INDEPENDENT REDISTRICTING COMMISSION
HEARING
JUNE 20, 2001
AMPHITHEATER HIGH SCHOOL
TUCSON, ARIZONA
MR. ELDER: My name is Dan Elder. I'm one of the Commissioners on the Arizona State Independent Redistricting Commission. Tonight Steve Lynn, our Chair, will give a presentation to bring us up to date as to where we are at right now. And then we're going to -- I get the chance to have the microphone back and will ask you questions or ask you to ask us questions to educate us. So we will take question.

We do have a court reporter here. So when you ask a question, would you give us your names so we can get back to you. Appreciate it. For the record. And we will start with the presentation. Thank you.

MR. LYNN: Thanks, Dan. Good evening. Appreciate everyone coming out tonight. It's tough to get here when summer monsoon started a week and a half early, but we're happy to have the rain and have it cool it off as well.

We will start with the presentation. I know some of you in the audience have seen this presentation a couple of times. It has changed since you've seen it. Unfortunately, it hasn't changed as much as you would like it to. It's still basically the same information, but we've updated it with the most recent place we are in the process.

At any rate, it's going to be an
interesting time tonight because my computer's not functioning the way it should. I'm going to have to keep looking back to make sure I have up there what I think we have up there.

The subject of the presentation tonight is in fact redistricting, which is the drawing of new district lines for both the state legislative district and the congressional district under the provisions of Proposition 106.

Proposition 106 is different. It's the first time that this process has been done with Proposition 106 in place. It changes the rule in terms of who's involved in providing this service to the state and to the people. Instead of the legislature doing this work, the Commission is doing this work under the provisions of 106, and the citizens of the state will play a very critical role in the process.

These public hearings are intended for us to tell you where we are in the process, but more importantly, they're intended for you to tell us how you would like to see this process progress.

We will be using these hearings to take information from all over the state and involve the
people from all over the state in this process. We need to share this information with you as we move forward, and you need to talk to us about your desires in the process.

The Commission is determined to make the redistricting a fair process and achieve districts that honestly represent the people of the state of Arizona without regard to the kind of political intrigue that may have been a part of prior redistricting.

Often in the past redistricting has produced a wide variety of divisive processes raising charges of dirty politics, partisan power play, all sorts of different aspects of the same thing, which is this concept of Gerrymandering or Gerrymandering. And I'm saying Gerry because it's named after a governor of Massachusetts. I just learned tonight I've been saying the Federalist governor, but he wasn't. And I now have evidence to support the fact that he was not a Federalist governor. He was a Republican governor. Nonetheless, Eldridge Gerry was the governor of Massachusetts and did some interesting thing in terms of district making, and in 1811 the Boston Globe symbolized his work in this form. As you can see this is some districts that were drawn in
term now for all of this kind of line drawing.

There are a number of things that Gerrymandering can do if it's intended to do this. For example, you can take groups of minority party voters, whichever that party may happen to be in a given set of districts, and by dividing them a certain way, you can dilute their influence on the elective process.

Similarly, if you have four districts to make and there is a concentration of minority party voters, by packing them all into the same district, you then preserve three of the districts for a majority party.

The same process could also occur if we're talking about a racial Gerrymander. Here you have a group of ethnic voters, Hispanic voters, and you want on the left to create an ethnic district to help Republicans, there is a way to do that by isolating that district in terms of a voting pattern of the area.

If you're trying to preserve a white Democrat incumbent using the same configuration of voters, you split through the Hispanic district and
thereby dilute that influence in terms of the districts
that are being drawn.

Well, the voters of Arizona said that none
of these is a good thing and they would like to do

something very different. So Proposition 106 was both
put on the ballot and passed.

This process is the first time it's been
done under 106, and it created the new entity, the
Independent Redistricting Commission. We are now
responsible for drawing lines where the legislature had
that responsibility before.

This is the makeup of the Commission. And
let me talk a little bit not only about who we are but
how we came to be selected. And I say selected because
it was an affirmative application process. That means
that anyone who wanted to be on the Commission had the
responsibility of getting an application and submitting
it to the Commission on Appellate Court Appointments.

That commission is chaired by the chief
Justice of the State Supreme Court, Justice Zlaket from
Tucson, and that commission met and took the 311
applications that they received and reduced them down
to a list of 25 individuals, 10 Republicans, 10
Democrats, and 5 Independents.
That list then was circulated among the leadership in the House and Senate, and each leader in turn used the list to select their representative to the Commission. So the first four Commissioners were selected by political leadership.

The first person selected was Jim Huntwork. He is a Republican attorney from Phoenix. He was the selection of the Speaker of the House, Jim Wires.

The second person selected was Andrea Minkoff, who is now serving as Vice Chairman of the Commission. Andrea is from Phoenix. She, and she goes by Andy, so often times people think there are five males on the Commission. That’s not true. Andrea is from Phoenix. She is very active in her community and community affairs. She was selected by House Democratic leader Ken Chevron.

Now, notice the first two selections were from Maricopa County. 106 indicates that no more than two of the first four people may be from any one county. So after the first two selections, Maricopa County was not able to have other representation until the selection or possible selection of a Chair.
The third person selected was the choice of Senate President Randall Gnatt of Scottsdale. He chose Dan Elder, who introduced himself to you earlier. Dan is from Tucson. He's a landscape architect and consultant.

And the fourth pick overall was the pick of Jack Brown, who is the Democratic leader in the Senate. Used to be called the minority leader, but since the Senate is 15-15, he's the Democratic leader in the Senate. And he selected Joshua Hall of Apache County. He lives in St. John's and works in several communities in the White Mountains. He is in the land title business.

So the first four Commissions, two Republicans, two Democrats, two from Phoenix, one from Tucson, one from Apache County, they then had the responsibility of interviewing publicly the candidates for chair. The chair by law under 106 is to be an Independent.

And there were originally five candidates for Chair. One person decided to withdraw his name. They were all males. And if I'm not mistaken, they were all male and all Anglo. So all five candidates for Chair would not have felt in terms of divinity of
the panel in any way, shape, or form

Of the five people who originally were on the list, one person withdrew his name prior to the interview. Apparently somebody told him how much time it was going to take and how good the pay was, and he decided he could do something else this summer besides travel around the state and participate in this process.

So there were four that were interviewed. After the interviews took place, there was a vote of the Commissioner, and on a unanimous first ballot, they selected me to Chair the Commission. I am from Tucson. I work for Tucson Electric Power. I am in charge of corporate relations/communications for that company. And I am an Independent and have been for more than 10 years, having formally been registered various times as a Republican and/or a Democrat based on the fact that until recently we didn't have all the primaries. And so I was switching back and forth to support candidates of my choice fairly regularly during that period of time.

That's your Commission. We are dedicated to making this the best process it can be. 106 states
that the first thing that the Commission has to do is it has to commence the mapping process for both congressional and legislative districts with the creation of districts of equal population in a grid-like pattern across the state.

Now, there are several other requirements that ultimately have to be met by the maps that are ultimately drawn by the Commission, and here are some of them.

First and foremost, we have to comply with the Constitution, one person/one vote. That really means that we, the districts need to be as nearly equal in population as practical. And in the case of congressional districts, it really means that they have to be almost dead even because the number in the census for Arizona for 2000 is divisible by 8, which are the number of districts that we will be forming for the congressional group.

You will notice also that we have to comply with the Voting Rights Act, and there are several things that are tenants in that act and some of them are enumerated in terms of our responsibility. We need to be as geographically compact and contiguous as practicable. We need to draw boundaries that shall
respect communities of interest.

I want to pause for a minute and talk a
second about that term. That term is a term of art.
It was coined by Sandra Day O'Connor, Justice of the
U.S. Supreme Court. Unfortunately, she coined it. She
did not define it. She simply said that we need to
respect communities of interest.

So we had a couple of choices. One, we
could assume what those communities of interest were
and follow that assumption or we could do what we've
chosen to do, which is to not define that term and

allow you to do that for us. That's the purpose of
tonight's meeting. We will concentrate on your
definition of your community of interest. We need to
know what that is so that we may respect it.

Next, to the extent practicable, district
lines shall use visible geographic features, mountain
ranges, rivers, other kinds of geographic features in
the State of Arizona. They will also respect county
and town boundaries and underlying census tract.

And finally, we, to the extent
practicable, will create competitive districts where no
significant detriment to the other goals is achieved by
And so these are all the criteria that fall into play when creating the districts that we will ultimately create.

Notice how Proposition 106, however, does something very unique. There are several states that have gone to independent commissions to do this work, but this is somewhere unique. Party registration and voting history data shall be excluded from the initial phase of mapping. And when the grid was published, and we will talk more about the grid later, the only criteria that's in that grid is equal population. None of the other factors that you saw there has been applied to that grid process.

So those all need to be applied as we move forward. Be we cannot apply party registration and voting history data until later in the process in order to test the map for compliance of the goals that we just talked about.

But here's the real kicker. The place of residence of incumbents and candidates shall not be considered ever in the process. What does that mean. It means very clearly that certainly in the legislative districts that are drawn and possibly in the
congressional districts that are drawn that the
incumbents currently serving in the legislature or in
congress will find themselves in a district residence
of another district where an additional incumbent
lives. Since we can't know where they live, we
certainly can't accommodate where they live, and lines
will be drawn without that knowledge. That's part of
106 and that's unique.

So we started with the census data in
April of 2000. Now, note that we're using official
census data to do this process. That too is dictated
by law. There are several communities that have
challenged the census data for their community feeling
that there was a significant under count or under

representation. We clearly understand that argument.
However, we're powerless to do anything about it. Our
responsibility begins and ends with official census
data.

So let's take a look at some of the
numbers in the State of Arizona. In 1990 we were about
3.66 million people. By 2000 we had grown to 5.13
million, a 40 percent increase over the 10 years. And
I want you to keep your eye on that figure for the 1990
statewide population as I show you the fastest growing counties in the State of Arizona. These are the counties that grew in excess of the rate of the entire state. Notice the figure from Maricopa County in 2000. Almost the same population as the entire state in 1990. Maricopa County grew 45 percent over that 10-year period.

You will also note that Pima County is not present on this list. Our growth rate over the last 5, 10 years in Pima County was a shade over 25 percent, which means that by one person/one vote, Pima County is going to be losing representation in terms of the state legislature. We don't know how much, but it's certainly that with population shifts to Maricopa in terms of their total population. The seats in the legislature also shift as these seats in congress.

Well, we've got several responsibilities. The first was to develop this grid-like pattern, which we talked about. And no matter where you define grid, it's basically a series of vertical and horizontal lines that generally have right angles that are regular in shape that look very much like squares or rectangles and that are replicable across a plane or the map of Arizona. That's basically what a grid means. What we
have done is deal with that. I will talk a little bit more about that in a minute.

The second thing we're doing is what we call the hearings. As I indicated our mission here is to provide information to you, but more importantly, to have you talk to us about communities of interest, about the kinds of things that you think are important in this process.

The Commission, as part of its process, will make maps, congressional and legislative maps, not grids but real maps with real districts on them available for public comment for a period of not less than 30 days.

Now, the legislature will have the same 30 days to react to the maps that the public does, and the legislature certainly will in all likelihood give us some input on those maps. They will probably provide maps of their own. They certainly may enact either memorials or minority reports which make recommendations to us as to how those maps ought to change. That's fine. We expect that. We welcome that input. And we certainly want to hear from them as well from the citizens during that same period of 30-day
We then will make final adjustments to the maps, the Commission will with our consultant. Once the final adjustments are made, there will be a brief publication period so that everybody understands what the final maps look like. There may be a very brief comment period at that point, and at that point, those maps will be submitted to the Department of Justice for their review and hopefully preclearance.

Now, to get the kind of information that we're looking for, hopefully you picked up on the way in here a citizen input form. Those forms are available in both English and Spanish. They're also available on our website. They are the forms that we are using statewide to garner this first round of input. We ask several questions.

First, we would like your name and address so that we may correspond with you so that we may make you part of the permanent record and so that we may make your comments to us official.

Secondly, we're asking that you give us your major concern. Let us know in as few words as possible what you think the most important aspects of this process are. You certainly can wax philosophical
if you would like to. Talk about the Commission should be operating. Talk about procedure. Anything that you believe is important and we should take into account we wish to hear from you.

Next, we actually would like you to tell us what boundary lines you would like to see us use in your area. If, for example, your area has several school districts, but from your perspective it is very important to keep those school districts in one legislative or congressional district, you need to tell us that. If there are natural boundaries that are present in your community and you feel strongly that people on one side of that boundary or the other ought to be either kept apart or together, that's the kind of thing we need to know from you.

What groups, areas, or neighborhoods do you think should absolutely not be divided. There are been several communities in the state, Apache Junction, Casa Grande, Nogales, all of whom share legislative districts. Some split more than two ways. Now, there's one school of thought that says that gives you more representative in the state legislature. Another school of thought would suggest that that allows you to
be ignored by more representatives, and both of those
have been expressed during the hearings. Both points
of view. So it's going to be very interesting to see
how that comes out as we draw districts.

I think that the prevailing thing that
we've heard is that to the extent possible, people
would like to be kept together because they feel that
the cohesiveness of the community needs to be
represented to their legislative or congressional
representatives.

And there are a number of questions on the
input form which we ask what information would you like
to see us take into account. Take a look at these and
we ask you to rank order them Is keeping a community
intact or bringing particular groups together more or
less important than using a mandate or natural
boundary. Is that more or less important than drawing
congressional or legislative districts that includes
whole cities and so on. Using local government
boundaries when drawn. Keeping census tract from being
split. Using freeway or major transportation routes
when possible. Drawing compact and contiguous shapes.

These are all variables, and we would like to know how
you feel about all those.
Then when you're finished with those, you can get them to us in a variety of ways. You can give them to us tonight and they're part of the record. You can mail them to us. You can fax them to us. You can go to the website www.azredistricting.ord and you can fill it out online and submit it as you fill it out. Any or all of those are fine with us, and we will take them any way we can get them.

If you would like to be even more precise in your suggestions to us by drawing actual boundaries, actual districts, you can request tonight through staff the citizen kit which have maps prepared for you to draw your boundaries on, and we will take those maps into account just as we will when we get maps from the legislature or other groups who might be preparing them.

The criteria for judging all plans, yours, ours, the legislature's, all are the same. Federal mandate, equal population, Voting Rights Act, through the Department of Justice review, and Proposition 106 requirements as we discussed this evening.

Now, we've already started our process by created the grid. The grid on June 7th was approved...
based on the fact that we had approved the rules that
created the grid, and the grid was simply an outgrowth
of using those rules in orderly fashion. That process
has already taken place.

Most of Arizona is already divided into
this grid-like pattern called townships. Townships
start a place called the Gila Salt Baseline & Meridian,
which is at 107th Avenue and Baseline Road in Phoenix
area, and emanates there all four directions townships
of 6-mile squares. They've been there for years.
They're the basis for all property designation, for
recorders and other public purposes. We figured on
using them because, number one, it's random; number
two, it's recognized; and number three, it's grid like.
So we started there.

The townships as I said are 1-mile square.
And what that means is that in the middle of Phoenix a
1 mile -- pardon me, 6-mile square. Townships are 6
miles square. In the middle of Phoenix, a 6-mile
square contains a lot of population. In Mohave County
and some of the other area, in the rural parts of the
state contains much less.

And so you have to have a methodology of
aggregating townships in order to achieve population
thresholds. So we used intermediate or super township
grids again aggregating those townships in a regular fashion as we go through the state.

Now, once they've been accumulated, you overlay the census data in terms of population. And as soon as you get the threshold of approximately 171,000 for legislative districts and approximately 641,000 and change for congressional districts, you finish that district off and move onto the next one.

In order to maintain the randomness of the grid, here are the rules that we went by. Start from Meridian. We then put the four quadrants of the state in a hat and drew lots. Northwest won. So we started accumulating population in the northwestern part of the quadrant of the state until we finished the quadrant.

Then we had to make a choice as to whether we were going clockwise or counterclockwise to get to the next quadrant. We flipped a coin. Counterclockwise won. So we went northwest, southwest, southeast, northeast in a counterclockwise fashion and completed the grid.

Those rules were followed to the letter by a consultant and the grid that resulted is available for you to see. However, I would ask you to pay less attention to the grid and more attention to your point of view about this process tonight. Why? Because that
grid will change, and it will change based on the input that you provide us and the input that we know we have to provide ourselves to meet all the criteria of the act and the Voting Rights Act.

Those things were not taken into account when the grid was produced. The grid is a random starting point. We could have started with the 30 legislative and 6 congressional districts that we currently have but those have some political history, and rather than carry that political history forward, we felt it important to start with an objective grid.

Our process is this. Public hearings to get input on communities of interest. Then we will develop maps finally. Those maps and plats will be taken back out to the public for comment at least for 30 days, perhaps more. We will then make final plans which then will be published and ultimately submitted to the Department of Justice for their review.

We expect that the Department of Justice will take as much 60 days to review the plans. If they did so, we would still like to have a preclearance prior to the end of the year. So our target date for submission of the plans to the Department of Justice is early to mid September. And that puts us on a very tight time frame. That's why these hearings have been
going on for 2-1/2 weeks straights, 4 nights a week all over the state.

So with that, I would ask you to bear with us tonight. Bear with your fellow citizens. We are going to take as many comments as there are people to talk to us.

Let me first make some quick introductions, then I will turn it back over to Dan.

Here with us tonight representing the consultants, National Demographics Corporation, is Margarite Leoni.

And next to Margarite is Tracy Chaparo. And for those Italians out there, there's apparently the correct pronunciation. Tracy is representing our Democrat counsel this evening, Jose Rivera, who is attending a conference.

And we have two counsel. We have Republican and Democratic counsel because those in the state with the most background in election law and redistricting seem to have been doing work for one party or the other. So we felt it only fair to have one of each. Jose is our Democratic counsel. Our Republican counsel is Lisa Hauser. She this evening is staffing the meeting that is at Apache Junction, which is going on simultaneous to this one.
So let me turn it over to Dan, and I will get back to your favorite page and we will go forward.

MR. ELDER: My favorite page relates to the information we really need to be able to demonstrate to the Department of Justice why we moved a line or why we put a particular line in a particular location. I equate it or look at it very similarly to protesting your taxes. You go to your county assessor and say my taxes are too high, my taxes are too high. He looks at you and says, so. If you go into your county assessor and say the comparable sales in my neighborhood don’t indicate I’ve been fairly evaluated, the square footage of my house isn’t right, there’s a whole series of things. So if you show how you’re protesting those things, generally your taxes are nullified.

The same thing goes with us. If we can show the Department of Justice that it was a community interest, it was a geographical boundary, there’s an edge that divides the community, the community said we would like to have that edge respected, then we’ve got a pretty good chance the Department of Justice will accept the redistricting plans.

So as you make your comments, if you can relate to these six or five, you know, make your points...
up there and say, well, it's kind of a combination of both. We have a geographical boundary or we've got a community of interest or some other of these reasons, it will help us to be able to document and justify how the districts were formed and how they were configured.

So with that, I will take these in the order we received them. And if you use the microphone so that everybody can hear you, as well as the court reporter, we appreciate it.

So the first one is Saul Figueroa. He left.

SPEAKER FROM THE AUDIENCE: No, he's right here.

MR. ELDER: Oh, no. Okay.

MR. FIGUEROA: Actually my question is very simple. First of all, I commend you on a very good presentation. Very clear.

I am going to write some stuff later on, but what I would like to know is as you get input from different people, different comments and plans and maps, are those available to other folks? Like could I -- could we have access to what other people are submitting or is that just for the Commission?

MR. ELDER: We have the methodology to
make it available, but I want to be clear about whether

--

MR. FIGUEROA: Or on the website, could you post it on the website.

MR. ELDER: Let me get this clear so everybody can hear.

FEMALE: What we will be doing with the input -- is this thing on?

MR. ELDER: Yes, you've got to get closer.

FEMALE: I need it closer. What we will be doing with the input is developing units, which are not districts but are units that are called AURs. And those are Arizona Units of Representation.

So what will happen is the input will be made into a picture, and that picture will be able to be overlaid on the grid map. And you will be able to see how the grid map relates to how people view themselves. And that will be the beginning point for making changes.

Those AURs from all parts of the state will be individually posted on the website, and you will be able to pull them up and look at them. You will know what people in the northern part of the state want to see. You will know what Maricopa County is
amphi.txt

You will see it across the southern part of the state. It will all be there. And that will be the

ARIZONA COURT REPORTING

AURs.

MR. FIGUEROA: Okay. That answered my question. Thank you.

MR. ELDER: Mike Hellon.

MR. HELLON: For the record, it's Mike Hellon. I'm Republican National Committee member for Arizona. I'm speaking for myself.

It seems to me that political boundaries, counties, cities, tend to be, if you look at the history of Arizona, tend to be more arbitrary. And so as you're establishing the hierarchy of criteria, I would suggest that you pay less attention to political boundaries and more attention to geographical boundaries and to concentrations of what we started to call communities of interest.

And let me give you some examples of what I'm talking about. Up in the Phoenix area, I would suggest that Sun City and Sun City West probably should be in the same district. They like being in three districts because they get more legislatures to show up at all their meetings. But taking the approach that
I think you have to take under the constraints of Prop 106, it seems to me that that needs to be one district. Down here we have a situation in northwestern Pima County where Saddle Brooke is in Pinal County and Rancho Vistosa is in Pima County. I would suggest to you it would make sense to ignore the county line, that Saddle Brooke has much more community of interest with Rancho Vistosa than it does with any of the rest of southern rural Pinal County.

Looking over at sort of the eastern part of metropolitan area, we have a situation along Tanque Verde where Snyder Road doesn't go through. And if you live on the east side you can't -- or west side, you can't get to the east side. And so it seems to me the community of interest would be that geographical barrier.

Now, I recognize there's a school district that overlays that, but that's one of what I call those arbitrary political decisions that in my judgment you ought to be ignoring and you ought to looking at where people really live and where they interact with each other.

I would further suggest that Rillito River and if not River Road, at least the river is a very
significant geographical barrier in northern Tucson. There's a substantial difference between the people, the communities, their interests north of the river than from the people south of the river. Again, that cuts across some political boundaries, but again, I think that's very fairly significant.

And recognizing what you said that this is not a map, that it's a grid, I would simply make the observation that Sells probably has not much community of interest with any of the district that where most of the population is as that is currently drawn.

What you're going to find, and this is a tough task you've embarked upon. What you're going to find is that you're going to be overlaying some ethnic concentrations with some other ethnic concentrations. You're doing to put people together. For example, I don't know how you try to separate the Hopis from the Navajos when you start looking at geographical compactness and communities of interest.

And I submit to you you're going to get to the end of the day where you have a map that does most of the things that you set out to do that nevertheless is going to make a lot of people upset but that's
simply going to be the best you can do. So good luck.

Thank you.

MR. ELDER: One of the trademark quotes that going around our Commission is if we can make everybody equally unhappy, we probably did our job.

Jerry, and I can't read whether it's D'Pato or D'Palo. Thank you.

MR. D'PATO: My name is Jerry D'Pato, and I am concerned and I would add my opposition in general to the lack of a minority member to this Commission. This has been questioned before. It's not something that's new.

SPEAKER FROM THE AUDIENCE: Can you get closer to the mic?

MR. D'PATO: Yes. I will start from the beginning.

I'm concerned and would add my opposition in general to the lack of a minority member to this Commission. In view of the new census, I'm sure you will take all this into consideration but all of your members have got communities of interest. You yourself have got TEP. You've got your association with Walk Up Campaign.

So I'm concerned about how fair you can
make a decision based on your -- I don't mean to talk to you precisely, Mr. Lynn, but there is a parity and a fairness that I would ask that be considered in these issues in the census. I know you're not expecting the arising 30 or 35 percent in the Hispanic and the minority population, especially in Pima County, and also the division of our Indian nation. This is something that historically has been a problem. The

Navajos and the Hopis have never ever been able to live in the same area. That division has still not been settled in federal court. And now we see that the Tohono O'Odham is also in disarray and maybe looking to be split.

These are communities of interest that have to be seriously looked at, and I believe that the justice department is going to scrutinize this and arbitrarily have to dispute or at least look at your decision.

So I would ask that you be very prudent about the decisions you make with the communities of interest in view of the new census, in view of the communities of interest, and in view of the lack of a minority member on this Commission. It makes it lack
somewhat credibility amongst at least the Hispanic community, and it's something that concerns me a great deal.

So this is what I would like to voice and I hope that we do see some type of addressing the minority issue and minority representation. So this is about what I needed to say tonight. Thank you.

MR. ELDER: You're quite welcome. Okay.

We were in fact appointed. And after we were appointed we had no control of the diversity, the ethnic backgrounds of the people who were appointed. I will state on the record categorically that we've got a pretty good Commission that's looking at things as fairly as we possible can. It's mostly statistical and it's mostly the input we get from the public, and that's why it's important for people to speak out and let us know what they think because I think responding to one of the comments response to our grid. I say our grid because it's not a map. We know we've got problems with it. Our grid is not any better than the five or six grids that were put out in the Arizona Republic as options. You know, they all had flaws. Ours has flaws.

Talking with Chairman Manuel, he doesn't
really want the Tohono O'Odham split. You know, that's just the way the mathematics in the census aggregation that the tract worked.

So with that, let's go to the next one.

Kenneth Smith.

MR. SMITH: I'm Ken Smith. And most of you here know me as the President of the Amphitheater School District Governing Board. However, I'm not here representing the governing board. We haven't met on this subject, and so I'm here representing only my own views.

It happens that right now the existing legislative District 12 and the Amphitheater School District lines are fairly close to being identical. Therefore, if I have a concern and we have one that I talked with Representative Hirshberger tonight about if we have a concern, I will assure you that whether it's Representative Hirshberger, Representative Huffman, or Senator Helm, where's the mic at, or Senator Helm we have no difficulty in getting their attention.

Looking at the breakdown map, which you don't have here tonight but which I have seen and which is on the web, that puts us in three different
amphi.txt

legislative districts. Given the nature of these three people that I just mentioned, I'm sure that since they're good people, we will be able to get their attention anyway.

But it's not quite the same thing as it is having a district -- and a school district and a legislative district being almost the same thing. There could be the advantage that there would be nine of them instead of three. There could be the problem also that we really couldn't get the attention of any of them since we would just be a little bitty portion of the district for any one of those three legislative districts.

The other thing that I wanted to mention doesn't directly have anything to do with the school district matter, is merely to agree with what some others have said. When I look at a district that I will end up in myself being from the Town of Tortolita, and I see that that takes in Catalina Foothills, takes in Oro Valley, takes in Tortolita, takes in Marana, takes in Pinal County, a little bit of the kingdom of Maricopa, and also part of the Tohono O'Odham Reservation, I look at that thing and I see that as a place where the Tohono O'Odham Reservation is not going
to have any representation. And looking -- I don't
live down there. I'm a long ways from there living in
Tortolita. It looks to me as if the representation for
them is going to just disappear.

So I would like to say, however, that
first I don't envy your task. And secondly, I note
that some of the things that I've talked about here do
fit into some of those principles that you've got
listed up there, each of which says at the end of it
"to the extent practicable" and at the end of the day I
realize that not all of these things are going to be
practicable, but I would hope that you would keep some
of these points in mind. Thank you very much.

MR. ELDER: Thank you. Ted Downing.

--------------------------------------------------------------------------
ARIZONA COURT REPORTING

MR. DOWNING: Hi. I'm Ted Downing. I'm
special candidate for the state legislature. There's
goes my bias. But in the most district that exists in
Arizona, which is 13, may still be.

In the first place I would like to
comment, because I'm also an anthropologist. I'm
really pleased to hear how many people are concerned
tonight. This is really a surprise. And I would like
to make a comment. I think the Native-American
community can speak very well for itself in the year 2001. And there are some misperceptions about Hopi/Navajo fighting with one another, and that a lot of people don't know that actually Hopis and Navajos married to each other. So it's a lot of misperception that's going on. I just had to say that because it was bothering me to hear it keep saying over and over again, that they represent distinct communities of interest.

They have disagreed. You may have a disagreement with somebody, but that doesn't necessarily mean that you represent a different community of interest. I think a lot of people that marry somebody they've been fighting with for years that they have community of interest even though they disagree. So I don't think that's a very good definition of difference community of interest.

I have a couple of points. One that concerns me is when the door opens, when they opened the barn up, I was pleased with what I see, and I think it's a very logical effort, enormous effort. I didn't know how it was going to come out, and I was a little surprised. But now that I understand the significance of randomness in the process, and I hope -- may I ask,
was that randomness, those coin flips done publically or it was private?

MR. ELDER: Publically.

MR. DOWNING: Okay. Good. All right.

Then I'm okay. And I think the justice department will find itself impressed with the fact that there was coins flying through the air instead of in their pockets.

In fact, my first concern is when the legislative gets holding, they get kind of twisted. And I would encourage the Commission to disallow anything coming from the state legislature that disagrees with the law itself. And so if you catch any whim that members of the legislature somehow become so magnanimous that they've forgotten where they live, they come in there stepping in and trying to move districts around in some other form you can catch that

if they're trying to violate the law, I suggest you take those deep 6 any of those comments as a matter of principle before you receive the legislature comments. Make it clear that that was going to happen.

Next one. On -- interesting. On the boundary lines, I would like to talk about a little
amphi.txt

bit, I don't know what the existing district is going to be, but there’s two districts, used to be 13, 14 flew off the map, but the boundary that I'm curious about is the one at River and Campbell Avenue. Campbell Avenue is a major geographic feature in our city, just like the river. Someone mentioned that just a few minutes ago. The river is geographic, the Interstate, and Campbell Avenue is. And for some reason, somebody got a wiggly hand when they drew that thing, and it started looking like the old process where things kind of, you know, it looks like teeth and jaws going back and forth.

I can tell you as someone who has campaigned in this area and walked up and down the street that you can draw a straight line on Campbell Avenue. People will understand that better. Well, if God wanted us to redistrict, by god he should give us straight lines.

Second thing, I said what was the community of interest in one of the districts that was drawn here, I don't know what its number is, but it says King Road down to Irvington, off the Interstate, over to Campbell. And interestingly enough, as a professional anthropologist and somebody who's worked
in this city for 35 years, I think you've got a
community of interest. What you've got there, and
here's how I define it, the whole cluster, you've got a
primarily urban area. It's an area of an older
neglected part of Tucson. It's an area of mid to low
income people. Probably these are more Wal-Mart people
than Dillard's. You know, that's where you would find
most of them. It's ethnically diverse with different
levels. It's very ethnic and there's other areas that
are transitional that they were graphically at the time
becoming more ethnic or changing around.

It has an industrial base. It has a lot
of little small businesses that are struggling. A lot
of where people's hopes and dreams and mortgaged houses
are racked up in a little idea they're trying to get
going. And it's also got an aging downtown area that
periodically these kind of theatric suggestions of
public money, private money, people try to keep it from
going downhill.

So there is a community of interest, and

---

ARIZONA COURT REPORTING

I've been looking at as somebody who would campaign in
there. I think there's a lot in common for those
people in that area. I accept it. And it doesn't have
-- I bet there's not a spattering hills. The area is primarily flat. But there is something in there apart from whatever else because community of interest is a really hard thing to define. It's just a great diversity. But don't let the fact -- I encourage the Commission, don't let the fact that people disagree indicate you've got two communities of interest. Thank you.

MR. ELDER: Thank you. David (inaudible).

SPEAKER FROM THE AUDIENCE: My name is David (inaudible) and I have just one quick question about the process that wasn't addressed, and I was curious about it. How were the consultants selected?

MR. ELDER: Consultant selection process. The state helped us acquire the names. Other people asked, you know, to be considered. They were put on a list. I believe we had 11. I think it was 11 or 12 consulting firms that requested to be considered. The Commission had a meeting. We reviewed the resumes. We reviewed the preliminary proposal. We short listed that down on the first day to five firms that we had come back on Tuesday to be interviewed in public. And this process of short listing them was done in public also.
We interviewed them. They had approximately an hour each. We went into lunchtime and with interviews, and then we came back in the afternoon and selected a consultant.

So part of 106, it makes it sometimes difficult, but it's public, in the public view. The only time we have an executive session is if we've got staff issues or we've got, you know, some -- we're getting legal counsel. You know, those can be done in executive session. Outside those two things, staffing and legal, I don't think we can go into executive session for anything else, can we? So it's public.

SPEAKER FROM THE AUDIENCE: Thanks. That's what I wanted to hear. I'm glad do hear that.


MR. JEWING: Thank you. Community of interest it seems to me is inconsistent with F, which is competitive. And I've been trying to think about this as long as Proposition 106 has been proposed and voted on and now that you guys are going through this trying to, you know, it's obviously not clearly defined anywhere, but, you know, is it economic, is it age, is
it geographic boundaries, government boundaries, all of those things in C, D, and E probably are inconsistent with making those districts competitive in as far as the homogeneity of the districts that are going to be a community of interest are likely going to be voting in a similar way, and I don't know how you can possibly avoid dealing with F as you going through A, B, C, D, and E, but particularly C, D, and E if you're not concerned about being competitive.

And I understand, you know, it's really a hierarchy or priority and you're not supposed to do that, but if you're not doing that, we're going to end up with pretty much the same kind of a situation that we've got now. As was stated earlier, we've got one competitive district in this community, maybe one in the whole state that's really gives an opportunity for either party or anybody to win the election.

And so I don't know how much courage you all are going to be able to have to break out of that pattern, but I hope you do.

I also would like to ask you a question. It seems to me that as a growth of 40 percent in the last 10 years, and I don't know how much it was before that, it seems to be ridiculous that we continue to only have 30 legislative districts. I can't see
anything in the law of Proposition 106 that addresses that. I don't know whether I missed it or, you know, what -- whether that's a parameter that's been set for you, you can't make any recommendations otherwise or decisions that go beyond that. Is that -- I understand the congressional districts are set by some higher authority, but is that -- what's the purpose in leaving it at 30 or was it just something that wasn't considered?

MR. LYNN: We don't have the purview to do it. It's not our purview to deal with the number of districts in the legislature. That's a legislative process. And when that is set legislatively, then we would respond to it, but there was no change in the legislative portion.

MR. ELDER: One of the things I said when I joined the Commission is I was going to have fun. If you can't do it and have fun doing it, then you might as well not do it. So I will say that it was more the number of desks that you can get into the Capital is why we don't have more than 30. Well, 60 leg and 30 senators, so I have no idea. You know, that's a legislative issue.

Let me make a comment in relation to that last gentleman's comments. I'm Republican. I did not
participate in Republican politics to a great extent. I think I maybe had donated $25 a couple of times to candidates, but I've never been to the $1,000 dinners and I don't think I've ever even been invited to a $1,000. But when it got short listed and the newspaper was the first notice I got, and it said, well, if we have to have one of the Elders, we'd rather have the elder Elder than the younger Elder. My son had put in his application also. So I guess the Supreme Court Justice said, well, we'll take the older Elder.

Three weeks later I got a call said are you still interested, are you willing to be interviewed, and the Republican caucus group interviewed me. One of the questions that we had came down if you had two districts and you had to divide them up and district them to where they were balanced and competitive, would you do that or would you take the other choice where you say I'll make a really strong Republican and I'll make a really strong Democratic district.

And for saying at the lead end of this conversation that I was not a politician so I can really answer that two ways, the weasel words come out of the thing. I said if the community has been having extremely good response from a particular legislator or
senator or congressman, it may be that that makes the
strong noncompetitive district.

   The other side of it is if it's a strong
district one side or the other, it's over in the
primaries. You don't have that discourse. You don't
have the debating of the issues. You don't have the
education of that process to the public, to the
citizens. And that's what we have to have really for
our Democratic or Republic form of government. We've
got to have the discourse. We've got to have the
discussions. We've got to think about the issues.
We've got to debate the issues and then make a choice.

So I said based on that, I would probably
fall in the fair district. I think almost all of the
Commissioners we've got have got that same sort of
philosophy that we're looking to try and produce a fair
redistricting. Some, I want to say incumbent, don't
like to debate. They would rather just go out and do
it, and I think, you know, that's my opinion, that's
kind of too bad. You know, let's get out. Let's talk
about it. Let's debate the things and then go forward.

Let's have Ted Prezelski.

MR. PREZELSKI: Thank you. By the way, folks, I don't think I said this at the meeting that I
was at on Thursday, but I'm a Vice Chair of the State

Page 45
Democratic party, so before anyone says anything, that was me.

I have two concerns. One was, you know, making sure that some of these citizen maps and some of the citizen comments are made available. A lot of people talk to me about, you know, what I've heard about how that information is going to be put out. And so I would like to reiterate what someone said.

The other thing I'm curious, and actually I wondered about it before. I hadn't actually asked. There was a slide that you had that said we couldn't consider where incumbents were and where possible candidates were. I've been to three of these meetings, and at all those three of those meetings we've had candidates and incumbents at those meetings, and I'm curious about how you guys are keeping that, you know, that from-- obviously they're interested, and I can't imagine them not contacting you guys directly. I mean you hang up the phone when they start talking.

The other thing, I did like the comments you made about these, what were they community units or what were they called again?

FEMALE: They're called Arizona Units of Representation.

MR. PREZELSKI: Okay. Arizona Units of
Representation. You know, that will be helpful to people like me who wanted to play with this stuff.

And I -- a couple of people that approached after the Thursday meeting about trying to come up with some ways to make some of the districts competitive and I had a whale of a time trying to make things balance and fit together. So I really appreciate the job you guys have done. So thank you.

MR. ELDER: Thanks, Ted. There's one other person that has not spoken yet that put in a form. No, I don't have any other slips. Is there anybody else who would like to speak or make comments? Please come forward, state your name, and if it's difficult, then spell it for the recorder.

MR. HUFFMAN: My name is Steve Huffman. I'm the state representative from District 12 currently, but I'm just here representing myself.

MR. ELDER: But don't give us your address.

MR. HUFFMAN: Pardon me?

MR. ELDER: But don't give us your address.

MR. HUFFMAN: Yes, I live randomly somewhere in -- no.
popped to mind in listening to some of your comments is that I think the million-dollar question that a lot of people are asking is: What constitutes a community of interest. And I mean clearly we heard that there is a lot of discussion going on right now.

I guess the thing that I would ask to keep in mind is if we define community of interest as just what input you get from different parts of the state, then it may not necessarily be this pure community of interest. What you may be getting is comments based on self interest of a particular community, which means you could have 30 districts and their community of interest is something different in every part of the state.

It seems to me like if you're looking for fair districts, there are to be some, and I know it's hard, there ought to some shred of continuity between all 30 districts as to what constitutes a community of interest because otherwise it really is -- I mean what is your definition going to end up being if we get 300 comments from this community that this constitutes a community. That's going to get our attention. Versus, you know, 150 somewhere else. And then you're going to
start comparing the communities across the state, and
you're going to find your definition of this district
up here is completely different from how you define
this community down here.

And then I guess the other question that I
have for you, which I know you guys are probably
wrestling with, but it's nice to say we want to fair,
competitive districts, but I don't -- if you're just
looking Republican/Democrat, I don't know how you score
Independents and everybody else. But clearly there are
a lot of Independents that are not necessarily truly
Independent.

There are also, because of the open
primaries, there are a lot of people that used to be in
parties that are now moving towards Independent. And
it's very hard, I mean there's got to be some real
thought in looking into what constitutes a competitive
district because I don't think you can get that just by
saying we have the same number of Republicans and
Democrats. I mean we're seeing that all across the
county, not just here in Arizona, but with us being the
second fastest growing state in the United States, all
these new people coming in, people moving towards
Independent registration, you're not necessarily getting fair districts.

And I guess I heard tonight what your definition of competitive district is, but I would ask you to keep at least those two things in mind. There out to be some baseline definition of what you're looking for for a community of interest and some discussion as to what constitutes a fair district.

MR. ELDER: Thank you. I will respond not necessarily to that but to a previous question. I believe in one meeting our attorney -- the person came up, said I want to give you the address of, and it was kind of like a kid going "nah, nah, nah, nah." Jose would not let that come on record. So hopefully, we don't know where anybody lives. I don't know where my representative lives, and I'm in 14. I have no idea.

SPEAKER FROM THE AUDIENCE: I have a question. Wasn't -- before this slide I'm looking that you have up here, if I tend to remember the statute of rights, isn't the same acts necessary --

MR. ELDER: Well, that's what I'm saying. It's a very --

SPEAKER FROM THE AUDIENCE: -- option to just forget the issue?
MR. ELDER: No. I can say if you look at this number count, you know, we're looking at the fair and competitive districts, go into the last phrase where it says where it would create no significant detriment to the other factors or other goals.

SPEAKER FROM THE AUDIENCE: In the statute, this is taken out of the statute, but the senates right before this list said that, I'm looking at it right now, "Adjustments to the grid shall be made as necessary to accommodate the goals set forth below." Does the Commission interpret that to mean that you may decide it's not necessary to take into
account factor F or E or D? I mean they don't have a statute to provide --

MR. ELDER: I will speak to myself. The answer there is, no, it will make a difference. There is no way that we can take that random, unrelated to the citizens, to the public, to the neighborhoods, communities, whatever it may be, and say that's a fair way of dividing the state.

We've been hearing, you know, the meetings that we've been having around the state in this first round there's some areas that are very concept. We want to keep the rural -- the rural communities have common issues, common interests, and we want them altogether. So that's the type of consensual comment we need to say if we have to move a line to meet one of the other factors, why did we do it. And if we say, well, let's pull up here and take in part of Pima County and the City of Tucson, and Sierra Vista says, no, no, no, that's not what we want at all, that's the kind of information we need to hear.

So some of the comments that we've had of, you know, earlier, I believe it was you, where you said there's a fabric, there's a thread that runs through there, primarily it's urbanized, it's industrial.
There's a, you know, striving community of young entrepreneurs that are trying to get their businesses established. The school districts. You know, there's a continuity or cohesiveness. The factors that make it cohesive, the factors that we could use to adjust those lines and make it more responsive to either getting people to vote. You know, if you can't get there, you know, we've got a line that goes in there than goes right down Snyder. Sabino High School is north of Snyder. They're with Pinal County. The road doesn't go over. Took out a U.S.G.S map and when I was in college, and maybe that's the last time that road was used. We were a little bit polluted at the time. You can't get there. So why have that area tied to Pinal County and that to the north. It doesn't make sense. So we will be making adjustments based on those factors. There isn't any doubt in my mind about it.

Yes, ma'am.

MS. CLEMENS: Elizabeth Clemens. Another way of defining a community of interest is a group that's used to doing causes together and working together. This picks up on some of the earlier comments. Because I was struck looking at particularly
central Tucson at the degree of fragmentation if you think about the way in which voting districts for different kinds of elections.

I mean in central Tucson it's quite typical not to know who you're voting with in terms of the city ward, the legislative district. I think looking at the map I've always voted at the school just across the street. It's not in a different congressional district.

And so I was thinking a little bit about maybe not being able to map all of the different districts onto one another but trying to provide some level of coherence so that the same communities work together, talk together across more than one kind of election. Because I think in central Tucson in particular we're always at the point where the pie wedges come together being flipped back and forth and it actually demobilizes politics.

MR. ELDER: Thank you. One of the comments that was made by another speaker, I believe in Nogales, he said, well, this group shops together. We go into Tucson to shop. We don't go over to Sierra Vista to shop. That gives us a cohesive in this area. So there's a linkage on a sort of social. There's also
Any other comments?

SPEAKER FROM THE AUDIENCE: Thank you all for putting on this meeting. It's been very informative.

My comment is about the citizen input form. Is it possible to put it in the newspaper so people can -- I know we haven't had a big turnout in these meetings, but if you put it in all newspapers, you would probably get a lot more.

MR. ELDER: Thank you. Let me go into the access aspects of the citizen input forms and of the kits. The citizen input forms as noted were on the website. We understand, we know that there's a lot of citizens that don't have computers. All of the libraries have computers. The librarians have been keyed in to operate in where you can sit down at your local library, click the buttons, fill in the blanks, and then say send. So we can get it that way.

You can write to us. You can call us, and I don't have that toll free number. Doesn't anybody have it?
MR. LYNN: I haven't memorized it.

MR. ELDER: I will get it for you or try and find it. There's a toll free number that you can call our office in Phoenix and ask for a citizen kit. They're all equal. You know, it doesn't make any difference whether you mail it in, you fax it in, you e-mail the thing back, ask for some more information. Something I would also encourage people to fill one out tonight, give it to us. And 2 weeks later you say, oh, there's something else I thought about, put in another one. I would rather have more information from one person than not get any information other than the first comment. It's not going to bind the statistics that much. So if you've got something you think is important, shoot it to us one way or another. We would appreciate it.

Yes, sir?

SPEAKER FROM THE AUDIENCE: I would just like to further comment on this last comment about it being in the newspaper. If people who are in this room know about the e-mail, the telephone number that is not out there someplace where the citizens can see it themselves, such as the newspaper, which most of us get or have an opportunity to see, then they're not going
to know about it or take advantage of the opportunity to send it to you.

MR. ELDER: Thank you. One other aspect, when you're filling out these forms, you're not limited to that list. I mean if you've got -- in fact, there's an area that says other. There's some other lines. If you think there's other things that provide the interest or provide the cohesive.

I'm talking a little bit out of school because I have not seen it yet. I believe it was the South Mountain meeting, as matter of fact, I think it was the first Monday that we were out, that group of Mexican-American legal and education put on a presentation, put on a -- oh, apparently similar to this. One of the pieces in there that they presented was they said look how we vote on propositions. And you can see the pattern and the percentage of the vote on a proposition. That gives you a sense of the cohesiveness in this area. Then it came to like six or seven different items that could be traced statistically. They could say this is a cohesive community and there's a reason why. Now, that's very defensible. So if you say, look, we always vote the
school board out every year, well, maybe there's a cohesiveness right there.

I grew up in the Cartwright district. My father's on the school board also up in Phoenix. So I understand the school board issues. So we've been in the school business.

But in any case, any of those aspects that you say, you know, we've got more people, you know, in our community than anyplace else. Well, let us know. Whatever it might be helps us.

Any other comments? Please.

SPEAKER FROM THE AUDIENCE: I can talk back here. [Inaudible--not speaking at microphone].

. . . really solve things when you start talking about communities of interest in which the geographic boundaries are used. You have an opportunity in F to

g et a map that I think will help considerably when you're sitting down and trying to ask National Demographics to take and draw the maximum number of competitive districts that you can with the current districts you have and keep them as compact and as contiguous as you can. Otherwise with as little modifications as you can, get the maximized competitiveness in the districts in a map form as you
can visualize. Then you can take that map and when you consider the communities of interest and political boundary, you will know what your needs are in accordance with competitiveness how it will be detrimental or not when you consider together things like community of interest, this political boundary, a county versus the city boundary.

You have grids to work with now. If you also have a map that shows maximum competitiveness in districts with minimum change to what you have in your grid, I think that will help considerably in addressing that problem beforehand instead of drawing the districts and they later saying what is the most competitive. Find out what most competitive is. Then you can put the other factors in.

MR. ELDER: Let me post a question from one of the other speakers. Is what is a competitive district?

SPEAKER FROM THE AUDIENCE: [Not using microphone]

MR. ELDER: I'm sure we will.

SPEAKER FROM THE AUDIENCE: That would be the intention of competitiveness we're talking about
there, to make, as you were saying before, districts
where you actually have a fight in general.

MR. ELDER: Again, I'm sure we're going to
get legal counsel on how we go about this.

Is it total population, is it registered
voters, is it registered Democrat, is it registered
Republican, is it registered Independent, is it voting
age only. How do you determine what's fair.

SPEAKER FROM THE AUDIENCE: That was the
intent.

MR. ELDER: Anybody else?

MR. BENNETT: My name is Ron Bennett. I'm
a lifelong educator. So I'm going to speak on behalf
or myself but also from a constituency that I think
needs to be voiced.

You are creating in one sense, one part of
your job is legislative districts. And I think it's
important that the Commission look at what the
significance of the Arizona legislature is, what's

their main function. And by far the greatest function
of the state legislature is giving the schools and the
financing of schools. It makes up the largest part of
the state's budget and they have more state statutes
dealing with schools than with any other issue.
Therefore, schools in my opinion should be taking the precedent when it comes to prioritizing, you know, what should be impacted the most. The schools in the state should be set up at the top.

So instead of districts for legislators, I agree, you know, on the school board members, who are probably going to be thinking it's a lot more advantageous for a school district to deal with a set of legislators who represent their district rather than having to try to meet all of those different legislators might not feel as much of a compulsion to meet the needs of their constituents because it's so divided.

You know, if a Marana and an Amphi school districts are placed in one district, then they are going to have the ability to come together as one constituency, a like community. But if it's split up and divided where Marana would have to deal with nine different legislators, then those legislators probably would not feel any obligation to meet the needs of that particular school district.

The hard part is going to be when you deal with a district like Tucson Unified. You know, it is
overburdened itself, but then when you try to gravel with, you know, how they’re going to be meeting the needs of legislators, that is truly a task.

But there are only so many Mesas and Chandlers and Tucson Unifieds around the state. And by and large, most of our rural areas I think will find themselves identifying more with their school districts than sometimes they might with their own county or their own city. The schools traditionally in our state, but in every state, have been the center of communities, recognizing that historical foundation, and then compounding that with the number one priority of our state legislature I think should allow some kind of prioritizing to the school districts and their needs as the districts are established.

MR. ELDER: Thank you.

SPEAKER FROM THE AUDIENCE: To elaborate slightly on that point that deals with Amphitheater, I said that it was in District 12 almost exactly but not quite. The fact is if we take in a portion of District 13 or 8 as it stands now but not enough of District 13 so that I even know the legislators in District 13,

whereas there’s people here from District 12 I know they’re in regular contact with me because, you know,
we are almost exactly the same population.

If we were to get split into three, the way it is on the web right now, I don't know whether I would know any of them after that. We might be too small a portion of any of them for them to be making regular contact with us.

MR. ELDER: Thank you.

MR. BUEHLER: My name is David Buehler. I'm the town manager in Duncan, and I'm here with the advice and consent of my council members. I didn't drive all the way over here just for this. I had another meeting, so it was a good coincidence that I was able to combine things.

Some odds and ends that occurred to me. For the consultants, I'm assuming that you have some experience in doing this particular thing in other states?

FEMALE: yes.

MR. BUEHLER: How does the goals of our legislature go with the experience of goals of other legislatures that you might have dealt with in the past?

Female: There is typical legislative

ARIZONA COURT REPORTING

Page 63
districts on all levels, and they have been sanctioned
in opinions of the United States Supreme Court.

MR. BUEHLER: Well said because that's who
we're eventually going to have to fuss with if it
doesn't go through the Department of Justice. I have
to write letters to the Department of Justice for my
elections in our little town. Incredible.

The other comment I make is thank you very
much for those of you that are serving, for your time
and for your employers or your businesses that are
supporting you while you do that.

The third thing I would mention is that
having been born and raised in Tucson and lived around
the state and been a little bit of a constitutional
scholar in my time, if you go back and study anything
about the constitution and the constitutional
convention, you will realize in that study that the
single biggest issue that divided those people of that
time was rural versus the urban areas. The whole thing
almost fell apart. And coming from a rural community,
we don't have to be worried about too much about
communities of interest but we worry about being
steamrollered by the states of Maricopa and
occasionally Pima, even though they are more or less
suburban.
So that's a consideration that we would like to point out to you and all these difficulties with taxes moving one way, and that seems to be toward the center of the state. I don't know how to control that, but we just mention that because it is important to all the rural areas.

Thank you for your time.

MR. LYNN: Thank you.

MR. ELDER: Put a little bit of an add in. I believe I will be seeing you in Thatcher/Safford on Tuesday.

MR. BUEHLER: Oh, I got it down.

MR. ELDER: All right. Great. Can you see if you can bring some more people from Duncan?

MR. BUEHLER: Probably so. This is not quite so far. I won't have to drive with my council all the way.

MR. ELDER: All right. Yes, sir?

SPEAKER FROM THE AUDIENCE: I have a question. The information that was provided to us out there, there's no numbers to the districts. Is that by design that we get more confused?

MR. ELDER: It's not -- it's by design from the standpoint that since we're going from 6 to 8, the numbers are going to change. You know, the way the
congressional districts fall, that may be the easiest
to understand. When we get to the legislative
districts, we're going to be most likely losing a
legislative district from the Tucson area. When you
took away 13, it's no more. You took away 14, it's no
more. My preference would be that we start up and, you
know, where we started the grid and just start
numbering the way they came out, and everybody will
have a brand new number when we get done. That way it
won't be like my private district is now gone.

So it wasn't the intent to confuse people
but it was to maybe break the mold a little bit where
you thought about who you wanted to be with rather than
say this is who I was traditionally with. I don't
know.

SPEAKER FROM THE AUDIENCE: I have a
question that in here. It talks about the state's
minority population is 36 percent. Does that mean then
that the 30 legislative districts will have 11
legislative districts that are minority for
representation purposes? And then on the
congressional, will there be three congressional
districts that will be represented by minorities?
Because that's what the breakdown was, it was 36
percent.
MR. ELDER: It depends if you voted as a group. You know, I mean there's all kinds of scenarios. You know, right now --

SPEAKER FROM THE AUDIENCE: My people don't vote as a group because --

MR. ELDER: Well, I mean and you have to classify what's a minority. You know, are we talking -- there are three classes.

SPEAKER FROM THE AUDIENCE: There's a definition of what a minority is because we have to define it. I guess that that's my question. I mean the thing is that with 36 percent of the population, 25 percent being Latino, I mean we're looking at substantial numbers and stuff, and I know that the educators that are here are interested in their districts and the money and things like that, but we're interested in staying together as communities of interest because of everything. Education, our streets, programs for our children, things that come back to our communities so we can do things. Even demographics for commercial issues like, you know, what gas station, what shopping centers come into the community and stuff like that.

And if we don't get the political power -- we have two minority districts in Tucson as we speak
now, and in Phoenix there's two or three, and in the rural areas there's one or two. So that sticks. So I mean we're already five districts behind on the legislative side.

We have one minority congressional district. So that means we're two congressional districts behind the way I see it for population purposes, stuff like that.

So those are the things that I would like to get answered. And then see it on the map and stuff. I mean you break down by population the district here but you don't break down minority population on it. That's something I would like to see put in.

MR. ELDER: Well, those factors are a part of that analysis. They're not factored into this grid. The grid took in none of the triggers. There's three minorities that are identified Voter Rights Act or Bill, or Act. Excuse me. Racial minority, ethnic minority, and language minority. Those are the ones that the Department of Justice is going to look at and see has there been any retrogression, has there been any lessening of the ability of the minority to elect representatives of their choosing.

So we've got to address those. And that's in this next phase. There's a good reason why I'm
saying don't look at that grid as districts because we are going to have to adjust things just to make sure that we don't have retrogression in any of the minorities that's covered under the Voter Rights Act. So yes, we will.

Anybody else?

MR. LYNN: Dan, if I can make -- let me just follow up on that for one second. I want to follow up on your question and your concern.

I think it's very clear that the minority population in the state not only has grown and clearly needs to be addressed in a very important way in terms of the percentage of population in this state that constitutes one or more identified minority.

The issue is this. And one of the reasons we're having this dialogue is if you remember the examples of how groups could either divided or put together in districts, there are a myriad of ways to address those issues, some of which are quite fair to the people involved. Some of which are quite unfair.

We need to hear because the minority population in some cases is very concentrated geographically. In other cases it's quite disperse geographically in a community. That's an issue because
as a community of interest, that is one interest as you

expressed it, if it is geographically diverse, how then
do you reach and concentrate that community in a
district where they might have the influence of
representative.

I'm not asking that question that
rhetorically because we have to figure that out. I
take your point, and I understand and clearly the
Commission is concerned about making sure that
districts in this state in this redistricting are able
to accommodate the influence of groups, all groups that
are represented in this state in a way that it's fair.

Our task is to figure out to do that, and
your help is needed in making that happen. There are
limitations to what we can do because every one of
these is like a different filter overlaying the same
picture. And each filter is different.

For example, if there's a disbursement of
a minority, an ethnic minority group in a community and
we try to capture as much of that group as possible in
a district theoretically to make that district
representative of that community, we run the risk of
violating contiguity, compactness, other issues which
similarly need to be taken into account. So understand
it's a balancing act but understand that we get the point and we will try to do the best we can.

The other thing I want to make clear to people is that Dan said earlier I think if we do our job right, we will make everybody either a little bit happy or a little bit unhappy. I want to also point out that there are two distinct sets of rules that are -- excuse me. One set of rules that are being applied to two distinct mapping systems.

One is legislative where we have 30 opportunities to draw districts in the state. Clearly, with the threshold population of a legislative district, we can in effect be more creative in drawing that district because we don't need as many people inclusive in that district to make it work.

With the congressional districts, we have less latitude for two reasons. One, the population has to be virtually identical. And two, we have to take in huge chunks of Arizona in order to get to the threshold population that is required for a congressional district.

So when you address us formally, written and in other communication, please help us in both of
those instances because everyone is going to have to compromise somewhere. Everyone will have to compromise somewhere. And in some cases it will be on the congressional side. In some cases it may be on the legislative side. What will try to do is be as fair as we can. We need your help, though. I mean it's a very good question but you need to help us answer it is my point.

MR. ELDER: Yes, sir?

MR. MOSS: My name is Robert Moss, and I just have a simple question about congressional districts.

Why is there no consideration for making say the 600 and some thousand people central Tucson? It seems like Tucson has a community of interest, great Tucson, because I think you will find a community of at least 600 and some thousand people in central Tucson and the Foothills and some of the suburbs. So why would that -- it always seems like Tucson is divided congressionally. I realize this issue is urban. It seems like one of the issues that people talk about is urban versus rural. So why is there no consideration given to just making Tucson or greater Tucson a congressional district?
MR. ELDER: I think we would have to answer going back to the randomness of the grid. At this stage, it was started up there in that northwest, and it came in. It came in and grabbed a portion based on the aggregation of precinct of the census tract.

It's just a block. So it may very well be. If we get enough information from the public that says we really want to have that as one district, congressional district, it may be we will have to go around the total rural and have a congressional district in Tucson. We have to have a reason why, and that's what we're asking throughout of the meetings. Do you want to be urban. Do you want to be rural. Do you want to have a blend. I've had rural meetings say we shop in Tucson. You know, we go to church. You know, that's what we do. We're not totally rural. And then I've got other people, we don't want to have a thing to do with Tucson. Other people say, hey, here's Tucson. There as much rural in relation to Maricopa County as we are. If we bind with Maricopa County, we have no chance. If we bound with Pima County, we may have a chance. You know, so there's a whole myriad of ways of looking at that.
The grid took in nothing into no account other than just a random-- or not a random. It was directed by the rules we gave them, and the rules were to do it the same way every time you came to a junction. If it said go left, the rule said go left, they went left and picked up the next precinct. Or not-- I keep saying precinct. Excuse me. Township. You know, and then the census tracts in that. Once it filled up, I mean we might have only filled up a half with a township by the time we got to 171. Then they started again. The zigzag lines that was referred to along Campbell because the census tracts did not follow Campbell. They would say the majority of it's in this township, so it goes in your census tract and it may have a had deeper shape, you know, or whatever.

So in any case, some of those things we will be able to clean up. Some of the things will be modified based on information we get from the public meetings around the state. And then some of the things are going to be pure mathematical where we made sure that we had changed opportunities in the state for fair representation. You know, if we do that then we're in business.

Yes, sir?
SPEAKER FROM THE AUDIENCE: [Not speaking in microphone] I just want to make sure that you hear that some of us are very happy with the congressional districts in Pima County.

SPEAKER FROM THE AUDIENCE: When I look at District 12, I'm Republican, but when I look at District 12 I look at an area that had history of like 30 years, maybe 40 years of solid continuity. And in

Pima County when you look at it, we are dictated by the mountains and the rivers, which we could not cross. We couldn't even get across them for a while.

So these make continuity and compatibility of people just because the geography and the history where we've gotten along together. Whether we were at any party we've gotten along together because that's how it was. Roads and/or the lack of roads really holds us together in Pima County or forces us apart, but holds us together because it's an area of interest.

Mobility and/or the lack of mobility, that's another common area because we are glued together by the very economic base of moving around.

So that's becomes important.

When you people put together your
adjustments, you meet the justice department concerns, you are approaching the lawyers and all their concerns, and you tie in the census tract. You've got the basis from which you're going to have to judge things. But please don't forget the glue of the people. Not the law, but the people. They make it together. All the education. That is a glue that holds people together.

Safety. How quickly we are kept alive or retrieved to go to hospice makes a huge amount of difference in what people bind them together. So those areas of communities of interest are important just as people when you put all these maps together. And I hope that when you said earlier that you can't make everybody happy, I do hope and pray that you make at least the justice department a little bit happy.

And as a person who has been with you for the last three nights, your staff, the two Commissioners, I commend you on your time, your patience, and I will try to put more things in writing for you. But those kinds of people concerns are the ones that I think are very important. Thank you.

MR. ELDER: All right. Anybody else? Steve, anybody have any other comments they want to make before we close or?
AMPHI.TXT

MR. LYNN: No, I know you're going to do your appeal. We've been doing this for 2 weeks now, and the crowds have been mixed in terms of size. We've had hundreds of people at some meetings. We've had smatterings of three and four at other meetings.

To try and put it in perspective, when last Maricopa County did their county redistricting, some of you will appreciate this one being on the Pima County redistricting group here, Maricopa held 11 meetings throughout Maricopa County to do their redistricting and got a total in 11 meetings of 11 people.

And so it's going to vary. It is ratifying to see people come out whether you spoke or not. The important thing is that you heard what we're doing and how we're doing it. I hope you share that with your friends because we are coming back. We're coming back with draft maps. Not grids but maps this time that really need to be looked at closely and scrutinized for their complexity because they will be complex. All the factors that you see up here will have been taken into account the next time to some degree or another. And we really need your input.
So when we next get together in about a month, we hope not only you but your friends will join us and give us the benefit of your wisdom on maps. Dan?

MR. ELDER: Yes, sir?

SPEAKER FROM THE AUDIENCE: One question. When your next round of hearings is and by when do you need input?

MR. ELDER: Well, if we could get written input within the next 3 weeks because what we're going to be doing is we're going to be taking and trying to statistically review the comments that we get, you know, from the record. NDC, our consultant will go through them and try to categorize them or characterize them for area and state because a comment made in the southeast might not be the same issue that's in the northwest.

So they will be giving us a statistical review. That's going to take them several weeks to take the information we've gotten. We are constantly more either hits. Enrique Ochoa gets on the telephone, Dan, we had 183 hits today. You know, so he's excited about the information we're getting over the web.

We also, I said, Enrique, how many
envelopes came in, the snail mail or whatever you want to call it. So we're getting that type of input. So it's going to take us 2, 3 weeks to generally get statistical base.

The second thing that's happening is that in this grid, you know, we only used one factor, the population census 2000 data for the population only. The next round we are going to go back through and we're going to have historical data. The historical data will give us the trends, what progress has been made by an ethnic minority here, what was it like in '90, what was it in '92, '94, '96, to where we make sure we understand the growth and the history. You know, you don't know history you're going to go it again and again and mess up. You know, that's not quite the whole issue. If you don't respect history, you're bound to repeat it. So hopefully we will get some information historically. And that will be another part of the thing that gets in there.

So we've got a whole bunch of factors. I've already been forewarned by our attorneys and by our Outreach Coordinator and all that that we need time to reach out and get maps or get system input forms in
the newspaper and that, but as soon as we know when
we're going to hold the next series of meetings, we're
going to get those out in the newspaper. We're going
to get those out to the free issue, you know, what the
cable has, what's going on today, what's going on next
week.

But we also are going to have to have 2 or
3 days where counsel is going to say these are the
things that came out at these meetings, these are
things that have to be considered. Because here I am
in Tucson. We've got a meeting in, is it Apache
Junction tonight, gym?

MR. LYNN: Yes, Apache Junction.

MR. ELDER: I've had Lisa Hauser with me,
you know, an attorney down in Sierra Vista, and then
Jose with me in Nogales. No, Lisa was in Nogales.

Jose was with me in South Tucson.

You know, so we have it mixed. None of us
have been in the same place at once. We've got to sit
down together and say, what happened in your part of
the state, you know, when you were doing these
meetings. Joshua Hall is up in Hon Dah and he's been
doing a little bit more work than I have with say Jim
Taylor, the Hopi or the Navajo. I sat next to the
Navajo representatives at the intertribal council in Phoenix, and they invited us to make the presentation.

So we've been going to those meetings, sitting there and bending their ear every time what issue do you want us to consider in your nature or your community.

We've been trying to do that across the state. As a one-man office, you know, I don't have support. So it's like how did I ever get into this and what is it going to do to my business, but it's a lot of fun, and if I'm willing to participate, I hope you all will.

Be watching for the next meetings, and we sure will be happy to have you. Bring a big felt tip because in architect school the guy who had the biggest felt tip won the map. So you can come up to those maps and start drawing where we can see what is. It makes a difference. This is an edge. This is what we want to see. You missed it in our meetings. That's what we want to know. We try and listen. We can't hear everything. We may misinterpret something. Say, no, you guys just didn't listen right. Andrea, she lets me know every once in a while.

We sure appreciate you coming, and we hope
to see you all next time.