

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Phoenix, Arizona
September 4, 2001
6:30 p.m.

ARIZONA INDEPENDENT
REDISTRICTING
COMMISSION

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

1 THE STATE OF ARIZONA INDEPENDENT REDISTRICTING
2 COMMISSION convened in Public Session on September 4,
3 2001, at 6:30 o'clock p.m., in Maricopa County at South
4 Mountain Community College, 7050 South 24th Street,
5 Phoenix, Arizona, in the presence of:

6

7 APPEARANCES:

8 CHAIRMAN STEVEN W. LYNN

9 COMMISSIONER ANDI MINKOFF

10 COMMISSIONER JAMES R. HUNTWORK

11 COMMISSIONER JOSHUA M. HALL

12 COMMISSIONER DANIEL R. ELDER

13 LISA HAUSER, Commission Counsel

14 JOSE DE JESUS RIVERA, Commission Counsel

15 DR. ALAN HESLOP, NDC, Consultant

16 MARION PORCH, NDC Support Staff

17 ADOLFO ECHEVESTE, Executive Director

18 AMY REZZONICO, Press Information Officer

19 AUGUSTA KNIGHT, Outreach Staff

20 PAUL CULLOR, Outreach Staff

21 MIKE SAUNDERS, Outreach Staff

22 ALMA VILLARREAL, Outreach Staff

23 ALICIA NIETO JACOBS, Interpreter

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

25

 ATWOOD REPORTING SERVICE
 Phoenix, Arizona

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PRESENTATION BY:

VICE CHAIRMAN ANDI MINKOFF

SPEAKERS FROM CALL TO THE PUBLIC:

DEBORA NORRIS (1st Vice Chair, Az Democratic Party)

MEL HANNAH (Greater Phx Urban League)

LEAH LANDRUM TAYLOR

JACQUELYN BUTLER

RIANN BALCH, (Ex. Director, Az Coalition to End Homelessness)

MARK FLEISHER

COUNCILMEMBER CODY WILLIAMS

LEVI L. PACE (Precinct Comm. Person, Fleetwood. Dist. 20)

JEANNETTE FISH (Ex. Director, Maricopa County Farm Bureau)

MARK FLEISHER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Public Session
Phoenix, Arizona
September 4, 2001
6:30 o'clock p.m.

P R O C E E D I N G S

CHAIRMAN LYNN: I'd like to call the meeting of the Independent Redistricting Commission to order.

For the record, four of the five Commissioners are present. Mr. Hall is in transit and will be here. He's in transit, coming in from California. He'll be here as soon as he can.

We have both legal counsel represented.

Let me start at my extreme right, make introductions, if I can do this without messing it up.

At the end of the table is Dr. Alan Heslop representing our primary consultant, National Demographics Corporation.

Next to Dr. Heslop, Jose Rivera.

Next to Jose, the other part of our legal duo, Lisa Hauser.

To my immediate right is Jim Huntwork, Commissioner.

To my left, Dan Elder, Commissioner.

ATWOOD REPORTING SERVICE
Phoenix, Arizona

1 At the table in front of the dias this
2 evening is Andi Minkoff, Vice Chairman of the
3 Commission. She will be making a Power Point
4 presentation momentarily.

5 Back to the table, our stenographer is
6 Lisa Nance.

7 (Chairman Lynn introduces the interpreter,
8 Alica Nieto Jacobs, in Spanish, and asks the audience if
9 anyone desires the services of a Spanish interpreter.
10 No one requests the services of an interpreter.)

11 COMMISSIONER ELDER: You have to do
12 nothing.

13 CHAIRMAN LYNN: We do that at every
14 session in case there are those more comfortable in
15 Spanish. We do have interpretation services available.

16 Let me also introduce Adolfo Echeveste,
17 Executive Director for the Commission.

18 There are also other Commission staff
19 present. If we have time this evening, we'll introduce
20 them.

21 The schedule this evening is as follows:
22 There will be a brief Power Point presentation, as is
23 custom, showing where we are, where we expect to go.
24 Then the bulk of the evening is for you to talk to us.

25 If you've not already done so and wish to

1 speak this evening, we'd ask you to fill out one of the
2 yellow slips. They are available from staff members or
3 at the back desk, the desk near the door where you came
4 in. We'd appreciate it if you have one and wish to
5 speak, fill one out. Staff will collect it. Once you
6 fill it out, we'll take them in the order you fill out
7 the slips.

8 I will ask when you make the presentation,
9 we'll have the podium moved more centered to the table
10 so we may talk to you a little more freely. We ask when
11 you come make your presentation, state your name. If
12 you have an unusual name, spell your name so the
13 stenographer can enter it appropriately in the record.

14 After you've made your comments, remain at
15 the podium to see if there are any comments directed
16 your way by the Commissioners or anyone on the panel.
17 We appreciate that very much.

18 With that, let me turn it over to Vice
19 Commissioner Minkoff for the Power Point presentation.

20 COMMISSIONER MINKOFF: Thank you,
21 Mr. Chairman.

22 Is this mike live?

23 First of all, excuse my back. I'm about
24 to turn around so I can see the screen, know what I'm
25 talking about. After I finish, I'll go back up there so

1 we can be face to face. For now, please excuse my back.

2 As the screen states, this is one in the
3 second round of public hearings the Commission is
4 holding in many parts of the state to solicit public
5 input from the people on what they think of the draft
6 maps so far, what they think about any changes, if any,
7 they'd like to see us make.

8 The purpose of the plans is showing
9 examples of the districts we drew, explaining why
10 they're drawn the way they're drawn, how they got that
11 way. Also we have wall maps in the back of the room you
12 can look at, enlarged maps of the draft maps with the
13 details of the specific areas of the state.

14 We have an additional handout of
15 materials, the citizen kits. They are the large manila
16 envelope you should have received when you came in. If
17 anyone did not receive a manila envelope, one will be
18 brought to you.

19 At the end of the meeting, if you have the
20 energy, we're happy to stay to talk to you as individual
21 Commissioners.

22 Please remember one thing. The maps we're
23 showing you are drafts. We know they can be improved.
24 Many people have told us we should improve them. We
25 intend to improve them. We believe you can help us

1 improve them with the comments you'll have tonight.

2 Last year the people of Arizona voted in
3 the November election by a rather substantial majority
4 to establish the Independent Redistricting Commission.
5 Citizen redistricting follows explicit criteria for
6 drawing new districts. These are the rules.

7 The first two rules relate to federal
8 requirements, the equal protection clause of the United
9 States Constitution and the United States Voting Rights
10 Act. And the provisions of those two documents require
11 us, first of all, to have districts that are
12 substantially equal in population, one person, one vote,
13 and, as a matter of fact, especially with Congressional
14 Districts, federal government has held a pretty strict
15 standard as to the terms. With the six current
16 Congressional Districts we had, they differed as of 1990
17 the Census by only one person. Our goal as a Commission
18 is to get those districts as equally populated as we
19 possibly can and also to create state Legislative
20 Districts of relatively equal population. Although the
21 courts until now had a little more flexible standard for
22 state legislative districts, that's one of the
23 requirements of the federal government.

24 The other, the United States Voting Rights
25 Act, requires we not diminish the rights of any

1 minorities to elect candidates of their choosing. So we
2 must also take that into consideration in drawing
3 districts.

4 The other four characteristics are
5 criteria contained within Proposition 106. Criterion C
6 says districts be geographically compact to the extent
7 practicable.

8 Notice the phrase "to the extent
9 practicable" occurs frequently in Prop 106. That's
10 because on occasion guidelines conflict with one
11 another. If you make a district compact, contiguous
12 might run afoul. We have a balancing act to do. We
13 have to do so to the extent practicable.

14 District boundaries must respect
15 communities of interest. We heard a lot about that in
16 the first round of hearings. There will be a lot said
17 on that.

18 To the extent practicable, once again, we
19 must use visible geographic features, respect local
20 city, county, and town boundaries, and undivided Census
21 tracts.

22 Finally, to the extent practicable,
23 competitive districts should be favored where to do so
24 would create no significant detriment to the other
25 goals.

1 I'll talk about competitive districts in a
2 little while.

3 Proposition 106 had a requirement we think
4 is unique to Arizona. It required us to start with a
5 grid.

6 A grid, according to the dictionary, is a
7 rather rectangular straight-lined kind of map, or draft.
8 We decided to use townships as the building blocks for
9 this grid. Townships are six miles square, regular
10 boundaries, straight lines. We felt that was a good
11 building block. It is geometric in shape. That would
12 allow us to create a grid. However, we then
13 superimposed Census tracts on top of the grid because
14 they had the population figures we needed. That led to
15 some modification of the lines.

16 Census tracts usually follow county
17 boundaries and other natural boundaries and were not as
18 straight as townships.

19 This grid took into account only
20 population. None of the other criteria of Prop 106 were
21 to be utilized in drawing the grid.

22 Once the grid was developed, it had to be
23 adjusted pursuant to the other mandates.

24 Here are the Congressional and Legislative
25 maps we drew. As you can see, there are a lot of

1 nonstraight lines in these maps, and it's because of the
2 Census tracts that we used.

3 The grids did not take any communities of
4 interest into consideration, cut across many county
5 boundaries, city boundaries, all kinds of things. We
6 knew we'd have to adjust them, and we have.

7 To help us adjust the grid, we held 24
8 public hearings in our first series of public hearings
9 in many parts of the state. We invited citizens to
10 complete citizen forms. Many did. You could complete
11 them at the public hearings, do them on website, write
12 letters to us, and many of you did. And we had an
13 incredible amount of public input that made it clear
14 Arizona had a very firm belief in respecting communities
15 of interest and respecting boundaries of cities, towns,
16 boundaries of other local governments, and that became
17 the basic principles and guiding approach as we moved
18 further and people also developed information for us
19 about their communities of interest which we have called
20 Arizona Units of Representation, or AURs.

21 We learned from the hearings that there
22 were three major AURs, three major communities of
23 interest we should begin recognizing: Tribal
24 representations, not only Native Americans and people
25 living on reservations, people around the state felt

1 these people represented communities of interest. These
2 people should be kept together when drawing districts.

3 The Hispanic community was another one
4 pointed out and emphasized by large numbers of people.
5 The other thing we heard as we went around the state,
6 rural and urban interests were very different both in
7 rural and urban areas.

8 There was a lot of sentiment we should, to
9 the extent possible, create separate rural and urban
10 districts. Because the Commission followed these
11 mandates and citizen input, first of all, we have many
12 fewer city and town splits.

13 The existing Congressional Districts split
14 16 cities and towns. Remember, there were only six
15 existing Congressional Districts. We created eight
16 draft Congressional Districts and split only six cities
17 and towns. One, Phoenix, is too large for one
18 Congressional District and would be split under any
19 plan.

20 Existing Legislative Districts split 39
21 cities and towns. Our draft maps split only a third as
22 many cities and towns; once again, many larger than the
23 171,000 target population would be split under any plan.

24 We really tried to keep cities towns
25 together. The same thing with counties. It's not

1 always possible. Some cities cross county boundaries.

2 Many tribes cross county boundaries.

3 Elsewhere, effort was really made to unite
4 county boundaries. We've added two additional
5 Congressional Districts. Elsewhere, we only split six
6 counties in the draft plan. The Legislative draft
7 districts split 15 draft districts. Our plan splits
8 nine of the counties, kept many, many more of them
9 united. And the state's major communities of interest,
10 those three AURs that were identified, are respected in
11 the draft plans.

12 No tribal reservations are divided and in
13 many cases we tried to combine two, three, four or more
14 tribal reservations in the districts to create a Native
15 American community of interest.

16 The Hispanic community of interest, when
17 located in the same geographic area, we tried to
18 respect.

19 Rural and urban areas are distinguished.
20 Most rural communities of interest are respected.

21 You have to keep in mind, many AURs are in
22 conflict. We couldn't satisfy all of them. There is
23 built-in inconsistency in some of them.

24 We'll now deal with the competitiveness of
25 those districts.

1 Proposition 106 stated the Commission
2 could not consider competitiveness early in the process.
3 Under Prop 106, competitiveness should be considered
4 only after the initial mapping process, only after the
5 drawing of map process should it be considered and then
6 only when there is no substantial detriment to any of
7 the other goals.

8 We're anxious to elicit testimony from you
9 regarding competitiveness of the draft districts. We
10 encourage you to tell us whether or not we should be
11 more competitive, if you think they should be. If you
12 have suggestions how we might do that, we'd appreciate
13 that as well.

14 We're about to look at the draft map of
15 the Arizona eight Congressional Districts. This is the
16 map. Quite honestly, the contrast doesn't show up very
17 well on this screen. However, you do have this map in
18 the manila envelope and can see it much, much more
19 clearly. Plus, also, there are area maps of both the
20 Phoenix and Tucson area to let you see a lot more detail
21 of the districts which are quite small.

22 These are draft maps we want you to
23 comment on tonight. These are the draft maps of the
24 Phoenix Metropolitan area, and here is the Tucson area.

25 We also completed a plan for the Arizona

1 30 districts. It's hard to see, certainly hard to see
2 detail on this map. There is one in the citizen kit.

3 These are the Legislative Districts in the
4 Phoenix Metropolitan area. These are the Legislative
5 Districts in the Tucson area. In these districts, you
6 see they are much smaller, only 171,000 people.

7 If you want to know a little more about
8 the exact boundary lines, especially within the
9 metropolitan areas, the individual maps of each one of
10 these districts will allow you to see a little more
11 detail about the area they cover.

12 We're now asking for your input, whether
13 favorable or negative. If you like the way they are,
14 tell us; tell us you don't want us to us change them.
15 If you want changes, tell us what they are. Tell us the
16 general ways, if you prefer. However, as much detail as
17 you can give us, we'd prefer. Detail is helpful where
18 you'd like us to meet the line.

19 If you want to testify and have not yet
20 turned in a yellow speaker slip, fill it out and staff
21 will give us the speaker request form.

22 As the evening goes on, if you decide gee,
23 I can do that, or I'd like to react to what that person
24 said, raise your hand and we'll get a speaker slip to
25 you and add your name to the list.

1 There's also a form in the citizen kit.
2 It's a short, easy-to-fill-out form you can use to
3 indicate your opinion about the districts. You can
4 complete it and hand it in tonight to staff, mail it
5 back later. I believe there's an envelope for the
6 citizen kit already addressed to the Commission, or go
7 on the website. The form is there and fill it out.

8 The website is up on the screen,
9 www.azredistricting.org. I'd encourage you to fill that
10 out even if you've given us input before.

11 There's a lot of good information on the
12 website. It's updated regularly. There are summaries
13 of the hearings had up until now on there. As soon as
14 the consultants prepare them for us, the draft maps are
15 there. Zoom in, get a lot of detail. Any press
16 releases we put them on there. Frequently asked
17 questions, and many other useful things. I'd encourage
18 you to visit it often. It's updated regularly.

19 We are pleased to hear from you any time
20 during the process, by regular mail or by e-mail.
21 Redistricting will determine the kind representation
22 we'll have in the state for the rest of the decade.
23 It's worthy of the effort, energy, and goodwill all of
24 us can gave it.

25 I appreciate your interest, information,

 ATWOOD REPORTING SERVICE
 Phoenix, Arizona

1 in Arizona's first citizen-conducted redistricting.

2 That's our presentation. And now it's
3 time to hear from you.

4 CHAIRMAN LYNN: Thank you, Ms. Minkoff.

5 What we are going to do is reposition the
6 podium so we can have better contact with the speaker.
7 We'd ask as your name is called and you come to the
8 podium, again spell any unusual name, or spell your name
9 for the stenographer, that would be helpful.

10 In order to accommodate all that wish to
11 speak, I ask speakers limit their comments to, let's
12 say, no more than five minutes. If there are more
13 lengthy comments you wish to make, at the end of the
14 first round of speakers, we'd be more than happy to
15 invite you back to the podium to continue your remarks.

16 To the extent you have written comments
17 and wish to submit them, we're always happy to take
18 those and make them part of the record. We're pleased
19 to do that as well.

20 Again to remind you, if wish an
21 opportunity to speak tonight, fill out a yellow speaker
22 slip. They are available from any of the staff tonight.

23 I'd like the record to reflect Mr. Hall
24 has joined us and we have a full complement of the
25 Commission this evening.

1 The first speaker this evening is Debora
2 Norris, first Vice Chair of Arizona Democratic Party and
3 member of the Legislature party.

4 MS. NORRIS: Good evening. It's good to
5 see you all again.

6 I'd like to comment on the idea of
7 competition. The Arizona Democratic Party has looked at
8 the current maps and have come up with five competitive
9 districts in the state. And that's a concern to us,
10 because we believe that one of the primary reasons for
11 having Proposition 106 is so there would be a more
12 competitive nature and be the possibility of either
13 party having a majority in the Legislature.

14 This is a concern to us. During this last
15 session, we had a rather balanced Legislature. We can
16 see our priorities in the Legislature have changed for
17 the benefit of most Arizona. Our focus has been
18 moderated. In that way, we believe we have come to
19 serve Arizona better. We really don't want to see the
20 State of Arizona less competitive. We think that would
21 be counterproductive.

22 Originally 106 was for the purpose of
23 getting rid of gerrymandering. I believe the Commission
24 has done that. The grid has taken care of that problem.
25 The primary purpose of getting rid of gerrymandering was

1 to get rid of lopsided powers of the Legislature, having
2 either party run the Legislature. That's what we would
3 like to see.

4 As for specifics, I think some of the
5 districts look really good. I have to compliment this
6 Commission with staying true to the Commission in
7 getting minority-majority districts. I think that's
8 been a really wonderful thing you've done. The thing I
9 have a concern with, though, is there is a difference
10 between minority-majority districts and super
11 minority-majority districts. That's where we may cross
12 the line between maximizing the vote. In calculus, the
13 curve, and the speed limit of 55, the maximum
14 effectiveness of fuel, what is the maximum effectiveness
15 of the minority vote? In that way they may not only be
16 influential in perhaps two or three. That way they can
17 have more of a presence in the Legislative process via
18 the election process.

19 I don't have a specific number for you. I
20 can tell you I looked at some of the districts. And
21 where 80 percent of a certain district may be a minority
22 population, I know Tucson in the southern region,
23 minority-majority districts, about 50 percent, maybe 60,
24 they have a very successful record in electing minority
25 representation; also, people are able to represent

1 nonminority districts. Maybe that's just Tucson.

2 We don't have a specific number to give to
3 you, but we do know the number is very close to 80
4 percent minority districts. It may be very close to
5 packing minority communities. We want to make sure they
6 are maximized, minority voices are heard. That's the
7 whole reason the Department of Justice said we need
8 majority-minority districts, so minority voices can be
9 heard. The concern is that we have minority competitive
10 districts and the Legislature best serve all
11 communities. When the Legislature is lopsided,
12 communities are hurt worse. Environmental, education
13 issues are better off when minorities are served in the
14 long run. We want to make sure there are
15 minority-majority districts.

16 Of course, we're supportive the party has
17 most or all minority representatives in the Legislature,
18 at this point. We're not trying to say we don't want
19 any. We need to make sure when we get minority people
20 elected, we will have a system they can work with,
21 actually pass bills for the community that elected them,
22 and we can only do that through competitive districts,
23 more competitive than the draft maps are currently.

24 I urge the Commission to look past that
25 idea of competitiveness and look for a number that

1 maximizes the minority vote in Arizona without packing
2 them.

3 Thank you very much.

4 CHAIRMAN LYNN: Ms. Norris, if you stand
5 for questions.

6 Mr. Hall.

7 COMMISSIONER HALL: Thank you for your
8 input. As you indicated in comments --

9 MS. NORRIS: Thank you.

10 COMMISSIONER HALL: -- sometimes we're
11 shooting for a target and we don't know exactly where
12 that is. My question to you is: In your opinion, if
13 we're going to push the envelope on reducing open
14 minority-majority districts, you are in favor of
15 reducing majority-minority districts in an effort to
16 make other districts more competitive? Did I understand
17 what you are were saying?

18 MS. NORRIS: We all agree we don't want to
19 reduce the number of minority-majority districts. There
20 is no way to reduce that number. That's not what we're
21 talking about. We don't want to reduce that number at
22 all. In fact, I think we should increase that number.
23 But we have to look at where are we maximizing? I can't
24 tell you 50 percent minority population. If we get into
25 detail, look at some things we're not allowed to to look

1 at, voter performance, registration, for sure 80 percent
2 is nearing overkill. Have 50, 60 percent, and then if
3 we -- I hesitate to use the word packing, but all
4 minorities in one district reduces their voice in other
5 districts and may reduce their overall voice in the
6 Legislative process.

7 COMMISSIONER HALL: To clarify, I did
8 indicate, I didn't indicate the number of districts.
9 Our draft plan increases them. I'm focusing
10 specifically on a percentage. Utilizing that scenario,
11 you are saying is 50 to 60, you are comfortable that
12 would be the case throughout all districts, and then try
13 and utilize whatever additional population, that more
14 than likely you'd favor that for one party to increase
15 the competitiveness in neighboring districts?

16 MS. NORRIS: The focus is how to get the
17 voice of the minority voice most heard, how to get it
18 loudest. You are not going to do that if you stick them
19 all in one district.

20 I don't think I can stand and say limit it
21 at 55 percent, 60 percent. There might be regional
22 differences. The Tucson standard for minority-majority
23 might be different from the Phoenix standard.

24 I urge you to look at it. I don't have a
25 lot of information the Commission here has access to. I

1 do know you shouldn't have one size fits all. Maybe
2 that's what the result is here. I don't know exactly
3 what you based your numbers on.

4 Again, the information is maximizing the
5 voice of communities.

6 I think if we can -- I don't think you can
7 say that if you take a particular community, that they
8 have to be in this one square, that's where they live.
9 We interact a lot. That's the school of thought.
10 Tucson is a lot like that. They shop, eat. I don't
11 feel like we're confined to one five square miles.

12 I do think that we may not be maximizing
13 the political voice with this map in some cases where
14 we're nearing 80 percent, a super majority, which I
15 think is great, maybe in the sense they are all together
16 with the idea of community of interest. I don't think
17 it furthers the political voice. That's one of the
18 things the Commission here needs to be aware of.

19 COMMISSIONER ELDER: Let me give a bit of
20 a hypothetical, put you in the position of a
21 Commissioner, consider the Voting Rights Act, Section
22 Two, all of that. Let me give you an example.
23 Currently it's a 65 percent majority. By hearings,
24 meetings, input, we've been asked to increase that so
25 they have a better opportunity to elect their

1 representative of choice say to 70. If we go down to
2 60, or 55, then we're threatened with a challenge based
3 on retrogression. Would you encourage the Commission to
4 vote and face a challenge on retrogression?

5 MS. NORRIS: There's a lot of difference
6 between 55 and 70. To be frank, probably 55.

7 COMMISSIONER ELDER: We're threatened if
8 we go below the numbers right now.

9 MS. NORRIS: If you go below --
10 While it may fit the legal language, it's
11 not to the true spirit of elevating the voice.

12 COMMISSIONER ELDER: I agree.

13 MS. NORRIS: I'm glad I'm not a
14 Commissioner. It's a tough job to do.

15 I applaud your work.

16 CHAIRMAN LYNN: I would like to add a
17 word. Ms. Hauser has one word. Mine is not on the
18 concept of super majority but the concept of
19 competitiveness.

20 You indicated your analysis or party
21 analysis indicated a certain number on competitiveness.
22 What would you define as the conclusion of
23 competitiveness?

24 MS. NORRIS: I'm not an expert. Our
25 criteria is do we have a candidate that has a chance of

1 winning? That's our idea of competitiveness. Voter
2 performance and perhaps how a certain -- how the voter
3 body voted for a certain body in the past, follow how
4 people voted in the past. A lot has to do not even with
5 party affiliation. A lot of times it's on issues, you
6 know that. Look at registration. That's not always the
7 same, yet a person can be a good candidate, win as a
8 Democratic. I wasn't in the room when crunching
9 numbers, but I do know if you do get into the area where
10 there's an extreme advantage to one party or another,
11 it's no longer competitive. We're looking at lowering
12 those numbers so we can have a more competitive
13 district, focusing more on the candidate more than the
14 parties, which I think probably is more favorable and
15 more of Arizona would agree that's the way it's supposed
16 to be.

17 CHAIRMAN LYNN: Just to follow up, again,
18 I understand you weren't a part of the process in terms
19 of the analysis.

20 If a district has a reasonably high and
21 disparate registration, more than 10 percent, less than
22 20, just for the sake of argument, and voting history
23 data for that district showed periodically that district
24 was able to elect representatives from either party over
25 a period of time, would you then call that district

1 competitive despite its registration?

2 MS. NORRIS: I think on the criteria I've
3 seen there is a window -- I can't answer that. If I
4 don't have to answer it, it's better to say I can't.

5 CHAIRMAN LYNN: Ms. Hauser.

6 MS. HAUSER: Representative Norris, a
7 follow-up on what Commissioner Lynn answered. Again,
8 appreciating the fact you did not construct the most
9 recent competitiveness data the party performed.
10 Mr. Eckstein testified before us twice using a couple
11 different models. Number five sounds again different to
12 me, so I'd ask, if you could go back and see if you
13 could get additional information for us on exactly what
14 methodology was used to come up with those five
15 districts, it would be very helpful to us.

16 MS. NORRIS: I apologize. To be helpful,
17 voter registration, I was thinking minority population,
18 different graphs, between 10, 20 percent advantage
19 populationwise. I was still thinking maps. You saw,
20 you have areas to play with those numbers without overly
21 compromising your criteria of communities of interest.
22 Perhaps that's what our idea of competitiveness is. You
23 could tweak it a little bit, and that, we'd move, our
24 two conversations wouldn't be polarized.

25 MS. HAUSER: The other question I have,

1 going back to the issue of majority-minority districts,
2 to make you aware, we've had testimony in particular
3 from the Navajo Nation concerning the level of minority
4 concentrations. They'd like to have influence, given
5 the low voting age population in relation to overall
6 voting age population and low turnout, and other factors
7 like that, that they in fact believe they need numbers
8 somewhere in the 70 percent range. Your previous
9 comments, given the percentages, you think it might be
10 able to stand some lowering. Would you think it
11 relevant for us to take into account the same factors?
12 The Navajo Nation mentioned voting age population,
13 turnout, those kind of things in determining minority
14 percentage to be necessary to have influence.

15 MS. NORRIS: You do, to a certain extent,
16 for reasons you can't ignore. I don't know a lot of
17 cases on voting age. On turnout, a lot of times it's
18 geographical barriers, distance. Sometimes you don't
19 know how many citizens -- how many are undocumented.
20 Numbers, working on strictly population, the job is
21 difficult. You have more access than I do to some
22 numbers. However, I still think it's close to 80
23 percent which is probably over the area we want to
24 maximize. I would look carefully at those issues.

25 CHAIRMAN LYNN: Ms. Minkoff.

1 COMMISSIONER MINKOFF: Thank you.

2 Ms. Norris, I very much appreciate your
3 comments. They are very well thought out and very
4 intelligently delivered. I have another question for
5 you. One of the points made in the Power Point
6 presentation is we've been very, very careful to extent
7 possible to keep cities and towns within the same
8 Legislative District. I'm asking you now how you would
9 view competing criteria. If, in order to keep districts
10 more competitive, it became necessary to change boundary
11 lines so cities that were now united in one district are
12 split into two, or some of the larger cities three or
13 four districts, would you favor doing that if it meant
14 more competitive districts or would you favor keeping
15 cities and towns together?

16 MS. NORRIS: I think, from testimony I
17 heard, some cities wouldn't mind that. Nogales said
18 they wanted to be in different districts to have more
19 political clout. I don't think it's necessarily a
20 detrimental thing for certain cities and towns to be
21 split up, if that means more political voice.

22 So I think in not all cases, but I think
23 some cases, I think you could get a city or town to
24 agree it wouldn't be a horrible thing to be in two
25 districts. A lot are split right now and probably are

1 not dissatisfied with their level of representation, at
2 least numbers wise.

3 I think as a Commissioner, I'd ask again,
4 are you sure one representative, two representatives,
5 have the opportunity of two representatives, four
6 senators, that may give more leeway. You strive hard to
7 keep all senators, again, maybe you don't feel you
8 belong to one five square mile. People are transient,
9 live their lives in larger areas than that.

10 MR. RIVERA: You stated, two questions,
11 areas of minority-majority districts be lower based on
12 voting patterns.

13 MS. NORRIS: Might be lowered.

14 MR. RIVERA: Might be lowered.

15 Any idea how you would advise the
16 Commission how to define those areas, find where those
17 areas are? Do you have an opinion how to identify those
18 areas?

19 MS. NORRIS: I didn't -- 30 Legislative
20 Districts, nearing 80 percentile minority districts, I'm
21 sure you know which ones those are. And there weren't a
22 lot of them, but I recall two or three of them.

23 MR. RIVERA: I guess more to the fact you
24 said areas might be able to -- minorities or somebody to
25 elect their choice, 50 or 60 percent. Any idea how the

1 Commission can make the determination, any idea to
2 identify to the Commission? It would be helpful to give
3 information today or give the information to the
4 Commission. That would be helpful.

5 MS. NORRIS: Can you give me an idea of
6 when to submit that?

7 MR. RIVERA: Yesterday.

8 CHAIRMAN LYNN: By the 15th of the month.

9 MS. NORRIS: Okay.

10 CHAIRMAN LYNN: If you could accommodate
11 that.

12 MR. RIVERA: Coming back to the testimony,
13 you stated in your view of the maps, you found areas
14 where the maps were tweaked to make areas more
15 competitive, that would be more helpful.

16 MS. NORRIS: I'll do that.

17 MR. RIVERA: That's all.

18 CHAIRMAN LYNN: Thank you very much.
19 Thank you for being here.

20 CHAIRMAN LYNN: Lest anyone be thinking
21 we'll ask 45 minutes of questions of anyone that gives
22 testimony, be clear on a couple things. Ms. Norris is
23 representing the Democratic Party, and in that context
24 we needed to elicit some responses. We do wish to
25 engage the public in dialogue on issues we're talking

1 about because the maps are still fluid, still in flux.
2 There are problems involved in these interchanges in
3 getting to those decisions.

4 Mel Hannah representing the Greater
5 Phoenix Urban League.

6 Mr. Hannah.

7 MR. HANNAH: As announced, I'm Mel Hannah
8 representing the Greater Phoenix Urban League,
9 H A N N A H, Hannah.

10 Basically, the League supports a plan, if
11 you will, submitted earlier hearing at the hearing at
12 the Pointe South Hilton the 8th, 9th, 10th, the
13 Legislative Districts, in particular ones we have
14 observations on.

15 Basically, our recommendation is this plan
16 will allow you to be in compliance, if you will, with
17 all the processes of the Constitution and the Voter
18 Rights Act, propositions of 106.

19 I want to back up a bit and comment, you
20 and staff and consultants are doing an excellent job.
21 By no means is your job easy. I read somewhere the
22 gauge of that will be how many people are upset at you
23 when this is all over. I won't be an easy job. I
24 suppose a lot this room and other rooms will feel this
25 way when it's all over. I commend you on the

1 enlightening and encouraging process. The Urban League
2 feels certain elements in 106 really are kind of what we
3 focus on, the reason to support the South Mountain
4 Central Phoenix Plan, one to suggest and allow you to
5 abide by boundary man-made natural boundaries,
6 particularly the western portion of what is now District
7 P to allow you in our view of I-10 as it flows north and
8 extends westward. We feel, utilizing that as if a
9 man-made mountain boundary, if you will, it does allow
10 communities of interest and creates an element of
11 competitiveness consistent with what some guidelines ask
12 you to do.

13 The second thing important is the ability
14 to be competitive, competitive in terms of traditional
15 political sense has meant the ability have to major
16 parties equally or to some degree of equality compete
17 for district seats. I'd submit some districts make sure
18 there may be competitiveness between the majority and
19 minority groups in those districts.

20 Certainly, in our opinion, some man-made
21 boundaries, some communities of district, there are
22 other elements we feel can accommodate and are done so.
23 In fact, you'll be in a position to take into account
24 those particular sets of regulation. Those comments are
25 based on Legislative seats. We don't have any major

1 concerns relative to the Congressional Districts.

2 Again, we want to commend you for our outstanding work
3 in a difficult setting.

4 Any questions, and I'd be happy to try to
5 answer them.

6 CHAIRMAN LYNN: I have one. There was a
7 suggestion to use I-10 as a man-made boundary for
8 District P. As I understand it, to extend District P
9 slightly to the east past roughly one freeway alignment,
10 take some population from District Q, also raise the top
11 portion of District P from the current along I-17 to the
12 I-10 portion of the freeway through Phoenix. I know you
13 don't have a map in front of you. Let me call your
14 attention to this one, if I may.

15 If you take a look at the map, make sure
16 the way I thought I heard you say it is what you meant,
17 if you notice P, the eastern color of P goes slightly to
18 the east to pick up I-10.

19 MR. HANNAH: Correct. Suggestion is use
20 10 on the eastern portion.

21 CHAIRMAN LYNN: The top portion rather
22 than using I-17, the suggestion is use I-10 on the
23 northern boundary. That would add population to P.

24 Where, then, would you cut P to cut
25 population to get back to ideal population?

1 MR. HANNAH: I'm not sure if that process
2 would not fit within the window anyway. Precisely where
3 that, a little further, without giving the exact
4 location, I could provide later.

5 CHAIRMAN LYNN: We'd be pleased if you
6 give that to us later.

7 Other questions for Mr. Hannah?

8 Thank you very much.

9 Next speaker, Leah Landrum Taylor.

10 MS. LANDRUM TAYLOR: Hello.

11 CHAIRMAN LYNN: Ms. Taylor, very nice to
12 see you.

13 MS. LANDRUM TAYLOR: I'm hanging in there,
14 walking slower.

15 Thank you, Commissioners, for letting us
16 speak and returning back to South Mountain College.

17 I'd Echo what Mel Hannah spoke about
18 earlier, the South Mountain plan presented on the 9th of
19 August at the South Mountain resort, a plan we very much
20 support. That plan, here currently in the P section, is
21 something that, it's definitely a good start in the
22 right direction. Our concern is it's still in the
23 northern portion of the district. It did go between the
24 10 and 17 freeway. We'd not necessarily veer off into
25 the area at the very far east, almost hitting into the

1 Scottsdale, Tempe area, making sure the cities are
2 staying together. That's one of the big concerns we had
3 about the current district, the head of the little
4 terrier dog there. Take a look at the terrier dog.

5 COMMISSIONER ELDER: I call it the
6 Scottie.

7 MS. LANDRUM TAYLOR: Look at it, that the
8 populations be able to match and jibe, the map we in
9 turn in support, South Mountain Central Phoenix
10 community. The one we wanted to touch on, the one
11 mentioned earlier, we'd like to make sure the Commission
12 adheres to it. You guys are moving in that direction.
13 We'd like to make sure we do have competitive districts.
14 That's something really important, what the Commission,
15 as far as I'm concerned, one of the original goals
16 establishing the original goals to make sure there was a
17 sense of competitiveness. And something we can't
18 emphasize enough, we've already gone over earlier this
19 evening, and I have to ditto those comments made.

20 That's it. I'd emphasize the northern
21 portion.

22 CHAIRMAN LYNN: Ms. Landrum Taylor, the
23 same question I posed, if I understand, the exchange of
24 population you are talking about adding to District P,
25 that portion of population between I-17 and I-10,

1 exchange you think we should take a look at is what we
2 call Oak, we you called the head of Scottie dog,
3 inclusion in the Northern District O?

4 MS. LANDRUM TAYLOR: Yes.

5 One of the things I've been reading about,
6 the goals of the Commission, is be sure you do follow
7 natural as well as man-made boundaries as much as
8 possible, and that could be done as much as possible.

9 CHAIRMAN LYNN: For your edification, we
10 spent this afternoon hearing I-10 is no sort of boundary
11 at all.

12 MS. LANDRUM TAYLOR: Okay.

13 CHAIRMAN LYNN: You want us to ignore
14 that.

15 MS. LANDRUM TAYLOR: We see it as a
16 boundary. And to make sure there are the necessary
17 resources in the downtown area, we'd want to continue to
18 have those.

19 CHAIRMAN LYNN: Mr. Hall.

20 COMMISSIONER HALL: What I thought I heard
21 Mr. Hannah say, and what I thought I heard you allude
22 to, is these adjustments create a greater opportunity
23 for competition among major minority groups. Is that
24 correct?

25 MS. LANDRUM TAYLOR: It would consistently

1 go along with diversity in the district and make sure
2 something is adhered to and create good competition, as
3 well, and something necessary.

4 CHAIRMAN LYNN: Ms. Minkoff.

5 COMMISSIONER MINKOFF: Thank you,
6 Ms. Landrum Taylor. I wanted to relate Ms. Taylor's
7 comments to Representative Norris, what she saw as
8 excessively high representation in some districts,
9 District P is drawn as total minority, 76 percent,
10 voting population is 70 percent minority. My guess is
11 that the changes you are proposing would probably
12 increase that percentage, in other words, we'd have a
13 higher minority District P. The areas you are proposing
14 adding into it have higher minority percentages than
15 areas you're asking we remove from it. My question
16 relates to comments by Representative Norris, voiced by
17 Representative Norris, the minority voice would be
18 diminished by moving out of the districts as drafted,
19 they'd be diminished. That should we leave P the way it
20 is or make changes suggested, it's a very strong
21 minority-majority district. I wonder whether if we make
22 that change, created a homogenous district, it
23 essentially may dilute voices in other districts. I'd
24 ask you to react to that.

25 MS. LANDRUM TAYLOR: I thank you for that

1 question.

2 In this instance, as far as the way it's
3 laid out, it's very difficult to really have a less than
4 majority-minority district. I see what you are talking
5 about in that instance. One concerns are focusing on
6 still looking at the community of interest, it still has
7 more of a community of interest than getting toward the
8 Tempe area. That's one concern we had as a major
9 concern, make sure it is shared with that.

10 Now, as far as maybe a couple other
11 districts, we want to make sure it's not a situation of
12 having packing taking place. We want to be sure
13 everybody has an opportunity to be represented. In some
14 instances, we don't want to have potential
15 disenfranchisement of a particular group. In this
16 instance, there is more of a community of interest. I'm
17 not necessarily focusing on what your point was.

18 I do appreciate the question.

19 CHAIRMAN LYNN: Ms. Landrum Taylor, thank
20 you very much. It's nice to see you.

21 Next speaker, Jacquelyn Butler.

22 A VOICE: Ms. Butler had to leave
23 unexpectedly.

24 CHAIRMAN LYNN: If she returns, we'll
25 accommodate her appearance.

1 Ms. Riann Balch, Executive Director,
2 Arizona Coalition to End Homelessness,

3 MS. BALCH: Mr. Speaker, Members of the
4 Committee, thank you for the opportunity to speak. I'm
5 Riann Balch, Executive Director of the Coalition to End
6 Homelessness. I represent 200 homeless service
7 providers, services providers statewide for 2,000 people
8 sleeping on the streets in Arizona any given night.

9 As a citizen here in Congressional
10 District One, as a citizen concerned about families and
11 individuals living in poverty in our community and in
12 the state, I'm here to ask you to recognize and address
13 the communities of interest of the homeless by placing a
14 larger emphasis on competitive districts than is
15 apparent in the current redistricting plans.

16 From our membership, I believe it's of
17 paramount importance all candidates for public office
18 being elected are accountable for all their
19 constituents.

20 Thank you for the opportunity to express
21 my opinion on behalf of the membership and myself and in
22 taking on this task.

23 CHAIRMAN LYNN: Ms. Balch, you mention in
24 the same sentence, or same thought, one community of
25 interest and competitiveness of districts. In your

1 opinion, do you favor one or the other, assuming you had
2 to make the choice?

3 MS. BALCH: I commend you for recognizing
4 and accommodating the minority populations, I think as
5 somebody that represents people living on low incomes,
6 we'd favor making competitive districts above anything
7 else. It is so important that elected officials be
8 responsive to constituents in whatever district they're
9 in.

10 CHAIRMAN LYNN: Thank you.

11 MS. BALCH: You are welcome.

12 CHAIRMAN LYNN: I have one more speaker
13 slip.

14 If there are those of you that wish to be
15 heard this evening, please turn in your speaker slip as
16 quick as you can, at this point. There may be a couple
17 more coming down. Legal counsel likes keeping them,
18 Surprise, surprise. Don't worry we won't get to hear
19 from you.

20 The next speaker in the cue is Mark
21 Fleisher who was here and is down the hall.

22 MR. FLEISHER: Yes.

23 CHAIRMAN LYNN: Mr. Fleisher, will you
24 join us at the podium?

25 MR. FLEISHER: I will.

1 I will. I was having a conversation in
2 the back.

3 I heard a lot of people say how hard you
4 worked, how much they appreciated it, much bigger the
5 task was than any anticipated, including yourselves. I
6 appreciate you are dealing with a problem to which there
7 are no easy answers, an equation, no one will be happy
8 with what you come up with, no matter what you try to
9 come up with. What you are trying to come up with, and
10 now, at this is time, you are looking at
11 competitiveness.

12 I think it's important to remember the
13 reason Prop 106 passed, the reason you are here, you've
14 been told it is to make districts competitive. In
15 making them competitive, taking away gerrymandering,
16 that's the reason it passed. That's the reason we're
17 all here talking about talking about competitiveness is
18 to assure true Congressional races and Legislative
19 races. I know Congressional District 29 is one that
20 does now.

21 The difference in having competitiveness,
22 I'm not sure how the term five percent came about, if
23 it's a term someone in the newspaper came up with or
24 someone using five percent voter difference, five
25 percent, I'm not sure where that came from. Maybe it

1 didn't have anything to do with the Commission. They
2 still should not be bulletproof, so one-sided Democrat
3 or Republican no one has a way of winning. There are
4 times one side should be able to win, not be able to
5 have five percent in every district. 10 percent, nice,
6 go either way, or less. If 12, 15 percent in one of the
7 districts, we know any district with 29 or 27 percent
8 has a distinct advantage.

9 Look exactly at how you make changes. I
10 understand changes are difficult.

11 On the Congressional map, there are eight
12 to deal with rather than 30. Congressional map, A, more
13 competitive, taking in part of district, let me look,
14 part of District D. F part, take in part of G, make it
15 more competitive. East Valley is very solidly
16 Republican. That doesn't make it fair in saying the
17 other hundred thousand or 80,000 voters never voted when
18 you create a district like District F.

19 I hope you look at these adjustments when
20 adjustments are made. If not competitive, bring down
21 the number so you don't have districts with 29 percent,
22 or 20 percent, or 18 percent. Get to the seven, eight,
23 nine, 10 percent range.

24 I think it's very easy to make -- right
25 now the only competitive districts are C and H. An easy

1 competitive -- it's difficult for B, E or F to be
2 competitive. Make them less bulletproof.

3 Those are my comments.

4 CHAIRMAN LYNN: Comments or questions for
5 Mr. Fleisher?

6 Mr. Elder.

7 COMMISSIONER ELDER: I'd like to have you
8 give advice on the choices.

9 MR. FLEISHER: Okay.

10 COMMISSIONER ELDER: Would you rather see
11 10 or 12 percent, 77 eight in one or --

12 MR. FLEISHER: I'm not sure I understand.

13 COMMISSIONER ELDER: What? F is very
14 predominantly Republican. If you take and distribute
15 the density of Republicans.

16 MR. FLEISHER: F I'm looking at, 91,000 to
17 156,000.

18 COMMISSIONER ELDER: What I'm asking,
19 irrespective of what district, rather than see one or
20 two districts that have 20 or 30 percent deviation and
21 the rest of them could be in the five, seven percent
22 range, or rather have them all 12 or 15 percent?

23 MR. FLEISHER: I'd rather make them all as
24 competitive as you can.

25 When someone has a bulletproof district,

1 they govern for that district and are not as responsive.
2 When competitive, they work harder.

3 COMMISSIONER ELDER: Competitive is 10,
4 12, 30 percent?

5 MR. FLEISHER: I'd say competitive, eight,
6 nine, where someone can win. 12, 13, something like
7 Grosscoff, something could happen out of control.
8 Seven, eight is within reach with a good candidate
9 running. An incumbent like J.D. Hayworth, what makes
10 that competitive, you can't look at an individual
11 candidate. If J.D. Hayworth were not there, what would
12 happen? Seven, eight, nine points, that at least allows
13 a person that does win to be responsive to citizens so
14 they have to worry about getting elected without a 30
15 point advantage where they don't have to worry about
16 constituents at all.

17 COMMISSIONER HUNTWORK: Mr. Fleisher, I
18 think I agree with your concept in theory.

19 MR. FLEISHER: I agree.

20 COMMISSIONER HUNTWORK: How do you
21 implement it implicitly in Proposition 106? We're
22 required districts be compact and contiguous. We're
23 required to respect communities of interest.

24 MR. FLEISHER: Hang on.

25 COMMISSIONER HUNTWORK: How do you mix the

1 Republican population with, say, the West Valley without
2 violating those principles?

3 MR. FLEISHER: Look at this dragon or
4 puppy dog.

5 COMMISSIONER HUNTWORK: Let me answer
6 that. We did not do that for the sake of
7 competitiveness.

8 MR. FLEISHER: Let me --

9 COMMISSIONER HUNTWORK: It was for the
10 sake of protecting a community of interest, another one
11 the criteria. Compact, contiguous, community of
12 interest.

13 MR. FLEISHER: Only 15 people.

14 COMMISSIONER HUNTWORK: Community of
15 interest, and contiguous.

16 Let me ask you again. There's an issue,
17 again, we hopefully can make contact on. The
18 proposition says districts shall be compact and
19 contiguous, we shall respect communities of interest, we
20 should make districts competitive. When we created the
21 long neck it was in a balancing of two criteria against
22 each other. What you are asking us to balance is
23 criteria we don't have to balance against.

24 How do we balance the Republicans in the
25 East Valley without doing violence to other mandatory

1 requirements?

2 MR. FLEISHER: We won't get better,
3 probably double digits. You certainly can come down
4 into part of G, which would be, come down and get
5 Democrats. G is heavily Democrats, get some votes to
6 get down to a 10, 12 percent number. If you leave it at
7 29 percent, the people there that are Democrat, they
8 have no voice at all. The district becomes bulletproof.

9 I understand what you are saying. If you
10 can make this adjustment, the community of interest
11 adjustment for Hopi, which the Commission deemed
12 necessary, which violated the idea of compactness, then
13 the old District 20, Surprise, go up to Surprise, this
14 is almost the same thing.

15 There are only 15 people living in that
16 neck. You say contiguous, not contiguous, it matches
17 other requirements you thought important. I won't get
18 more in line percentagewise.

19 COMMISSIONER HUNTWORK: When you suggest
20 down south out of the East Valley, I know you are
21 addressing contiguity. Would you focus on communities
22 of interest for me?

23 Are you suggesting the East Valleys have a
24 community of interest with Pinal County and the minority
25 populations in the southern district?

1 MR. FLEISHER: When you list things from
2 Prop 106, I was in the discussions when it was put
3 together, competitiveness was equal or higher, was
4 listed last, but it's the most important thing. I hear
5 from you competitiveness is the last item, it may not be
6 done --

7 COMMISSIONER HUNTWORK: That's not me you
8 are quoting but Proposition 106.

9 MR. FLEISHER: I understand. It was
10 clearly passed. Because it was supposed to be, 106, to
11 keep from violating 106, maybe north, go into the blue
12 area C, get numbers. Take one district, help create a
13 way. I'll be glad to see any one of them not violate
14 the goals, keep tribes, have counties and towns not
15 split, certain things. You can't keep every community
16 of interest happy. That may be true. I think you've
17 achieved that answer on your own without me having to
18 state that.

19 CHAIRMAN LYNN: We're looking for one.

20 Mr. Fleisher, I have a question. Of three
21 concepts, another way of asking the same question, an
22 important way of asking the same question, of three
23 concepts, rank order them in terms of importance: One,
24 community of interest; two, Voting Rights Act violation;
25 three, is competitiveness of districts.

1 MR. FLEISHER: If I was to rank them in
2 interest?

3 CHAIRMAN LYNN: Importance.

4 MR. FLEISHER: Competitiveness so it does
5 not violate the Voting Rights Act, communities of
6 interest, and the Voting Rights Act. Do it in that
7 order.

8 CHAIRMAN LYNN: Other questions?

9 COMMISSIONER MINKOFF: I did have a
10 question. I'm using the wrong mike again.

11 What I'm doing, I'm looking at statistics
12 on districts, trying figure out what you are asking, and
13 looking at it it looks like it's impossible to make F
14 other than bulletproof because of the concentration of
15 people that live there. It just looks like a pretty
16 difficult thing to do, the same with D. Once again,
17 because of the concentration, one heavily Republican,
18 one heavily Democratic, would you see a problem
19 understanding the way people are concentrated, the way
20 people live, where concentrated patterns are chosen, if
21 we even out some others, we'd still have a couple
22 districts, as you say, bulletproof?

23 MR. FLEISHER: I see, I live at Tatum and
24 Thunderbird. There are many Democrats in that area.
25 I'm sure there are some areas, using H, some may have to

1 be bulletproof. It's unfortunate, but there may not be
2 any choice. F, D, it may be, too, you can't get down
3 into the competitive range. I understand. B and E, it
4 will be difficult to get to 10 or less. Dropping 17 or
5 18 to 10 or 12 allows the other party there to get
6 responsiveness from a concerned office.

7 CHAIRMAN LYNN: Mr. Hall.

8 COMMISSIONER HALL: Mr. Fleisher, I think
9 I speak safely on behalf of each of my fellow
10 Commissioners, we dang near sleep together, it seems
11 like. I have a good vision of where we all are on this
12 subject. I think every one of us would like to see more
13 competitive races. Now, maybe my fellow Commissioners
14 are welcome to disagree with me. That's what our intent
15 is. So as we wrestle with this, coming back to what
16 Mr. Huntwork was saying, in F, in some maps, if a
17 Democrat, they help you sell your home. I know. I have
18 relatives there and I'm a Democrat.

19 MR. FLEISHER: Are they a Democrat?

20 COMMISSIONER HALL: No. They still live
21 there.

22 You can see we're wrestling with the whole
23 concept. What we're wrestling with, what I heard, take
24 some of D and put in B.

25 MR. FLEISHER: Or A.

1 COMMISSIONER HALL: Take some of F and put
2 in A. I guess what my question is, pursuant to what
3 Mr. Rivera asked of the previous speaker, is give
4 specific suggestions wherein we're able to make them
5 more competitive and still comply fully with the Voting
6 Rights Act and respect appropriately communities of
7 interest.

8 MR. FLEISHER: The easiest one is A to
9 make competitive. Take D, keep D strong as a
10 minority-majority district. Make A competitive, or much
11 more competitive.

12 I want to make it clear, everyone talks
13 about being competitive. I understand I may be wrong,
14 there, maybe it's not five percent as being a
15 competitive range. There's also the argument of not
16 being competitive, that bulletproof is important. No
17 one commented much on B. I can tell you if a Democrat
18 calls John Shaddag, he's not very responsive. In a
19 closer election, even with an eight, nine percent
20 advantage, he'd be more responsive. That's part of
21 what, again, not being bulletproof is about. If not
22 being bulletproof, if not competitive, make them not
23 bulletproof.

24 COMMISSIONER HALL: We'd welcome
25 alternative solutions. We get several unsolicited. I'm

1 requesting some ideas on what you are suggesting to make
2 all the goals work.

3 MR. FLEISHER: We have a suggested map to
4 adjust all eight districts.

5 CHAIRMAN LYNN: Unless a straight trade of
6 population which achieves that.

7 MR. FLEISHER: 50,000, 50,000.

8 CHAIRMAN LYNN: Keep population roughly
9 the same.

10 Mr. Hall's suggestion, take up to the 15th
11 of the month and perhaps a little beyond that, any
12 specific suggestions you have that would aid us in
13 achieving that goal, we'd all like to see competitive
14 districts.

15 MR. FLEISHER: Let me take a stab at it
16 and submit that to you.

17 CHAIRMAN LYNN: Next speaker is Cody
18 Williams, a member of the Phoenix City Council.

19 Mr. Williams.

20 COUNCILMEMBER WILLIAMS: Thank you,
21 members of the Committee, and those of you patient
22 enough to hang out.

23 I could not help but be engaged in the
24 discussion that proceeded me. And I would like to offer
25 a concept that is key. While we were very familiar with

1 the desire to be competitive, the one thing I never see
2 distinguished, particularly when we talk about
3 majority-minority districts, is ethnicity does not
4 translate into efficacy.

5 In order for you to have competitiveness,
6 you must have efficacy. One of the reasons why a strong
7 Republican dominated community may be a more difficult
8 challenge for competitiveness is because not necessarily
9 does all of the counter-balancing result in efficacy.
10 And so having, you know, said that, you have certainly a
11 greater opportunity when you deal with 30 districts in a
12 Legislative effort than you may have when you are
13 dealing with eight individual rulings of communities.
14 But I will challenge you to appreciate the fact that the
15 strong Democratic -- the strong Republican voting
16 population is a different kind of voting population than
17 you find in the southern part of E. And I'm suggesting
18 that the population that makes up Ahwatukee and Tempe
19 has shown a dramatic voting difference, a different kind
20 of individualism. You saw that proposition 302, the
21 football stadium, we have strong support from those
22 individuals south of South Mountain.

23 Simply active, simply strong voting bodies
24 in F may see divergent differences.

25 What I'm asking you to consider

1 specifically, hopefully in Glendale next week, I believe
2 that's your next meeting, grab your mind around, for
3 instance, what South Scottsdale, from its downtown to
4 the Tempe border, and Tempe's downtown area, that they
5 are more similar than South Scottsdale is with North
6 Scottsdale. And I think if you looked at the
7 percentages of individuals there, if you looked at the
8 issues that they are facing, and they then become more
9 like the City of Phoenix's downtown urban efforts with
10 the historic property related efforts, redevelopment,
11 also similar to the area in Glendale.

12 So if there was a district where B, for
13 instance incorporated, took into consideration those
14 areas of B, D, and F that made up a body of voting
15 opportunities, you would be very close to that 50, 50
16 competitive opportunity. You would also be taking some
17 of the numbers in a packed D and spreading them around.
18 You would be taking some of the numbers in a packed E
19 and spreading them around and creating also what could
20 be a packed B and spreading them around and creating
21 within a urban metropolitan area an of opportunity to
22 have the very competitive districts with that original
23 question you asked of Mr. Fleisher, which I happen to
24 disagree on that point with him because I think there
25 are some things you have to concede in order to achieve.

1 If we have to achieve, there are some slam
2 dunks, I don't agree with the conversation of
3 bulletproof, he considered Mr. Scott, I believe he would
4 have been considered bulletproof. One individual
5 changed that. One individual can change the position of
6 bulletproof. If we're in a position to change the
7 balance of communities, of interchanges of politics, the
8 ethnicities, or F being something nice and neat, E
9 looking something like District Counsel Six the way it's
10 broken up, we used to call that the barbell district, or
11 dumbbell, depending on who you referred to it to, and
12 appreciating the fact good candidates will certainly
13 race and rise to the top, I assure you I'd much prefer
14 to have an opportunity as an individual to run in a
15 district that included Republicans in Ahwatukee than I
16 would trying to run with the Republicans in Mesa. This
17 is not to say they aren't both wonderful individuals
18 that pay their taxes and love their children. I know
19 how long these individuals have lived in this area, and
20 I know the regions of world they've come from. And it's
21 the United States, and there is the opportunity for us
22 to have an opportunity. Even if that 10 percent or 15
23 percent is closer, then we have, we as individuals have
24 an opportunity to feel there's a chance.

25 I had to dive into that discussion only to

1 suggest to you I think personally, and others think
2 along with me, that there are ways to create three
3 competitive urban districts. As you know, when I stood
4 before you in the past I was certainly concentrating on
5 the majority population that is in Maricopa County
6 should concentrate on competitiveness. You may not
7 create it simply by the number of Democrats, or
8 competition, the distribution of African minority, or
9 Hispanics, but please consider the fact.

10 If you looks, Leah Landrum mentioned the
11 terrier here, these areas sort of outlined in yellow
12 represent mainly farm land. But by the time we go
13 through this process again, the projection is there will
14 be over 30,000 new homes. If you need that information,
15 the City information can provide it to you. The
16 Estrella Plan, Laveen Plan, South Mountain Baseline
17 Master Plan. Those plans have already established a
18 precedent for the number of homes. They also have the
19 ability to just share with you where growth is being
20 directed in this area. By the time an election or two
21 has taken place, the community of interest argument will
22 no longer exist if this community continues to be there,
23 because they will not have the same density of commerce
24 that you see along the corridor of I-10 as it moves
25 along. It will not even be included. It can only be

1 moved to households. Households will not share the same
2 concerns. Households sentiment that communities,
3 households that existed for over 60 years.

4 I ask you to consider creating something
5 that allows a community to exist and develop as M is
6 going to exist and develop over time.

7 There is something very common to the way
8 those communities will evolve. Certainly as you look at
9 what is north and east in that district, what would be
10 the dog's head --

11 When I say the dog, I'm talking about that
12 little puppy right here. The ear right there. It has
13 his teeth showing. I know that's not fair. If I ask
14 you to go look at clouds, you might not think that
15 cloud --

16 COMMISSIONER ELDER: Guadalupe is the
17 paws.

18 COUNCILMEMBER WILLIAMS: But it's not from
19 a competitive perspective. We're dealing with
20 individuals, not going to have to shift 10,000 Dems or
21 10,000 Republicans, shift Democrats to Democrats,
22 dealing with communities of interest as they exist today
23 and highly likely exist, these are areas as they mature,
24 as they grow, if they do grow, will not be in a position
25 to shift positions as they exist today versus what we

1 see to the far west. They'll certainly change,
2 certainly be different, and tend to develop more like M
3 in other western cities as they go from this point
4 forward.

5 The final thing I'll say is to express my
6 appreciation for the amount of work you've put in. One
7 thing is we'll look at these things and make changes.
8 You've heard us make recommendations. When we see the
9 next wave of maps, and they don't look like anything you
10 thought they would look like, I thought they would like,
11 like I saw it, I don't know, perhaps I wasn't hearing
12 you, me as an individual, individuals anticipating
13 different, or people you are giving direction to to make
14 the changes, but I certainly appreciate that, too, is
15 being discussed as we get together. Are we actually
16 being heard and are these changes actually being
17 incorporated? And are the possible outlines like you
18 asked us to provide, Mr. Hall is seeing it two, three,
19 four, five different ways, are you getting a chance to
20 see it two, three, four, five ways, or are they putting
21 it in one map and for the next two weeks rolling with
22 that? It's something I hope is not the case. I hope
23 the people you have working for you are like the ones we
24 have working for us. We pay them they do the things.
25 They are working for us instead of creating policy their

1 own way.

2 I appreciate the time, you, the interested
3 parties put into this and look forward to seeing you in
4 the near future.

5 COMMISSIONER MINKOFF: Don't go away.

6 CHAIRMAN LYNN: Very interested in going
7 away.

8 Next Mike.

9 COMMISSIONER MINKOFF: I have a couple of
10 questions that relate competing criteria we have to
11 consider. I'd like to ask your opinion based on remarks
12 just given, the same one I asked Representative Norris.

13 One of the criteria of Prop 106 is
14 respecting integrity of cities, town boundaries,
15 subdivisions; another is communities of interest; and
16 third is competitive districts. And the change in
17 Congressional Districts you were talking about would
18 divide political subdivisions not currently divided.
19 What I'm asking you is rank these priorities:
20 Competitiveness, communities of interest, political
21 subdivisions, and tell me if you believe one is more
22 important than another.

23 COUNCILMEMBER WILLIAMS: I would certainly
24 say, having served local government boundaries, in most
25 cases they are generic to those that live there. If you

1 are in Ahwatukee, you eat at Red Lobster in Chandler.
2 You don't think: Hey, if I buy that food, it goes to
3 their tax base; the money goes to supporting Tempe or
4 Chandler's tax base. I do that. I totally avoid eating
5 across local lines.

6 As we look at how far we're willing to go
7 to spend, enjoy, participate, we often don't consider
8 those boundaries unless we are reminded of them.

9 What I suggest certainly is, first,
10 competitiveness, and then, two, communities of interest,
11 and then, three, the geographic realities you might try
12 to figure out from one line to another.

13 I would say that also to suggest that as
14 we look at our city concentric circles as we've moved
15 away from the circle, Phoenix, north of a certain line
16 demarcation, is more like the north whole parallel than
17 it is like what it is downtown.

18 I know individuals remind me on a constant
19 basis there is no real interest in what is happening in
20 downtown Phoenix because they can get that right down
21 the street from them in Scottsdale. This is not saying
22 they want to be Scottsdale residents. It is suggesting
23 their community of residence, in that instance, is one
24 more related to that area and where they live. Same
25 thing, I-17 corridor. Same thing, deal with the south,

1 southeast in Maricopa County.

2 That's probably a more convoluted answer
3 than you wanted.

4 That's a way to break things down. That's
5 what I believe. It's a way to serve our state better by
6 having the opportunity to look at those individuals
7 whose representative would certainly be in a position to
8 help direct change across the board, taking one idea,
9 say, in redevelopment of Tempe, extrapolating it into
10 the same technique, ideas, of Southern Scottsdale,
11 looking at Glendale, Southern Phoenix as a suggestion.
12 I also believe you could create a district which
13 incorporated, as I said before, the southern half of E,
14 south of the city, incorporated into D, have D move into
15 B, B move over into E, and accomplish those same things.

16 COMMISSIONER MINKOFF: Let me ask, one of
17 the second things relates into different competing
18 interests. I'd like your opinion. When we looked at
19 the existing six Congressional Districts we found out
20 while they started out with equal population, they
21 certainly are not now because certain areas experienced
22 tremendous growth, some not so much. District Six,
23 three million people, six, 300,000, a third more people
24 in District Five.

25 In drawing some districts early on, in

1 developing the draft, we tried to look at that and we
2 drew districts maybe vertically instead of horizontally
3 or horizontally instead of vertically. Both took on
4 growth areas. In doing that, we may have taken in less
5 competitive districts.

6 You referred to the areas in the west or
7 southwest part of the valley. They can anticipate
8 tremendous growth. City of Tempe probably has no way to
9 go.

10 COUNCILMEMBER WILLIAMS: Absolutely.

11 COMMISSIONER MINKOFF: What I'd ask, to
12 what extent do you believe we should consider growth
13 patterns in drawing districts? What priority would they
14 have vis-a-vis other things we talked about?

15 COUNCILMEMBER WILLIAMS: 10 years ago, 20
16 years ago, I know we're growing smarter in the effort,
17 we've now required cities and jurisdictions to have
18 established a general plan which clearly establishes
19 those things and then requires certain triggering
20 mechanisms before those things can be changed.
21 Therefore, it's not as easy to go in on individual
22 projects and change what may be the scheme of the growth
23 patterns in a particular area. So we, at the City of
24 Phoenix, because we've been engaged in that, have a head
25 start over some of the smaller sister cities around us.

1 However, they are required to use similar technology to
2 establish their general plans.

3 For instance, Tolleson has made it very
4 clear theirs is not an effort to grow by numbers of
5 individuals, but those zoning decisions have been more
6 toward industrial and commercial because that's the base
7 they seek.

8 Avondale and Goodyear are seeking to
9 create different structures for their areas.

10 These things exist today, and I know we're
11 in the final throws of something already complicated
12 enough.

13 I do believe that's information which
14 general phone calls could determine as to where you
15 believe it's going. We already have the five areas
16 we'll be focusing on for our economic development and
17 regional development corridor, the central city today.
18 20,000 new people have the ability to be on 640 acres of
19 state land in Ahwatukee. We can tell you almost to a
20 human being how many people we expect to be there over
21 the next 10 years. Other cities will be moving in the
22 same directions. Whether they can do that or not, when
23 you look at existing zoning, developers go to where it's
24 easier to get to than where it's not. It may not be
25 something plausible. I apologize if I tried to throw

1 out something more involved than that I probably can
2 expect to really have happen. I believe it's a piece of
3 information, had it been a part of the discussions over
4 the last two, three months, it would have been something
5 easy to digest and easy to appreciate from the '70s.

6 There are only 87 cities in the State of
7 Arizona and only 15 counties. This is not 88 counties,
8 88 cities per county. 87 cities with 87 boundaries to
9 have a way to check information. That's why I raise it.
10 It's information relevant to the efforts and obtainable
11 to create something easier to digest than something
12 overly complicated.

13 CHAIRMAN LYNN: Mr. Elder.

14 COMMISSIONER ELDER: I don't know if it's
15 a question in here or comment, but we've heard through a
16 series of hearings in the second round situations where,
17 as one example, an area of the state, we think this plan
18 would really work well, take in the reservation and
19 lands. Two meetings later, three meetings, go listen to
20 the reservation people, gosh, we wish somebody had asked
21 us. We don't want to be part of that.

22 We heard fairly strong testimony from the
23 City of Tempe saying if you do have to divide us, 60 is
24 it. That's where we want to be divided. We'd rather
25 stay whole. And heard it from Chandler, and that. You

1 made a comment you were watching to see if what you say
2 is what you do. Understand my point is I'd like to
3 listen to people in the areas, not have somebody else
4 speaking for them. I like to ask is this a good idea?
5 I like the ideas, try to see how the glue fits, and then
6 see if there might be something in other areas of
7 testimony that preclude, like you said, competing
8 testimony, and how do we resolve this.

9 You've had experience in the valley. Have
10 there been ways of doing resolution in areas such as
11 this?

12 COUNCILMEMBER WILLIAMS: Any of the things
13 I've suggested to you, with the exception of what might
14 be the B format, would not necessarily lead you to
15 divide Tempe in half, for instance.

16 The point I make about that commonality is
17 that I see a greater relationship with the southern half
18 of E and it's the rest of the bottom half of E by itself
19 that can be fit to B, D, F, any other place you place
20 it.

21 When I look to the relationship to the
22 northern half of B, I see it less than I do partners,
23 neighbors to the west or east of it.

24 I'm not suggesting take Tempe and start
25 dicing it into four quarters. I'm suggesting that that

1 cohesive body represents a finite, literally, as
2 Ms. Minkoff indicated, a finite number. We don't have
3 to worry about, start worrying about growth with some
4 numbers.

5 If we're able to capture Tempe, Ahwatukee,
6 and part of Chandler, whatever, and find a way to look
7 at those areas, that might not be as complicated as to
8 divest North Phoenix. That's a suggestion.

9 As I said before, by the time you get to
10 Glendale, we'll have plans. I might not be there to
11 present them. You don't want to keep hearing me.

12 COMMISSIONER ELDER: You are always
13 invited.

14 COUNCILMEMBER WILLIAMS: Yeah, yeah.

15 I certainly appreciate the relationship of
16 what Tempe is here. I appreciate how important Curry in
17 Tempe is, like East McDowell is, as it separates the
18 bottom half of Scottsdale. Once you start moving that
19 body up, very little is similar. The golf course has
20 changed, development of the golf course has changed,
21 complexion of the community has changed, certainly the
22 relationship and balance between Democrats.

23 I hope you appreciate that for what it's
24 worth. I hope one is of a mind necessary to be willing
25 to vote for the best candidate as opposed to I'm only

1 going to vote for this individual because he or she is
2 of one party over another.

3 If I could prioritize anything, it would
4 be to create anything, that is truly the case. That's
5 the best of all words as far as I see it.

6 CHAIRMAN LYNN: Thank you, Mr. Williams,
7 very much.

8 The next speaker is Levi Pace.

9 Mr. Pace.

10 MR. PACE: Good evening. I'm Levi Pace
11 from District 20. I'm a representative committeeman
12 from up in that area.

13 I'm looking at your map, and I guess
14 District 20 has been pushed around and gerrymandered as
15 much in the '95, we went throughout Surprise and El
16 Mirage, and now we're chopped off here into a little
17 square. We have the east side of 17 that we had before
18 the '95 deal, and now you've moved us south, and so --
19 and you have the Northern Glendale corridor you chopped
20 off from us.

21 Don't know where those people would be for
22 years and years, don't know why those people would be
23 for you and yours. There's five miles in there, a mile
24 wide. I think that before they finalize this, this, I
25 think District 20 is the most Democratic district in the

1 state. We're the only ones that elect three Democrats
2 in the Republican Legislature time after time. This
3 looks like you are just trying to chop us down and add
4 us onto the south end of our -- the south end of our
5 district and chop off the north end that they chop off,
6 or they gave to us in '95. And so it looks like a
7 gerry -- it's nice to get gerrymandered away from El
8 Mirage and Surprise, because they haven't had
9 representation in the last three elections because it
10 was 15 miles to get from Glendale or Phoenix out to El
11 Mirage. You had no corresponding action between the two
12 of us since that happened. I'm glad to see that happen.
13 I hate to see that happen from 43rd and 83rd Avenue.

14 And I think that your map has shown a
15 great deal of ingenuity for taking out the
16 gerrymandering with the exception, I guess, of the Sun
17 City area and Youngtown, a little sacred enclave nobody
18 wants to touch. I think it's a little nice to get some
19 of us older people out of those towns and get the older
20 people of Arizona out, instead of Sun City, Youngtown,
21 and Sun City West. But it disturbs me, we got all our
22 officers pushed out of I-17, and all our officers pushed
23 on the other side of the I-17 freeway, but all the
24 officers moved. Just a matter -- I just wanted to bring
25 that up.

1 Really, this competitiveness, I don't
2 think very many people want to realize to get politics
3 back to where it's fun, to where you feel like running
4 out and being active and being active, you have to have
5 competitiveness. And other thing is have younger people
6 in this in the mix.

7 CHAIRMAN LYNN: Thank you, Mr. Pace.

8 Next speaker Jeannette Fish representing
9 the Maricopa Farm Bureau.

10 MS. FISH: Jeannette Fish,
11 J E A N N E T T E. It means you put in everything you
12 can possibly put in there and still have it say
13 Jeannette.

14 Let me turn your attention to a different
15 community of interest, if I could. Different. I don't
16 have a clue if Republicans or Democrats.

17 Look a minute at the farmers across the
18 nation. Fewer than 20 percent of the population are
19 still producing food, fibers, plants for yards and food.
20 It's hard for us. A lot are not aware of the
21 agricultural land and what it means to each of us
22 individually.

23 With that preaching over with, the far
24 reaches of the county, Maricopa County, if I could,
25 looking first at the Buckeye area, that would be draft

1 Legislative Districts L and D. And the area there, it
2 looks as if L and D splits right about through the
3 middle of Buckeye. Buckeye, the few remaining areas,
4 there's a lot of agriculture.

5 I'd like to suggest the line on the
6 western end, Legislative L, move up to I-10. The
7 agricultural land there on the south side of the
8 freeway, Goodyear, Avondale, I don't think the freeway
9 line makes much difference once past Cotton Lane, Jack
10 Rabbit Trail. The major difference is farming land and
11 the area north of the freeway. In fact, the area in
12 Buckeye is annexed, a very large area north of the
13 freeway.

14 I understand the cut for the future
15 community, but they have kind of indicated there's a new
16 area to be developed more like Scottsdale. Perhaps the
17 community of interest is split along that line.

18 If I had my druthers, the other end of the
19 county, the east end, district U, would extend to the
20 east side and still have farming rather than on the west
21 side. As I see that farming land disappearing under
22 rooftops all across the area. I'm not sure it can make
23 a big difference if you made a change.

24 The last point I'd make, I haven't heard
25 anyone say tonight the Commission will work hard against

1 gerrymandering as being high on the list of priorities.
2 Each map, Congressional District map, Legislative
3 District map, each has one has a really odd-looking
4 district, and I don't understand why. And if there's
5 anyone that later can explain to that how came to be,
6 perhaps we'd avoid that.

7 Thank you.

8 Any questions?

9 CHAIRMAN LYNN: Thank you, Ms. Fish, very
10 much.

11 Mr. Hall.

12 COMMISSIONER HALL: I'm curious, do you
13 have an opinion relative to Congressional District C?

14 MS. FISH: No.

15 COMMISSIONER HALL: Okay.

16 CHAIRMAN LYNN: Thank you, Ms. Fish.

17 One slip left.

18 Other slips? If not -- don't sit down,
19 Mr. Fleisher. One point real fast.

20 MR. FLEISHER: That's what I said.

21 CHAIRMAN LYNN: That's your writing.

22 MR. FLEISHER: I was asked that question
23 earlier, and I didn't answer very well. I got a copy of
24 Prop 106. It reads, "Districts shall comply with the
25 United States Constitution and United States Voting

1 Rights Act." Those clearly have to be number one and
2 two.

3 What we're doing, all others says to the
4 extent possible, they're subject to geographic and
5 compact. To the extent practicable. It justifies the
6 Hopi. It explains the last one, competitiveness. It
7 says, "To the extent practicable, competitive districts
8 should be favored where to do so it's to no significant
9 detriment to other goals." Not "no detriment."

10 Number one, Constitution; Voting Rights
11 Act, number two; competitiveness, number three.

12 CHAIRMAN LYNN: More succinct.

13 Other members of the public wishing to be
14 heard?

15 Anything from counsel?

16 From the consultants?

17 Any further instructions the Commission
18 wishes to make to the consultants?

19 If not, the Commission will adjourn until
20 next the meeting tomorrow evening in Prescott.

21 Thank you all very much for coming.

22 (Whereupon, the hearing concluded.)

23 * * * *

24

25

1

2 STATE OF ARIZONA)
) ss.
3 COUNTY OF MARICOPA)

4

5

6 BE IT KNOWN that the foregoing hearing was
7 taken before me, LISA A. NANCE, RPR, CCR, Certified
8 Court Reporter in and for the State of Arizona,
9 Certificate Number 50349; that the proceedings were
10 taken down by me in shorthand and thereafter reduced to
11 typewriting under my direction; that the foregoing 71
12 pages constitute a true and accurate transcript of all
13 proceedings had upon the taking of said hearing, all
14 done to the best of my ability.

15 I FURTHER CERTIFY that I am in no way
16 related to any of the parties hereto, nor am I in any
17 way interested in the outcome hereof.

18 DATED at Phoenix, Arizona, this 17th day
19 of September, 2001.

20

21

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

22

23

24

25

ATWOOD REPORTING SERVICE
Phoenix, Arizona

