

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Tuesday, January 17, 2012
9:19 a.m.

Location

**Crown Plaza Phoenix Airport (Desert 12 meeting room)
4300 East Washington Street
Phoenix, Arizona 85034**

Attending

Colleen C. Mathis, Chair
Jose M. Herrera, Vice Chair
Scott Day Freeman, Vice Chair
Linda C. McNulty, Commissioner
Richard P. Stertz, Commissioner

Ray Bladine, Executive Director
Buck Forst, Information Technology Specialist
Kristina Gomez, Deputy Executive Director

Mary O'Grady, Legal Counsel
Joe Kanefield, Legal Counsel

Reported By:
Marty Herder, CCR
Certified Court Reporter #50162

Phoenix, Arizona
January 17, 2012
9:19 a.m.

P R O C E E D I N G S

(Whereupon, the public session commences.)

CHAIRPERSON MATHIS: Good morning. This meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Monday -- or Tuesday, January -- we have the wrong agenda up here. Let's see.

COMMISSIONER STERTZ: 17th.

CHAIRPERSON MATHIS: 17th. And the time is 9:20 in the morning.

Let's begin with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: Apologies for the late start. We wanted to make sure that we were streaming over the internet and needed to get our connections set.

Let's begin with the call to order.

Vice-Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice-Chair Herrera.

VICE-CHAIR HERRERA: Here.

1 CHAIRPERSON MATHIS: Commissioner McNulty.

2 COMMISSIONER McNULTY: Here.

3 CHAIRPERSON MATHIS: Commissioner Stertz.

4 COMMISSIONER STERTZ: Here.

5 CHAIRPERSON MATHIS: We have a quorum.

6 Other folks at the table include legal counsel,
7 Joe Kanefield and Mary O'Grady.

8 Our mapping consultant Willie Desmond.

9 Our court reporter today is Marty Herder taking
10 also accurate transcript of today's proceedings.

11 Other staff include our executive director Ray
12 Bladine, our deputy executive director Kristina Gomez, our
13 public outreach coordinators Lisa Schmelling and Kristi
14 Olson, our executive admin coordinator Anna Garcia.

15 And I think I've got everybody.

16 RAY BLADINE: Did you get Lisa Schmelling?

17 CHAIRPERSON MATHIS: Yes, Lisa and Kristi.

18 Oh, and our chief technology officer, Buck Forst,
19 wherever he is.

20 Thanks everyone for being here this morning.

21 Next item on the agenda is discussion and possible
22 action regarding technical changes to congressional map.

23 So I'm going to ask Mr. Desmond what has happened
24 since our last meeting in terms of the congressional map,
25 any technical changes.

1 WILLIE DESMOND: Since the last time we met there
2 haven't been any changes to the congressional map.

3 The only changes to the legislative map are the
4 swap of District No. 1 and 14. But the congressional map is
5 as it was Friday.

6 CHAIRPERSON MATHIS: Okay. So on the
7 congressional, there have been no changes.

8 And are the change logs and everything up on the
9 internet on our website? Did we get those up there?

10 WILLIE DESMOND: I believe the change reports and
11 all the other standard reports are on the website. I'm not
12 sure if the change logs are yet.

13 If they're not, we can get those up soon. But you
14 can compare the plan -- you know, the tentative final and
15 the tentative final with technical adjustments. That's all
16 available on the website.

17 CHAIRPERSON MATHIS: Okay.

18 Do commissioners have any questions on the
19 congressional map right now?

20 COMMISSIONER McNULTY: Madam Chair, Mr. Desmond,
21 would you tell us what we've got here, please.

22 WILLIE DESMOND: Okay. Perhaps legal counsel
23 would like to identify.

24 What this is, is it's a report from Maptitude that
25 was part of, I believe, the actual submission last time.

1 I'll defer to Ms. O'Grady and Mr. Kanefield on
2 that.

3 MARY O'GRADY: Madam Chair, commissioners, the
4 report that you have is labeled I think plan components
5 report, is what was included -- we followed the same format
6 as the last Commission did in terms of what was included in
7 what they certified to the secretary of state.

8 So when they adopted the map and then they voted
9 to certify, this, this -- the plan to the secretary of state
10 with this document serving as that documentation.

11 It includes the -- it lists the districts in the
12 plan and includes the census geography that's part of each
13 district.

14 I think in the whole county, and correct me if I'm
15 wrong on this, Willie, if the whole county is in a
16 particular district, I don't think they specified all the --
17 yeah, they didn't list all of the census geography in that
18 county. They just listed the county.

19 So we're trying to follow the same format as
20 before.

21 WILLIE DESMOND: So essentially this is just a
22 very long block equivalency table that it goes -- gives
23 every block, which district.

24 MARY O'GRADY: And, Madam Chair, when the
25 legislative did it, this was also the form of the

1 legislation that was passed. They passed a bill with this
2 information.

3 WILLIE DESMOND: Then the other packet that you
4 have with the map on the cover is just the same packet that
5 was provided last Friday, just another one for your
6 reference, that has all the standard reports that we've
7 done.

8 CHAIRPERSON MATHIS: Okay. Do commissioners have
9 any questions or comments on the congressional map?

10 VICE-CHAIR FREEMAN: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE-CHAIR FREEMAN: My only comment is, and I've
13 stated it at numerous prior hearings, numerous concerns I
14 have about the congressional map.

15 And it's just a, it's just a shame from my
16 perspective, and by saying this I don't mean to place my
17 community above anyone else's in the state in terms of
18 importance, but it does kind of strike home that my
19 community where -- that has been my home my entire life, and
20 that has been commented about not only by me in various
21 hearings but pretty much unanimously from the public, which
22 is the Paradise Valley, greater Paradise Valley, greater
23 Biltmore, greater Arcadia area has -- just has a line right
24 through that community.

25 In fact, not to overpersonalize it, but the line

1 goes right by my property line on MacDonald there.

2 And I just really regret that the configuration of
3 that CD 9 and how it winds around from Ahwatukee, part of
4 Chandler, Tempe, part of Mesa, south Scottsdale, and then a
5 narrow neck into Phoenix, and then it grabs part of, well,
6 essentially the Arcadia area and separates it in the
7 Biltmore area from Paradise Valley and puts it together with
8 those other areas mentioned in north Phoenix.

9 I just -- it just strikes me as a rather contrived
10 district, and I'm just -- I feel this sense of regret that
11 that community that's really been together as far as -- as
12 long as I can remember is going to be split by this map.

13 CHAIRPERSON MATHIS: Thank you.

14 Other comments from other commissioners?

15 (No oral response.)

16 CHAIRPERSON MATHIS: Mr. Desmond, in terms of
17 technical changes with any of the individual counties,
18 you've already dealt with all of that. Those are --
19 there's nothing -- no outstanding issues in that regard, or
20 is that. . .

21 WILLIE DESMOND: I -- there's still some issues.
22 At this point I don't think there's anything we can do to
23 correct those. Worked very closely with Maricopa County on
24 some of their issues.

25 We can talk a little bit about the South Mountain

1 issue and just go over that one last time.

2 I know they have presented somewhere around 90 to
3 100 changes that they'd like to see made that were very
4 important in their mind. After the technical changes, they
5 identified, I think, seven outstanding issues. We were able
6 to correct most of them.

7 After meeting with them again, after the meeting
8 on Friday, I think it's down to just one, one area that's a
9 problem.

10 Or, Mary, correct me if I'm wrong.

11 There's no outstanding line changes I know.

12 There's -- they're not asking for any other blocks
13 to be moved from one district to another.

14 The other counties that have provided specific
15 requests have all gotten those requests.

16 There are some counties that didn't ask for a
17 specific -- specific changes, but did ask -- you know, sent
18 their VTD plans, their precinct plans, and we've
19 accommodated those where possible.

20 MARY O'GRADY: And, Madam Chair, the
21 South Mountain issue, Friday when we reported most of the
22 areas where the line using the census geography extended
23 included homes on the north and south side. When we checked
24 the specific address, they were assigned to the side of the
25 mountain where the Commission's plans indicated they should

1 be assigned.

2 They did find one block, one census block, which
3 again is smallest unit of census geography where that was
4 not the case, where they had people on both the north side
5 and the south side, a few people on the south -- a few homes
6 on the south side of the mountain assigned to the same
7 census block.

8 So those people on the south side of the mountain
9 would be part of the congressional and legislative district
10 for the north side of the mountain.

11 And there was just one instance of that when they
12 went through along the edge of the mountain preserve there.

13 WILLIE DESMOND: And that issue has been minimized
14 by the fact that the congressional and legislative district
15 lines match each other in that area.

16 Earlier the legislative district ran on the north
17 of South Mountain. The congressional ran on the south.
18 Those have been brought together.

19 So there is an issue where the census block, which
20 is the smallest level we can draw at, is big enough that it
21 has people on the north and the south side, so no matter
22 what you do there's going to be people that are in a
23 district -- as long as you use that visible geographic
24 feature, which is one of the criteria, you're going to have
25 that issue, but it's -- I think it's only one or two homes.

1 And we've known about it for a while, ways of
2 minimizing that impact, and I think we've gotten it down to
3 as best we can.

4 CHAIRPERSON MATHIS: And the visible geographic
5 criteria is the mountain itself?

6 WILLIE DESMOND: Yes.

7 CHAIRPERSON MATHIS: Just to clarify.

8 Okay. Any other comments or questions?

9 (No oral response.)

10 CHAIRPERSON MATHIS: Well, we appreciate all the
11 county elections officials and directors helping us in terms
12 of getting everything straightened out from a precinct level
13 and working with Mr. Desmond on this.

14 I know it's been a long slog.

15 And thank you for your work on ensuring that we
16 get everything covered there.

17 I think the next item on the agenda is just the
18 discussion of possible action regarding technical changes to
19 the legislative maps.

20 And Mr. Desmond mentioned just the change in
21 numbering from -- with swap from 1 and 14, where the
22 Commission voted unanimously to approve the change of LD 1
23 to the Yavapai Prescott area, at their request, and
24 Cochise County area, which used to be 1, is now 14.

25 And that was the only technical change I think

1 that he made since our last meeting.

2 So, any other comments or questions on the
3 legislative map?

4 WILLIE DESMOND: I'll just note that the pack that
5 you have with the map on front does reflect that change. So
6 all the reports have the 1 and 14 swap.

7 And those are not yet on the website. So anybody
8 who's looking at the reports that are up there still will
9 have 1 be in Cochise County and 14 be in Yavapai County.

10 We'll get that sorted out on the website as soon
11 as the meeting is over.

12 CHAIRPERSON MATHIS: Okay. Thank you.

13 I'm just curious on this planned components
14 report, it says short format in parentheses. What's the
15 long format?

16 WILLIE DESMOND: The long format is over
17 500 pages.

18 CHAIRPERSON MATHIS: Wow.

19 WILLIE DESMOND: I was told to bring a copy for
20 all of the commissioners.

21 That's over five reams of paper.

22 The last Commission used the short format also.

23 I think the only difference is that the long
24 format gives a line for every block instead of putting
25 fixing it across.

1 CHAIRPERSON MATHIS: Okay.

2 (Brief pause.)

3 CHAIRPERSON MATHIS: Okay. I'm not hearing any
4 questions or comments on the legislative side.

5 The next item on the agenda is discussion and
6 possible action to approve final legislative districts and
7 then also number five is final congressional districts.

8 Does anyone want to comment on that? Discuss
9 anything?

10 VICE-CHAIR FREEMAN: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE-CHAIR FREEMAN: Maybe just jumping back to
13 the legislative, and I know I've said this before, but with
14 respect to the numbering, I sort of regard mine -- I mean,
15 we've got two next to ten, which is next to 14. Eleven next
16 to four. One is next to 13 and six.

17 I mean, I wish there was a more systematic way
18 that they are numbered.

19 I can say when I applied to be on this Commission
20 that I knew where one incumbent legislator lived, and that's
21 only because she was my parents' nextdoor neighbor. And she
22 was term limited anyway, so she wasn't around this
23 go-around.

24 Otherwise I didn't where anyone lived. But just
25 if you told me their legislative number, I would have sort

1 of a vague, general knowledge of that area where they're
2 coming from.

3 And we don't have that here.

4 I guess we're over a ten-year period you study the
5 map, and you have that kind of memory you would -- you would
6 over time develop, oh, yeah, 14, that's Cochise County or
7 Graham and Greenlee County.

8 But, you know, that's only going to be for really
9 insiders. In terms of the public's perception, they're not
10 going to have it.

11 So I wish we could have done something like the
12 last Commission did, which was start with Yavapai County and
13 Prescott and that district, give them No. 1, and sort of a
14 hat tip to Arizona tradition, and then move across the state
15 from left to right and up north to south and sort of number
16 them sequentially to give a sort of logical order to the
17 numbering of the legislative districts.

18 CHAIRPERSON MATHIS: Thank you.

19 Any other comments?

20 COMMISSIONER STERTZ: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Stertz.

22 COMMISSIONER STERTZ: Just as a, as a follow-up on
23 our hearing, and thank you for allowing me to call in to
24 last Friday's hearing. Whether or not you heard my
25 commentary or not, I wanted to sort of repeat it.

1 It sort of goes back to the follow-up with what
2 Commissioner Freeman was sharing, sort of like the evolution
3 of professional sports, where, where you know them by their
4 colors, and you know them by their numbers, but you no
5 longer by -- know them by who the players that are inside
6 the uniforms anymore.

7 That's sort of where, where I'm looking at this in
8 the legislative and congressional district.

9 It's sort of been sort of thinking about this,
10 this process in that we have, we have a little over
11 nine years left on our terms on this Commission. All of the
12 legislators and senators that will be -- that are currently
13 in office or will be elected into office this upcoming
14 November will be turned out, and we will still be, we will
15 still be part of this process.

16 So the, the -- it sort of -- I can only equate it
17 back to the idea that this is becoming more like
18 professional sports in that we're going to remember the
19 numbers more than we're going to remember the players in the
20 numbers.

21 That leads me a little bit in support of what
22 Commissioner Freeman was saying, is that, that the people
23 that are living in their homes, they're living in their
24 neighborhoods and communities, are going to be there long
25 past the current legislators and senators that are

1 representing them and will live past us as commissioners.

2 It would be great if we would try to create some
3 institutional memory that can carry forward with our
4 districts, allowing those districts to have some continuity.

5 I think there becomes a sense of
6 disenfranchisement by, by members of the public because they
7 get to a ballot -- the ballot selection, and they go to make
8 their vote, and they say, well, from the last 20 years or
9 the last 10 years I've been in this particular district.
10 And I don't know who this person is, because we are -- have
11 districted them out or we will have turned them out.

12 And I look at that, and I'm no longer in
13 District 28. I'm now in District 10. And it will take a
14 time for them to become reacclimated to that.

15 I think it's a service that we should be
16 considering to the members of the public to get them to have
17 more continuity in their, in their world.

18 This decision has already been made. The
19 Commission elected to not move on this last, last Friday.
20 And to adopt the technical aspects of these maps and
21 adjustments other than the flip flop of 14 and 1, which is
22 ceremonial at best.

23 So I think that we are not serving our -- the six
24 and a half million people that we were asked to serve when
25 we took an oath at the beginning of this as stridently as,

1 as I had hoped that we would.

2 CHAIRPERSON MATHIS: Thank you.

3 Other comments?

4 VICE-CHAIR HERRERA: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Herrera.

6 VICE-CHAIR HERRERA: You know, the -- we talked
7 about it last week when Commissioner Stertz brought up the
8 issue of disenfranchisement by not giving them the
9 numbering, the numbering not being the way they wanted to
10 be. And I -- to me, that's an argument that I don't
11 understand.

12 I mean, disfranchisement isn't about numbering
13 districts.

14 Disenfranchisement is about having people's vote
15 or -- and you have people's votes heard by creating as many
16 competitive districts as possible.

17 That's -- to me that's the essence of what our job
18 is.

19 We -- again, without creating as many competitive
20 districts without making substantial -- any detriment to the
21 other goals.

22 And I think what we tried to do here is create as
23 many competitive districts, but unfortunately we didn't do
24 as many as I thought we could have.

25 Again, I think we could have made one more

1 district competitive on the congressional side and
2 definitely at least, at least one more in the, in the
3 legislative side and then one on the congressional side.

4 So to me disenfranchise -- disenfranchisement is
5 about people's voice not being heard, not about the
6 numbering.

7 I think if you ask most people what their numbers
8 are, the district that they live in, they probably don't
9 know.

10 They -- what they care about is who is
11 representing them, making sure that that individual is
12 representing them well and is serving the community well. I
13 think that's, that's the essence of what we're trying to do
14 in making sure that, again, we're creating as many
15 competitive districts as possible.

16 And that's been my only regret, that we weren't
17 able to create as many competitiveness because of the, you
18 know, the compromise that we've been doing since the
19 beginning. So -- and that's -- those are my two cents.
20 Thank you.

21 CHAIRPERSON MATHIS: Thank you.

22 Any comments from other commissioners?

23 COMMISSIONER McNULTY: I've commented earlier on
24 this issue. I won't repeat my earlier comments.

25 VICE-CHAIR FREEMAN: Madam Chair.

1 CHAIRPERSON MATHIS: Mr. Freeman.

2 VICE-CHAIR FREEMAN: Well, if the charge of this
3 Commission was to create as many competitive districts as
4 possible, which I don't think that's what the law requires,
5 or the Supreme Court opinion says, then that that should
6 have been done.

7 And I am not sure where the compromise was.

8 I think we're hear this word compromise, and the
9 litany is Democrats -- well, it means the Republicans get
10 absolutely nothing, the Democrats get everything, but say
11 they're not getting everything, and that's the compromise.

12 That ain't a compromise.

13 I've handed the laser pointer around many times at
14 prior hearings and asked that these compromises be
15 identified. And no one did it.

16 There has been no compromise. These are
17 essentially the Democratic maps that are being implemented
18 by the Commission.

19 VICE-CHAIR HERRERA: Madam Chair.

20 CHAIRPERSON MATHIS: Mr. Herrera.

21 VICE-CHAIR HERRERA: I think the facts are pretty
22 simple, and I think Commission Freeman appreciates facts.
23 But let me just quickly say, we have a 30 congressional
24 districts -- excuse me, legislative districts in Arizona,
25 16 -- I mean, these are facts. I mean, just look at the

1 numbers. Sixteen are heavily Republican. Ten are
2 Democratic.

3 Because of the, because of the Voting Rights Act.

4 And, again, I thank God for the Voting Rights Act
5 or else we probably wouldn't have any.

6 And then we have four competitive districts.

7 If, if somebody can explain to me how these are
8 Republican maps, I will -- excuse me, how these are
9 Democratic maps, I, I, I will -- I'll apologize.

10 And also you look at the congressional side,
11 Mr. Freeman says that they are, again, Democratic maps.

12 Four solidly Republican districts out of nine.
13 Two Democratic districts, again because of the Voting Rights
14 Act.

15 And then we have three competitive districts.

16 And as I said before, when you have the way it
17 is -- let me focus on the congressional districts,
18 congressional side. Worst-case scenario for Republicans,
19 they only win the four that they have a stronghold on and
20 Democrats win the two majority-minority districts, plus the
21 competitive ones, for a 4-5 split.

22 Worst case for the Democrats, the Republicans win
23 all four of them that they have a stronghold in, and then
24 the three competitive districts, for a 7-2 split.

25 So if somebody tells me and somebody can prove to

1 me, just using the facts, how these are Democratic maps, I,
2 I -- I will -- yeah, I'll apologize and say, you know,
3 you're right.

4 But the facts are what they are, and the facts
5 don't lie, so if -- people can talk about all they want that
6 these are Republican, these are Democratic maps, the facts
7 are clearly not on their side.

8 VICE-CHAIR FREEMAN: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Freeman.

10 VICE-CHAIR FREEMAN: Well, we'll see how the vote
11 turns out in a few minutes, whether it's a Democratic map or
12 it's a bipartisan map reached by this Commission.

13 If you want to talk about facts, let's talk about
14 the percentage of registered Democrats and Republicans in
15 the state.

16 There's a material registration -- material
17 registration advantage for Republicans in the state.

18 When you create the voting rights districts, which
19 we're required to create by federal law, you end up putting
20 a large number of those Democrats, which are the minority
21 party in the state, into those districts, which makes the
22 registration advantage for the Republicans in the other
23 parts of the state enormous. It's encroaching two to one.

24 And yet congressionally you claim -- the
25 Commission packed as many Republicans as you could into four

1 districts to pack them away, totally disregarding the
2 virtues of competitive districts, as we've heard so much
3 about during this Commission. It doesn't apply to those
4 Republicans and those districts and those Democrats who find
5 themselves in those districts.

6 Competitive districts are meaningless to them.

7 And then you claim there are three competitive
8 districts.

9 Well, let's look at nine, highly contrived
10 District 9.

11 That district in 2010, which was a high watermark
12 for Republicans, nationally and in this state, where
13 Republicans won the super majority in the legislature, which
14 had never happened in 100 years -- 100 years in this state,
15 that district would have elected Terry Goddard as governor.
16 And keep in mind Republicans won all the statewide races in
17 2010. It would have elected Felicia Rotellini as the
18 attorney general. And, in 2008, when Arizona had its own
19 senator running for president as the Republican nominee, it
20 would have elected Barack Obama.

21 Now, Democrats call that a competitive district.

22 We'll see.

23 In Congressional District 1, which now runs along
24 the eastern side of rural Arizona, and also this time picks
25 up Tucson suburbs of Marana and Saddlebrooke and Oro Valley,

1 that district over the last ten years, or the prior version
2 of that district had been competitive. It had changed
3 political hands at least twice, with in 2010, again, that
4 high watermark year for Republicans, Representative Gosar
5 winning with less than 10 percent of the vote.

6 Now more Democrats have been piled into the new
7 version of that district such that the Democrats hold a
8 ten-point registration advantage. And from what I
9 understand, Representative Gosar is considering moving
10 from -- I guess, he I've since learned lives in Flagstaff
11 area to Prescott.

12 Again, that is what the Democrats called a
13 competitive district.

14 So I don't think -- again, as I noted at the
15 beginning of today's hearing, I think we split communities.
16 We split my community.

17 This is -- there -- I've asked the Commission
18 multiple times show me where the compromise is, show me
19 where there's some contribution to these maps by
20 Commissioner Stertz or myself.

21 And it never happened.

22 So we'll see what happens. I'm sure we'll vote on
23 maps in a little bit, and we'll see whether it is a
24 Democratic map or a whether it's a bipartisan map reached by
25 this Commission.

1 COMMISSIONER STERTZ: Madam Chair.

2 CHAIRPERSON MATHIS: Mr. Stertz.

3 COMMISSIONER STERTZ: I'd like to respond to
4 Commissioner Herrera's request of asking if you can show how
5 these map are.

6 Commissioner Herrera has said from the beginning
7 that he wants competitive districts. He wants competitive
8 districts. That's what he wants. We don't have enough
9 competitive districts in this map. We -- this is no way.

10 The funny part about this is that the -- there
11 has, there has been a consistent majority on this Commission
12 that has excluded the two Republicans for the design of
13 these maps.

14 Therefore, Commissioner Herrera, if you wanted
15 competitive districts, and you say that there are not enough
16 competitive districts, then your own majority that you've
17 helped create on this Commission has failed.

18 Correct?

19 Therefore, so I find it a little disingenuous to
20 keep harping on this, on this concept of I'm not getting
21 what I want, yet I've been in the majority for the last
22 11 months.

23 So, Madam Chair, we're going to vote on these maps
24 shortly.

25 I suggest that before this degrades into a, into a

1 contest of words that are not going to be meaningful to
2 either the public or to the Commission or -- and will
3 positively not make any change at all to the maps, the six
4 constitutional criteria that were outlined were readjusted
5 by the majority of the Commission.

6 And we can debate that. We've debated it for the
7 last nine months.

8 We've had hundreds of and hundreds of hours of
9 commentary and testimony.

10 And we've had thousands and thousands of documents
11 from the public.

12 I just received another delivery on Saturday with
13 new information about -- from the public saying please don't
14 split this district and please don't disenfranchise this
15 group and please don't do this.

16 Yet all of those are not happening.

17 So before we start going and rehashing issues that
18 we've gone through before, the chair -- this is a, this is a
19 decision that the chair's going to be making.

20 There are two votes on the Democrat side and two
21 votes on the Republican side.

22 This is why I believe that the whole process is,
23 in my opinion, you know, substantively flawed, because it is
24 one person in the state of Arizona that is really the
25 linchpin in making the decisions on where the congressional

1 and legislative map lines are.

2 You've been -- Madam Chair has been hearing
3 arguments from the Republicans and arguments from the
4 Democrats, and the majority of the time has taken the
5 position of the Democrats' arguments.

6 I've got, I've got my theories and the public's
7 got their theories about why that might be, but they're
8 purely theories. They're purely just suppositions.

9 So I'd rather, excuse me, I'd rather just move on
10 and -- and I'm not sure what more that we can add to the
11 record or what we can add more to the public's sense. I
12 mean, I don't think that we have a sense of confidence and
13 comfort from the public on this process.

14 I don't think that we've got a sense that
15 Proposition 106 has been effectively managed.

16 I believe that even, even by, by virtue of when
17 the Minority Leader Campbell came up and spoke in front of
18 us, and he was talking about how the previous Commission,
19 who didn't have all -- and wasn't borne with all the
20 influences that we were borne with, as far as investigations
21 and impeachments by the governor of the chair and potential
22 impeachment of the rest of the Commission by the governor,
23 that what we didn't have is that he said that without any of
24 that, that still the prior Commission gerrymandered the
25 maps.

1 So, I look at Proposition 106 as being something
2 that potentially -- and I asked him the question, whether or
3 not he felt that the public was duped. And he couldn't
4 answer that question.

5 And I am not -- I almost find it very dangerous
6 when decisions like this fall into the hands of a single
7 individual. And that, Madam Chair, is you.

8 So you are the, you are the swing vote on this
9 Commission, and you have been from the very, very first
10 decision that was made from when two vice chairs were put
11 into place, since the selection of legal counsel was put
12 into place, since selection of mapping consultants were put
13 into place, since selection of the congressional and
14 legislative draft maps were put into place.

15 It has been your vote that has swung this.

16 So I'm going to suggest that, that, that we wrap
17 this up and allow the folks that are looking to run for
18 office to get their arms around their new districts and
19 their new numbers and their new potential constituents so
20 they can begin to, to move forward and run for these offices
21 and these districts that have been created.

22 CHAIRPERSON MATHIS: Thank you.

23 I'd like to do a call for public comment before we
24 do anything else. But if there's other commissioners who
25 want to say something in the meantime, feel free.

1 I only have one request to speak form.

2 So if there are others who wanted to address the
3 Commission at this time, if you could fill one out and get
4 that to our executive director, I'm sure he'll bring that
5 up.

6 So, in the meantime, is there anything from other
7 commissioners?

8 (No oral response.)

9 CHAIRPERSON MATHIS: Okay. With that, we'll do
10 public comment. This is item nine on our agenda. We're
11 jumping ahead to that.

12 First speaker is Frank Bergen, representing self,
13 from Tucson.

14 FRANK BERGEN: Madam Chair, commissioners, good
15 morning. I think I put on that card that I wanted to
16 address the topic of gratitude, and I would like to thank
17 five of you and your staff, your consultants for a job that
18 I consider to be well done.

19 I, I have attended enough of these meetings and
20 paid enough attention outside of the meetings to realize
21 what an incredibly difficult job it has been. And I have
22 some slight knowledge of the personal difficulties with
23 which some, probably all of you, have worked. And so I want
24 to thank you.

25 I have a numerical comment or two.

1 I'm not sure that it was my name that I heard
2 mentioned a little while ago, but someone said something
3 about professional sports.

4 Well, I've never been involved in professional
5 sports, but for nine years in Sacramento I was the manager
6 and the sometime catcher on a men's slow pitch softball
7 team.

8 And I chose for some reason, and I don't remember
9 the reasons, to wear number six.

10 And it had nothing to do with Joe Torre, and it
11 was long before he began to manage the Yankees.

12 At any time I could have changed my number.

13 I might have chosen 37, which Casey Stengel wore
14 in managing various teams over a lot of years.

15 However, I think that on the field and wherever
16 the team gathered, people knew me by my face. And probably
17 half the people on the team would not have been able to say
18 what number I was wearing.

19 Currently I'm in Legislative District 30 and
20 Congressional District 8.

21 When this process ends, I will be in Legislative
22 District 10 and congressional district -- wait a minute,
23 it's the other way around, it's congressional -- see, it
24 doesn't matter really.

25 It will be Congressional District 10 and

1 legislative district -- well, you know, the numbers don't
2 matter.

3 What does matter to me, as I said the very first
4 time I spoke to you, is that I will be in two competitive
5 districts. And that's one of the things I want to thank you
6 for.

7 I -- I'm just -- I'm personally, and I have to
8 share this, I'm really flabbergasted when I hear that after
9 all these months there is still a sense that one side has
10 just whipped the other side.

11 And I think that's ridiculous, when there is so
12 little likelihood of the party which is now in the minority
13 in this state becoming a minority party (sic) in either
14 house of the legislature any time during the coming decade
15 unless, you know, something catastrophic happens.

16 So I just think it's time to get on with it. And
17 if I were sitting up there, I would have called it to
18 question.

19 But instead I just call on all of you to bear up
20 with one another.

21 And then I never did get a chance to get that bill
22 into legislature last year, maybe this year, to send you all
23 on three-month vacations in five different points of the
24 compass.

25 But thank you all very, very much. And thanks,

1 thanks for giving me the opportunity to speak. As is
2 probably pretty obvious, I love to talk.

3 Thank you.

4 CHAIRPERSON MATHIS: I claim Hawaii.

5 Our next speaker is Bill Engler, representing
6 self, from Maricopa.

7 BILL ENGLER: Thank you, Madam Chair.

8 Commissioners, my name is Bill Engler,
9 E-N-G-L-E-R. I live in Anthem.

10 I've spoken on numerous occasions before the
11 Commission. I've always spoke toward competitiveness
12 because I think that's very important.

13 I came into these hearings in a district that's
14 overwhelmingly Republican, and I came out in districts that
15 are overwhelmingly Republican.

16 Now, that's not your fault. There's nothing about
17 you can do about it. That just happens to be because of
18 where I live.

19 I'm just up here today to thank all of you. I
20 know you've had a thankless job, and that includes your
21 staff, the mapping consultant, the attorneys. Nobody has
22 come out of this unscathed.

23 However, I don't feel ill-served by this
24 Commission. And I think the majority of the citizens of
25 this state would feel likewise. And for that, I thank all

1 of you.

2 CHAIRPERSON MATHIS: Thank you.

3 Our -- my last request to speak form is
4 Representative Daniel Patterson.

5 And if anyone else would like to address the
6 Commission, feel free to fill out a request to speak form.

7 REPRESENTATIVE DANIEL PATTERSON: Thank you,
8 Madam Chair and commissioners. I've spoke to you a few
9 times throughout the process.

10 Looks like you're finally wrapping up, so I want
11 to salute your efforts for the public interest in Arizona.
12 Always a tough process.

13 But I'm just here from Tucson today to point out
14 one technical mistake that still seems to exist on the map,
15 which is a split precinct, Precinct 46. And you may want to
16 fix that.

17 That's in the -- right now it's cut in half by
18 22nd Street.

19 And up until December 23rd the Commission had that
20 precinct whole within LD 2, and then there was an idea to
21 just make the line straight on 22nd Street, and that I think
22 had the unintended consequence of cutting Precinct 46 in
23 half.

24 The neighborhoods on both of that side of
25 22nd Street also are connected. The neighborhood

1 association boundaries go north of 22nd Street and south,
2 and some constituents raised this to me this weekend, and I
3 said since I was going to be coming back to Phoenix today to
4 the capital, I would try to raise it in front of the
5 Commission, and see if you can make that technical change to
6 not split Precinct 46. I know the Commission was looking at
7 making sure that precincts weren't split, and that one still
8 seems to be need to be fixed.

9 So, my recommendation would be for the Commission
10 to go back to what you had until December 23rd and put all
11 of Precinct 46 back into LD 2, to respect the connected
12 community there and also the keeping the precinct from being
13 split.

14 Thank you very much.

15 CHAIRPERSON MATHIS: Thank you.

16 After public comment we'll talk about that and see
17 what the situation is.

18 Our next speaker is Gary Bohnee, representing
19 Salt River Pima-Maricopa Indian community.

20 GARY BOHNEE: Good morning, members of the
21 Commission.

22 Glad I made it.

23 I'm here just to, I guess, make a statement and
24 then also, I guess, confirm and maybe get some feedback from
25 you all on some proposed changes that were discussed at the

1 last Commission meeting with respect to the legislative
2 districts and the impact on the Salt River Pima-Maricopa
3 Indian community.

4 And I guess I would just first say that
5 principally the community is opposed to in any way of being
6 split into separate legislative districts.

7 And I'm not sure what the situation is currently,
8 but, I guess, first, to enunciate that principle. I
9 understand there perhaps were some technical issues or
10 technical changes that the Commission was looking at.

11 So I -- I guess I will leave that as my statement.

12 But perhaps if it's appropriate for the Commission
13 to clarify what changes were being, were being proposed.

14 CHAIRPERSON MATHIS: Sure.

15 We can talk about that.

16 Maybe Mr. Desmond can pull up that area too. That
17 would be helpful.

18 WILLIE DESMOND: So the splits are primarily in
19 the southern side of the reservation.

20 Some of them are areas where -- like, for instance
21 right here where the reservation and Mesa both occupy the
22 same area.

23 The other ones are ones that were designed to
24 accommodate the Maricopa County precincts.

25 All of the splits are unincorporated areas by and

1 large and all of them are zero population. There's no split
2 off population.

3 If I turn off the Maricopa County precincts, you
4 can see we're trying to follow their line also.

5 This area is by and large the same area that's
6 split off under the current legislative district, a little
7 less actually, but it's kind of -- it's very similar to
8 that, if that makes sense, using the same border that goes
9 along the reservation now.

10 It was my understanding from the folks in Maricopa
11 County that, that their border of the reservation looks
12 closer to how we have it. But this does split the
13 reservation as defined by the census.

14 It's something that we looked at. We could move
15 the line back without affecting any population. The only
16 thing that would have to happen is we'd probably have to
17 print another one of these components report.

18 GARY BOHNEE: And just to clarify, I guess, if I
19 could, is currently the legislative district that community
20 is located in, are -- is it, is it whole in terms of
21 respecting the boundaries of the reservation? I think
22 that's Legislative District 23 currently.

23 And the reason I ask, I -- in just talking about
24 with President Enos, she, she also asked that we -- that I
25 enunciate that we not break the community up, particularly

1 on the southern end.

2 And although there may be no population, the
3 question that -- I guess there are a couple questions that
4 arise.

5 One is the possibility that there are individual
6 allotted land parcels within, within that area that you're
7 speaking of.

8 And while there may not be residents currently,
9 that's not to say that because they are private land
10 holdings within the community by land -- individual
11 landowners, that perhaps those lands would be, would be
12 utilized at some point in time.

13 And then also the, the border is -- there are a
14 number of tribally owned businesses. The Materials Group is
15 one of the most prominent that's on the southern end there
16 of the, of the reservation.

17 So I would point out those two, those two items.

18 So to the question, again, is, is the current
19 legislative district --

20 WILLIE DESMOND: This border largely follows the
21 same border as the current legislative district. So the
22 area in -- where you see blue is, is the current district
23 line.

24 This area right here, I'm guessing this is around
25 the 202, or a little bit north of there. It looks like

1 current District 23 splits off this area a little bit more
2 so, but it is in the legislative tentative final.

3 So I guess to answer your question, the current
4 District 23 is slightly less whole than -- well, not
5 necessarily. Excuse me.

6 Most of the reservation is in 23, current
7 District 23.

8 There are some areas in the southern border where
9 it's not. That's the case for proposed District 26 as well.

10 If that answers it.

11 GARY BOHNEE: Yeah. I guess the -- I would then
12 say that with respect to the current legislative district,
13 if -- since that is the, what is the current district, and
14 what is -- where the community is currently located, that to
15 the extent that the map would reflect or be able to reflect
16 what is the current legislative district would be
17 appropriate.

18 Any further cuts, I think, the community side
19 would not be favorable to be made.

20 WILLIE DESMOND: And there are no further cuts.

21 If anything, the reservation is kept slightly more
22 whole.

23 GARY BOHNEE: Thank you.

24 CHAIRPERSON MATHIS: Thank you.

25 WILLIE DESMOND: Just --

1 CHAIRPERSON MATHIS: Go ahead.

2 WILLIE DESMOND: I was just going say to just to
3 make sure we're totally clear here.

4 So this blue line, this is the current district.

5 The green line and the black line below it are --
6 the green line is the Maricopa County precinct. The black
7 line is the legislative boundary as we have it drawn.

8 This area right here, and this area right here --
9 let me turn up the. . .

10 So this area and this area are the ones that are
11 not -- not in the district. That's the split. As well as a
12 tiny portion right here, and then this portion that sits in
13 both Mesa and in the reservation.

14 The green line again is the precinct line.

15 The black line, which I'll make a little thicker
16 so you can see it underneath easier, is the south border,
17 and the current legislative line, all run the same, same
18 area.

19 The current legislative looks like it comes down
20 here into Mesa a little bit.

21 Ours doesn't. Ours follows right along the
22 reservation border there.

23 And then the other area, I guess, of divergence
24 is, is, again, right here, where it looks like the current
25 legislative splits off a little bit more than we do.

1 But, just to -- Commissioner Freeman just pointed
2 out that I should put the water feature on a little.
3 That'll move that down so you can kind of see where this --
4 where the river runs in this discussion.

5 Just to be clear, these are all zero population
6 areas. So it can be switched back without affecting
7 population.

8 It's just these were moves made to, I guess,
9 accommodate the Maricopa County voter precincts that they
10 had hoped to incorporate.

11 GARY BOHNEE: Thank you. And, again, I would just
12 say, again, the principle of keeping the community as whole
13 as possible. Number two, as you've indicated to the extent
14 that we're consistent with, I guess, the context being the
15 current Legislative District No. 23, if that's the -- if
16 that would be the community's preferred context, but also to
17 the extent that you can enhance the community's wholeness in
18 this process is going to be preferable.

19 Thank you.

20 CHAIRPERSON MATHIS: Thank you.

21 Any questions or comments on this?

22 COMMISSIONER McNULTY: Madam Chair.

23 CHAIRPERSON MATHIS: Ms. McNulty.

24 COMMISSIONER McNULTY: Ms. O'Grady, do you, do you
25 have any comments?

1 MARY O'GRADY: Well, if I'm -- commissioners, if
2 I'm understanding the testimony correctly, it sounds like
3 because it follows the old LD 23 line, that to the extent it
4 deviates from the old LD line, it does so in a manner that
5 incorporates more of the reservation, that it sounds like,
6 and correct me if I'm wrong, it sounds like you would be
7 okay with the map as shown that they're not requesting
8 additional changes.

9 GARY BOHNEE: Correct. In the southern boundary
10 is the only area where that affects the community, not the
11 northern boundaries. Is that correct?

12 WILLIE DESMOND: That's correct.

13 GARY BOHNEE: Yes.

14 MARY O'GRADY: Okay. So he's confirmed that, that
15 he's fine with the line as is now that we've gone precisely
16 where the line falls and how it compares to the prior
17 legislative district line.

18 COMMISSIONER McNULTY: Thank you.

19 CHAIRPERSON MATHIS: The other comment, can we
20 check Precinct 46 in the Pima County area along 22nd Street
21 and see what that issue is?

22 COMMISSIONER STERTZ: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Stertz.

24 COMMISSIONER STERTZ: Before we go down that path,
25 I want to ask a couple of questions of Mr. Desmond regarding

1 precinct splits and precincts that are split.

2 Mr. Desmond, do we currently have precinct splits
3 in other areas and other municipalities throughout the
4 state? I mean, this is -- or is this the only precinct
5 that's been split in the state?

6 WILLIE DESMOND: No, there's many precincts that
7 are split.

8 There's places where we were able to undue those
9 splits and -- with the technical changes. But there's other
10 cases where in order to keep a precinct whole it would
11 involve moving several thousand people from one side to the
12 other, no matter which way you did it. So those types of
13 things were not, not changed.

14 That's either because sometimes the precincts
15 don't conform to the same census place boundaries and the
16 Commission has made it a priority to not split
17 municipalities. Other times, you know, splits have been
18 gone through, gone through cities in order to, you know,
19 build strong voting rights districts. And if it involved
20 moving, you know, less performing areas in or out, the
21 precincts remained split in those cases as well.

22 But we've worked to minimize those -- the effect
23 of that.

24 I can -- I'd be happy to go through and show you
25 just some of the counties if you like.

1 COMMISSIONER STERTZ: No. Madam Chair, I was just
2 trying to confirm that, that this isn't the only split
3 precinct in the state of Arizona.

4 And, Madam Chair, if we are going to go down the
5 path of looking at one particular precinct split, then it
6 opens the door for looking at all precinct splits.

7 And I would make the recommendation to move
8 forward without going through the process or even the
9 analysis at this point.

10 CHAIRPERSON MATHIS: Thank you.

11 Comments from other commissioners on that?

12 COMMISSIONER McNULTY: Madam Chair, I agree with
13 Mr. Stertz.

14 CHAIRPERSON MATHIS: Thank you.

15 Any other comments?

16 (No oral response.)

17 CHAIRPERSON MATHIS: Okay. Well, it sounds like
18 there's not a lot of agreement to go into opening the door
19 on all precinct splits across the state. So we will move
20 on.

21 I -- unless there's anyone else who wanted to
22 address the Commission from the public.

23 (No oral response.)

24 CHAIRPERSON MATHIS: Okay. Thank you all for
25 coming and for providing your input to us today.

1 So we are back to discussion and possible action
2 to approve final congressional districts and also final
3 legislative districts.

4 WILLIE DESMOND: I did just want to mention one
5 more thing about the legislative districts.

6 CHAIRPERSON MATHIS: Okay. Mr. Desmond.

7 WILLIE DESMOND: When you created the tentative
8 final maps, you asked us to analyze an alternate version
9 that had a slight tweak in Scottsdale.

10 I wanted to mention that we did analyze that.

11 It's roughly the same, but slightly lower on some
12 of the voting rights measures.

13 Just to put that on the record, that that was
14 something that we looked at.

15 The reason it hasn't come up is because no one's
16 asked for it.

17 CHAIRPERSON MATHIS: For it.

18 WILLIE DESMOND: Yeah.

19 CHAIRPERSON MATHIS: Okay. Thank you.

20 Any comments or questions on that or anything
21 else?

22 COMMISSIONER McNULTY: Madam Chair, would it be
23 appropriate at this time to move to approve the legislative
24 maps?

25 CHAIRPERSON MATHIS: It would. I would accept a

1 motion.

2 COMMISSIONER McNULTY: I would make a motion that
3 we approve the final tentative legislative map with the
4 technical adjustments that Mr. Desmond has prepared and
5 provided to us.

6 CHAIRPERSON MATHIS: Is there a second?

7 VICE-CHAIR HERRERA: Madam Chair, I'll second that
8 motion.

9 CHAIRPERSON MATHIS: Any discussion?

10 VICE-CHAIR FREEMAN: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE-CHAIR FREEMAN: Just a question. Does --
13 that motion, as I understand it, does not include a
14 directive to submit the maps to the Department of Justice,
15 is my understanding.

16 Correct?

17 COMMISSIONER McNULTY: I think that's a separate
18 agenda item.

19 VICE-CHAIR FREEMAN: Thank you.

20 CHAIRPERSON MATHIS: And I would just like to ask
21 legal counsel, too, to confirm that it's okay that we
22 proceed on this particular agenda item at this time.

23 MARY O'GRADY: Madam Chair, yes, it's okay to
24 proceed.

25 And we saw two -- a two-phase approval process

1 approving the maps as amended, according to the motion that
2 Commissioner McNulty proposed, and then later we have an
3 agenda item for certification to the secretary of state.

4 CHAIRPERSON MATHIS: Thank you.

5 Any other discussion?

6 VICE-CHAIR HERRERA: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Herrera.

8 VICE-CHAIR HERRERA: Will the vote to send the
9 final map to the Department of Justice, will that take place
10 at a later meeting or will it take place today?

11 CHAIRPERSON MATHIS: My understanding is -- well,
12 that's a good question. I'm not sure.

13 It's a question for legal counsel.

14 Ms. O'Grady.

15 MARY O'GRADY: I'm sorry, I missed --

16 COMMISSIONER McNULTY: Mr. Herrera was asking
17 whether we needed a separate vote in order to send the maps
18 to the Department of Justice, and if so, whether that would
19 occur at a later meeting.

20 MARY O'GRADY: That's what we were just conferring
21 about.

22 We hadn't included a separate agenda item on the
23 direction to refer to -- for us to submit to the Department
24 of Justice, but we all understand that we have to submit to
25 the department of -- well, we have to --

1 Commissioner Freeman is shaking his head.

2 We have to get preclearance under Section 5, which
3 might involve Department of Justice or could involve
4 litigation.

5 So let me confer with Joe for a moment on that
6 issue, if I may.

7 But I would recommend that you go ahead and
8 approve the vote on the motion that is on the table, which
9 is for approval of the legislative maps.

10 CHAIRPERSON MATHIS: The motion on the table is
11 for congressional, isn't it?

12 COMMISSIONER McNULTY: Legislative.

13 CHAIRPERSON MATHIS: Legislative.

14 Okay. She said legislative, so she's right.

15 Okay.

16 Okay. Any other discussion?

17 (No oral response.)

18 CHAIRPERSON MATHIS: All in favor?

19 COMMISSIONER McNULTY: Aye.

20 VICE-CHAIR HERRERA: Madam Chair, before I make my
21 vote, can I make a comment?

22 CHAIRPERSON MATHIS: You can.

23 VICE-CHAIR HERRERA: Thank you.

24 Mr. -- Commissioner Stertz mentioned that the --
25 you were always the deciding vote in all the votes. And let

1 me remind the Commission that on December 20th
2 Commissioner Stertz was the deciding vote on the legislative
3 map to approve the legislative map.

4 It was 3-2. I voted against it, and so did
5 Freeman.

6 So he was the deciding vote, and I don't know if
7 he changed his vote this time around. But I'm, I am voting
8 in favor of the map.

9 Again, I had some reservations because of not
10 being able to create an additional competitive district,
11 especially in 28.

12 But as I said before, I think these are -- the
13 legislative map is a solid map that had the ideas of --
14 well, and I think it was -- nobody will dispute the fact
15 that I think it was Commissioner Freeman and
16 Commissioner McNulty who had put together this map,
17 together. And I think the -- again, these are solid maps.

18 And the reason I'm voting for them, because we've
19 come so far. I don't want to come back.

20 I want to move on with my life and spend time with
21 my family and go to work. So I will be voting for them when
22 I previously voted no for this particular map.

23 So, my concerns are still there, but, again, these
24 are maps that will clear the Department of Justice. They're
25 solid maps, and I am voting for them.

1 CHAIRPERSON MATHIS: Any other discussion before
2 we continue with the vote?

3 VICE-CHAIR FREEMAN: Madam Chair.

4 CHAIRPERSON MATHIS: Mr. Freeman.

5 VICE-CHAIR FREEMAN: Just to correct the record
6 again, there is none of Commissioner Freeman in this
7 legislative map.

8 Penciled out, originally, going way back,
9 Commissioner McNulty and I had different maps. The chair
10 asked that we try to combine them.

11 And it was even suggested that
12 Commissioner McNulty draft southern Arizona and
13 Commissioner Freeman draft northern Arizona.

14 All the lines in southern Arizona remained
15 virtually unchanged, with only minor changes to southern
16 Arizona.

17 In the rest of the state, whatever remained of my
18 input, eventually over time got completely washed away.

19 There is nothing of Commissioner Freeman in these
20 maps.

21 And when I say -- and that is supported by the
22 record.

23 And, you know, the constitution requires the
24 Commission, the commissioners to conduct themselves in an
25 honest way, to uphold public confidence in the process.

1 And I can accept the commissioner every now and
2 then getting something wrong in the record, misremembering
3 something. But to systematically misrepresent the record
4 just demonstrates to me a complete contempt for the truth.

5 And that, that is -- there is no compromise in
6 this legislative map. This is the Democratic's map, the
7 Democratic Party map. And the only thing real they're
8 really saying is we could have, we could have made it worse
9 for you Republicans. We could have completely flipped the
10 state to a -- on the legislative side. Already did on the
11 congressional side. We could have flipped it on the
12 legislative side as well.

13 So I just -- it's sort of tiresome to have to
14 speak it, you know. Originally, or in the first few minutes
15 of this Commission, I let it go. But, as people who have
16 been regular observers know that the last few months I've
17 just had to speak up and put a stop to this rewriting of
18 history, this misrepresentation of the record.

19 Which is just a wordy way of saying to not tell
20 the truth about what's been going on.

21 And that's all I'll say.

22 CHAIRPERSON MATHIS: Any other discussions?

23 COMMISSIONER STERTZ: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Stertz.

25 COMMISSIONER STERTZ: I will not be, I will not be

1 supporting this motion.

2 I -- on December 20th when I voted for the
3 approval of the tentative maps, it was in the attempt to
4 stop the continued contriving of maps that was going to
5 continue to ensue.

6 So I will not be supporting this.

7 I think that the -- that all of this as this comes
8 to a close is -- I'm filled with only two words, and that
9 that's joy and disgust.

10 It was -- it's been a joy to serve with my fellow
11 commissioners and will continue to be.

12 The process that we have gone through has been one
13 that has been -- one that at the beginning was in my hopes
14 of collaboration and it turned into one of not compromise
15 and not collaboration and not working together as a team for
16 the betterment of all of the citizens and the voters of the
17 state of Arizona.

18 I think that this Commission was masterfully
19 designed to grant one person unfortunately ultimate power to
20 affect the franchise of the people of Arizona.

21 And I will not be voting on -- for the approval of
22 this map, and nor will I be -- since I will won't make
23 comment on the next map until, until that time.

24 So, I vote no.

25 CHAIRPERSON MATHIS: Okay.

1 So, I don't know if we fully voted yet. Is there
2 any other discussion?

3 Okay --

4 VICE-CHAIR HERRERA: Yeah, madam Chair, I'd like
5 to say one item.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: When we started this whole
8 process, I think -- well, let's start from the beginning.
9 When we were debating on approval of the chair, it was
10 pretty contentious and -- because we had a lot of good
11 candidates to choose from, and -- from the independent side.
12 One of them is sitting back there making a pay check.

13 I'm sure he's pretty happy with it, the fact that
14 he's not sitting here.

15 And we were going back and forth.

16 And I remember -- you know, obviously you ended up
17 being the nom -- the person we selected.

18 And you've -- I don't know if it's been many
19 months now, eight months, nine months, that, you know,
20 you've acted like the Independent that we, that we -- the
21 reason we nominated you because of that, because I think you
22 were pretty Independent.

23 And there's no given, oh, she's going to vote for
24 the Democrats or she's going to vote for the Republicans.

25 And you've given me a lot of headaches in the last

1 eight months, nine months. And I'm being honest, and you
2 probably already know that. And because you were
3 Independent, you give me headaches.

4 And I've gotten gray hair because of that, and
5 I've gotten angry because of that. But, you know what,
6 that's what you were supposed to do. You were supposed to
7 upset people on this Commission. And if it's anyone on this
8 Commission that is not upset because of your actions, then
9 you didn't do your job.

10 You upset me a couple times.

11 You upset -- I'm assuming you upset Freeman a
12 couple times and Stertz and even McNulty. But that was your
13 job.

14 And if I gave you a hard time ever, I apologize,
15 but that -- it was well deserved, I think, the hard time I
16 gave you. Because, again, you were Independent, and I --
17 I'm happy with the decision we made. We could have gone
18 either way.

19 And I am -- you are truly an Independent, and I
20 thank you for it, and I wish you the best.

21 CHAIRPERSON MATHIS: Thank you.

22 Any other comments, discussions?

23 COMMISSIONER McNULTY: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. -- Ms. McNulty. Sorry.

25 COMMISSIONER McNULTY: I agree with everything

1 Mr. Herrera just said. I don't want by my silence, although
2 I tried to remain silence, to suggest that I in any way
3 agree with the record that Mr. Freeman and Mr. Stertz are
4 continuing to make.

5 I think our record will stand. It speaks for
6 itself.

7 I regret the comments that they made about lack of
8 truthfulness. I think that's shameful frankly. And I am
9 disappointed by that.

10 That's all I have to say.

11 CHAIRPERSON MATHIS: Okay. So any other
12 discussion?

13 (No oral response.)

14 CHAIRPERSON MATHIS: So let's start from the
15 beginning.

16 All in favor?

17 VICE-CHAIR HERRERA: Aye.

18 COMMISSIONER McNULTY: Aye.

19 CHAIRPERSON MATHIS: Aye.

20 Any opposed?

21 COMMISSIONER STERTZ: No.

22 VICE-CHAIR FREEMAN: Nay.

23 CHAIRPERSON MATHIS: Okay. The motion carries
24 then.

25 We've approved final legislative districts on a

1 vote of 3-2, with Commissioners Stertz and Freeman
2 dissenting.

3 Okay. So I would entertain a motion to approve
4 final congressional districts, if so desired.

5 COMMISSIONER McNULTY: Madam Chair, I move that we
6 approve the tentative final congressional map with technical
7 adjustments as prepared and described to us by Mr. Desmond.

8 VICE-CHAIR HERRERA: I second that motion.

9 CHAIRPERSON MATHIS: Any discussion?

10 COMMISSIONER STERTZ: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Stertz.

12 COMMISSIONER STERTZ: I will not be supporting
13 these maps. I did not support them in their draft form or
14 in their tentative form.

15 I think that the -- I am disappointed by a variety
16 of things of these maps. And, again, by virtue of the last
17 vote, I think that this will play out. We will find out
18 what happens over the next ten years.

19 My crystal ball is broken. On -- through
20 two years ago we had, we had five Democrats sitting in
21 congress and three Republicans.

22 And in 2010 we had five Republicans and three
23 Democrats.

24 I'm hoping that we see that sort of watermark set
25 where we can see a, a broad range of competent individuals

1 that are representing us in both legislature and in the, and
2 in the House of Representatives in Washington.

3 These maps in certain districts are very similar
4 and have made great strides in bringing together the Indian
5 nations, which was something that I think was a great
6 stride.

7 I think by bringing those nations together into
8 one district has been -- will be very beneficial to the
9 First Nations. And I think that I'll take -- feel that
10 aspect of it is successful.

11 At the same time, connecting the intersection of
12 river and orange grove, I still cannot get the folks in
13 Tucson to realize that they are part of the district that
14 aligns itself with the Utah border.

15 And obviously I did not argue my position strongly
16 enough. And the enormous amount of testimony that we
17 received from Oro Valley and Marana wanting to stay
18 connected to greater Tucson area, which is now
19 Congressional District 2, fell on deaf ears.

20 So that being said, I will not be supporting this
21 motion.

22 CHAIRPERSON MATHIS: Any other discussion?

23 VICE-CHAIR FREEMAN: Madam Chair.

24 CHAIRPERSON MATHIS: Mr. Freeman.

25 VICE-CHAIR FREEMAN: The voters of this state did

1 not get what they bargained for in this Commission. I think
2 this Commission has been totally gamed before the Commission
3 even was fully impaneled. It has been a result-oriented
4 process all the way through.

5 I started tracking my time in May, and I was a
6 little conservative with it, and I had about over 850 hours
7 sunk into this Commission.

8 I think it's been largely a waste of time. We
9 could have cut through a lot of it, a lot of it we could
10 have done a lot sooner rather than go through the motions of
11 having -- of putting on this theater.

12 The gig was up with selection of legal counsel.
13 That was a result-oriented process. Even been referred to
14 as a rigged process.

15 It continued with our selection of the mapping
16 consultant.

17 And, I believe it continued with the production of
18 final maps.

19 I expected that the Commission would work
20 together, my belief, and we would apply the constitutional
21 criteria in an objective, fair way that instructions would
22 be an given to the mapping consultant to take our grid map,
23 which was developed after a series of coin flips, so we
24 introduced an element of arbitrariness into the initial grid
25 map.

1 But then as the constitution requires, those grid
2 lines would be adjusted by applying the six constitutional
3 goals to the map.

4 And I believed we would do that in an objective,
5 fair way, applying the criteria one after another, having
6 the mapping consultant produce maps, show us options of how,
7 how, how those -- applying those criteria would affect the
8 grid map and we would proceed forward, that the Commission
9 would then probably have to deliberate and identify
10 communities of interest in this state, have a discussion to
11 determine whether we can, we would recognize that community
12 of interest, where a particular change to a map or a line
13 would disrespect that community of interest.

14 And I believe the Commission would also deliberate
15 after preparing a, a sort of baseline map that shows -- that
16 showed the public how the first five constitutional goals
17 could be met, then to determine whether we could further
18 tweak that map to create competitive or more competitive
19 districts, statewide, not in any particular areas of the
20 state, but statewide, to be fair to all voters in the state,
21 without causing a significant detriment to the others goals.

22 That never happened. It never occurred. Never
23 applied the criteria in that fashion, although I attempted
24 to do so in developing the maps I developed, which went
25 nowhere eventually.

1 We never created a baseline map to determine how
2 the first five goals could be, could be achieved.

3 We never really deliberated on communities of
4 interest around the state, except in perhaps in an ad hoc
5 fashion or after the fact, after the map had been created,
6 going back and backfilling the record with a discussion on
7 of, well, that actually respects a community of interest.

8 And these constitutional goals were applied, if
9 they were applied, they were applied differently in
10 different parts of the state.

11 In one part of the state it was, you know, we can
12 assemble communities of interest however we want, no matter
13 how different their interests may be, as long as a thousand
14 points of light, as long as we don't split them, it's okay.

15 But in another part of state is -- it was, no, we
16 haven't split these communities of interest, but they just
17 don't fit with another part of the state, so we're not going
18 to put them with part of the state.

19 So it was a different criteria being applied
20 arbitrarily in different parts of the state.

21 So that -- and I believe what ultimately occurred
22 is that there were maps already out there, Democratic maps,
23 that were essentially just drawn by the Democrats, not
24 registered Democrats on this Commission, and then we just
25 went through this process to appear to be listening to the

1 public, to appear to be making responsive changes to the
2 map, perhaps even to be clever, needed changes were sort of
3 built in to the initial draft maps.

4 Because that sure seemed -- I know when we went
5 through the second round of public comments and I was
6 listening to the public, I could pretty much check off,
7 this, this change is being -- is an obvious change. It will
8 be adopted. It's being proposed by a Democrat. It will be
9 done. And it was done.

10 And we initially got -- ended up with two
11 Democratic maps.

12 Just, I know -- I don't know whether we'll do the
13 separate vote today on the submittal to the Department of
14 Justice, or the U.S. District Court of the District of
15 Columbia. But, assuming that that does occur, I have
16 concerns here and might as well voice them.

17 Last week the Commission had three hearings. The
18 hearing on Monday was -- began at 5:00 o'clock in the
19 evening. And it was a hearing, as I talked about last week,
20 and I won't belabor it, where I had less actual notice of
21 hearing than the public had, constructive notice.

22 So I could not attend.

23 And it was the first, aside from the week that my
24 son was born in December, it was the first hearing that I
25 missed. But I was able to watch most of it online from

1 various locations.

2 So I had the same sort of vantage point the public
3 had.

4 And here's what transpired last Monday.

5 Last Monday the Commission had a presentation by
6 Dr. King, who's a Harvard professor that the Commission
7 retained to perform a racially polarized voting analysis.

8 He made his presentation. He presented his data.

9 And the takeaway from it, that I got, was, well,
10 your districts, congressionally and legislative, look pretty
11 good, but it would behoove the Commission to further analyze
12 ways the map can be configured to make sure we can
13 demonstrate to the Department of Justice that there's no
14 better way really to construct these districts.

15 And after that presentation, Mr. Kanefield, who
16 was in attendance with his consultant, Mr. Adelson, who was
17 the DOJ lawyer ten years ago who wrote the objection letter
18 to Arizona, he asked that the Commission go into executive
19 session to obtain legal advice on the maps.

20 And then the Commission went into a three plus
21 hour executive session.

22 And I couldn't -- I was not on the phone. I was
23 just -- I had my laptop with me, or my phone, and was trying
24 to observe and there was nothing for me to observe.

25 Well, what happened after that three plus hour

1 executive session is the Commission came back, as it has
2 done in the past, as is its habit and practice, it goes into
3 these long executive session, comes out, and then there's a
4 result.

5 And what happens is there's no deliberation, no
6 discussion. And the result was that Commissioner McNulty
7 recommended that certain changes be made to the legislative
8 map, be explored with the mapping consultant.

9 So I guess what the public could infer from that
10 is there were concerns raised as to the legislative map, or
11 maybe both legislative and congressional. I don't know.
12 While the Commission never pursued those changes, at the
13 hearing on Tuesday evening, which I was able to phone into,
14 those proposed changes were dropped.

15 So there's -- and I guess if I was a member of the
16 public, I would wonder why. Why? And is it because the
17 deal has already been done with the Obama administration?
18 Is it because of Department of Justice is going to give
19 Arizona a pass --

20 VICE-CHAIR HERRERA: Madam Chair --

21 CHAIRPERSON MATHIS: Wait a second --

22 VICE-CHAIR HERRERA: -- you talk about theater
23 and --

24 CHAIRPERSON MATHIS: -- stop --

25 VICE-CHAIR HERRERA: -- and, and this, this is

1 exactly what you're doing.

2 CHAIRPERSON MATHIS: Mr. Herrera, please stop and
3 let Mr. Freeman finish.

4 VICE-CHAIR FREEMAN: Excuse me.

5 Is, is -- you know, are they going to give Arizona
6 a pass because basically Arizona's got the Democratic dream
7 maps that are going to be enacted.

8 And I wondered, if the Commission is going to be
9 about doing things open, in the public, then, you know, I'm
10 not going to support that maps be submitted to the
11 Department of Justice. I would rather have the Commission
12 instruct counsel to submit the maps to a board of competent
13 jurisdiction, the U.S. District Court, the District of
14 Columbia.

15 That's one of the options under the law that we
16 have. And it's an option that has been out there. The
17 Commission has discussed numerous times in its history, and
18 I believe it was part of the Power Point presentation that
19 Strategic Telemetry presented and offered to the public
20 during our public comment hearings that that was an option.

21 You can either submit to Department of Justice or
22 submit it to the D.C. court.

23 And, in doing it that way, I think it would be a
24 more public, open process, evidence could be marshaled,
25 submitted, arguments could be made, a decision could be

1 requested on an expedited basis. And it would all be out
2 there in the open so there would be no question that Arizona
3 is not getting the sort of pass on compliance with the
4 Voting Rights Act.

5 So I would not support the congressional map. And
6 when and if we get to a motion on submittal for voting
7 rights compliance considerations, I'm not going to support
8 that the maps be submitted to the Department of Justice.

9 CHAIRPERSON MATHIS: Thank you.

10 Any other discussion?

11 COMMISSIONER McNULTY: Madam Chair.

12 CHAIRPERSON MATHIS: Ms. McNulty.

13 COMMISSIONER McNULTY: In response I'll say -- I
14 need to say a few things.

15 First, I disagree with everything Mr. Freeman just
16 said.

17 Second, I think the record will demonstrate that
18 what he just said is incorrect.

19 Third, we made every effort to collaborate and
20 compromise.

21 Fourth, we hired the best legal counsel that
22 applied to us based on their credentials, based on their
23 interviews. And I think they've demonstrated the wisdom in
24 our choice.

25 Fifth, we hired the best mapping consultant that

1 applied to us. We hired them based on their credentials,
2 based on their application, based on their interviews. And
3 I think that they have more than demonstrated their worth
4 and the wisdom of that choice.

5 We have worked -- we have spent hundreds and
6 hundreds of hours on this Commission.

7 The two Republican commissioners have had enormous
8 impact on the work that we have done.

9 I understand that they're dissatisfied with the
10 result, although looking at the maps and the way the
11 districts are, looking at the registration in the districts
12 and the voting performance in the districts, both on the
13 congressional and legislative side, although I do understand
14 that they feel the need to make their record, and -- I don't
15 understand how the Republicans in this state could feel that
16 the maps that we have drawn are anything but fair.

17 As I said a few minutes ago, I regret some of the
18 characterizations of the motivations of the work of the
19 members of this Commission on our work.

20 I think those are wholly incorrect, wholly
21 inappropriate.

22 I understand getting carried away with the
23 mission, and I think that's where we are here.

24 I don't want to debate that, but I do feel given
25 the very vigorous efforts that my fellow Republicans -- my

1 fellow commissioners on the Republican side of the aisle are
2 putting into making a record today that I at least have to
3 make the comment that I find fault with just about every
4 statement that was just made, and I believe that our record
5 as a commission will support that.

6 CHAIRPERSON MATHIS: Thank you.

7 Any other comments?

8 VICE-CHAIR HERRERA: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Herrera.

10 VICE-CHAIR HERRERA: Yeah, I have a lot of respect
11 for the people on the Commission, and I've never, you know,
12 never insulted anybody personally, although we have been --
13 I think three of us commissioners have been insulted
14 personally.

15 Commissioner Stertz is an awesome attorney (sic),
16 and I am shocked that he believes in these rumors that we
17 have -- Freeman. Sorry. Lost my mind.

18 I believe some of these rumors that we have an in
19 with the Obama administration, I so wish it were true.

20 I said this all along. I so wish it were true.

21 And coming from an attorney like Freeman, it
22 just -- I'm shocked that he thinks those things. He's a
23 bright guy, smart guy, and, you know, he put that on the
24 record. I don't know why, but he did.

25 And if we do have an in with the Obama

1 administration and Eric Holder, I -- then we have nothing to
2 worry about.

3 I mean, seriously, we'll be precleared, let's
4 start the party now.

5 But I think we're all -- these five people here
6 are pretty smart that we know that's not true.

7 And, I agree with Commissioner McNulty. I'm
8 saddened by some of the comments that were made in public
9 and on the record, but I'm looking forward to voting and
10 pushing this through.

11 And I have few other questions for our attorney --
12 our attorneys. The last time the Commission voted, did they
13 make a separate vote for sending -- for approving the map
14 and then a separate vote for sending the maps to the
15 Department of Justice?

16 CHAIRPERSON MATHIS: Mr. Kanefield.

17 JOSEPH KANEFIELD: Madam Chair,
18 Commissioner Herrera, we looked back at the transcripts from
19 the November meetings in 2001 when the Commission passed the
20 final maps, and there was not a separate motion, nor was
21 there a separate agenda item directing counsel to submit the
22 maps to the Department of Justice for preclearance.

23 VICE-CHAIR HERRERA: Madam Chair, the, the -- what
24 I see on the agenda, I don't see any different than, you
25 know, approving the maps.

1 All along we were approving the maps to send them
2 to the Department of Justice for final approval.

3 I don't think -- and I know Freeman is shaking his
4 head, but he will shake head to anything pretty much we're
5 going to say today.

6 So I think we should vote on it.

7 And then, again, we have a Republican attorney, a
8 Democratic attorney, and that's what we heard for to give us
9 advice.

10 And I agree with him. So let's move forward.

11 VICE-CHAIR FREEMAN: Madam Chair.

12 CHAIRPERSON MATHIS: Mr. Freeman.

13 VICE-CHAIR FREEMAN: If I was mistaken, maybe
14 someone can point out to me in the record where the
15 Commission already made the decision that the maps would be
16 sent to the Department of Justice.

17 COMMISSIONER McNULTY: Madam Chair, Mr. Freeman, I
18 think it's been implicit in all the direction we've given to
19 counsel for, if not the last month, perhaps the last
20 three months.

21 Madam Chair, I believe I already made a motion; is
22 that right?

23 CHAIRPERSON MATHIS: Yes.

24 COMMISSIONER McNULTY: Okay. Thank you.

25 CHAIRPERSON MATHIS: And it's been seconded, and

1 we were in discussion.

2 COMMISSIONER STERTZ: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Stertz.

4 COMMISSIONER STERTZ: May I ask a question of
5 legal counsel?

6 CHAIRPERSON MATHIS: Please.

7 COMMISSIONER STERTZ: In the -- in the adopted
8 Proposition 106, the constitutional language, how is it, how
9 is it referred to as, as it refers to Department of Justice
10 or another authoritative body? What is the exact language?

11 COMMISSIONER McNULTY: Madam Chair, is this
12 discussion pertinent to the existing motion that's on the
13 table?

14 COMMISSIONER STERTZ: No, and, Madam Chair, the
15 question can wait until it comes to the agendized item.

16 It has just been in discussion already by
17 Commissioner Herrera, who brought it up, and
18 Commissioner Freeman, who brought it up, yet -- so I wanted
19 to ask the question of where, where it was placed.

20 If it needs to be discussed in the other agenda
21 item, I'll be asking that question then.

22 CHAIRPERSON MATHIS: Okay.

23 COMMISSIONER STERTZ: Give legal counsel the
24 opportunity to look it up.

25 CHAIRPERSON MATHIS: Any other discussion on the

1 motion at hand? That's to approve the tentative final
2 congressional districts with the technical adjustments as
3 discussed.

4 (No oral response.)

5 CHAIRPERSON MATHIS: Okay. All in favor?

6 VICE-CHAIR HERRERA: Aye.

7 COMMISSIONER McNULTY: Aye.

8 CHAIRPERSON MATHIS: Aye.

9 Any opposed?

10 COMMISSIONER STERTZ: No.

11 VICE-CHAIR FREEMAN: Nay.

12 CHAIRPERSON MATHIS: Okay. We have approved the
13 tentative final map for congressional districts with
14 technical adjustments.

15 And we have Freeman and Stertz dissenting.

16 So now I guess -- I don't know if we can talk
17 about that other issue that came up or not as part of this
18 next item, which is discussion and possible action to
19 certify the legislative and/or congressional districts to
20 the secretary of state.

21 Is this an appropriate time when we can talk about
22 when -- where these maps are going to go from here, whether
23 to DOJ or U.S. District Court?

24 JOSEPH KANEFIELD: Madam Chair, I think this would
25 fall under the topic of legal advice. I think it's

1 appropriate to talk about it.

2 CHAIRPERSON MATHIS: Appropriate?

3 JOSEPH KANEFIELD: Appropriate.

4 CHAIRPERSON MATHIS: Not inappropriate. Okay.

5 Yeah, I -- this came up a long time ago. I
6 remember Mr. Freeman suggesting that -- bringing this up, I
7 think it was the state of Louisiana that had decided to go
8 the dual path and actually submit to both U.S. District
9 Court and DOJ as kind of a hedging strategy, I guess.

10 I'm not sure how that went for them.

11 But it seems like DOJ's involved either way.
12 That's, I thought, my understanding. But I would love to
13 hear other commissioner's thoughts or legal counsel as to
14 their recommendations and thoughts on this.

15 COMMISSIONER STERTZ: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Stertz.

17 COMMISSIONER STERTZ: This issue actually came up
18 at the interview process of the mapping consultants. That's
19 how far this goes back. So it's been in play.

20 I'd, I'd -- I don't -- I'd hate to -- I think the
21 word that Commissioner McNulty used was implicit.

22 As that that was implicitly or that there has been
23 a formulated implication that is, that is giving the
24 assumption of adoption that this was going to be the
25 process.

1 There has been no formal adoption of the process
2 or a submittal.

3 The DOJ has been used because the consultant hired
4 by this Commission, Bruce Adelson, was an ex-Department of
5 Justice individual.

6 So we were using that as the basis for -- a lot of
7 the discussion was DOJ criteria, but I don't think that
8 there was ever a -- it was never, to use your phrase,
9 implicitly determined that this was going to be a singular
10 application of the Department of Justice, or the D.C.
11 District Courts, or both, any time during the course.

12 Unless this was a hearing that and a motion that I
13 somehow missed.

14 I don't believe that I -- we find that anywhere in
15 the record.

16 And I have got a -- so I'd hate to give the public
17 the impression that there -- that this was an implicit
18 decision that was, that was part of our, our deliberations
19 that we were only designing this based on Department of
20 Justice application.

21 So, therefore, that leads me to the question is
22 that, that, where do we -- where does it lie in our -- in
23 the language, in our constitutional language, about where
24 the application needs to, needs to be submitted?

25 JOSEPH KANEFIELD: I'm sorry, Madam Chair,

1 Commission Stertz, were you asking where in the constitution
2 is the language?

3 COMMISSIONER STERTZ: I'm trying to determine if
4 there is -- what is the legal authority that is -- that
5 binds us or gives us implicit direction to submit this
6 solely to the Department of Justice.

7 JOSEPH KANEFIELD: Madam Chair,
8 Commissioner Stertz, there isn't.

9 COMMISSIONER STERTZ: Okay.

10 JOSEPH KANEFIELD: The constitutional requirement
11 is that the maps comply with the Voting Rights Act. And
12 within the Voting Rights Act, Section 5 preclearance
13 requirement can be done either through the administrative
14 process by submitting the maps to the Department of Justice
15 or by filing a declaratory judgment action with the
16 district court, federal district court, in the district of
17 Columbia.

18 COMMISSIONER STERTZ: Very good.

19 So, Madam Chair, there, again, so the discussion
20 dates back all the way through -- in fact, I recall having a
21 question that I, that I put to Mr. Kanefield when we were
22 going through the application process and how he responded
23 to it in regards to that.

24 I also recall the discussion taking place during
25 the interview process with Strategic Telemetry.

1 So I am -- I personally like the concept of, of,
2 of -- if there is a method -- mechanism of dealing with this
3 both in the courts and through the DOJ, I would be more than
4 happy to hear somebody tell me the reason why that wouldn't
5 make sense.

6 But I'd like to have some deliberations made about
7 that at the Commission level this morning.

8 COMMISSIONER McNULTY: Madam Chair.

9 CHAIRPERSON MATHIS: Ms. McNulty.

10 COMMISSIONER McNULTY: We have worked with
11 Mr. Adelson at great length to understand the preclearance
12 process at the Department of Justice. So when I say that it
13 was implicit that we were taking that direction, that's what
14 I mean.

15 It's undeniable that we've worked very hard to
16 understand the Department of Justice guidance and to ensure
17 that the maps that we drew complied with that and, to the
18 greatest extent possible, make a clear and compelling case
19 that they satisfy the Voting Rights Act.

20 Mr. Freeman has said here this morning that he
21 would prefer to go to the U.S. District Court for the
22 District of Columbia. That's because he's concerned that
23 that the Obama administration may have a predilection to
24 approve our maps.

25 I find that ridiculous.

1 However, I also find it a compelling reason that I
2 want to go to the Department of Justice rather than the
3 U.S. District Court. If there are commissioners on this
4 Commission that want to use a court proceeding to continue
5 an effort to derail the work of the Commission and to
6 prevent the maps from taking effect, then I am opposed to
7 that.

8 I am in favor of going to the Department of
9 Justice because that's -- that's -- that's a process that
10 we've worked hard to satisfy.

11 In the comments here today, I hear a motion -- I
12 hear a motivation that's not in the best interest of the
13 work that we've done or the citizens of the state of Arizona
14 for going to the U.S. District Court.

15 VICE-CHAIR HERRERA: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE-CHAIR HERRERA: You know, my concern has
18 always been, from the time this process started, making sure
19 that we try to save the taxpayers as much money as possible
20 and not to save spend it unwisely. And I would suspect that
21 going to the courts would be more expensive than going with
22 the Department of Justice. And, again, I don't want to
23 waste the taxpayers money. And if it's less expensive to go
24 with DOJ, I say we go to DOJ.

25 And not only that, but also the comments that

1 Commissioner McNulty made, I think they were right on, I
2 agree with her 100 percent.

3 So if you can answer that question for me, that
4 would be great.

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: I'm, I'm a bit, a bit
8 perplexed at Commissioners McNulty and Herrera who spent an
9 enormous amount of taxpayer money in the legal process
10 for -- and in the courts during the course of this process
11 to now say that the courts would not be the path of -- to go
12 down.

13 So. So, listen, the -- Madam Chair, the question,
14 I guess, is really for you.

15 What do you, what do you prefer to do?

16 Do you prefer to send it to DOJ or to the courts
17 or both?

18 And so that we can move past this debate so that
19 we don't keep going in circles.

20 Because it's going to be your decision.

21 CHAIRPERSON MATHIS: Ms. McNulty, do you have
22 something?

23 COMMISSIONER McNULTY: I don't think we have a
24 motion on the table, do we?

25 CHAIRPERSON MATHIS: No.

1 I would like to hear though from legal counsel
2 just on those two paths and your thoughts.

3 MARY O'GRADY: Madam Chair, we have been operating
4 on the assumption for several months that we would be just
5 going to DOJ, and so that's when talking about the
6 preclearance process and the time frame for submission and
7 how we would request expedited consideration.

8 In terms of the cost, yes, it would raise --
9 increase cost if we also go the litigation route.

10 Other states have gone down that path, but that is
11 litigation for a three judge panel in the District of
12 Columbia, so there would be increased costs involved.

13 And probably take longer than, you know, the
14 60-day time frame, because you are in a judicial proceeding
15 at that point.

16 So it's not a path that, you know, that we as the
17 lawyers have advised that the Commission go down.

18 VICE-CHAIR FREEMAN: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Freeman.

20 VICE-CHAIR FREEMAN: Just to address what I think
21 might be another misstatement on the record.

22 I recounted my experience on Monday, when I viewed
23 the Commission's hearing as a member of the public. And my
24 statement was that I think it would not be, it would be not
25 be unreasonable for a member of the public to have some

1 concern about what is transpiring with respect to compliance
2 with the Voting Rights Act.

3 We already -- we have a Commission that is
4 populated with five unelected and largely unaccountable
5 people who do this -- who engage in this redistricting.

6 We've all -- we've determined that the -- we now
7 have a court order saying the open meeting laws don't apply
8 to this Commission.

9 That there's been allegations of behind closed
10 door deals, deals that weren't made in public,
11 prearrangements on commissioners, outside of the public
12 view.

13 There's been allegations that districts were drawn
14 with laser-like precision to cut incumbents in and out of
15 districts.

16 I mean, all those things don't reflect well upon
17 the Commission in terms of the public perception.

18 I think public perception is important and we
19 should be concerned about it. Holding the confidence of the
20 public is in the best interest of this Commission.

21 So that is why -- that was the rationale I put
22 forward for supporting a submittal to the U.S. District
23 Court in the District of Columbia.

24 COMMISSIONER McNULTY: Madam Chair, just to
25 clarify the record, the constitutional open meeting

1 requirement applies to this Commission, and we followed it.

2 There have not been allegations of closed door
3 deals. There has been one insinuation that was made by
4 Commissioners Freeman and Stertz.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: You know, I agree,
8 Commissioner Freeman's going to keep throwing the kitchen
9 sink at us. I think he's part of making public record. And
10 he's not succeeding.

11 So what I want to do is let's, let's move forward
12 with the vote.

13 I mean, we have our, our legal counsel
14 recommending the path we should take. And that's the path
15 that I thought we were going to take from the beginning,
16 because I thought that that's what we were trying to do,
17 meet the voter requirements act.

18 And I am -- if Commissioner McNulty would like to
19 make a motion, if that's what is needed, let's move forward.

20 CHAIRPERSON MATHIS: Is a motion needed on this,
21 legal counsel, to proceed?

22 MARY O'GRADY: As Mr. Kanefield noted, last time
23 the Commission just put certification on and never had a
24 vote to submit it for preclearance.

25 It's our obligation to get it precleared or get it

1 approved through Section 5 for them to be implemented.

2 So we have, and according to the discussions of
3 the Commission so far, been I'm assuming that we would get
4 it certified to the secretary of state and then we would get
5 the submission in along the lines of the time frame that we
6 discussed at the meeting last week, working on it now within
7 the next couple weeks.

8 If we were seeking authorization to file a
9 lawsuit, we would have had that as a specific agenda item.

10 COMMISSIONER STERTZ: Madam Chair.

11 CHAIRPERSON MATHIS: Mr. Stertz.

12 COMMISSIONER STERTZ: If there's not going to be a
13 motion to the affirmative to move it through to -- for
14 application to the DOJ, you think that that's important to
15 get on the record, that, that there might be a split on the
16 Commission of the approach?

17 Because if there is, then I would -- then I think
18 that a motion might be considered for application to both
19 the DOJ and to the D.C. District Courts.

20 And if that motion then failed, at least it would
21 be put on the record.

22 COMMISSIONER McNULTY: Madam Chair, I think it is
23 on the record. I think it has been put on the record.

24 CHAIRPERSON MATHIS: Okay. Okay. So this agenda
25 item is discussion of possible action to certify the

1 legislative and/or congressional districts to the secretary
2 of state.

3 Any additional discussion on this matter?

4 COMMISSIONER McNULTY: Madam Chair.

5 CHAIRPERSON MATHIS: Ms. McNulty.

6 COMMISSIONER McNULTY: I move that the Commission
7 certify the legislative districts as described in the
8 document labeled final legislative districts and plan
9 components report, short format, that Mr. Desmond provided
10 to us today to the secretary of state and let the chair send
11 a letter to the secretary of state informing him of the
12 commissioners' decision and of the new district boundaries.

13 VICE-CHAIR HERRERA: I second that motion.

14 CHAIRPERSON MATHIS: Any discussion?

15 (No oral response.)

16 CHAIRPERSON MATHIS: All in favor?

17 VICE-CHAIR HERRERA: Aye.

18 COMMISSIONER McNULTY: Aye.

19 CHAIRPERSON MATHIS: Aye.

20 Any opposed?

21 COMMISSIONER STERTZ: No.

22 VICE-CHAIR FREEMAN: Nay.

23 CHAIRPERSON MATHIS: Okay. Then we have agreed to
24 certify the legislative districts and, and the plan
25 component report, short format, as we've been distributed

1 today.

2 And we have two dissenting, Freeman and Stertz.

3 COMMISSIONER McNULTY: Madam Chair, I move that
4 the Commission certify the congressional districts as
5 described in the document labeled final congressional
6 districts plan components report, short format, to the
7 secretary of state, and that the chair send a letter to the
8 secretary of state informing him of the Commission's
9 decision and of the new district boundaries.

10 VICE-CHAIR HERRERA: Second that motion.

11 CHAIRPERSON MATHIS: Any discussion?

12 (No oral response.)

13 CHAIRPERSON MATHIS: All in favor?

14 VICE-CHAIR HERRERA: Aye.

15 COMMISSIONER McNULTY: Aye.

16 CHAIRPERSON MATHIS: Aye.

17 Any opposed?

18 COMMISSIONER STERTZ: No.

19 VICE-CHAIR FREEMAN: Nay.

20 CHAIRPERSON MATHIS: Okay. We have agreed then to
21 certified the congressional districts according to the plan
22 components report, short format, as distributed today, and a
23 letter will go to the secretary of state informing him of
24 this decision, on both legislative and congressional.

25 And we have two dissenting on the congressional as

1 well, Messrs. Freeman and Stertz.

2 Okay. With that, we have the executive director
3 report with Mr. Ray Bladine.

4 RAY BLADINE: Madam Chair, the first thing that I
5 thought I would bring to your attention was last time you
6 asked for statistics on the meetings that we had and input.

7 And Kristina and Buck and Kristi have all -- and
8 Lisa have all worked to pull that together.

9 So I'd like to just give a minute and let Kristina
10 lead this part of the report.

11 KRISTINA GOMEZ: Madam Chair, Commission members,
12 first of all, I'd like to report on our new conference line.
13 As you remember on December 16th is when we first found out
14 that our original conference line had been canceled.

15 So right now we do have a new conference per
16 writer CenturyLink Conferencing as our official conferencing
17 service provider. This was initiated by the Arizona
18 Strategic Enterprise Technology, which is part of the state
19 of Arizona.

20 And I'd like to thank Mr. Kanefield for allowing
21 us to use his conference line the past few weeks.

22 So thank you so much for that.

23 Commission meeting statistics from March 31st,
24 2011, to January 13th, 2012.

25 In your folders you will see a table which has a

1 lavender header. That is a document that reflects meeting
2 dates, meeting places, sign-ins, request to speak, public
3 input, and mapping -- and maps submitted.

4 The total number of individuals who signed in to
5 one of our meetings is 1,831.

6 Total number request to speak is 808.

7 Total number public input, 290.

8 And total number of maps submitted is 78.

9 CHAIRPERSON MATHIS: Can you speak more directly
10 into the microphone?

11 Thank you.

12 KRISTINA GOMEZ: Sorry. This information is
13 comprised of the Commission meetings/business meetings and
14 all of our public hearings.

15 Can you hear me now?

16 Thank you.

17 Public meeting hours and minutes.

18 Total public meeting hours, and this is the table
19 with the green header, total public meeting hours, 298 hours
20 and 10 minutes.

21 Total breaks, 46 hours and 45 minutes.

22 Total executive session hours, 43 hours and
23 50 minutes.

24 Total public hours minus breaks, 249 hours and
25 46 minutes.

1 Now, this information does not include the
2 meetings -- the meetings from January 9th, 2012, and the
3 meeting on January 10th, 2012.

4 We did include a recent meeting this past Friday
5 on January 13th.

6 Next, is the total number of written public
7 comment that is our input.

8 As of Sunday, January 8th, we had a total of
9 7,300 written public comments that have been submitted to
10 the Commission.

11 At the request of Commissioner Herrera, as of
12 Friday, January 13th, we had 117 written public comments
13 from minority groups or individuals.

14 The -- we are currently working with our PIO, Stu
15 Robinson, on creating a press release which will reflect all
16 of these statistics on the Commission's continued outreach
17 activities and public participation, so we hope to get that
18 to you and have that posted on the website very soon here.

19 Also, just on a side note, binders, you will be
20 receiving one more binder. Sorry.

21 This binder was mailed on January 13th. This is
22 number, this is binder No. 18.

23 And this also includes a media binder for the
24 month of December.

25 And also currently the outreach, the community

1 outreach representatives are continuing to work on the
2 submission with legal counsel, with guidance from legal
3 counsel. So that's what staff is doing in the office right
4 now.

5 And Buck will present next on website statistics.

6 But if I may, Madam Chair, I'd like to thank staff
7 for all of their help, and Anna Garcia, Lisa Schmelling,
8 Kristi Olson, Shane Shields, Ilene Wilson, Buck Forst,
9 Kenya -- I'm sorry, I don't have her last name. Kenya, she
10 is our recent -- I'm sorry, she was just hired recently.
11 She's from the temp service.

12 I'd just like to thank staff for their hard work,
13 for their support. I'm sure you all saw this morning how
14 they all just chipped in and helped to set up for this
15 meeting.

16 But they are the ones that have helped create the
17 binders, kept track of every single map, public comment,
18 either by phone, by e-mail, fax. They're the ones who put
19 everything together. And I believe that we have not missed
20 one individual in this state who has submitted information
21 to this Commission.

22 We practically used -- we had gloves on when we
23 were dealing with public comment. That's how serious we
24 took it.

25 So I'd like to thank staff so much for their help.

1 I would also like to thank legal counsel and their
2 team for their continued support.

3 They've made it so easy for us. They've answered
4 our questions. They continue to support us. They're always
5 there for us. So thank you kindly.

6 Especially with the submission production, they're
7 helping us a lot on that.

8 The mapping consultant, I can't thank Andrew
9 Drechsler, Willie Desmond, Ken Strasma for their continued
10 help. We speak to them on a regular basis. We are all on
11 the same page going through public comment, meetings. It's
12 just been a wonderful experience working with them as well.

13 And I also like to thank Marty for his support and
14 for joining our team when I thought -- I didn't know if we
15 would have somebody on a regular basis helping us.

16 I'd also like to thank Ray for hiring me.

17 RAY BLADINE: You're welcome.

18 KRISTINA GOMEZ: Thank you so much for taking a
19 chance on me and bringing me along on this wonderful
20 adventure.

21 And I would like to thank all of my big bosses
22 here, Mr. Freeman, Mr. Stertz, Ms. Mathis, Ms. McNulty, and
23 Mr. Herrera.

24 And thank you so much for first of all for even
25 interviewing me. That was a wonderful experience. And I

1 was thought if I can get through this, I can get through
2 anything in life.

3 CHAIRPERSON MATHIS: And you did.

4 KRISTINA GOMEZ: So thank you all for allowing my
5 boss to hire me, so I -- this has been a wonderful
6 experience.

7 And I know you all have had people who have come
8 up here and said thank you so much for doing a thankless
9 job, but really thank you so much for volunteering and for
10 taking the time away from your families and your regular
11 jobs, for taking on such an enormous task for the entire
12 state, and for being so courageous throughout this entire
13 process. Thank you.

14 CHAIRPERSON MATHIS: Thank you.

15 COMMISSIONER STERTZ: Madam Chair.

16 CHAIRPERSON MATHIS: Mr. Stertz.

17 COMMISSIONER STERTZ: Before you leave the podium,
18 I'm not going to speak on behalf of the rest of the
19 Commission, but, but I think that when I say this I will be.

20 You guys have done a spectacular job.

21 And I applaud you.

22 I know that you're paid and we're the unpaid
23 volunteers, but we volunteered for this task, and we sort of
24 knew what we were getting ourselves into when we began.

25 But what's been burdened by and fallen onto your

1 shoulders, you guys have been a big shield for a lot of the
2 slings and arrows that have been shot at members of the
3 Commission. And you've deflected them, diffracted them, and
4 taken a bunch of them, and been able to withhold -- hold
5 your heads up high. So I want to applaud each and every one
6 of you for all of your tenacity and hard work.

7 KRISTINA GOMEZ: Thank you so much.

8 COMMISSIONER STERTZ: But one thing that I would
9 also like you to add to this list of hours is that this
10 doesn't include either the round one or round two public
11 hearings.

12 And the round one and round two public hearing
13 were 61 cities and thousands of pieces of additional public
14 testimony and hundreds of more public hearing hours that
15 aren't included in this.

16 I think Commissioner McNulty put it so fondly when
17 you said had said we spent 25,000 miles on public vehicles,
18 and including our vehicles we made a trip to the moon. I
19 found that very, very fun.

20 So that would be, if you are going to be putting
21 together a press release, those 61 outreach meetings that
22 took place were really extraordinarily strong because we
23 made outreaches to all four corners of the state.

24 And some meetings were attended by one of us, none
25 of us, and all of us.

1 So I think that would be important for the public
2 to have that knowledge as well.

3 And to my fellow commissioners, even though
4 there's been a sense of a level of discourse at sometimes,
5 it's been a pleasure serving with you on this Commission.
6 And I look forward to the remaining nine years, one month,
7 three days, and four hours left that we'll be doing this
8 again. And to legal counsel as well.

9 And to the iron man, Marty Herder, who I still
10 brag about, that went through a marathon in Scottsdale, at a
11 time when the public was at a -- it was at a very fevered
12 pitch, and we were able to get through 100 percent of the
13 folks that wanted to speak, and he unrelentingly without
14 break went from beginning to end.

15 And, Marty, you're a good man, Charlie Brown.

16 Thank you.

17 KRISTINA GOMEZ: Thank you.

18 COMMISSIONER STERTZ: Madam Chair.

19 CHAIRPERSON MATHIS: Thank you.

20 VICE-CHAIR FREEMAN: Madam Chair.

21 CHAIRPERSON MATHIS: Mr. Freeman.

22 VICE-CHAIR FREEMAN: I'm going to pull a
23 Commissioner Herrera here and just say I agree with
24 everything Commissioner Stertz just said.

25 CHAIRPERSON MATHIS: Any comments from anyone

1 else?

2 VICE-CHAIR HERRERA: Madam Chair, other than the
3 fact that this -- our staff has set pretty high bar for the
4 next staff that gets hired on, I think we did an amazing job
5 of outreaching and getting as many people to participate in
6 these hearings and also in the public meetings.

7 So, again, we set the bar high. And I think we --
8 that was our intention.

9 And I am happy with staff that we hired, extremely
10 happy.

11 And like Commissioner Stertz, I'm -- there's no
12 regret working with the Commission at all and the things
13 that I've done.

14 And, yeah, we've had our discourse, but I think at
15 the end of the day, we'll, you know, say we're going to
16 agree to disagree and see what happens.

17 And, again, I don't have a crystal ball, as well
18 as Commissioner Stertz, and I'm looking forward to the
19 elections, the next five elections under this map. And I
20 think they'll be competitive ones.

21 So, thank you.

22 Did I forget to thank anybody?

23 I think that -- oh, Steve.

24 And the man upstairs.

25 Thank you.

1 CHAIRPERSON MATHIS: Okay. Any other comments on
2 this?

3 KRISTINA GOMEZ: Next we'll have Buck Forst
4 reporting on our website.

5 CHAIRPERSON MATHIS: Great.
6 Thank you, Ms. Gomez.

7 BUCK FORST: I'll be quick --

8 THE REPORTER: Can you speak into the mic, please?
9 (Applause.)

10 BUCK FORST: I had that one coming.

11 BUCK FORST: So, you know, I just want to show
12 some website statistics.

13 These are -- this is just the state of Arizona.
14 As you can see that during the past month we've pretty much
15 reached every possible corner of the state of Arizona, in
16 terms of people visiting our website.

17 Back up a little bit here. You can see that we've
18 actually hit quite a few states are visiting our website in
19 the last month. Actually pretty impressive.

20 And one of the other statistics I would like to
21 show for the streaming statistics, we've got 1.2 terabytes
22 of stream we've sent over just in 2011 alone. The average
23 view per stream is 36 minutes.

24 And then like Mr. Bladine said, we had
25 28,000 miles driven in 2011. I can account for 4400 of

1 those in October alone.

2 On the e-mail newsletter, the most popular
3 ZIP codes we have signed up for our ZIP are available
4 online, 85006 that's 26 percent of the total, that's
5 somewhere in the I-10 and 101 right there.

6 And these will all be available online, by the
7 close of business Tuesday.

8 So, that's it.

9 Thank you very much. I appreciate everybody.
10 Have a great year -- ten years.

11 CHAIRPERSON MATHIS: Where are you going?

12 BUCK FORST: I don't know yet. I'm taking a
13 break.

14 CHAIRPERSON MATHIS: Mr. Bladine.

15 RAY BLADINE: I will be quick too. Since Kristina
16 did such a great job of thanking the people that needed to,
17 I won't go back over that.

18 I'll first just hit a few things. That as you all
19 know, we have a report due to JLBC on Friday. We're working
20 on that. I'll meet tomorrow again on a potential budget for
21 fiscal year '13, so that will be coming up.

22 Kristina talked about the staff assistance to pull
23 together the submission.

24 And we, of course, will be working on that.

25 I have one final project that I also need to get

1 out for Commissioner Freeman, and I'll do that in terms of
2 an information request that he made sometime ago, and I have
3 been derelict in not responding it to quicker. And I'll
4 make sure that all of you are informed, and we'll work that,
5 we'll work that out.

6 I guess finally I'll do my thank-you by saying
7 some suggested a cake. We have cupcakes. So we can all go
8 eat cake to celebrate.

9 I also think it's appropriate to thank everyone's
10 family.

11 All of us have put stresses and strains on our
12 family. The most obvious one we all know about is Laura
13 Freeman who is managing to -- trying to have a baby and had
14 a husband who kept running away. And I am glad to see we'll
15 get to meet them all here later.

16 But I know that from the driver of the chair, and
17 all of us, our of our spouses have really -- I can't keep up
18 with that.

19 I'm just going to quit.

20 Last thing is I've heard the comment about you
21 leave this with joy, and I guess at this point it's joy that
22 it's over, and I'll go back to retiring as soon as I feel I
23 can.

24 But the second part is I hope that when you all
25 hired me, I said my goal would be to try to make this as

1 easy for you as possible.

2 This sure hasn't been easy for any of us, but I
3 hope I didn't make it worse, that I helped get through what
4 we all went through. It was a tough road.

5 I doubled support, as Kristina said. We were just
6 blessed to get a staff that fell into place and worked
7 extremely well.

8 Our biggest problem is going to be saying goodbye
9 to each other over the next several months as we close out
10 and move people on. But it's certainly been my privilege to
11 work with all of you.

12 I told the chair a few weeks ago, and I thought --
13 I think she thought I was nuts, but if I were asked to do it
14 again, yes, I would.

15 So, thank you all for your courtesies to me and
16 the staff.

17 And we will be around, and we'll try to finish
18 this up the best we can. And it's been quite a trip. Thank
19 you very much.

20 And I would answer questions if someone wishes to
21 ask any, but the cupcakes might be better.

22 CHAIRPERSON MATHIS: Any questions for
23 Mr. Bladine?

24 (No oral response.)

25 CHAIRPERSON MATHIS: Okay.

1 And we have no plans, there are no current plans
2 for future meetings.

3 Is that correct?

4 RAY BLADINE: No, Madam Chair, no, there are not
5 any current plans, so. . .

6 CHAIRPERSON MATHIS: And if we need them, I'm sure
7 legal counsel will let us know.

8 RAY BLADINE: I figure when we have a need, we'll
9 contact all of you and let you know what it is and then try
10 to schedule. But maybe we'll give you a break from that
11 exercise for a while.

12 CHAIRPERSON MATHIS: Okay.

13 I don't want to talk too much because I'll get too
14 emotional about it.

15 I already am.

16 So I echo everything each of my fellow
17 commissioners said, and everything Kristina said and
18 everything Ray said.

19 I'm extremely proud of all of you.

20 RAY BLADINE: Thank you.

21 CHAIRPERSON MATHIS: And thanks for getting us
22 through this. I think the mold was broken after Ray came
23 into the world.

24 And everyone on that staff is, as I said on
25 December 20th when we approved tentative final maps, which

1 was really exciting, that they're all extremely nice people,
2 and that includes our -- the team we've put together, the
3 legal counsel, the mapping consultants. Everyone who's
4 helped this Commission has been extremely kind to the
5 public, to us, to everyone. It's been -- that's probably
6 the thing I'm most proud of.

7 So thank you.

8 RAY BLADINE: Thank you.

9 CHAIRPERSON MATHIS: And I also want to thank the
10 public that came to all these meetings, because without you,
11 we couldn't do this.

12 And that was the key to everything, is hearing
13 your input and being able to understand what communities of
14 interest meant to you, and all the other constitutional
15 criteria. And you gave us great guidance, and we appreciate
16 that. That was very important.

17 And so thank you for coming to those hearings, for
18 coming to these meetings, all of it, and for participating
19 online.

20 And I think with that those are my only comments.
21 So thank you very much, everyone.

22 I don't think we have anything else on the agenda.
23 Is there anything from legal counsel that we need?

24 (No oral response.)

25 CHAIRPERSON MATHIS: Okay.

1 And I want to also thank the iron man, as I'm
2 making eye contact with him now. He's just been amazing.

3 You know, we went through a few court reporters, I
4 have to admit, this Commission, early on. I don't think
5 they liked us very much.

6 I don't know why they wouldn't like us, but they
7 didn't. And so we're grateful that there was one that did
8 like us and stayed with us. We really appreciate it, and
9 thanks to Michelle too and your team who helped us early on.
10 We appreciate it.

11 So with that, let's see the time. Cupcakes away.
12 It's 11:26 in the morning, and this meeting is adjourned.
13 Thank you.

14 (Applause.)

15 (Whereupon, the meeting adjourned.)

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

4 BE IT KNOWN that the foregoing proceeding was
5 taken before me, Marty Herder, a Certified Court Reporter,
6 CCR No. 50162, State of Arizona; that the foregoing 96 pages
7 constitute a true and accurate transcript of all proceedings
8 had upon the taking of said meeting, all done to the best of
9 my skill and ability.

10 DATED at Chandler, Arizona, this 23rd day of
11 January, 2012.

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C. Martin Herder, CCR
Certified Court Reporter
Certificate No. 50162

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