Congressional races. No one is more acutely aware of
the rural portions of the district and rural-urban
portions. In '96, I carried the rural portions of the
eastern counties. The man that currently holds the
office carried the Maricopa County District by 23,000
votes. He won the race by 2,000 votes out of 253,000
votes.

I understand the rural voters in Maricopa
County, voters in a district like that.

I emphasize to you all in deference to
Commissioner Hall, you've got to know they cast many
votes. And I respect this a great deal. The issue
ought not be whether Maricopa County be totally excluded
from Eastern Arizona, Northern Arizona, whatever you
call it right now, Northern, Eastern, Southern Arizona,
the district the way proposed, but whether it ought not
be -- whether Maricopa County should be excluded from a
district like that, whether Maricopa County should
dominate a district like that or dominate any other
district.

As someone that has resided in a district

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like that, I don't see an inherent evil. I do see a concern in having so much of Maricopa County in a district like that that not only overwhelms but controls the outcome of the election. That's the real problem this Commission needs to address.

I'd also urge all of you when looking in particular at that rural district to discuss the opportunities, not only the interests contained in that district, the very divergent interests ranging from Bullhead City, to Duncan in Greenlee County, Window Rock, Prescott Valley, other places I'm talking about, not only interests contained in the district, drawing upon them the burden and ability of candidates to campaign in a district like that.

One fortunate or unfortunate to be elected in a district like that, to effectively represent a district that large geographically, that diverse in terms of community of interest, in conjunction with that amount of resources, one must compile extensive resources.

Having raised several million dollars, my opponent having raised several million dollars times what I raised, it was not a million dollar race but a multimillion dollar race. With the media, things you have to do to get elected to Congress these days, I ask
you to consider that when crafting Congressional
Districts.

I ask you consider now the state
constitutional mandate to create districts that not only
respect community of interests but are compact as well
as districts that are competitive. You heard about that
from Mr. Eckstein this morning.

I have a great concern, listening to
discussions over the course of the day and to some votes
that have just been taken. You have taken huge, giant
steps opposite from competitiveness in some decisions.
You may be able to come back in before the day is out
Saturday and move back toward competitiveness. But
forgetting to lock in, by locking in districts, locking
in noncompetitiveness, especially inside Maricopa
County, you make decisions where you may in no way in
the world be able to create competitive districts in
Maricopa County. You just can't do it, given the base
of people that live in Maricopa County, the voting
history there, party registration history. I'd ask you
to consider that.

The only other point I'd ask you to
consider in your deliberations is that virtually every
issue you discussed today, and certainly this evening
when you came back after the recess, has been addressed
in a map presented to you by the Arizona Democratic
Party. I had some small help creating the map. I don't
agree with everything in the map. It's not the way I'd
draw the map for the State of Arizona. The reason is we
addressed virtually every issue you wrestled with here
tonight in trying to create districts in Eastern Arizona
that were overwhelmingly rural, addressing
majority-minority issues.

The Maricopa County Southern Hispanic
District was created in that map. You can make
adjustments for some things contained in the map to
accommodate some concerns expressed during the course of
the day's proceedings. If you look for answers for some
questions raised, if you haven't looked at that map, I
urge you very strongly to do so.

As Mr. Eckstein said this morning, it
creates competitive districts, three Republican, two
Democrat, three swing districts. You might adjust it to
make it better or worse. Look at that.

Look at what areas are included in the
various districts. Party registration breakdowns are
included consistent with competitiveness.

Once you get whatever data you get from
the consultants about competitiveness and past voting
histories, put it in there. See what comes out. I
think you'll find it meets a lot of concerns.

Other than that, I wish you luck in your deliberations.

As I said, I hope you think about all the issues, especially when you're beginning to create the large districts out there, what the actual practical result is going to be of that process.

Thank you very much for your time.

CHAIRMAN LYNN: Thank you, Mr. Owens, very much.

Are there other members of the public wishing to be heard at this time?

If not, the Commission will stand in recess until 8:30 tomorrow morning.

I'd like to emphasize today we felt with not being finished with eight Congressional Districts, we have 30 Legislative Districts to deal with, we need to start not at 8:45, 10 minutes of 9:00, we need to start at 8:30 tomorrow. We need to take as much time tomorrow as we need to fit into the schedule.

With that, we'll recess until tomorrow morning.

(Whereupon, the Commission recessed at approximately 10:18 p.m.)

* * * *

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STATE OF ARIZONA )
) ss.
COUNTY OF MARICOPA )

BE IT KNOWN that the foregoing hearing was taken before me, LISA A. NANCE, RPR, CCR, Certified Court Reporter in and for the State of Arizona, Certificate Number 50349; that the proceedings were taken down by me in shorthand and thereafter reduced to typewriting under my direction; that the foregoing 219 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 24th day of August, 2001.

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

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