ARIZONA INDEPENDENT REDISTRICTING COMMISSION

October 3, 2011
9:15 a.m.

Location
Fiesta Resort
2100 South Priest Drive
Tempe, Arizona 85282

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

Raymond F. Bladine, Executive Director
Buck Forst, Information Technology Specialist
Mary O'Grady, Counsel, Osborn Maledon

PREPARED BY:
AZ Litigation Support, LLC
Michelle D. Elam, CR
Certified Reporter
CR No. 50637
CHAIRPERSON MATHIS: Good morning. This meeting of Arizona Independent Redistricting Commission will now come to order.

Today is Monday, October 3rd, and the time is 9:15 in the morning.

Let's all begin with the Pledge of Allegiance.

(Pledge was recited.)

CHAIRPERSON MATHIS: We'll begin with roll call.

Vice Chair Freeman.

COMMISSIONER FREEMAN: Here.

CHAIRPERSON MATHIS: Vice Chair Herrera.

VICE CHAIR HERRERA: Here.

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER MCNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

COMMISSIONER STERTZ: Here.

CHAIRPERSON MATHIS: We have a quorum.

Other folks around the room today are legal counsel, Mary O'Grady and our mapping
consultant, Willie Desmond.

We have a court reporter, Michelle, taking an accurate accounting of today's record and Buck Forst, our chief technology officer.

Ray Bladine is our executive director.

In the back we have Stu Robinson, our public information officer and Karen, a public outreach coordinator.

So I think that covers all of our staff that's here today.

Our next item on the agenda is review, discussion, and direction to mapping consultant regarding the development of the congressional draft map based on constitutional criteria.

For those of you following us, you know that we spent a lot of time on the congressional map last week.

At the beginning of the week I had put together what we're calling the everything bagel, which essentially takes elements from the different maps that we had been creating, these what-if scenarios, and trying to put them onto one map so that all of us could begin looking at one map and working from that instead of a bunch of different ones.
So I had given the commissioners the challenge essentially to fill in the Maricopa County area. I left that purposefully blank, unassigned, so that that would allow for some flexibility for folks to be able to carve that up.

And commissioners made valiant attempts last week to do so, and I appreciate everyone's efforts in that regard.

But at the end of the week, ultimately we still had a map with some issues. And then we got some public comment that confirmed even more issues that people were having with the maps.

And at first I thought, well, this is great. If nobody is happy, that means we did something right. But there are some things that I looked at over the weekend that I wanted to address.

And so poor Mr. Desmond got to spend some time at 3:00 in the sending the results of that work. And I've had a chance to look at the splits report but, unfortunately, I wasn't able to get it to all of the commissioners earlier.

But you see in front of you a map that looks a little different from the one that we had on Friday. You should have both Friday's version as we left it and then Saturday's -- I'm sorry, the
weekend -- this new Monday-morning version that has been now created.

So let me -- I thought it would be -- make some sense to walk through that first so that we could -- I could talk to you about what changes you see on this October 2nd map.

And bear with me, because as I think all of you know, even though we had left that donut hole open and available for people to carve up, when you do that, there's other things that get affected. There's just kind of no way to do it cleanly.

And the commissioners were challenged last week, because they weren't allowed to change the framework and the rest of the lines. They were only to work within that center section.

So over the weekend I took the liberty of making some adjustments because based on public comment and what you have to do in order to fix things on this map, it did require adjustment of the framework.

But since I came up with the framework, I figured it was okay if I break my own rule and adjusted the framework accordingly.

So let's walk through this a little bit.

To recap, I created a map that borrowed
elements from the whole counties what-if and the river district what-if. Those two what-if scenarios, and wanted to incorporate the idea of three border districts into it. And that's something that we've heard in public comment. It's also something I know Commissioner Stertz was interested in.

As you may have heard Mr. Herrera on Friday suggested that Mr. Stertz has been wanting since he was a baby.

I have to be honest, I haven't wanted it since I was a baby. I hadn't even thought about it until it came up earlier when we started doing congressional maps. But I did think it was a good idea. The more I thought about it, I think having an extra voice in Washington on border issues -- and no matter how you feel about border issues, it drives much of the political discussion in our state. And so to me, having an extra voice in Washington is not a bad thing.

So we've got these three border, two mostly rural districts that came from public comment. Folks in the rural areas, you know, would love to have pure rural representation. They would love a rural representative on our Commission.
Unfortunately, that didn't happen this time.

And we've been sensitive to, you know, all public comment. And those are some things that we wanted to incorporate into the map. I think all commissioners felt like rural districts were a good idea.

The challenge is there's no way to have a purely rural district. To come up with 710,000 people in each of the districts, which is our -- one of our requirements, there's no way to do that without going into and touching some urban areas. But we wanted to do that to the minimal extent possible.

However, we did -- we managed to come up with something that I think, you know, does represent some pretty large rural areas. The river district on the left-hand side and then the rural district on the right.

And since the outside of the bagel map essentially came up with a competitive rural district, based on the numbers, and a competitive Metro Tucson district, I had given the challenge to commissioners to see if we could strive for a competitive Metro Phoenix district.

And Ms. McNulty did last week propose,
for those of you following along, I'm sure you recall, that District Number 9 was one that she came up with in terms of developing a straight-up 50/50, no built-in inherent advantage for Republicans or Democrats, and that district is District 9 on this map.

So that's kind of the recap of where this map comes from, just to bring us all back to what started it all.

We got a lot of public testimony on Thursday and Friday and even over the weekend a little bit and had some really good discussion, too. And so I sought to incorporate ideas from some of that public testimony as well over the weekend, but to still kind of keep it within the framework that we had created last week, and that was challenging.

So some lines did have to move a little bit, but I think I managed to create something that still is the framework but that also incorporates a lot of that public comment that we heard the other day.

So let's start in the Mesa area, since that was where we kind of were last Thursday and Friday, trying to make Mesa make more sense.

I don't know -- sorry, Mr. Desmond.
WILLIE DESMOND: Sorry, I just need one minute more to get everything.

CHAIRPERSON MATHIS: I'm just going to talk until -- and you guys can see it when it comes up.

You have a hard copy in front of you, sort of the general sense.

But as you will recall, Mr. Stertz came up with an idea for that metro area last week. And we tried that in the map. However, in working within the constraints I had given everybody, Mesa was split three times, and none of us likes that and we all wanted to make it better. It was just how do you do that.

And I have to say in order to do that, I did have to make some minor adjustments to District 9, which was the competitive district that Ms. McNulty came up with, but I think I was able to maintain the integrity based on the splits report and numbers I got in the middle of the night because it's still, according to the different averages, around 48.7, 49.6 in terms of competitiveness. So that number is still holding pretty well.

But to just show you what happened, I had to take number 9, that competitive district, which
is Metro Tempe, Ahwatukee, a little bit of South Scottsdale and a little bit of Mesa, a tiny bit east into Mesa -- and we'll pull up where exactly that line is -- and then I had to move the line in South Scottsdale down to accommodate for that population. So the previous border there was Chaparral and now it's Thomas.

And then there's a minor adjustment to the Phoenix part of that. So maybe we can see --

What's the line, Willie, between 5 and 9 in Mesa, that actual street level?

WILLIE DESMOND: The actual street level between 5 and 9 in Mesa.

CHAIRPERSON MATHIS: I think it's messed up because they are different -- the tag numbers are -- no, it says 5 and 9. I'm sorry. That's right.

WILLIE DESMOND: It's Stapley Drive.

CHAIRPERSON MATHIS: Okay. And I can't remember, Ms. McNulty, where yours was before.

COMMISSIONER MCNULTY: I think it was -- it was west of there because we had -- the first iteration it was right down the middle of Chandler and I had moved it west I think to Mesa Drive to avoid that. So it's just east of that.

CHAIRPERSON MATHIS: But the eastern
boundary --

COMMISSIONER MCNULTY: So the eastern boundary is now Stapley and I think before it was West Mesa Drive.

CHAIRPERSON MATHIS: Okay. So I'm not sure how many tracts or streets over that was, but anyway, it's slightly over. But it allowed us to incorporate most of Mesa into a district that I think makes more sense than the other one did because that one is split up three times -- or split Mesa three times.

And Scottsdale, that boundary in South Scottsdale boundary that's in 9 changes, as I said, from Chaparral down to Thomas. So there's a little bit of -- less of Scottsdale in there.

So let's see. What's the next thing that would make sense to talk about on this map.

VICE CHAIR HERRERA: Madame chair.

CHAIRPERSON MATHIS: Oh, go ahead, Mr. Herrera.

VICE CHAIR HERRERA: Which -- what map were looking at? We have two different versions. One created on 10/1 and one created on 10/2.

CHAIRPERSON MATHIS: 10/2. 10/1 is the one that actually is what we left with on Friday.
VICE CHAIR HERRERA: Okay.

WILLIE DESMOND: Just to clarify, 10/1 was the one on Friday, but with -- I changed it to give zero percent population deviation.

CHAIRPERSON MATHIS: Right.

WILLIE DESMOND: So there's some minor tweaks so that all of the populations have equal population.

CHAIRPERSON MATHIS: Right. We had given Mr. Desmond the authority to do some cleanup that would allow for zeroing out population. And that's what he did. So thank you for bringing that up.

So that was 10/1 version that you have in front of you, which is essentially what we left with on Friday, and then 10/2 is this new one.

So I want to make sure I've covered everything on this Mesa thing that I did.

Okay. So essentially, though, this keeps District 5 a compact East Valley district that makes I think a lot more sense in terms of communities of interest together.

On District 6, just to the north of it, the Commission received some testimony on keeping Scottsdale as whole as possible. At one point it was split I think four ways, but now District 6
keeps all of Scottsdale north of Thomas Road in one district. It also includes Paradise Valley, Northeast Phoenix, Anthem, river -- New River, Cave Creek and Carefree.

There was some testimony about not splitting Cave Creek from North Phoenix, and this map accomplishes that.

And I recall Commissioner Stertz using I-17 as a boundary and used kind of a vertical orientation, and I incorporated that into this because I think that's a good -- makes a lot of sense for an east -- for a north/south divider. And that comprises most of the boundary between 8 and 6.

So moving to the left, District 8, it's -- this makes more sense, I think, from a communities of interest standpoint and it's also more compact and cleaner lines. But I was able to create a district that primarily is the northwest corner of Maricopa County between I-10 and the Yavapai County line.

And this district, it keeps Surprise whole, which we got some public testimony on. And in addition, the whole Sun City, Sun City West, El Mirage, Litchfield Park, and Citrus Park are kept whole in this district.
Glendale, Buckeye, and Goodyear is kept in two districts, as requested, and the entire Maricopa County portion of Wickenburg is also in that district. So you can see that on the map.

So that's sort of the Metro Phoenix upshot. And we can obviously look at some of those boundaries closer as you desire, but that's sort of a summary of what happened there.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Yes, Mr. Herrera.

VICE CHAIR HERRERA: There appears to be a change in District 1. I think it appears to be Sedona, this area.

Am I correct?

CHAIRPERSON MATHIS: Yeah. Yes.

VICE CHAIR HERRERA: Can you please explain what happened?

CHAIRPERSON MATHIS: Yes. If you don't mind, I was just covering Metro Phoenix and then we'll move into the other parts.

VICE CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: So the big change you see on this map besides Metro Phoenix area is, of course, along the border. It looks different. There's now something that looks like the state of
Louisiana for District 2 and that's different from what it was.

But what happened is, you know, we got a lot of input from the Hispanic Coalition for Good Government and they had submitted proposed lines to us that we had incorporated into the everything bagel map on the west-hand side, but the eastern side of it where Metro Tucson is, I had used whole census tracts starting at the border, moved up through Santa Cruz and then took essentially the I-19 and then I-10 and used that as boundaries in my previous everything version.

In doing that, it took some communities in the Tucson corridor, in the urban area, away from District 3 and put them into 2. And Hispanic Coalition for Good Government, even though our numbers I thought looked good from a voting rights' perspective we have to maintain certain levels as everyone knows in terms of Hispanic voting-age population.

And we had done that. We had actually increased it on that previous version. It went up significantly; however, there's more to it than just HVAP. You have to look at a bunch of different things and what voters you're replacing and what
voters you're bringing into the district in order to
ensure that you're not going to have a Section 5
violation of the Voting Rights Act.

So I used -- I moved back the line so
it's very close to what it was in the Hispanic
Coalition for Good Government map. So it doesn't
follow I-10 anymore, the way it did, but it's still
-- it's following a little bit. And it brings them
back -- brings back in some of those urban Tucson
areas.

As everyone knows, my primary goal in
this, and I've stated it a bunch, is that we are
going to achieve preclearance, I hope, on the first
try.

And so we can't have a voting rights
violation of any sort. And so I wanted to ensure
that we look at those. And I appreciate the input
we received on it and think that by essentially
putting the University of Arizona area back into --
into District 3 and Campbell -- North Campbell
becomes kind of the boundary there.

And looking at the numbers as they come
in, it's looking like we're still pretty good. The
HVAP did go down a little bit from the previous
version, but it's still higher than the --
Let's see. Let's look at the -- I've got some analysis from -- the HVAP in District 3 from the previous version of the everything bagel went down slightly. So it was 55.3 in the first version and now it's 54.9. But more of Pima County is -- population is in District 3 than it was before. It went from 203,000 in the previous version and now we're back up to 221,000.

So I think those changes will hugely impact the whole -- the voting rights side of this and prove, you know, the situation that we've been hearing about over the weekend. I'm hoping so, and I look forward to getting more feedback on it.

The next -- let's see. Oh, and as -- District 7, it reaches into -- oh, no, I'm sorry. District 3, the boundaries up in the Maricopa area are taken back down a little bit because we moved back into Tucson. But in moving back into Tucson, there are ripple effects. So that forces us to create what I said was kind of this Louisiana-shaped district, too.

We had to go into Cochise County. So now what's interesting is before we kept Cochise County whole, now we are keeping Santa Cruz whole. So there's a trade-off there. But we heard some
testimony from folks in Cochise. Cochise, the portion that you see in there in District 2 now, some of that is in the current district and so -- and those people I think will -- you know, I think we'll see.

I mean, I'm hoping that if we can take this out on the road, that public comment will tell us. Folks in Cochise will say what they like and don't like about that. But essentially now Cochise is split and we still were able to maintain a border district by having District 1 come all the way down to the border.

And I'm trying to think what else about -- oh, so you'll also notice there's a difference with the whole Saddlebrooke area, which is also some areas we got some input on.

I'll get to that. A lot of notes.

So the idea of combining Marana and Oro Valley with the rest of the I-10 corridor, particularly Casa Grande, we heard -- we initially had heard testimony and we thought that those folks all looked to the south and kind of viewed their communities of interest and their interest in going south, but then we heard later that actually they are growing to the north into Pinal County.
And so they have also made a lot of compelling cases about keeping Marana, Oro Valley, Saddlebrooke together as a community of interest, that would benefit from common representation.

So there's a shift there. And instead of them being in 2 now, they go into District 1. And you can see District 1 dips down.

It does reduce a split in Pinal County because before we had it going up and Saddlebrooke came -- coming down into 2, but now Pinal is coming this way.

And let me talk about Pinal a little bit because that was some great testimony I thought we heard last week.

Those folks made a very compelling case. In the previous version of the everything bagel map, they were split into five different districts. And they only -- there's about 375,000 people in that county. So they need to make up essentially another half in order to be a full district. And they are growing quickly and they've grown I think a hundred percent in the last ten years. So -- and it's clear they will continue to grow being between those two cities of Tucson and Phoenix.

And they came in and they weren't happy
last week, and I don't blame them. They talked about how they are being split so many different ways and how can five different congressional representatives do them justice, essentially.

So the great benefit in dealing with Maricopa the way I did and the border the way I did, it allowed us to actually reduce the splits in Pinal.

There are three splits that you see, but one of those splits is only to keep an Indian reservation whole and it represents very few people. So it's the Tohono O'odham Reservation, which you see comes into 3 a little bit.

But fundamentally, this map splits Pinal County into two districts, 4 and 1 and the population split is nearly 50/50 between those two, which I think Mr. Herrera brought up last week in order to try to equalize populations between those rural districts would be a good thing. And I think this does that.

So there was this great added benefit that really came from making these other adjustments.

So let's see. Let me just make sure I stated which towns are where so that everybody
knows. And you can probably tell on the map if we look at Pinal.

So half of Pinal is into District 1 and includes the town of Coolidge, Casa Grande, Eloy, and Maricopa as well as the entire Gila River Indian Community and Ak-Chin Reservation. And that also satisfies some public comment we received from the Navajo Nation Human Rights Commission last week who requested that that reservation, Gila River Community, be put into CD 1. So that's where it is now.

I'm trying to see what else. If we can look at the Gila County area, too, since that's up --

Commissioner Freeman had the idea last week of moving the nonreservation portions of Gila from District 1 to District 4 to increase the percentage of rural population in District 4, and yet I heard Ms. McNulty also talk about how that -- she had concerns that that was going remove the towns of Globe and Miami from the rest of the copper corridor, particularly in rural Pinal.

So this map moves much of the nonreservation portions of Gila to District 4 but the southern portion of the county is kept in
District 1 to keep the copper corridor intact.

So I'm hoping I'm meeting both those notes from the commissioners last week.

And then if we could talk about the part Mr. Freeman, that Mr. Herrera brought up that he has a question about, that Verde Valley area.

I'm not sure why on 10/1, the map is showing the way it is on -- between 1 and 4 because I had requested when I had created the everything bagel version for Mr. Desmond to follow the river district version map line all the way down to the Maricopa County border, but I can tell on this version from 10/1 that it's not like that. And I thought we had made that change where the river district -- I had said we're going follow the river district line between 1 and 4 all the way down to the Maricopa County border.

WILLIE DESMOND: What happened was that that moved I think an additional 19 or 29,000 people away from District 4, which just kind of exacerbated the problem of it missing population.

So I think one of the first steps we took as a group to try to make up that 210,000 was to undo that change and just follow the county line before.
So that was a change for a while but then got changed back when we tried to start with fixing District 4 before filling the donut hole.

CHAIRPERSON MATHIS: Okay. I hadn't realized that.

So now this line -- so what is it -- let's see what it's doing now.

WILLIE DESMOND: So now it just grabs Sedona and then Camp Verde and then Lake Montezuma.

CHAIRPERSON MATHIS: Okay. Yeah, I hadn't realized that that had changed on the 10/1 map because I thought it was the way it was on the river district map.

So as you can see, changes had to be made. This is what's -- it's incredible when you start just changing things even minutely what it does to all of the other districts and they all end up having to be impacted. And I think commissioners noted that last week and felt a little bit like, okay, we can fill in the donut hole map, but if we're not able to move the other lines, it's kind of -- it's not really that helpful because other lines do have to move if we're going to satisfy all of the public comment that we received.

And granted -- again, this is a
compromised map. This is something that is trying to bring in as much of the public comment that we've received to satisfy the different requests, to also satisfy the two majority-minority districts and also yet keep three border districts.

So the framework is intact as it was last week, but the lines have changed. And so I would just open this up for comment from other commissioners to see what they have to say about it.

And I apologize, again, for the lateness of this. It's almost like being in school again where things gets done in the deep of the night because you just run out of time. It takes a lot of time. And then Mr. Desmond had to take everything I did and run the reports on it.

So I appreciate, again, his efforts to have this in front of you this morning.

It's a lot to digest.

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER MCNULTY: I have a question for legal counsel.

What is our HVAP benchmark in District 3?

Maybe Mr. Desmond has the answer to that.

WILLIE DESMOND: I'm pretty sure it's
COMMISSIONER MCNULTY: Okay. Thank you.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: And the benchmark for 7 was 57.45, just to confirm?

WILLIE DESMOND: That's correct.

VICE CHAIR HERRERA: Thank you.

COMMISSIONER MCNULTY: Would you say that again, Mr. Herrera.

VICE CHAIR HERRERA: 57.45 was the benchmark for 7.

CHAIRPERSON MATHIS: I'm open to constructive criticism.

UNIDENTIFIED SPEAKER: Madame Chair, since we have a pause here, can we get that posted up in -- you're talking about stuff we cannot see. We might as well not be in the room.

CHAIRPERSON MATHIS: Sure. I'm sure that it will go up -- and Buck is nodding his head yes.

WILLIE DESMOND: Buck has it. He's in the process of uploading it right now.

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: First of all, I want
to thank you for the considerable amount of time you
no doubt put in on this, and we all -- since we're
all trying to do this, it is time consuming, at
times very tedious, at other times it's kind of
addicting. When you move the tracts around and one
thing affects another and then all of a sudden
three, four hours have gone by and -- or the sun has
set and the sun has come up.

It is a lot to digest.

I also appreciate your efforts to
incorporate the public comment, as you called out,
on a number of these changes.

In terms of the information regarding the
voting rights' compliance, I mean, I think we
perhaps should get some input on that to see what
the Hispanic community thinks of these new proposed
lines.

Also on the competitiveness issue, I
still -- I still don't completely understand the
measures that we're getting on reports and how they
are generated. And, of course, I'm always looking
for more data and more robust data set on that.

So I would like to spend some more time
looking at those numbers as well.

But on the whole, thank you for putting
this together and I would just like to study it more.

WILLIE DESMOND: And if I could just say Ken right now -- I called him at the beginning of the meeting -- he's working on documenting what goes into the different competitiveness measures.

As soon as he has that ready, he'll send it to me or Mary and then we'll distribute it and make sure it's part of the record and goes on the website so that everyone can understand what goes into those.

CHAIRPERSON MATHIS: Great.

VICE CHAIR FREEMAN: That sounds helpful.

CHAIRPERSON MATHIS: Comments from other commissioners?

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Mr. Desmond, is that -- when you're saying that the compilation -- that's currently the 2008, 2010 out and the algorithm that's attached to that?

WILLIE DESMOND: It's 2008, 2010 and in some cases, registration and the algorithms that are attached that blend those together, different appropriations and different ways.
So form -- I guess there's three measures that you guys have been looking at so far, and, obviously, you haven't voted on one above the other or haven't picked a competitiveness measurer.

Our intent has been so that you guys can use them as a relative measure to compare plans against one another.

But there's the one that comes on the -- like the data table sheet and that is one blend of those results and then there's two more indexes that come on the competitiveness sheet that's at the end of your packets on the competitiveness report. That's on the website. And those are two different blends. One takes into account registration also.

So Ken will document exactly how those are formed and we should have that hopefully by no later than this afternoon.

COMMISSIONER STERTZ: Thank you.

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER MCNULTY: So this will be available for us to look at more closely perhaps during a break today?

WILLIE DESMOND: The compilation of the competitiveness or this --
COMMISSIONER MCNULTY: This map.

WILLIE DESMOND: Yes. Buck is working right now I believe to get this posted, and I have the full export, so I can copy over block equivalencies or any other format to your guys' computers, if that's helpful but whatever you need to look into it.

COMMISSIONER MCNULTY: Okay. I think that would be helpful.

CHAIRPERSON MATHIS: I would like, commissioners, though I've got say, to -- I'm going to emphasize first this is a draft map. We are going to be taking this on the road for three weeks, at least, to public comment.

I would like to get something adopted as soon as possible. I feel like we've had a lot of time to study this, but I can appreciate how this is new this morning and you want to look at this further.

But I'm hoping that perhaps this afternoon after there's been some time to digest it a little further that we can actually move forward with this congressional map.

I think it represents a good compromise of all of the different competing factors. It's
based on constitutional criteria that we all used to create our what-if scenarios as well as then additional public comment that we incorporated from last week. And it meets that framework of two rural, three border. It splits Pinal a whole lot less than it was split.

And I think it's a good map, and so that's my take. And I would hope that maybe we can think about this today and do something on it later today and actually adopt it, if possible.

But regardless, we -- the next item on the agenda -- and I know, Mr. Herrera, you're going to need to step out for a while; is that right?

VICE CHAIR HERRERA: That is correct. I'm actually leaving now. So what I'll do is once the meeting is over, I'll be back. Hopefully sometime before lunch.

CHAIRPERSON MATHIS: Okay. Lunchtime.

COMMISSIONER MCNULTY: Madame Chair, before we move on, could I ask Ms. O'Grady a question?

CHAIRPERSON MATHIS: Sure.

COMMISSIONER MCNULTY: I think you were looking at the Voting Rights Act issues vis-a-vis the donut hole iteration.
Could you just talk a little bit about that and about this -- sort of the relative -- your thoughts about them.

MARY O'GRADY: Sure, Commissioner McNulty.

We have been looking at the voting rights' issues, comparing the districts to the benchmark, as the chair said. The benchmark district and also looking at the input we've received from the Hispanic Coalition and comparing it to their maps, not just on the surface -- both in terms of the minority numbers in those districts, the voting-age minority numbers, but also looking at how the districts are constructed. Because particularly District -- what is new District 3 on these maps is a combination of various Hispanic populations in different communities. So looking at the relative strength of those -- relative representation of those areas in the maps.

And what this does is, again, raise the Hispanic percentage in the new District 3, maintains -- essentially maintains the Hispanic representation in the District 4, the urban Maricopa County district and it also retains the core of those areas in terms of the Hispanic population in
Tucson and in Yuma and in Maricopa County.

    So I know there was testimony Friday expressing respecting concerns that the voting rights' analysis isn't done yet, but certainly in terms of fulfilling our constitutional obligation at this point in the process, we have satisfied both in terms of our state constitutional responsibility to make sure that we have considered all of these factors and considered compliance with the Voting Rights Act.

    And so at this point, I think this is something I'm comfortable saying, that we would avoid retrogression. Certainly we want to do a deeper analysis and certainly that will continue, but it satisfies I think what's necessary at this stage of the process.

    And just kind of drifting into the constitutional obligation at this stage in the process, as the chair said, this is a draft and your obligation at this stage is to adjust that grid map based on the state constitutional criteria, all of them, Voting Rights Act compliance, which you have been doing, equal population, compactness, contiguity, communities of interest, geographic features, cities, and towns, et cetera, and
considering competitive districts -- favoring competitiveness districts where it isn't a significant detriment to the other factors. So you have been considering all of those.

There was also testimony Friday about the competitiveness analysis and how that may still be refined by adding older, like 2004, 2006 data, and that can certainly happen.

It doesn't detract from the fact that the Commission is fulfilling its constitutional responsibilities at this phase, but considering competitiveness as it constructs these maps and as it adjusts the grid.

So overall, I'm comfortable at this stage with both the voting rights' issues that are raised, also certainly we'll continue to look at that and then the Commission can continue to look at that and in terms of the Commission's effort over the past several months to consider all of the constitutional criteria in constructing that. Not that you all agree, but as the Supreme Court said, commissioners may differ on how those apply -- are applied and how these competing factors are put together in developing a map.

That's probably more than you wanted, I
think, but at this point I think it addressing some
those issues.

   CHAIRPERSON MATHIS: Mr. Desmond.

   WILLIE DESMOND: I just wanted to
   interrupt.

   The website -- the files have been
   posted. So both of these maps are now available.

   CHAIRPERSON MATHIS: Thank you.
   Thanks, Buck.

   COMMISSIONER MCNULTY: Madame Chair.

   CHAIRPERSON MATHIS: Ms. McNulty.

   COMMISSIONER MCNULTY: Mary O'Grady's
   comments bring to the forefront of my mind one
   issue.

   I would understand one of your -- one of
   the compromised points here would be that -- I was
   hoping to construct -- hoping to arrive at a -- a
   potentially competitive district, a second
   potentially competitive district in Maricopa County
   based on the established neighborhoods above and
   around the voting rights District 7 using that kind
   of as a core for something that might evolve into a
   competitive district. And I would understand that
   that's probably not -- when I look at this more
closely, I'm probably not going to see that bear
out.

Is that your understanding?

CHAIRPERSON MATHIS: Well, I didn't -- I didn't construct 7 in any particular way to achieve competitiveness. I think competitiveness is a goal that we all -- that we should all strive for.

I think everyone likes competitiveness. Objectively it's a very fair thing to think that either party could win at any given election. It's also very -- it's also one of six criteria that we have to balance equally with the others. And it's no lesser but it's also no more.

So I personally really would like to see as much competitiveness as possible, but I do think that this map, having a competitive rural, a competitive Tucson metro, as I said, and achieving something close to a competitive Phoenix district is pretty good.

And I know there are some who feel that that may fall short, but again, this is a compromised map. I think in order to stay within the framework and do all of the things we've wanted to do and take in as much public comment as possible, it's -- I think three is achievable here and we've shown that.
And as for what we can do beyond that and what will happen over the next ten years with growth in this state, and hopefully growth and other things, you know, I don't know what will happen in terms of the future for competitiveness, but I do believe that we are to oversee the mapping of fair and competitive districts.

So that's what the Constitution says and I think we are factoring that in, as we should, equally with the others. And it can't be to the significant detriment of the other goals. So, you know, we've talked about it a lot, I know, but --

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I need to step out.

So I'll be back.

CHAIRPERSON MATHIS: Have fun.

COMMISSIONER MCNULTY: Madame Chair, another comment that there are a lot of things to look at and think about here.

The changes to Pinal County in particular, they really jump out at me. This is -- this is a real improvement in that part of the overall map. And it appears to be -- it makes a lot of sense, I think, the way that line is drawn to
keep San Tan Valley and Apache Junction and Gold Canyon and those areas together and then to have the growing parts of Pinal County, the I-10 corridor, and those areas together.

CHAIRPERSON MATHIS: Yeah, the Pinal County, I agree, that was one of the wonderful benefits I think of making some of these changes is that it actually did reduce splits in a significant way.

So any oath comments or questions?

Mr. Stertz.

COMMISSIONER STERTZ: Madame Chair, what is your -- being that this is a very large work product that you put together and knowing the energy it takes to put something like this together, it takes equal amount of energy to review it and analyze it.

Are you anticipating that you are wanting to adopt this map today?

CHAIRPERSON MATHIS: Yes.

I think that this map incorporates much of what came out of whole counties and river district in a way that allowed also to have three border districts. And so it's not like it just came out of nowhere. From the beginning, which -- about
a week ago today is when it first appeared on scene.

And we talked all week about different changes that we all felt needed to be accommodated. We also took in a lot of public input all week and over the weekend, and I think that this map accomplishes most of the goals and we're still meeting all of constitutional criteria.

It's still a compromised map, no doubt. There are things that I know people will have things to talk about, and Cochise I'm sure will be one of those counties that probably will have a lot to say about it because now they are split.

But again, not everybody -- no one got everything they wanted in this. I guess that's the point. So I realize it's down the middle of the road kind of map. But that's me. That's the Independent.

Ms. McNulty.

COMMISSIONER MCNULTY: I wonder if it makes any sense to -- do we know when Mr. Herrera is going to be back?

CHAIRPERSON MATHIS: He just said lunchtime. And we have a break for lunch today. So we can talk about it more when he returns, but unless there are more comments, we can move on to
the leg map.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Before we jump to that, there is -- if your anticipation is that we are going to adopt this map today, that's going to require a piece of time, a breakaway quiet time, for at least me, to be able to have even the most cursory review of looking at this and the background data that supports it.

Again, we're moving forward without having 2004, 2006, so I have to look at populations and registration.

In light of not knowing what the -- how the algorithms are written to be able to even have a clear understanding about how the competitiveness analysis that Strategic has put together. I don't know -- what makes that up, so I can't personally use that as anything other than some sort of a low-level benchmark.

So I do have to take a look at my knowledge of the state, my knowledge of areas, and I'm going to need some breakaway time in order to do that.

CHAIRPERSON MATHIS: Well, one
alternative is -- I mean, I don't know -- we've got lunch scheduled. We could also recess, you know, for a while, too, if people felt like that would be a helpful thing to do. But the main thing is to just talk about legislative maps.

So what do other commissioners think about that? Do we want to recess during this time when Mr. Herrera is away for a little bit? Maybe an hour or do you want to just keep going and then at lunch take a lunch break or what would be -- what would make sense?

COMMISSIONER STERTZ: Well, Madame Chair, since you happen to know this map intimately since it's your creation --

CHAIRPERSON MATHIS: And I'm very comfortable with it. Try it. You'll like it.

COMMISSIONER STERTZ: There are aspects of this that integrated many of the things that I had begun to go down Friday, some that don't. So I need to -- I need to understand the implications.

I'm also really clear that once a draft map -- there's this sort of discussion that once the draft map is approved, that there can be sweeping changes to it. I'm really not believing that that's much the case.
I think that once the draft map -- once we start going down that path, that there's going to be tweaks on the edges, not large sweeping changes. I know the contemplation of the approval of this draft map is something that we need to pay close attention to and what they ramifications are now.

UNIDENTIFIED SPEAKER: Public comment before you vote.

CHAIRPERSON MATHIS: Okay. Any other -- Mr. Freeman.

COMMISSIONER FREEMAN: Madame Chair, when you look at this -- I mean, one thing that jumps out at me is Pinal County has gotten more whole. So I really like that. And then your eyes also tend to focus on troubling aspects of it like Florence and Coolidge are in two different congressional districts, and I view those a very tight bond between those two cities. Now, maybe there's nothing that can be done.

I mean, ultimately, when we draw the lines, there's going to be things like that that happen.

But in studying it, you try to go through the mental exercise, and I know you've already done
this, but I have to do it, I guess. So whether there is a way that this could be tweaked before we to vote on it.

We've got to go through the legislative maps. There's going to take some time.

I know you want to vote on this today. I don't know if there's a reason where we initially have to do it today. You're going to call the shots on that -- on that vote today because we got to take 30 days -- no matter what, we're going to have to take 30 days after the legislative map is -- draft map is voted on. So that really starts to move the clock, and I don't know if we're really going to save any time on the congressional map at this point.

CHAIRPERSON MATHIS: I think there's a psychological advantage, frankly, of putting something to rest for now for all of us.

We've all been talking about this for a long time and have given and great deal of time and effort to making it do all of the things we wanted to do and incorporate as much public comment as possible, and I think we've done that.

I would like to achieve consensuses on this. If we can't do that, we can't do that. But
to me, consensus -- I guess it depends on your
definition of consensus, too. But to me, it's not
everybody gets everything they wanted. It may not
be ideal, but it's something we can all ultimately
support and get behind.

So that's why I would like to see
consensus achieved on the draft map, but if we
can't, then we can't and we'll just -- but we have
to move on because October 11th is the start of our
second round of public hearings and we've got a lot
of work to do on the legislative maps.

So that's kind of where I'm coming from.
And so I would like to -- I'm hoping that
commissioners would be able to have a chance to take
in this information and be able to support it. But
we'll see. It may not be possible, so we'll see.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: As you're aware, I
was approaching this in a similar fashion. And as I
put in testimony on Friday that we needed to go
outside of the design parameters that you had
provided to us, which was staying inside the donut
to make it work. I think you discovered that this
weekend, that you needed to do that. It was a valid
attempt to try to work inside the donut but it just
doesn't work.

I also went to the next step, and that
was, as you have already done, which is to break the
barriers of the designer district, the District 9, and actually created, which I called my planet Z1
map, which was -- which actually created a higher
level of competitiveness in a couple more areas, including Maricopa County without sort of picking
and choosing the specific areas. Again, designing
around many of the other constitutional issues that
we've been working with.

I also do appreciate that in this map you
actually have a way to get to -- in District 4 that
you actually have a way to get to Apache Junction
and Gold Canyon. Because as it was designed, you
had a geographic barrier preventing you from being
able to get to it. Now you'll have to take rural
roads to get around the Superstitions, but -- there
is a mountain range that divided it in the last
iteration.

I'm pleased that there was some
consideration taken there. I'm still a bit unclear
on cities that almost tie themselves together.

Commissioner Freeman mentioned Coolidge
and Florence. There are others that I need to get a better understanding on.

So in the short-term, Madame Chair, I might suggest we take a short break. I would like to collect my thoughts on this and then determine whether or not we -- I think there was -- the concept of setting aside public testimony until the end of today with the concept of voting on a map prior to public testimony is disconcerting to me. I would like to at least be able to know that we will able to capture the last piece of public testimony before we place a vote on this map and at the same time I would like to be able -- if the goal is to study this map and to vote on this today, I would like to have the opportunity to give my comments so I can place those into the record.

CHAIRPERSON MATHIS: Sounds good.

I agree. I would like to have public comment. We can bring public comment into it before any action would be taken. And obviously, we would want Mr. Herrera to participate in the vote. So it won't be happening until later this afternoon -- public speaking -- or public comment.

Mr. Freeman.

COMMISSIONER FREEMAN: Just looking
through my crystal ball, here is how I think the
legislative map development is going to go.

The Commission worked sort of as a whole
on two sort of options, as the way the legislative
districts could be drawn. And there were two
different -- slightly different approaches, but we
got to a point where we were -- well, during this
iterations of the legislative district maps, we were
giving sort of broad instructions to the mapping
consultant, but we got to a point where somebody had
to really dig in and really start looking at
communities of interest and other constitutional
criteria in moving those lines around.

I went ahead and sent -- I think it was a
couple weeks ago -- some detailed instructions as to
changes as to the option that I favored developing
and Commissioner McNulty did the same thing.

I think it was within -- I chose option 1
and she ended up choosing option 2.

Subsequent to that, we have really been
focusing on the congressional map, but I was able to
put together some additional instructions at the
beginning of last week on the map I have been
developing.

And to save time over the weekend, that
was really my focus, was really making a lot of fine-tuning adjustments, a lot of population balancing, and it's in order of magnitude more time consuming than with the congressional map. And I know Commissioner McNulty has done the same thing. So we've got a map that she's developed that no doubt she likes and is highly refined. We've got a map now -- or will have a map because I gave the files to Mr. Desmond this morning that I have developed.

I mean, one of the things I know we had wanted to try to do was look at similarities and differences and ways we could come to agreement. It's a very complicated problem and now we're going to have two maps we're going to be looking at on the legislative district side. It's going to be a lot for us to digest. I think we should look at them, definitely, but we're going to -- tomorrow is going to be a dark day. It may be a study day, again, for us. I am anticipating on a way to try to forge one map and that's where you may come in on that as well on the legislative side.

And so then we're looking at Wednesday and Thursday and possibly part of Friday to refine
that map. We're still going to be looking at voting on both sets of maps, assuming, that we did not vote on the congressional map today, on Friday.

I don't know if that sounds reasonable to you, but that's kind of the way I see things shaping up.

CHAIRPERSON MATHIS: Okay.

Yeah, I think that is reasonable, but I do also believe that there is some advantage to firming up the draft map for congressional today and getting -- moving on to the next step.

So I have been concerned about the process for legislative because we do have -- again, it's kind of like the river district and whole counties thing happening where we've got a Freeman versus McNulty kind of thing, but I hate to say -- I don't want to make it sound like a fight, because it's not, because there's actually some areas of common ground.

And in terms of process, I would be interested to hear from other commissioners because this is tricky. There's 30 districts we've got, and I don't know if maybe the best thing to do is for Mr. Desmond, if this is possible, to at least create a map that's got the common areas or, you know, ones
that are very close to being the same on the two
versions and, you know, start with that. Start with
the common ground part and then talk about the other
areas.

I don't know the best way to do that. I
would be open to other idea, but I do worry that --
you know I don't want to be put in a position where
it's -- you know, I've got to either side with the
Freeman map or the McNulty map. I would like us all
to be on one map again, just like the other one.

So -- and that's -- that is trickier to
do. So I'm thinking we're going to have to come
together earlier at least on the one map on this
legislative piece than we did on the congressional.

UNIDENTIFIED SPEAKER: Madame Chair.

CHAIRPERSON MATHIS: I don't think we can
take comment right now, right?

WILLIE DESMOND: I was just going to say
today during the lunch break or if we do take a
recess, I'll work with what Commissioner Freeman
gave me in order to have a packet ready for you guys
so you can at least look at those this afternoon.

I believe everyone except for
Commissioner Herrera has Commissioner McNulty's
packet from last week. We can post those files to
the website this afternoon. And at least then you'll have the most updated legislative maps.

I don't know if you want to each kind of walk through them this afternoon or if you want to take both of them home tonight and study them tomorrow and come back Wednesday and kind of decide how to proceed.

I would be able to put an overlay of them together but it's going to be tricky, kind of, I think with so many districts to try to merge them without some serious input from the Commission on where to make those decisions.

Does that makes sense?

CHAIRPERSON MATHIS: Yeah, it does.

WILLIE DESMOND: So depending on how time goes today and if people are comfortable with it, we can look at doing that today or else if you wanted to do that on Wednesday after everyone has had a little time to study the two maps, we could also do it then.

CHAIRPERSON MATHIS: Yeah, I would like to move forward to the extent possible. We're all here today and we need to be -- we have very little time left. We have a week from today that we need to be done. So we really need to maximize the
amount of time that we have together and so I would suggest we start looking at it today.

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER MCNULTY: I think that makes sense. I think it makes sense to walk through each one today and discuss conceptually areas in which we have agreement and areas in which we don't have agreement.

You know, I expect that based on the experience with the congressional maps that certain of the areas of disagreement will -- they are not geographic so much as conceptual, as I said.

If we can maybe begin by arriving at an understanding of what our -- what our goals and objectives are and the ways in which we might find some common ground on those and maybe spend tomorrow also really focusing on whether there are ways that we could pull together something that to the extent possible achieves common ground, but, you know, satisfies all of our objectives and then Wednesday, Thursday, and Friday really focus on getting through all of that on the legislative side.

CHAIRPERSON MATHIS: That sounds good.

So the time right now, which is 10:22,
the only other things on the agenda besides the public comment are the standard executive director's report. And there might be a short one from Ray. I'm not sure if he's around right now.

I can't say, but -- so it's really public comment and legislative map discussion and a little bit of study time built in, too. So we can either start that study time now or we could start talking about having people walk through their legislative grid maps.

COMMISSIONER MCNULTY: Madame Chair, I'm just a little concerned that if we walk through the legislative grid maps without Mr. Herrera here, then it's going to be hard -- we're going to have to -- at some point he's going to either have to listen to the stream -- in order to get to the same place we all are. And given the sort time frame we have, it might make sense to begin that process when we are all in the room.

CHAIRPERSON MATHIS: Okay. That works. So it's -- that kind of leaves us with the executive director's report, public comment, and recess.

So I'm hearing a vote for recess. It's 10:24 a.m. Should we take a recess until
Mr. Herrera is back, which may mean that you have an earlier lunch. If you could -- so that we're not then taking a hour for lunch, to bump up the recess. I would like to come back when Commissioner Herrera is back.

COMMISSIONER MCNULTY: That works for me.

CHAIRPERSON MATHIS: Okay. So let's plan -- it's 10:24 in the morning. We'll have a recess until Mr. Herrera returns, which we're being told is around the lunch hour. So he should be back within an hour and a half or so.

Thank you.

(A recess was taken from 10:24 a.m. to 1:06 p.m.)

(Mr. Herrera joined the meeting.)

CHAIRPERSON MATHIS: Good afternoon. The time is 1:06 p.m. We'll conclude recess and enter back into public section. We had been discussing agenda item 2 before the break and we now have five commissioners back and hopefully people had some time to consider what we discussed. And I also wanted to jump to public comment so that we can obtain some from you all and then I thought we could discuss that map a little further and then we would move on to the legislative, I hope.
So let's start with public comment.

Just to remind everyone, if you could contain your comments to three minutes or so, that would be really helpful just so that everyone gets an equal opportunity to address the Commission. And be sure to speak directly into the microphone so we get an accurate accounting of your record and also spell your last name for our court reporter, please.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Oh, Mr. Herrera.

VICE CHAIR HERRERA: Just a clarification.

Are the public comments restricted only to the congressional draft map or is that --

CHAIRPERSON MATHIS: Yes, that's great point.

They are. So if I read your name and you don't have any comment on the congressional map that we talked about this morning but you do have on an agenda item that's later in the day, I'll come back to you later for that. For instance, if you're wanting to speak about legislative. So this is about the congressional draft map, agenda item 2.

Bill Engler, representing self from Anthem.
BILL ENGLER: Thank you, Madame Chair, and commissioners.

My name is Bill Engler, E-n-g-l-e-r. I am a resident of Anthem, and I speak first very briefly on community of interest.

And I see the congressional maps you're drawing, you're showing us in Anthem and New River both, and moving west from there rather than moving east.

I know earlier this morning you addressed the Carefree and Cave Creek area. Our local newspaper is actually a Cave Creek/Carefree newsletter -- newspaper, and I believe most of the people in my community would really see themselves as aligned with those folks and North Phoenix rather than the more rural areas to the west of us.

We are not a retirement community as are the Sun Cities. I would just like to make you aware of that.

I know there's nothing you folks can do to make the area in which I live competitive. Whether you move our district where it is now or move it to the east of my area, it's not going to be competitive.

But what I would urge on this Commission
is elsewhere in the state, most especially in the Phoenix area, to please try to draw competitive districts. I believe even meeting the other criteria that you set for yourself and the loss that's for all of you, that you could reach one more competitive district.

I thank you very much for allowing my comments.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Sara Presler, mayor, City of Flagstaff.

SARA PRESLER: Is it possible for us to put the map up that was proposed?

CHAIRPERSON MATHIS: Certainly.

SARA PRESLER: Great. Thank you for your patience.

My name is Sara Presler, P-r-e-s-l-e-r, mayor of the City of Flagstaff, Arizona. Address 211 West Aspen, Flagstaff, Arizona 86001.

Madame Chair, members of the Commission. Thank you for having me here today to testify before you again related today specifically at this time to the congressional district maps.

The City of Flagstaff continues -- even during the fire alarm -- to value a redistricting
outcome that is first and foremost compliant with
the Voting Rights Act of 1965. And we like to try
very hard to address those issues on the front end
so that we're not addressing them on the back end.

And we would like to see the Commission
work to not regress in its representation of
populations in Northern Arizona, maximizing
competitive districts across the state and including
Flagstaff in such a district.

We value placing Flagstaff a district
whose communities share our same transportation,
economic, higher education, governance, and natural
resource interests such as forest health and water
issues and we value placing Greater Flagstaff in a
single legislative district.

I came today prepared to talk about a
different map. And when I got here, I was feeling a
little bit surprised and it made me feel nervous as
a community leader because I spend, like, an hour
getting a gallon of milk at the local grocery store
because what happens here with you, I take back like
ten times more back at home.

And nothing is more representative than
being a mayor. And not only that, but I'm vice
chair of the Greater Arizona Mayors Association. So
I represent mayors from Coconino, Yavapai, and Mohave County in our mayors coalition. And we meet regularly and talk about issues like this.

So whether it's -- you know, there's a line for the pastor after church and then there's a line for me after church.

So I just want to share with you that I take this moment very seriously and I understand the depth to which you have to respond and work and to be flexible.

So after I got over that initial feeling of, oh, my gosh, there's a new map, I really saw and this thought of this moment that Mayor Bavasi, who is a long-time Arizonan and he was mayor of Flagstaff, head of the League of Arizona Cities and Towns, he's now the head of the school board and the hospital board.

He told me that when I became mayor, that my job isn't to make everybody happy, but my job is to make everybody equally unhappy.

And I thought to myself, well, gee whiz, compromise can be really complicated sometimes. But compromise and building consensus isn't the same thing as being unanimous and having unanimity.

So not everybody has to say the exact
same thing to know that you are moving in the right direction.

So with that kind of perspective and thinking about the people that have mentored me in leadership over the years, I thought to myself, if my community saw this map, what would they say?

And I think that -- not only my community but these other communities that I work with representing other mayors and talking to the mayor of Cottonwood and -- I went to high school in Bullhead City and went to elementary and junior high in Tucson, and I think about having lived all around Arizona, and I think to myself, this really does start to move Arizona in the right direction.

Does it need to be modified in a couple little places? Maybe so. But in the bigger picture, when I think about representative democracy and my responsibility to speak to you about what not only my community but in representative democracy we should be trying to do, this makes sense to me.

So at first I felt caught off guard, and then I thought to myself, there are really strong values here in the idea of you adopting today the idea of a model map for us to take into the comment period.
You see, coming from a smaller community in Arizona, predictability is essential. And so you can see how I felt today, like, whoa, that was a big moment, but then I thought to myself, well, imagine if we went through Thursday or Friday and then all of these families getting the trick-or-treating outfits together and, like, trying to run their businesses and I had all of these CEOs lined up to see you tomorrow but now you're not meeting tomorrow so now they are going to come on Thursday.

So imagine not only their feelings as business leaders and our feelings as elected officials talking to you, but just the general idea of engaging the citizens.

So it may be not be exactly what each and every one of you wants, but when I look at this, having listened to your hearings, and I do find joy in listening to your hearings. I'm one of those weird policy kids. So when I think about it, I really do -- for example, you know, Commissioner Freeman, I hear you when you say you just got this and you have to be able to take a look at it and understand it and understand the data.

And you know, Commissioner Stertz I hear you when you say just when you are getting it and
all of that time that the chairwoman put into it, you need that kind of time to be able to respond. Us as a community, we need that kind of predictability.

And so what I would encourage you to do is to hear from a rural perspective when we say we are moving in the right direction and this is representative of building consensus, not a unanimous position.

And it's our job to move Arizona forward and to do it in compliance with the Constitution and the Voting Rights Act.

And so when we look at these principles, I say this is something we could bring back to our communities to really talk about. We build three border districts. We have communities of interest related to the city's values, for example transportation issues, economic corridors, higher education, governance, natural resource issues, and -- did we get or does everyone get everything they want? No.

But what I would suggest to you is that there is integrity to building consensus. And the community values that integrity because they know that everybody is trying to get to the same goal.
And we know that when we share our values like fairness and predictability and collaboration among cities, engaging in an integrative process -- I mean, integrative processes and collaboration are essential points to good decision making.

So we as communities have talked, and this is moving in the direction that we think the state should move for redistricting.

Our community held six public work sessions, and I think that I more than probably most people in the room know what it means to have to be responsive and flexible as a local leader.

I mean, in my first year as mayor we had like a helicopter crash, we had a wildfire, a road closed down between Phoenix and Flagstaff. Local leaders all the time have to be responsive and flexible.

And so I just want to, you know, say leader to leader today that there are some moments when you don't get every single thing you want but you know that you're moving in the right direction and that the people that you are working for are asking you for predictability, for clear expectations.

And so what I want to suggest to you is
that -- I really see my role as a mayor, as a servant leader. And as a servant leader I want to have us take a bigger perspective and praise you for the work that you have done. It is meaningful work and it is important work that you are doing and I say that to my core, and I believe that.

Now, does everybody out here have a different idea on how we should get there? You bet. But are we moving in the direction that we should? Yes. Is there value to creating predictability by moving toward a compromise that we can then discuss and build consensus around and have a real conversation about rather than figuring out which map has been uploaded at which point or that point?

I'm excited that we have three border communities. Do I want to touch Mexico and not only touching Mexico, but respectfully just to share with you, I did a little bit of research and the district as it stands borders Utah, New Mexico, Colorado, the Kaibab-Paiute Tribe, the Hualapai Tribe, the Havasupai Indian Tribe, the Navajo Nation, the Hopi Tribe, White Mountain Apache Tribe, San Carlos Apache Tribe, Gila River Indian Community, Zuni Pueblo and now Mexico.

So imagine, right, we as a community are
ready for you to be courageous and to tap into your strength as leaders and to give us a predictable, thoughtful map that's moving in the right direction.

We understand as a community things are going to need to ebb and flow, but we just ask you to take action today and to create that predictability for us as a community.

In closing, I just want to share with you that the Commission's work to unite these tribal communities is a major achievement and we should beware to not be consumed by adding additional issues.

For example, you know, the Hopi Tribe and the Navajo Nation being in the same congressional district, that is huge. Right now we're in a congressional district where a third of my congressional district doesn't have electricity or running water.

So on the bigger picture, this is a real win. Is it everything everybody wants? No. But, you know, if you look at consensus building as moving in the right direction instead of being unanimous and that it can't be your job to try to make everybody happy but you can work really hard to make everybody equally unhappy, I think we are going
to have a much better outcome for our state.

So I appreciate you listening to me, and
listening to our community. I represent 65,000
citizens, and a Flagstaff metropolitan planning area
of a hundred thousand.

We expect three council members from
Navajo Nation to be here today. They have come down
to testify before you. They are en route here
today, if they are not already behind me.

So it's with grace and appreciation that
I stand open for any questions that you might have.

CHAIRPERSON MATHIS: Thank you.
Any comments or questions?
VICE CHAIR HERRERA: Thank you.
CHAIRPERSON MATHIS: Thank you very much,
mayor.

SARA PRESLER: Thank you.
CHAIRPERSON MATHIS: Our next speaker is
Steve Muratore, publisher Arizona Eagletarian.

STEVE MURATORE: Thank you, Madame Chair,
commissioners.

The most important point I wanted to make
at this stage of the game is that I think it's
significant that when you're preparing to adopt a
congressional draft map you do not have a way to
measure competitiveness.

   I think that's a significant issue that needs to be addressed. I would like to see it addressed before you adopt the map. But if that's not going to take place, at least be prepared for more than just tweaks afterwards because if you can't measure competitiveness now, you don't really know what the draft map that you're getting ready to adopt represents for the people of Arizona.

   I've also mentioned to a couple of people a concern I have with my voting precinct. As it stands now, which is overwhelmingly Democrat, it would be, as it is now, lumped in with a safe Republican district, and I find that troublesome and disenfranchising and I hope that can be addressed.

   Thanks.

   CHAIRPERSON MATHIS: Thank you.

   Our next speaker is John Fillmore, State Representative from Pinal County.

   JOHN FILLMORE: Thank you for allowing me to speak here this morning. I'd come rather belatedly. I had hoped to have been earlier to have watched the total proceedings, but I thought it was imperative that I do come. I'm off my regular job.

   I listened this morning when you first
went online for a few minutes and it became very clear that I had to come down here and speak up on behalf of Pinal County because the current map creates some very distinct and disturbing issues with me that I would ask that the Commission -- and again, I want to reiterate what I just heard here a few minutes ago.

My heart goes out to you people doing your job. You're damned if you do and damned if you don't, and I won't damn you. I'll be the first to tell you that. I wish you guys a lot of luck. I know it's not a good job that you guys have put yourself into, but I say thank you for being willing to do that.

But I need to speak about Pinal County, because quite frankly, I've heard from a lot of my people over the weekend and some of the concerns that they have.

And when we look at the map as it is currently envisioned by the congressional map, there is no sense of continuity.

What does Apache Junction have in common with the sense of community from -- with someone in Yuma or someone up in the Northwestern corner?

I mean, the district you've created is
one of the largest, and it seems to revolve -- or evolve coming out of a dissected part of Pinal County with Apache Junction.

Apache Junction has no similarities with a great portion of those. We're borderline with the copper communities that align our great -- in our mountains.

But if we divided Pinal County -- and you're dividing it five different ways. When I look at Pima County, for crying out loud, that's divided only a couple of times.

And I heard the opening speaker this morning say that they were talking about the border alignment and how it was a good thing for us to have three congressional seats which are on the border.

And I say, well, you know, why don't we just take Apache Junction and leave it in Pinal County and increase some of that area below Yuma so that you would have the ability to have four.

And when we say, well, Pinal County, we're giving you five congressional seats that have been based out of there, that is not correct because the reality of it is that we are going to lose all of our congressional strength because you've taken Congressional District 1 and created it into one of
the largest -- well, two of the largest in the state and you've diluted it down, increased it, but the geographical area --

And I needed to point out that the area that you have included with Apache Junction and the San Tan area was the largest and fastest-growing district in the United States several years ago with the influx of people.

This map will be obsolete literally within a year, year and a half easily, because the amount of people that are living in that area right now in the San Tan area, that area unincorporated has more people in it than the city of Casa Grande or the city of Apache Junction as a whole.

This does not do any benefit to us. And it is largely empty homes now that are being taken over. And as those people come back into it, that population is going to double within the next year, year and a half.

So I wanted to put these issues on the table. I say that as you go forward with a little bit of tweaking, you take that into consideration because Apache Junction and Pinal County as a whole needs to have the continuity of their community. And they are a community that is a little bit
different.

We are the center of the state. We are like a clogged artery between Maricopa and Pima country -- Pima and Maricopa County. And we are a very important one, but we are the one that's going to fill the fastest, we are being divided the most and there is no sense of community with that.

With that, again, I say thank you with what you are doing, and I appreciate that. And I hope that some consideration will be done because there are concerns, as I look at this map, that Congressional District 4 is a very heavily -- I'm a Republican. I make no qualms about it. And it is overwhelmingly for Republican. I'm all for that, but the other side of the coin is that I don't think it's to the benefit of the state of Arizona to do what we are doing up there. And I ask you to give consideration to that.

Thank you very much.

CHAIRPERSON MATHIS: Thank, you Representative.

Am I allowed to speak just briefly about that and the Pinal County area?

MARY O'GRADY: Yes.

CHAIRPERSON MATHIS: Okay. The map
changed significantly over the weekend. We heard loud and clear from all kinds of focus on Pinal -- from Pinal County on Friday. They came out in droves, and we appreciated that input because they told us essentially you're splitting us five ways and how can you get good representation? How can five commissioners -- I'm sorry, five congressmen representing your one county.

So we tried to reduce splits of Pinal County over the weekend. And working with our mapping consultant, I figured out a way to do that.

We've now got it down to three splits, and that third split is only because the Tohono O'odham Reservation comes in and there's 300 people there that have to be with the reservation. And so there is that split.

But the rest of the county there's only two splits now. And we have tried to divide the east and west with -- we've got these two rural districts, you know, flanking the state and tried to divide the urban population that has to go into each of those, unfortunately, because we just can't get to 710,000 without going into -- interface with some urban areas, but we divided that evenly between the two rural districts.
And so now -- and this was the big conundrum on Friday. That whole Gold Canyon, San Tan Valley, Apache Junction is just growing super fast. And we are trying to figure out how and what's the best way to accommodate them into an area, because they are kind of all similar in that regard and began to do that by putting them into 4. So 4 comes down a little more. It does take Florence but it allowed us to keep the copper corridor, intact.

And so this map that's up there now kind of shows you the changes that were made.

The other change that happened was we -- the Navajo Nation Human Resources Commission -- or Human Rights Commission, excuse me, they had requested the Indian reservation there. And right now that's part of their district as well, which was about 1,000 people.

So the splits in Pinal have been reduced significantly from Friday, because -- frankly because your folks came out and educated us in a really good way.

JOHN FILLMORE: Commissioner, if I could, first of all, I sincerely appreciate my constituents coming out and raising their corners on that, and I
say thank you for any changes you have made, but I would be remiss if I did not add that while I appreciate some of the concerns, I just look at this map -- and this is the first time I've seen that -- the map with these changes because I'm still working on the congressional map as of 1/1 (sic), which is even at your back table.

But I would say to you on this issue, that if you take Congressional District 8, which would not affect any of the Native American communities or anything, and you did a little bit of an inflow into the far west side of Congressional District 8 -- because my concern is is that when you look at Apache Junction and Gold Canyon and the San Tan area, which is one of the largest growing areas out there is, is that growth, again, is going to make it obsolete very quickly. But it also takes and it separates us from all of the far western part of the state and the river communities that are all down there from Bullhead City all the way down to Yuma.

But if you just tweaked them a little bit on 8, which would enable you to then take and bring all of that little duck -- tail that hangs off of this map off, I think that it would be more
beneficial to the state overall.

And I'm not here to give anybody work, but just to offer a suggestion that I would think that the mapping people could take a look at that.

We're talking bodies, and in that -- and I'm also concerned about this because just the fact that a congressional serving member of congress is going to take a look at that and he looks at the geographical area and he looks at the amount of people and where they are at and how they are hundreds and hundreds of miles away and -- you know, will we be able to get the representation that we need?

Whereas, if we could do that, you would solve several points. Number one, you would allow Pinal County to have a little bit more continuity in the community. You allow the city of Apache Junction to have the ability to then work within the county a lot more without having to go to different congressional delegation.

You would allow San Tan, which is looking at incorporation along with Gold Canyon here shortly, to have that same ability, and at the same time it would aid on the western side of the state.

I would just put that forth as a
consideration for you.

And I say thank you because, Commissioner Mathis, I know you got a good job and my heart is out to you, but these are changes that we need in the state of Arizona.

Thank you.

CHAIRPERSON MATHIS: Thank you very much.

Our next speaker is Tom Ransdell, representing self from Casa Grande.


I, too, as the mayor of Flagstaff found myself prepared to speak to a different map when I arrived here this morning. So I am very glad at the changes that I see here in Pinal County. I was wigging out all weekend.

CHAIRPERSON MATHIS: Sorry.

TOM RANSDELL: This is much better.

However, when we talk about competitiveness in the different districts -- by the way, were you able to get copies of that map?

WILLIE DESMOND: I believe they are on their way.

TOM RANSDELL: Okay. Thank you very
Now that I see this, I'm a lot more less troubled; however, I'm a rural kind of guy, and looking at the two rural districts, I keep going back to some previous maps, and maybe a hybrid.

I noticed -- it appears to me, and I could be wrong because I don't come to all of the meetings, but I've been going to the ones in Casa Grande, that things kind of settled from the north and kind of moved down south. And at the south end of the state it seemed like you were making up -- you know, making up work. That's my impression. I could be entirely wrong.

But what I'm thinking -- look at CD 1 now and CD 4. They are both rural in nature, that's their intention, but I'm not sure if they are really competitive.

If you go back and look at, like, map 7e or 6d, I'm thinking if you could get Coconino County into the CD 4, you would be able to pull up the southern boundary of CD 4 in Pinal County and probably take care of -- and then I think you would have two independent competitive districts.

I don't think they really are competitive the way they are right now. And I know you've got a
lot to do and the chairman is clearly ready to move on, but if you could just take a look at that before you actually come up with a draft map, I would really appreciate that.

Pinal County, as you are -- I'm sure are aware, has 375,000 folks in it and it was the second fastest growing county in the country in the last ten years with basically a hundred percent growth rate.

Coconino County has approximately half that many people and I think their growth rate has been somewhere around 15, 20 percent, in that range.

So we're real proud of what's happening in Pinal County and we're trying to keep it as whole as we can and then we're trying to keep the two rural districts as rural as we can.

So if you would take a look at that and give that some thought, I would really appreciate that.

CHAIRPERSON MATHIS: Thank you very much.

TOM RANSDELL: Thank you for your time.

CHAIRPERSON MATHIS: Our next speaker is Stephen Miller, city councilman from the City of Casa Grande.

STEPHEN MILLER: Good afternoon,
Commission. Thank you for this opportunity to speak.

My name is Stephen Miller, 930 North Lindberg, Casa Grande, Arizona.

Miller, M-i-l-l-e-r.

I, too, have to echo some of the same things you've probably already heard here.

Having been on the city council for ten years, I am the person that they come to at the grocery store or stop at the Wal-Mart and discuss these issues. So I'm presented with questions at times that are hard to explain, but anyway, I get through it.

The -- I think the testimony from last week was to keep Pinal County as whole as possible. And as the rumors were flying that it was divided into five and we see now that we are in three, we are looking better there.

But I would say that the community interest is whole as far as the rural areas of the state. I think that goes hand in hand with the CD 1.

So -- and I can see the division as far as the San Tan Valley maybe being closer to the upper Valley or the central Valley.
I would suggest that Florence might be cut into with Coolidge. They have more common interests there. That seems to be a more natural fit.

I don't know what that does to the numbers. I think in today's computer age, we could probably find that out pretty quick.

But my last point is I would -- I like this map as long as it is competitive. I think without having competitive numbers or the numbers to look to see how competitive that 4 and 1 are, we need to see those numbers before a vote is taken on them.

And again, give everybody an opportunity to really analyze this to whether or not it is competitive or not.

With that, I thank you for your time.

CHAIRPERSON MATHIS: Thank you.

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms McNulty.

COMMISSIONER MCNULTY: I would just like to clarify, as we seem to have a little misunderstanding.

On the back page of these maps we do have a competitiveness report that has two pretty
sophisticated analysis of the competitiveness of these maps and what we've done and then also a statement of the distance from state average of competitiveness using each of the measures.

So you have two measures that kind of show you head to head Democrat versus Republican, and I think in a two-way manner, is that correct, Mr. Desmond, the competitiveness of the districts, that's the first column.

The second column shows the distance of that from statewide average.

The third column has party registration factored into it.

The fourth column has the distance of that measure from the statewide average and then the final three columns show registration.

Strategic Telemetry is in the process of adding the 2004, 2006 numbers to these numbers and so that will further refine these measures but they -- what we have already still is, I think, a very good indication of the competitiveness of each of the districts. And we will only get during the next 30 days more information.

So I didn't want folks thinking that there is no measure. There is some pretty good
measures and you'll find them on the last page of your packet of each map.

UNIDENTIFIED SPEAKER: We don't have the recent map.

UNIDENTIFIED SPEAKER: We don't have it.

WILLIE DESMOND: That report isn't available.

COMMISSIONER MCNULTY: Can you put that up, Willie?

WILLIE DESMOND: It's up.

COMMISSIONER MCNULTY: It is up online.

UNIDENTIFIED SPEAKER: It's up where?

COMMISSIONER MCNULTY: Let's put it up here and maybe when we're done with public comment when we get back to that map, if the chair thinks -- if we have a lot of questions about that, we can just walk through that.

CHAIRPERSON MATHIS: Sure. Good idea.

WILLIE DESMOND: It's on the website. If you look under the links that are supplied for every map, there is a link to competitiveness report .XLSX.

CHAIRPERSON MATHIS: I see it.

WILLIE DESMOND: And that is the piece of information that Commissioner McNulty was
CHAIRPERSON MATHIS: Thank you.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: In speaking about competitiveness, and as Commissioner McNulty was describing in 2004, 2006, being added in, one of the things that we've asked -- or I've asked the -- Strategic Telemetry for is actually the algorithm about how these numbers are actually calculated. Because currently we have -- I as a commissioner, unless the other commissioners have some insight that I'm unaware of -- I as commissioner had no clue about how these numbers were created.

I know the pieces to them, but there is an algorithm that was created by the mapping consultant, which we have yet to receive.

So even though these are numbers and they show something, I have no idea what this something is.

So until I have that information, I'm sort of discounting that from my perspective and looking purely at registration and registration advantage one way or the other to give myself an indication of competitiveness.
I'm looking forward to getting more information from the consultant. I'm looking forward to this Commission picking a range or picking a method. I'm looking forward to the 2004, 2006 race data being included in to this data. I'm also looking forward to knowing how the data was compiled.

CHAIRPERSON MATHIS: Mr. Desmond.

WILLIE DESMOND: I've been waiting for a confirmation from Ken, but just in the last maybe 20 minutes or so I looked back at his competitiveness presentation that he gave and I believe he explains what the things are there.

So I'm not positive these are what comprise that. I haven't received a confirmation yet, but I believe if you look at the competitiveness presentation that he gave, he kind of lists what goes into those different measures.

But I'll update you once I've confirmed that information.

CHAIRPERSON MATHIS: And that presentation is online, right, for folks to see? Because if they pull up the meeting, we should probably give the date of when that occurred.

WILLIE DESMOND: I believe so.
CHAIRPERSON MATHIS: Maybe someone can do some research for us and tell us.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: I'm sorry, Mr. Herrera.

VICE CHAIR HERRERA: What I would like to do -- I remember that presentation that Ken Strasma gave over -- probably a little over a month ago probably now.

CHAIRPERSON MATHIS: Right.

VICE CHAIR HERRERA: It was extremely detailed. Why don't we do it again if we need to be refreshed. I think it answered all of our questions. But if we need a refresher, I wouldn't mind hearing it over again.

CHAIRPERSON MATHIS: Sure. I don't know if he's --

VICE CHAIR HERRERA: I think he's focused on two different areas, so competition and also compactness, I think was the presentation.

So if he could focus on the competitive piece, it should hopefully help us out again.

CHAIRPERSON MATHIS: Great.

So you'll keep us posted if you hear anything different?
But that's a great suggestion that this was presented online in a previous public meeting, an entire presentation on competitiveness.

WILLIE DESMOND: And I just want to stress that the measures that are in the reports is something that Ken and Bruce -- I'm not positive that that's what those indexes are. I'm just -- I'll let you know when I've confirmed that. But I think that's what they are. So --

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: When will Mr. Strasma be at the next meeting?

WILLIE DESMOND: I'm not sure. I think he was available to come this week if needed.

VICE CHAIR HERRERA: What I would like to do, whenever he's going to be here next, have him present at the next meeting that he'll be in town for.

WILLIE DESMOND: Okay.

CHAIRPERSON MATHIS: Our next speaker is Jonathan Nez or Nez, I'm not sure, N-e-z, council delegate for the 22 Navajo Council.

Okay. I'm getting handed signals but I'm not sure what they mean.
Oh, okay. We could do another speaker if they are not ready. Would that be okay?

Okay. We'll continue to the next one and come back to Mr. Nez.

Tom Miller, representing self from Pinal.

TOM MILLER: Good afternoon. I'm Tom Miller, from Casa Grande, Arizona, Pinal County. I live at 1102 East Avonita Grande, Casa Grande.

Miller is M-i-l-l-e-r. No relation to Steve who just spoke a few minutes ago.

But in my original testimony down in Casa Grande when you had your first meeting down there I was very heavily in favor of keeping Pinal County whole. And obviously, I was a little bit disturbed when I -- we saw the maps that came out the other day that has five different representatives. I'm a lot more relaxed now that we're at least down to three and basically two.

But I -- pretty much what Tom Ransdell and Steve said, I'm pretty much in agreement with them, although I would like to see the numbers that verify the competitiveness, especially between districts -- proposed Districts 1 and 4.

This is something that we felt was needed to be -- needs to be verified before you vote on the
final map.

So that's pretty much all I've got to say now, but, again, thank you very much for the work you've done and at least I feel like we're making progress, anyway.

CHAIRPERSON MATHIS: Thank you.

Jonathan Nez, council delegate for 22 Navajo Nation Council.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: It would probably be best if people don't give us their address at all because I'm always nervous to see -- like an elected official that needs to not provide us with his or her address. What if we don't take an address from anyone?

CHAIRPERSON MATHIS: That's a good suggestion. I like that.

We are not to consider, you know, addresses of incumbents in any of our decision making.

So just to keep it safe, if -- even if you're just representing yourself, don't provide us with your complete address. You can tell us what city or town you live in or county but you don't
need to give us a street-level address.

Sorry about that.

JONATHAN NEZ: Good afternoon, Madame Chair, members of the Commission.

For the record, my name is Jonathan Nez, Navajo Nation council delegate for the sovereign nation of the Navajos.

We come before you today with a delegation of Navajo Tribe from Navajo Nation in support of the current CD 1 proposed map that was developed today.

There are nine Native nations in this proposed map which we support pursuant to the communities of interest. And I believe the communities of interest of Native tribes are similar in what pertains to federal issues, Washington D.C., particularly trust relations, water rights, international drug trafficking.

I see that proposed map for the new CD 1 goes south and reaches the border. And there has been issues with drug trafficking up on the reservations, as they know a lot of the trafficking. Drug traffickers are utilizing secondary routes now and a lot of those are in tribal communities.

So we appreciate that and I believe that
will open up some funding, especially under the high-intensity drug trafficking area, high designation, as Navajo County has been recently dealt -- distinguished and certified under.

And again, we mentioned here testifying before you that we do support the current map. And I think it brings up the Native American Voting Rights Act for citizens in Native American communities as well as the Northern Arizona.

And we do -- have done a lot of work on creating some of our numbers for the congressional map. And I believe our Navajo Nation employees and other elected officials have testified at a couple of the maps being proposed to you.

And as we look at this new proposed map today, it is something that we can pretty much live with. I think a lot of our proposed recommendations are encompassed in this map as well.

As always, Navajo Nation is always at the forefront with other Native American communities and helping out in the redistricting process for Arizona.

The Navajo Nation aims to be a participant in Arizona and congressional elections as well and we do look at the new -- the proposed
congressional map here is very equitable and we just wanted to state that position for the record, Madame Chair and members of the Commission.

And I appreciate your time. Appreciate your listening to me today.

God bless you.

Thank you.

CHAIRPERSON MATHIS: Thank you very much. Our next speaker is Jerry Brooks, former mayor of Chandler.

JERRY BROOKS: Thank you, Madame Chairman.

I would like to express my appreciation for what the Commission is doing.

My is Jerry Brooks. Last name is spelled B-r-o-o-k-s.

I'm here to talk about continuity as a and community of Chandler.

The city of Chandler has been divided roughly along the lines that you are proposing now in the last review, and a major part of Chandler has been -- the western part of Chandler has been exempted from the core of our city.

I would like to ask you to take a look and see if you can't do for Chandler what you
apparently have done for Mesa, Tempe, and Gilbert.
A little more integrity for the continuity for the

city of Chandler.

      It's our interest -- we have vital
industrial complexes in Chandler and they all tie
together. It's important that they be represented
by one congressman, in my opinion.

      Thank you very much for your time and
consideration.

      CHAIRPERSON MATHIS: Thank you.

Our next speaker is Wes Harris, PC

      Captain LD 6-28.

      Madame Chair, commissioners, thank you
very much.

      Before someone can be critical, I think I
firmly believe that you have to walk a mile in their
moccasins. So this weekend, I again, endeavored to
redraw the state and it is coming up here.

      Madame Chair, you mentioned when you
started with your new map this morning that one of
the reasons you wanted that map was that you had
three congressmen on the border.

      The previous map had three on the border. This map has four on the border. That gives us one
more voice to deal with the border issues.
The 500-pound gorilla in the room has always been the Voters Rights Act and it's been treated somewhat like the holy grail.

Whenever the Hispanic Coalition makes a suggestion, it seems like we jump through hoops to make that happen, when, in fact, there's other ways to skin that cat.

And I found them to be not easy but doable. And one of the other issues that -- as you'll recall that I've been promoting is the Native American tribes to be all in one district. There are 175,000, as I recall, Native Americans. They cannot be a majority-minority in any one district. They certainly are the majority when you break them into nine different district.

So if you put them all in one district, they have a much better voice. And I have combined them all with the exception of the river district into District 1.

What this map doesn't reflect is in the upper left-hand corner in the Arizona strip area. If you look at a map, in order for a congressman in District 4 to service that area, he literally has to drive to Las Vegas, then back through Utah to get down to the Arizona strip, when, in fact, if it were...
in District 1, he would just go up through Jacobs Lake and he would be there by car, not by plane. So that's one of other issues.

Now, I've heard many comments about Mesa and Gilbert and Apache Junction. And if you get into the details of this particular map, you will see that on a horizontal basis, I have combined those.

Ahwatukee does not want to be with Tempe. That, I know because I know a lot of people in Ahwatukee. They want to be with Chandler and this map actually does that and it actually makes a whole lot of sense as far as the community of interests are concerned, at least from my vantage point.

So again, I want you to take a -- I urge you to take a look at that and look also at the treatment of CD 3 because you can do this. You can get the 52 percent that you need in the minority-majority district without having to split up Yuma.

And the advantage you have there, of course, by not splitting up Yuma is you have another congressman on the border there.

Now, we talk about competitiveness. If we are going to be jumping into the legislative
districts here shortly, just on the two maps that
you have here and the data that you have provided in
the back of those maps, it is literally impossible
to be competitive. The numbers just aren't there.

One of the problems we have on this
particular map, District 1 would be 37 percent
Democrat, 32 percent Republican. And the one that
we always don't talk about is the Independents.
It's 30 percent in District 1.

District 2 would be 34 Republican, 34.8
Democrat. That's a competitive district, it's 30.6
Independent.

In District 3 it would be 24 percent and
then 48 -- 41 percent for Democrats and 35
Independents.

And to Mr. Stertz's comments,
mathematically, it just doesn't work when you pack
so many Democrats into two districts, District 7 and
District 3, you take a whole chunk of that majority
of Democrats, put them into two districts, there's
not enough left to make them competitive in the
other districts. It simply doesn't work
mathematically unless you gerrymander the whole
ting like -- that was done with District 9.

And moving right on down, we have
District 4, would be 41 percent. That's very heavily Republican, 24 and 34 respectively.

District 5 would be 38 percent to 26 and 35.

District 6 would be 39 percent to 27 and 33.

There are -- in many cases you are running down through these other districts that don't have them packed with Democrats, you have the Independents outnumbering the Democrats, and in some cases, outnumbering the Republicans.

So it's a faction that really needs consideration when you're doing this. And by just splitting it with the two major parties I think is misleading. And I think with current situations going on within the state and at the federal level, it's not difficult to understand why a lot of people are departing from these major parties and becoming Independent.

So again, there's different ways to do this. It is extremely difficult. I spent all day Saturday, all day Sunday, and, in fact, I missed dinner on Sunday night doing this. My wife is saying, why are you doing this? She said it's an effort in futility because they are not going to
I listen to you anyway.

They may not listen, but I have to know how they do it and I have to be able to present my ideas on the record because there are different ways to do it.

Now, one other thing. I was here last Friday. I won't say anything about this. Lord knows our two Republican commissioners don't need me to defend them.

I left early only because I became so incensed and so angry at the personal attacks levied by the two Democrats against the two Republicans. This is not professional. It is not what you were sent here to do. Being childish and calling people names just doesn't get it in my book.

Rather than make a scene, I decided I would leave. That's why I left before you went to the end.

Thank you very much.

Have you got any questions?

CHAIRPERSON MATHIS: Any questions?

Thank you.

Our next speaker is Peter Limperis, lawyer representing Hispanic Coalition for Good Government. Forgive me if I mispronounced your
PETER LIMPERIS: You got close.
I'll help you out a little bit. It's Peter Limperis. It's L-i-m-p-e-r-i-s, on behalf of the Hispanic Coalition for Good Government.
Not unlike some of the speakers that spoke before me today, my comments are going to be quite brief and frankly, are not what I had planned on prior to this morning's activities.

You know, really my first comment on behalf of the Coalition is thank you. We know that this process is not easy for any of you. We know it's hard. We know there are a lot of different facets to it and a lot of public comment and other things that you have to deal with.

And we know that the process isn't finished. We know there's a lot of work still to be done, but we're certainly very encouraged by the meeting today and what's been going on in terms of the adjustments to the map. And so we thank you for that.

We believe that we can be useful to you and work with you in terms of eventually tweaking any draft map that is approved. And we really do look forward to engaging in that process with you.
We'll make ourselves available and whatever works for all of you in terms of timing in terms of procedure.

As you probably know, we've had a number of correspondence that's gone to the Commission during the course of the last several days, including the weekend. Based on what's occurred today, I think some of the requests that we had in those letters has changed.

The first is -- and I just noticed by e-mail that the agenda went out for Wednesday. The first is really probably moot, but we don't request that we be on the agenda for Wednesday.

You know, our initial sort of thinking and we put that in our correspondence, too, we really felt based on what we were seeing last week that we probably needed to bring in our mapping expert. We just didn't feel we would be able to do that in a way that would be useful for you all during a public comment session.

I think we probably will not bring in our mapping expert in. I don't think we need to do that at this point.

But there was sort of a second facet, as I think you saw with our correspondence in terms of
the things that we would request and would like, and
one of those and still continues to be so, is we
really would like the Commission earlier rather than
later to come back down to Tucson. We certainly --
if you wish to do so on Thursday, we've arranged to
have an appropriate facility available -- that is
available. And I've communicated with counsel
regarding that. And it is available on Thursday.

We think it would be a tremendous
opportunity to have the public come in and talk
about some of the new things that you've done here
today that we are certainly encouraged by.

And so we would welcome the opportunity
to see you all on Thursday, if that's what you agree
to do.

You know, in closing, I kept my promise
about being brief. We really are encouraged by what
we've seen today. We appreciate the work that you
have done all along through the process, certainly
since the first time we've come in since I guess
August 23rd when we presented our first map. We
have seen the process happening and we appreciate
all of the efforts that you are making.

I think ultimately the Coalition is
looking forward to working with you to the extent
you allow us to do so. And we would like to do that
so we can assist you in any way that we can in terms
of protecting communities of interest and in terms
of respecting the Voting Rights Act.

So I want to thank you for the
opportunity to speak here today on behalf of the
Coalition.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Pete Bengtson,
representing self from Pima.

PETE BENGTSON: I'll pass until later.

CHAIRPERSON MATHIS: Oh, okay.

Our next speaker is David Cantelme,
representing FAIR Trust from Cave Creek.

DAVID CANTELME: Good afternoon, members
of the Commission, Madame Chairman. I want to say I
like you all, too. I don't like everything you
you've done, but I do like you.

I'm going to start off with points that I
have been making, and that is that the simpler map
is the better map. That's an old principle of
logic. If you have two results achieved, the
simpler way is the better way.

Second, the greatest good for the
greatest number of people.
Third, I think the earth may shatter, the windows make shake, but I find myself actually agreeing with Muratore on something, and that is competitiveness needs to be completed before you go to phase III and publish this to the public.

In fact, I would even go so far as to say that if you go to phase III, which is the 30-day comment period, with a map that is not complete in itself, you have not followed the Constitution.

And to that end, I would like to refer you to an error that the predecessor Commission had made and that was that it had gone to the public in phase II without having done any competitiveness analysis.

Now, that, of course, differs from this because you have done some but you haven't finished it. And the Supreme Court said you can't do that. It should be complete in itself.

You need to complete phase II before you get go to phase III. And you cannot have completed phase II until the entire competitiveness analysis, whatever you choose it to be, you define it, but once you've defined it, you have to complete it before it goes to phase III.

And the same with the voting rights'
analysis. Otherwise, you're going to have to put an asterisk on this to the public and say this is not complete. It's subject to later revision in terms of both competitiveness and the Voting Rights Act as the 2004 and 2006 information comes in on competitiveness and as the expert's analysis is done with the Voting Rights Act.

Beyond that, I agree it's very difficult to balance. And I will concede, Madame Chairwoman, you have tried your best to balance as you see it. Of course, I differ with you, but reasonable minds can differ.

But I don't see how keeping Coconino whole at the risk of cutting Yavapai, still cutting into Pinal more than is necessary, going into Maricopa, adding Fountain Hills to the river district -- it doesn't make a whole lot of sense when it can be done completely without bringing the river district into either Pinal or Metro Phoenix.

Seems to me having two rural districts entirely outside of Metro Phoenix and Metro Tucson is preferred -- preferable to almost anybody in rural Arizona to going into Phoenix, going into the San Tan Valley and so forth.

My last point.
District 1 is not competitive. The definition of competitiveness that I heard several times last week was where no major party has an advantage over the other.

The fact is, you have a greater registration disparity today than you did on Friday. Not by a whole lot, by several points -- or tenths of a percentage, but yet it's a fact.

A 9 -- greater than 9 percent Democratic advantage in District 1 is not competitive. There is no way you can dress that up. You can dress a mule in a horse harness; it's still a mule.

It's not competitive at 9 percent and it's never going to get competitive at 9 percent.

I do appreciate your reverence with my remarks. While we differ, I do assure you I really do like you all, and I do appreciate and commend the efforts that you have made. It really truly is a sacrifice on the part of Arizona.

And so I thank you for that; even though I disagree with the results.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Sandie Smith, representing self. It says from PC. Is that Pinal County. Of course.
SANDIE SMITH: Thank you very much. I know I came here Friday, and I wanted to tell you my frustration on Friday was sitting in the audience and it kind of reminded me of Thanksgiving and you have a pie and you're trying to make enough for everybody and you're cutting it up in pieces and you give everybody a piece of pie and there's one piece left over, so you decide to divide that piece up and then make everybody else have a little bit more. And I kind of felt like the last piece of pie.

So I do appreciate you very much that you listened to the elected folks that came, the governmental alliance that has proposed a map to you as well as the citizens that have come and explained to you not only their needs but their frustrations.

We've been cut up so many times to make the other parts work, that we hope that you will continue in this same --

I am so amazed at the difference in the map that you are showing today than what was on Friday and appreciate very much the work that you put in when a lot of us were enjoying our weekend and you were toiling at the drawing block.

But I will tell you that while -- not while, but we would rather be whole like most of the
rural counties are. We work together as a complete
count on transportation, economic development,
trails, parks and open space. We are working on
those plans now and the governmental alliance is
united in what their desires are.

    We do wonder that when you do change
    lines that -- what about those competitive figures,
    and we don't have those today.

    Did that change any? And so we would
like to look at that.

    At the break, I also spoke with Florence.
    I talked to the mayor as well as the city manager
    and both of them said that they do believe that if
    you did continue and not put Pinal County as a
    whole, which we would all rather, that Florence
    should go in with the Coolidge and Casa Grande area.

    And so again, I thank you so very much
for listening and really trying to make those lines
work. And I did have -- Supervisor Martyn was here
on Friday all day with you and he did text me --
they are at the Association of Counties CSA meeting
and retreat and he did say thank you for listening
and, you know, continue to keep your pencils
sharpened. We would still like to move that line on
up and be completely whole.
Oh, and one of the other questions I need to ask.

I heard -- I'm not sure exactly which commissioner said it but they said that you could get to -- into Congressional District 4, that you could get there on a rural road from Apache Junction, Gold Canyon.

I've lived there 41 years and I know of no rural road that goes -- I mean, it's Tonto forest borders us on that line at the McDowell Road alignment.

And so I can't imagine where that rural road is, without going into the other districts. And maybe that's the caveat, it does go into the other districts.

Okay. There you go.

So it would be really hard for anybody to come down and really focus on us, coming down -- having to come through two or three congressional -- other congressional districts.

But thank you very much for hearing us.

CHAIRPERSON MATHIS: Thank you.

VICE CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Our next speaker is Paula Linker, representing self.
PAULA LINKER: Thank you very much.

Paula Linker, L-i-n-k-e-r, and representing self, yes.

My comments have changed a good deal. I had to change my comments quite a bit because they were based upon the old map and the maps have changed.

But my main comments regard community of interest and compactness.

As you can tell, I am originally from New York. Now, in New York, an apartment building constitutes a precinct and it is varied in its ethnic makeup. So you don't have to go looking around to make competitiveness and all of these other silly things you're putting in.

It's a community of interest. People move there because they like the building, they like the surroundings, they have a lot of common values and everybody is happy.

I was a teacher. Communities are incredibly important to teachers because it is really -- it's not that it takes -- it's very int-- -- it's very important for the youngsters to have a foundation and neighborhood where they know -- they feel comfortable and the neighborhood has the same
expectations of excellence.

And I'll address that a little bit more when we get to legislative districts.

But what I did want to say was as I followed the maps that were constantly changing -- I said a math teacher, I can read a map, but some of this just defies rationality because it seemed to be scalpel-like precision, counting who was here and who was there. And it really made no sense to me whatsoever.

And I am from -- we chose to move to Scottsdale. We could have moved anywhere. We chose Scottsdale. When we were here, we visited Scottsdale, Fountain Hills, Tempe, surrounding communities. We liked the community.

It should can be kept as whole. You chopped off a piece down on Thomas, or maybe with your new map further. I can't read that far away. And that just makes no sense. You're taking part of Scottsdale and shoving it somewhere else when the part of Scottsdale that you are taking away is a diverse part of Scottsdale. It's a nice place to go, if you ever take a trip there.

I urge you to keep Scottsdale whole, please. It matches up nicely with Fountain Hills,
Carefree, Cave Creek. Those are all communities that have the same interests and they are all attached. They don't snake around. Just as a closing comment, if you take a look at this map and you showed it to my mother, she would have taken a look at it termed it also and said "go figure."

So being a dutiful daughter, I would go and figure, and I did go and figure. And what I figured was not too nice because it looks like an awful lot of gerrymandering to me.

And competitive -- competitive is good because it forces everybody to be excellent, but it also forces people to ponder. And I think if this map goes into effect, the next election cycle I'm going to get Dish TV because I don't want to see cable. I don't want to see radio or TV. We're going to get bombarded with ads.

I think the TV programs are probably going to go down to ten minutes per half-hour and the rest with special interest ads trying to pull me every which way.

Please consider community of interest.

Thank you.

CHAIRPERSON MATHIS: Thank you.
Our next speaker is Leonard Gorman, executive director for Navajo Nation Human Rights Commission.

LEONARD GORMAN: Good afternoon, members of the Commission.

It's good to be back from the weekend. Some real good work that you have done in the absence of Navajo in the session this morning.

I just want to introduce the Navajo Nation delegation that's here from Navajo Nation. Some of us drove from the four corners area, it's drivable, and probably to the New Mexico international line is drivable, too.

Mr. Leonard Tsosie, he's from New Mexico. Mr. Alton Shepard, he's from Arizona and also Mr. Jonathan Nez, who spoke to you earlier.

And we have two other members that are on the team from the Navajo Nation council. Mr. Kenneth Maryboy. He represents the state of Utah, and also Mr. Lorenzo Bates. He's a member from the state of New Mexico.

So Navajo Nation has put together a legislative team to work on redistricting. So what you've heard this morning -- or this afternoon from Mr. Nez is the position of the Navajo Nation with
regards to the map that's on the screen.

And just to briefly talk about the map aspects, the numbers -- it's certainly encouraging to increase the Native American voting-age population in the current map that's on the screen.

Navajo Nation submitted two iterations, Indian 1 and Indian 2 on the congressional side. Indian 1 has 21.5 percent Native American voting-age and then Indian 20.88 percent Native American voting-age population.

The iteration that you're looking to endorse is something that's in the neighborhood of the Indian 2 proposed Navajo Nation forwarded. It's 20.5 percent Native American voting age.

And we've always indicated that Native American voting-age population is a significant aspect for the Navajo Nation to present.

And the community of interest aspects, the city of Flagstaff is a significant community of interest to the Navajo Nation and the Navajo people because we do a lot of common risk and development. We have education facilities in the community, Northern Arizona University.

Significantly, a lot of Navajos go there. There's millions of dollars that go to that school
on an annual basis. A lot of Navajo students go to
school there.

We have common interests and cultural
issues on the sacred site.

So in that regard, Flagstaff is a
community of interest to the Navajo Nation and
Native people.

So the final vote that you are going to
give for this particular plan that's on the map, we
appreciate the opportunity to have Flagstaff as a
part of the Congressional District 1.

And with regards to the iterations that
have been made this morning, we presented
recommendations and comments to you in the past
couple of weeks that Gila River be a part of CD 1.

Thank you for making that a favorable
consideration and adding the Ak-Chin Community to
our CD 1. That's just added value to our CD 1
proposal.

And finally, legislative district, we
just want to remind you that Navajo Nation has a
significant stake in the legislative district. We
are Section 1, Section 2, Section 5 community and
certainly that would be the utmost concern.

Again, we want to ensure that there's an
increased Native American voting-age population in the legislative districts just as well as the congressional district.

So in closing, we look forward to having you come up to Window Rock on October 14th. And please don't change the date again. We have made numerous reservations and canceled those reservations. So hopefully the October 14th will be a final date in which you come to visit us again.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Bill Roe, representing self from Pima County.

BILL ROE: Good afternoon.

Bill Roe, R-o-e, from Tucson, Pima County, Southern Arizona.

And I, too, was caught off guard by the changes, but at the maps that were finished on Friday, three things jumped out at me. And I haven't had a chance to really see how much those have changed.

One was that it was a distinct possibility that Tucson would be reduced to one real congressional district. And I think that needs further analysis and to make sure that Tucson, if at
all possible, has two congressional districts rather than just one.

The second thing that jumped out was on moving sort of what's now listed as CD 3 further north of the Maricopa County, then moving the 7 further north again. It reduces the ability to have a competitive district -- additional competitive district or a competitive district in Maricopa County.

There just aren't enough Democrats to go around if you bump people up. It's sort of like hitting a waterbed mattress. You hit it one place, it depresses and it pops up somewhere else. And you're all well aware of that issue, as you have been playing with this.

The third thing that jumped out at me -- this did not jump out of me until I got phone calls from friends in Cochise County, if that map, and this again, I think it's changed dramatically, but if Sierra Vista was included in that huge district, you know, where would the district office be?

Congressional offices can only have one real district in a satellite. The funding is short. So are people going to have to go from Sierra Vista to Flagstaff, from Flagstaff to Sierra Vista or
somewhere in between?

And those three considerations really jumped out. And they may have been taken care of, but I would ask for your attention to those three issues. But predominant among those is the concern as a Southern Arizonan, to make sure that the Southern Arizona area, the Greater Tucson metropolitan area, definitely has two congressional districts instead of just one.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is C.J. Briggle, representing self, and you'll have to tell us where you're from.

C.J. BRIGGLE: C.J. thank you, Madame Chair. I'm from Ahwatukee.

And I am going to be brief. There are three communities of interest that I am very encouraged about that you've retained. One is the entire Ahwatukee area. Thank you for doing so. This overlaps and extends into Chandler and Tempe with the Kyrene school district, and that, too, is very important to our community.

We also have in our congressional district a light rail system that is being
maintained on a transportation segment that goes all the way through to Dobson. This is really very valuable, and I thank you for that. Those are encouraging reconditions of the map that I appreciate.

However, if there is anything that you can do to tweak this map to create one more competitive district, I would be eternally grateful and would tout your names as heroes for the next ten years.

Thank you very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Carol Jean Kennedy, representing self. And if you could tell us where you're from.

CAROL JEAN KENNEDY: Good afternoon. My name is Carol Jean Kennedy, K-e-n-n-e-d-y, and I'm almost from Ahwatukee.

And I just want to thank you again for keeping Ahwatukee as a whole community and for all the work that you have done to create competitive districts.

I appreciate it very much.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Barbara Ann Olbinski,
representing self.

You can tell us where you're from.

BARBARA OLBINSKI: Thank you very much. Ladies and gentlemen of the Commission, I appreciate your effort on your part. I know it's voluntary and thankless, and I'm sure when this is all over you're going to be thinking what I was thinking 32 years ago on the delivery table, I won't be doing this again.

I'm speaking for competitiveness.

My community of interest is probably one of almost the most valuable of all. In two months my son is going to be deployed for the third time. They just don't go to war. He's in the Navy. They do interdictions. There's probably dozens of them going on today. And if you don't know what an interdiction is, you get on another ship not knowing what's going to confront you.

I think my area of -- if that's my area of interest, I think it's one to be considered.

I'm also representing like citizens of the state who have been outspent, outshouted, outsourced, outmaneuvered, and left out.

I've been here 32 years. Very, very rarely has my vote ever counted. I was raised and
educated in Ohio, which is a truly competitive
state, and in which much of the nation's attention
is often gravitated, be it sports or politics.

I'm a former high school teacher. I'm
passionate about history and government. I
confronted senior high students who were very
cynical about government. I couldn't understand
why. I was appalled and confused by their attitude
because I was idealistic and young.

I could not comprehend the disinterest in
both my students and faculty colleagues. In fact, I
realized only 60 percent of the electorate votes in
national elections and much, much less in local
elections.

I still find this astounding. Seeing the
faculty cared more about sports in the lounge and
fought over the sports section of the paper, as I
bet many of you gentlemen here -- gentlemen in our
state and in this room still do today.

Well why? Well, as I am informed,
competition breeds interest and excellence and that
leads to awareness.

It could also lead to fraud and
corruption, those being had, fight back, and that
leads to, again, awareness, participation, and
reform.

Think about it.

I'm not done.

Which teams will get the most attendance during the season? The most competitive, those vying to be champions do.

In addition, what occurs at the season's end? A draft, to make those teams not making it a chance to make the next season more competitive. And hence, you guessed it, raise the bar.

When I moved to Arizona in 1974, I became involved in the GOTV effort. I spent all day transporting people to polls only to have the national media project winners with only a fraction of the votes counted. Arizona polls were still open and I still had people in my car.

Today the announcements are postponed until all of the polls close, yes, however, races are still called precipitously because of the science of calculating the so-called key districts.

However, which areas capture the attention by standards? You guessed it. Those toss-up areas do.

These are the areas keeping us up all night. These areas truly compete. These are the
areas in which dialog and critical evaluation takes precedence. These are the areas where turnout is heaviest. These are the areas creating excitement -- excitement and intensity. And these are the areas determining our future.

Think about it. Arizona can be great and is a growing state. Many citizens conclude votes are for purchase and districts are rigged.

Competitiveness evens the playing field, garners attention and sometimes goes into overtime or late nights.

However, that's okay. How about some positive attention for Arizona for a change. This has not been the case of late. Let us not be conditioned to be outclassed.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Do you mind stating where you're from, I'm sorry. City or county.

BARBARA OLBINSKI: I am from a district whose current representative in congress has proposed 26 bills in congress, none of which have made it out of committee. I am from nowhere, I suppose, because I am not represented.

I'm from Peoria.
CHAIRPERSON MATHIS: Thank you.

Our next speaking is Shirley Dye, representing self from Gila.

SHIRLEY DYE: Thank you, Mr. and Mrs. Commissioners.

Shirley Dye, D-y-e, from Gila County.

In looking at this new map, the congressional -- the congressman I have had is not the congressman that I probably will have then.

My big thing is, you know, this nation was built as a melting pot of people that had an equal vote, one person, one vote. And it seems to me in our county district, I was accused of being a segregationist because people wanted a competitive district and I said, okay, well, we can add some more people over here to help build up the Hispanic vote, and was called a segregationist, even though our attorney said we needed to add people into that. But because I said it, I was a segregationist.

And I didn't think that was quite fair to say of me because I love Hispanic people, I love black people, I love Indian Native American people, I love Chinese.

I grew up just north of Los Angeles where we really have mixed people. So I am certainly not
a prejudiced person.

However, in looking at this map, Pinal County is not the only one that's getting chopped up. Gila County is chopped up into two pieces, and I almost kind of wonder why the Native American's voice is taking total priority in how that district is made up?

Why can't you have Native Americans in the western district? Why do they all have to be in the eastern district?

Whatever congressman gets voted into that district on the east side, talk about gerrymandering, they are going to have hours and hours of driving and they are not going to be able to represent us because they cannot be in all of these places when they've got a job to do. And, you know, that is really crazy to me.

Compact and contiguous are one of the top two things on your list of priorities and communities of interest.

Now, Flagstaff is way more urban than the whole rest of that east side. We have tons and tons of mountain, ranching, and rural districts, and I understand that they have been the driving force on that.
Well, you know, I'm sorry, maybe the rest of us rural people who are busy working and doing our thing have not had the numbers of people to come and speak to you like the Flagstaff people do.

But the fact that they have pushed for greater than 9 percent, you know, Democratic advantage to this really rural district is absolutely crazy.

Also I want to comment that the only plans that I have seen that have been submitted by outsiders besides the IRC people are the Mexican -- or the Hispanic Coalition, the -- all of these different coalitions of Democrats, left-wing, whatever and yet none of the maps that we people from rural Arizona have submitted are shown up that other people considered. And I think that's kind of wrong, that the maps that we presented all the way back in in the first public meetings are not posted on the website and yet other people's maps are posted for consideration.

So I guess that's it. I don't like to see Gila County split in that. I don't like to see Pinal County split. I don't like to see the surrounding people -- San Tan Valley put in with Mohave County and La Paz. Those are crazy, crazy
things to do.

So, you know, I'm for one person, one vote. And if a person wants to live in a different district and be able to vote with the people that they feel like they have common interests, they can move across and go to another city, you know, if they feel like they are being underrepresented.

But, you know, I'm feeling by this gerrymandered mess that you're doing that I am going to be underrepresented.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaking is Benny White, representing self from Pima.

BENNY WHITE: Thank you.

My name is Benny White. I live in Tucson.

And Madame Chairman and commissioners, I appreciate the opportunity to speak before you today. I'm not a perpetual inhabitant at these hearings. And it's been interesting to listen to some of the comments of people that seem to have been here throughout all of the hearings.

It's my understanding that there's a proposal that you vote on adoption of a map that was
presented this morning.

    I would strongly encourage you not to take that vote today. It would be in violation of the open meeting law.

    And I understand that you have a dispute with the Attorney General as to whether or not you are required to comply with the open meeting law. But your public notice says -- your agenda -- your ability to offer opportunities to speak indicates to me that you think yourselves that you are required to comply with the open meeting law.

    And the objection there would be that if you do adopt this map today and you are in violation of the open meeting law, that vote would be rescinded and we would be into December and January with elections next year and not having any maps.

    So please don't do that. Please allow at least a 24-hour notice to the public.

    I tried to get a map back here of the map that you are talking about and it's not available. It's available online, I guess. I don't walk around with a computer.

    But I do have a copy that I got from another source today of the map. And it has been interesting to listen to the competitiveness
discussions.

I am not convinced that you have an accepted definition of competitiveness or a metric to know when you have achieved competitiveness, whatever that is.

I think it's analogous to the term special interests. Special interest is anybody that doesn't agree with me. Competitiveness seems to me, based on these comments, that I want to rig the elections in the future so that if I can't win fairly, I want to make sure I have a super majority so I can get my partisan votes out and elect people that otherwise would not be elected.

The map that I see in front of me is dated 10/2/11. And this map fails to meet the primary constitutional requirements of compactness and contiguity.

If you look at the bottom right corner in Cochise County, you've gone down and picked up a little blip down there. That is a strongly Democratic enclave of Bisbee/Douglas, and that is primarily to support a Democratic candidate election in 2.

That would make the gerrymandered districts of North Carolina and Georgia proud.
The same thing could be said I think of Pinal County. Pinal County, on the eastern -- or on the western edge there is connected up with Flagstaff. And I fail to understand how that could possibly be any type of a shared community of interest.

If you look at District 9 inside of Phoenix, it fails contiguity on two different aspects. You have a northwest-pointing spur and a south -- or a west-pointing spur. That does not meet any kind of a concept of compactness.

And the same thing in Pinal County. You've heard testimony about it being split up. But at the Pinal/Pima County, you invited community of interest there.

There's a very large community in Northern Pima County that has a community of interest with Saddlebrooke, which is just inside of Pinal. You've reversed that now so that that district is included in the same congressional district as Flagstaff, which will wind up disenfranchising those voters.

That representative that represents Flagstaff will never visit that community.

In addition, you extremely exacerbated
the cost of conducting campaigns by this snake-around scheme that you built for District 1. That candidate will have to buy the Tucson market, the Phoenix market, the Flagstaff market, and the Prescott market in order to conduct a campaign. And you're talking about tens of millions of dollars to conduct a congressional campaign there, which most candidates cannot achieve unless they get a lot of outside influenced money.

So two things. Please don't vote to adopt this map today. And when you do have a meeting to adopt it, please don't adopt this map because it violates the principles of the Constitution.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Next speaker is Nancy LaPlaca, representing self from Tempe.

NANCY LAPLACA: Hi. My name is Nancy LaPlaca, and I live in Tempe, Arizona. I've lived there off and on for about 20 years.

And I have a couple of comments.

I appreciate Chairman Mathis. I appreciate all of your hard work and the hard work of the committee. I know what an incredible process
this has been.

I want to say competition rules. We need four competitive districts. I think today's map is a huge improvement over last Friday's, an enormous improvement.

And I also believe contrary to my mayor, Mayor Hallman, that the light rail is a community of interest.

I ride it almost every day. It's my main form of transportation that I use to get to work downtown. And there is a big community of interest on that light rail. And the more all of us ride it, the more that community kind of comes together.

I think that we have terrible gridlock going on. And I'm a Democrat, a lifelong Democrat, but I respect anyone who gets involved in the political process. And I think the Tea Party, unfortunately, has been very extreme and has been sort of over the top and it doesn't help our democratic process.

We have an 80 percent disapproval rate in congress and we need to come together and recognize that we need competitive districts that allow everyone to participate and that will result in more people supporting our federal government.
And thank you for your time.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Brad Lundahl, from City of Scottsdale.

BRAD LUNDAHL: Thank you, Madame Chair, members of the Commission.

This process takes place every ten years, and I am truly honored to be here today and to be part of this process.

From the City of Scottsdale, I just wanted to stand briefly today and say that we appreciate that Scottsdale was kept whole as possible. I think some of the earlier maps that we saw showed it was split up a little bit, and we do appreciate your efforts to include more of Scottsdale in Congressional District 6.

We also appreciate the most recent move where the southern boundary was moved from Chaparral down to Thomas. Definitely a step in the right direction. And let me just note right now that if lines are changed in the future, if you wanted to keep that movement going south, we would definitely appreciate that even more. And we do have quite a bit going on in South Scottsdale and we definitely would like to keep it in the family.
Second -- or third, I should say, I wanted to thank you for including the Salt River Pima-Maricopa Indian Community in that district. We have many projects that we are working on with the community and we would like to be able to completely -- or complete those projects in adjoined cooperative manner.

The Indian community is a good partner with Scottsdale. They are a very good neighbor, and most importantly, they are good friends. And we definitely like -- or would be honored to be in the same district with them.

As I mentioned before, if there were changes that needed to be made to that district, any movement to the south would be our preference rather than going north or northwest.

And with that, I'll end my comments here.

Thank you.

CHAIRPERSON MATHIS: Thank you very much.

Our next speaker is Jennifer Steen, representing self from Maricopa.

JENNIFER STEEN: Hi. I'm Jennifer, J-e-n-n-i-f-e-r, Steen, S-t-e-e-n.

And I am representing myself, although as you all know, I'm a professor at the university and
I'm not representing the ASU interests here. I actually -- I was here this morning and I've been watching some of your proceedings online and I felt like I should come back. The professor in me felt compelled to come back.

And I'm going to try and not to filibuster, but I've heard -- I've been really encouraged here from all of the people who have shown up to testify, and I love to see democracy in action and so many well-informed comments being offered today.

I also think that there's probably a lot of not necessarily confusion, but -- you know, if you've never sat down and played with mapping software like we all have, you may not realize exactly how difficult it is to try to meet all six of the constitutional criteria. And really, I'm talking to the audience. You guys all know this.

We've heard comments about how crazy looking some of the districts are and confusion over why that has to be.

If you just tinker with a little corner -- should I turn around, maybe? I'm a professor here for the student.

If you just tinker with one corner of a
district, it almost always has ripple effects that
go throughout the entire map. I know all five of
you know that. I know Willie knows that.

And so it can be very, very difficult to
just neaten up the edges to make a nice, compact
polygon. Most of the time it seems to be
impossible.

I've spent a little bit of time, not as
much as all of you, playing with the map of Arizona
and trying to see, hey, can I do a good job of using
all six criteria and assimilating the public comment
to make a perfect map?

And I basically had to give up because
like you, I'm not paid to do this. But unlike you,
I'm not required to do it either. So that was a
nightmare task.

So I just wanted to say this: I don't
have a dog in this race. I don't care whether you
adopt this map or not, but I want the concerned
citizens who are watching or reading the transcripts
or sitting in the audience to appreciate how
technically difficult this is.

I do have a couple other more substantive
comments.

I don't know if in the time that I was
coming back from my office if Willie had said anything about the competitiveness measure Ken e-mailed to you, but I have talked to him at length trying to understand it. And to clarify again for -- mostly for the audience, this is a measure that takes basically three independent pieces of information; voter registration, the most current that we have; election results from 2008; and election results from 2006 and weighs them essentially equally.


So the 2008 results, even though they are only Corporation Commissioner and presidential election results are essentially weighted as heavily as the seven -- I'm going to keep talking until the music plays -- as the seven statewide offices.

A lot of folks have expressed concern about incorporating 2006 and 2004 election results, and that clearly will give you a more nuanced measure of competitiveness, but I also want people to realize it's not going to be a panacea. Those results are old.

We live in Arizona. People move. Things change very, very rapidly. So while those results
may not -- are not contaminated by the strong Republican ties that we had here in 2010, especially, they will be from -- to a large extent, out of date. So we're not going to get a magic bullet when those results are finally integrated.

In sum, you guys have a terribly hard job. I know you're doing the best that you possibly can. And just look forward to -- if you culminate all of the complaints that have been offered here today, then at your next hearing you know exactly what's going to happen, right?

All of the folks who are then disgruntled are going to step forward. So, you know, you have a -- you cannot satisfy everybody. You're going to have very unhappy customers no matter what.

And there is just no way that you can achieve all six of those goals perfectly. You're going to have to balance them as you see fit. That's within your discretion, both as a Commission and individual to balance them as you see fit.

So have fun.

CHAIRPERSON MATHIS: Thank you very much. That concludes public comment. I'm out of request to speak forms.

The time is 2:49 p.m. I think it would
make sense to give our court reporter a break and the commissioners and come back in about ten minutes.

Thanks.

(A recess was taken from 2:49 p.m. to 3:17 p.m.)

CHAIRPERSON MATHIS: We'll enter back into public session. Recess is over. The time is 3:17 p.m.

And thank you, public, for all of the comments we received today, and we appreciate you all coming out and telling us your thoughts.

And I wanted -- a couple comments came up during that that I wanted to get clarification from legal counsel on. So I'm hoping Mary or Joe can weigh in.

But there was some kind of open meeting law -- potential open meeting law violation mentioned if we proceed in terms of any action on this draft map and also the competitiveness -- the competitiveness analysis and how that has been weighed in and factored into our creation of this draft map.

MARY O'GRADY: Okay, Madame Chair, also the open meeting law and Joe will follow up with
competitiveness, and I think Willie has some additional information on that as well.

In terms of the open meeting law issue, agenda item 2 today includes a statement that the Commission may also take action to adopt portions or all of a draft map.

So the Commission is free to act on approving the draft map today, based on the agenda. So there is no open meeting law violation if the Commission chooses to adopt a map today.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Thank you.

Mr. Herrera.

VICE CHAIR HERRERA: Just a clarification. This is new to me.

Who -- what's going on with the violation of the open meeting?

CHAIRPERSON MATHIS: I wasn't sure of it either, but Mr. Benny White mentioned it during his public comment. And I don't want to have any potential open meeting law violations raised, so I wanted to get clarification from counsel on that.

VICE CHAIR HERRERA: I stepped out to go to the bathroom during his comments.

MARY O'GRADY: And that analysis, of
course, is subject to all of the issues that are in litigation concerning how the open meeting works.

And I'll have Joe -- on the competitiveness issue.

JOE KANEFIELD: Madame Chair, just to clarify, on the competitiveness question as well as the other goals, we went back and looked at the Arizona Supreme Court decision which provides guidance on this question.

The commission must take all of the goals into consideration prior to adopting the draft map. That's pretty clear.

What the court has said is that any challenger that would wish to bring a challenge would have to establish that the Commission failed to engage in a deliberative effort to accommodate the goals so long as the record demonstrates that the Commission took all of the factors into consideration, then the court will end its inquiry at that point.

I think that that's -- that pretty much covers it.

The Commission has, obviously, considered competitiveness. You've -- you have differed in some respects in how you measure it, view it, but
you certainly have deliberated on the question and the consultant has provided you different measurements and vote -- the Commission hasn't necessarily adopted one specific form. You've had different types of measurements to consider, which would all go into the deliberative process.

And as long as the record demonstrates that you considered it -- and when I talk about competitiveness, I believe it would apply to the other goals, too, which must be reflected in the record, which I think it appropriately has through debate and discussion.

Mary, anything you want to add?

MARY O'GRADY: Yeah. To agree with Joe, that the Constitution requires that you take into account all of the goals, including competitiveness, and the record has to reflect that, as this record certainly does reflect that this Commission has taken into account all of the goals, including competitiveness.

And I guess there might some other questions in terms of the methodology. If Willie wants to address those.

WILLIE DESMOND: Sure.

I spoke with Ken over the break and
confirmed some things.

So his presentation, I believe it was on August 31st, discussed competitiveness for the first time.

Following that, we were asked to provide compactness and competitiveness measures. Those are included as part of the data table. If you look on the website, there is something that is dash data table or maybe it's just called a plain XLSX file. It was the first bit of information -- like, you know, support data that we provided. And he explained in that August 31st presentation what constituted that competitiveness measure.

In the weeks that followed, there was some questions about different ways of mixing competitiveness and also including registration data.

As a result, I think on September 22nd he presented competitiveness again and included two other methodologies, index 2 and index 3. I believe in that presentation he explained what those were.

That PowerPoint presentation and the compactness are -- can be available on the website if they weren't already, I believe at the very bottom of the maps page in the additional
Additionally, I think later on, it was requested by someone on the Commission that we also include voter registration number. So that was also added at some point to the competitiveness report that is now at the end of your packets.

And I just -- I think if there's any other requests for information, we'll continue adding to the various measures. And when we have the '04, '06 data, we'll add that, obviously, too.

I think that's it.

Also Ken is currently working right now on providing the actual algorithms that compromise each of these. I think he said it during his PowerPoint presentations, but so it's written down, documented better. He'll be e-mailing that to the entire Commission as soon as he's done.

So in the near future this afternoon -- I know he's working on it right now and we'll get that posted as soon as possible to the website also.

CHAIRPERSON MATHIS: Thank you all for the clarifications. We appreciate it.

So with that, do any commissioners have any thoughts or comments on the map itself or the public comment or anything they would like to say?
VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Not necessarily about that, but I still would like for -- when Mr. Strasma is back in town, to go over the competitive models. He did a really good job of explaining, but we probably need some refresher to refresh ourselves. That was a while ago.

But again, he did a really good, detailed job of explaining what he used, but I'm happy to hear his presentation again. I don't think I could get tired of that. For that part of the presentation.

WILLIE DESMOND: I would be able to re-present any of those as soon as we -- as you want to. I don't think we could do it for Wednesday because I don't know if it's on the agenda. I'm not sure whether the Thursday agenda has been posted yet, but if you would like, I would be comfortable in presenting his competitiveness presentation, just so we don't have to wait for him to come out.

Do want to wait for him to come out? I don't think it's worth a special trip for him just to come out for that. He's really plugging away on the racially polarized voting analysis right now --
VICE CHAIR HERRERA: Sure.

WILLIE DESMOND: -- and I hate to take him away from that.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I don't think I meant he come just to make a trip for this. No, not at all. If you can make it, you feel comfortable making that presentation, Mr. Desmond, then I would love to hear that presentation.

WILLIE DESMOND: So if we add that to an upcoming agenda, I'll present it then.

CHAIRPERSON MATHIS: Okay. Thank you.

Other comments, thoughts?

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

COMMISSIONER FREEMAN: I thought it might take me a while to clear my throat, so I waited.

I would like to have that additional competitiveness information. I would like to have the algorithms so I can re-create the numbers myself and so I can generate these numbers sort of prove to myself those are the numbers.

I would also like -- I know counsel has said at least the map presents a prima facie showing
that we've complied with the Voting Rights Act, but I would like a little more information on that to even get a better sense as to whether these districts we think would stand up or whether they would to be modified, because that could have an effect on the rest of the map.

So I have other issues with the map in terms of whether I believe it complies with the constitutional criteria. We'll set that aside for now. I would just like to have some more information in order to evaluate this map before we do anything.

CHAIRPERSON MATHIS: Thank you.

Any other comments?

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER STERTZ: In putting together -- for the last couple of months we have done a great deal of work understanding the Voting Rights Act and looking at minority populations throughout the state, and I think we've incorporated that work into this draft map.

I know that we are -- the analysis that we have done thus far suggests that we are on solid ground with our majority-minority voting districts.
We have now taken a very substantial measure, the recommendations of the Hispanic Coalition for Good Government in preparing this map. We've held a number of public hearings. We've taken public comment at every single one of our public meetings to my recollection.

We had two public hearings in South Tucson, one of which was in South Tucson proper and one of which was south of South Tucson in Tucson proper.

So -- and I'm -- we have had offers of assistance, and I believe our staff is working on pursuing those offers of assistance from minority groups to help us ensure that as we go forward with public comment, that we create opportunities that get the best feedback that we can.

I think that each of the -- as I look at this report on the second page of the map, it looks like that -- it looks like every single district has a population of 710,224 people with the exception of District 4, which has 7,010 -- 710,225 people. So I think we've addressed the equal population issue.

We've worked as a Commission a great deal on looking at county and municipal and graphic boundaries and census tracts. I think we've come at
it a little differently, but we have some very
detailed analysis and have had attached to each of
our maps that tell us how many counties have been
split, how many census places, census tracts, the
percentage of each municipality that's in each
district, the percentage of each district that's in
each municipality.

And one of the things that we've learned,
I think, is that whichever way we've approached
that, we wound up in similar places in terms of the
number of splits, but we've worked very hard to
reduce those and to make them make sense.

We're a big state. We're a rural state,
and I think we've looked at compactness and
contiguosness for each of these districts.

In working on the legislative maps --
thoughts on legislative maps, I've used this atlas
of Arizona that has -- I don't know how many pages
it has, 68 pages, and I realized that 15 of the
districts are on two of those pages. So to me, that
kind of tells me what an urban/rural divide we have
in the state.

And so we worked very hard to have
compact districts, but at the same time we have
large rural expanses.
So that is a challenge, but we've certainly worked hard to try and come up with a draft that the public can comment on.

I think that we've learned as a group a great deal about the state and the communities that make up the state.

We have gotten a great deal of comment from communities, and that's starting to increase, which is wonderful.

We are starting to hear directly from communities about their specific concerns with regard to the map and we are trying very hard to take those into account and build them into the map.

And with regard to competitiveness, I -- again, I think we as commissioners have different perspectives on that. My own perspective and the measure that I used, or the standard that I looked at in the congressional maps, is that we are charged with creating fair and competitive districts. And I believe that that means that we should work towards blending with all of the other criteria, achieving congressional districts in which given average candidates and average years, neither party has a built-in advantage.

So that's my standard for
competitiveness, and I think that the consultants have given us several tools that we can use in an effort to make assessments in these draft maps about how close we are getting to that goal. And I know that they will continue to refine that with the additional data that has been requested that they build in.

So with that, I think I would just close by saying I think it's really important now to give the public something that they can actually comment on, an actual draft that doesn't change from day to day. And I hope that we will hear more from communities about how — about their communities and how this — these proposals work for them. I think it's a good start, and I think we should let the public comment on it.

CHAIRPERSON MATHIS: Any other comments?

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: In regards to competitiveness, let's just go through the districts.

District 1, the map that you've got -- and by the way, thank you very much for taking the hard work and putting this map together this
weekend. If I would have known we were going to have another shot at redrafting maps, I would have actually gone through the process of sending a map that I had been working on over the weekend to Mr. Desmond so that we could have some comparison analysis, because I have actually gone through this iteration and actually had another -- I've been studying this map for quite some time.

Let's talk about -- let's just talk about District 1.

There are 35,000 more Democrats than there are Republicans in District 1 yet it shows up on the competition analysis that it's a 50 percent -- that somehow is competitive.

So it's clear that District 1 is not competitive. There's a 24 percent Democrat over Republican registration advantage in District 1.

In Districts 4, 5, and 6, we've actually gone from the map from Friday to the map today adding more Republicans to the already Republican districts.

District 4, the large growth area in the San Tan, is going to continue to have more Republicans grow. So again, it's going to expand the percentage of Republican advantage in District
4. That's got me greatly concerned that that's been
designed into that district.

District 2, which is a rural -- or excuse
me, the urban Tucson district is shown to be a
competitive district probably only because there's
equality between the Democrats and the Republicans
where there is no significant advantage to the
registration, though I can't imagine that the --
that it's going to be actually ever someone from the
Republican party that will be elected there.

District 8 is also a heavily -- it's
holding actually a 59 -- in fact, my percentages are
just astounding.

In District 4 there's a 78 percent
Republican over Democrat advantage for registrants.

98.7 percent Republicans over Democrats
in District 5.

68.1 percent Republicans over Democrats
in District 6.

I would hope that if we were actually
talking about trying to get competition that we
would try to narrow that gap instead of placing so
many Republicans in a particular district that we
know is going to grow, as Republican districts will
continue to grow, as District 4. These are sort of
the districts where growth is naturally going to take place.

In District 8, again, it's a heavily Republican district where it's also a growing district that's got a 59 percent Republican over Democrat advantage. Those are clearly going to be four Republican districts.

I don't see that 9 is actually competitive. There is a 5.8 percent Democrat over -- Republican over Democrat advantage, which is really curious to me that it actually has an advantage yet it shows more competitive on the Democratic side. Obviously, the folks that are voting in the other category, the Independents are voting mostly Democrat.

So I can't get my arms around the statistics because I don't have the algorithms. Once I have them, I'll be able to have a better analysis of that. Right now the only way that I can look at is sort of trusting the information that Strategic has provided in their analysis and -- but I'm really looking at registration.

So I was hoping, Madame Chair, to actually get areas that would be growing to be growing and having more -- more of the -- we've
I heard so much over and over again that the state is third, a third, and a third. There are actually more Republicans than there are Independents and there's more Independents registered than there are Democrats. And it would have been great if we could have had a little bit more spreading out of these so we could actually increase the level of competition going forward.

I can't -- although I really am excited about some of the things that you have included in this map, I can't -- I would love to have a couple more days to be able to be able to analyze it. We're going to get some algorithms tonight from Strategic. I'll be able to do some homework on it tomorrow and would love to see us come to the table on Wednesday so at least I could be able to say, yeah, I see it or tweak these things here and I'm on or not.

CHAIRPERSON MATHIS: Great.

Any other comments or questions?

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

COMMISSIONER FREEMAN: I had two things to say and I only remember one. Maybe that's a good thing.
One comment that was made that was --
that in terms of our splits analysis, there's really
no significant difference in all of these maps in
terms of splits. And I have to disagree with that.

If one map shows one more split than the
other, that may not seem like a big deal unless it's
splitting Mesa twice or three times. I mean, that
could be a big deal. I hope we don't have that in
this one, but that could make a difference. That
could be a significant impact on the map.

The other thing is none of the other maps
were refined to the point as this map is. This map
is down to one person.

The whole counties map that I was working
on, that line of maps, it wasn't finished, so it's
not a fair comparison. A lot of those what-if
splits there were, there weren't that many in that
map, could have rectified. So it's not a fair
comparison.

And we don't have -- I know Commissioner
Stertz had worked on this map that -- in filling in
the donut hole that he presented on Friday and made
that part of the record. I'm not sure if -- I would
like to see how that map played out to see if that
would give us a competitive district and also
improve results on the other factors we're supposed to consider under the Constitution.

Actually, I think I remembered both of my points.

CHAIRPERSON MATHIS: Okay.

Other comments.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Let's see, where do I start.

One of the reasons why I decided to vote for this -- obviously this map has changed since we voted for the working map because I wanted to move forward with the draft map. And I think we've all worked on our different versions of maps. It's been a while.

We've all put some time and effort into these maps and, obviously, you did your best to try to get a -- sort of a mixture of three different maps into one, including Stertz's map, the whole counties and Commissioner -- excuse me, Commissioner Stertz's map where he talks about the three border districts, Freeman with the whole counties map and then the river district.

And although I don't -- I'm not quite
happy with the outcome, there's some things that I can live with and there's some things that I'm hoping will change. But again, this is a draft map.

And let's talk about the -- just quickly, some of the things that Republicans get. They get three border districts. That's something they've been talking about for awhile.

They minimize the number of competitive districts from what I thought we could get was four down to three. And this is something that I think I've been pushing since we started the draft maps.

Now, this particular version -- congressional map that was printed on 10/2 gives the Republicans four solidly Republican districts based on the 2008, 2010 information and gives three districts that -- let's see. I think it's three competitive districts; two that are leaning Republican and one that's leaning somewhat Democratic. So two slightly Republican districts are competitive and one in 9 that's slightly Democratic. So that's -- so that's, like I said, I think a big advantage to the Republicans.

And again, I don't really care much for this map. Well, there's some things that I care about, some things that I don't.
And again, I see this as a draft map which we're going to be putting it in for public comment.

And in regards to the voter registration, I think Mr. Stertz made the point for me of why we shouldn't be considering voter registration or we should be considering it but we should look at the nuances and what are the differences.

For example, he talks about in Congressional District 1 that has a Democratic advantage. But when you look at the competitiveness, in fact, it is slightly Republican. And I think if -- I can be incorrect -- what I would like to do is have Ken Strasma look at that information.

For example, I think in the Navajo and Apache Counties there is about 40,000 voters that have not voted in the 2008, 2010 elections and they registered as mostly Democratic. So they are registered at Democrat but they haven't been voting, so I don't know what happened to these voters. Did they move and never reregistered? So that's a concern of mine.

And also in these particular two counties, you have, again, a slight -- or a
Democratic advantage, but I would probably guess that there's people there that probably register as Democrat but they are not Democrat. They want their voices heard, so they ended up registering for the majority -- the ruling political party in those particular counties but they are not -- again, they are not Democrats.

And you could probably get some information on these -- on the Presidential races and figure that out, if that's truly the case.

So that's why when Stertz and Freeman or whoever talks about voter registration, I don't think voter registration is a good measurement to use for competitiveness. And I think Stertz made that point for me that -- on District 1.

So what I would like to do is have -- if we could direct Mr. Strasma to look at voter registration and the -- why it's difficult to include it as a competitiveness model.

But again, some of the issues I have with this map are, again, it doesn't create as many competitive districts as I would like, which is four.

It provides the Republicans with four solidly Republican districts, two solidly Republican
-- Democratic districts. And the only reason we get those two is because of the Voting Rights Act.

So unless Stertz and Freeman want nine solidly Republican districts, which then they may support, but I think this is a map that favors the Republicans, and it concerns me. But I'm willing to go forward as a draft map because I think we can make some changes and tweak this map a bit.

So those are my comments.

CHAIRPERSON MATHIS: Thank you.

Other comments?

COMMISSIONER MCNULTY: Madame Chair, I do have a couple comments about District 1, the competitiveness issue.

It's also the case that we have a long-standing tradition in Arizona, particularly in Cochise County, that's the county I know best, but maybe in the other rural counties, of a kind of blue-dog Democrats of folks who register as Democrats but who really vote very conservatively.

I did take a look this weekend at the results of the 2010 elections in that part of the world. And Felicia Rotellini won by I think it was .1 percent and Terry Goddard lost by I think it was 6 percent.
So when you look at election results, it is I think a much better indicator of the competitiveness of the district. And I think there are a lot of other forces at work there on the voter registration that are reflected in that 9 percent number. But the election results do, in fact, show that competitive nature of the district.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Just one more item.

On the report of competitiveness report on page -- it doesn't have a page number, but the last page on the congressional map 2010 to 2011, what it does is it equals out the 2008, 2010 elections and weighs them equally.

So in 2010 you have a year that Republicans -- I think they won all of the state -- I think they won all of the state elections -- statewide elections and you have in 2008 where Democrats won I think five out of the eight seats in -- the congressional seats and they won two out of the three Corporation Commission seats.

So I think that's a pretty good measurement of weighing competitiveness. When you had an awesome year for the Republicans in 2010 and
a really good year for Democrats in 2008.

As I said before, to me this is the best measurement of competitiveness. Using the 2004, 2006 model, again, that's outdated information and I think that Professor Steen probably made an eloquent argument for not using -- or at least not weighing it the same way.

So again, I think Mr. Strasma and Strategic Telemetry gave us pretty good information on competitiveness, although it's not complete, I think they are doing pretty good with the information that they do have at their disposal.

CHAIRPERSON MATHIS: Thank you.

Other comments?

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: I would remind Commissioner Herrera that in 2008, Republicans increased their majorities in the state house to historic levels. That Senator McCain was the presidential candidate, Republican from Arizona. It was a big year.

And the Democrats, as I believe reshuffled their leadership in the state. I don't know if that was in reaction to the 2008 election
results or not, although it probably did have a
factor in the displeasure with that.

I think if -- there should be no
compromising on following the Constitution. So if
someone is not happy with the way this map looks
because they don't think it really meets
constitutional muster, they should be voting no on
it.

I think this should be -- although it's
called a draft map, I think it should be the
proposed final draft. It should be drilled down to
equal population or one person. We have that.

I think we should have a very good sense
as to the competitiveness measure. I think we
should have a very good sense as to whether the
districts are compact or could be made more compact,
whether they respect county and municipal lines or
whether the map could do a better job with that.

Because I think we need to know that
baseline map to really complete our assessment.

I also think that when we publish a draft
map -- I mean, this is what we are really telling
the public, this is what we are proposing as our
map. Come out and make a comment on it. And what
it does, it builds in -- once we vote on a draft
map, it builds in a presumption. The presumption is this is the map. Now, public, you need to push us off this map. You need to tell us where we need to move the lines.

It puts the burden on the public rather than put the burden on us right now, where it is, following the Constitution.

So I think we should be very careful about this and think long and hard. I don't think we should vote on this today. I think we should go ahead and start moving the ball down the road on the legislative maps. And then we'll work -- we did that to a point near completion, we can go ahead and vote on both maps.

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER MCNULTY: I just have one or two more comments, and I thank you, Mr. Freeman, for bringing this to mind.

The analysis that's attached to each of these maps includes in addition to a voting rights' analysis and competitive analysis and an analysis of how many counties are split, how many census places are split, how many reservations are split, how many tribal subdivisions are split, the percentage of
which county is in each district, and the percentage of each district, which is comprised of each county. And the same is true of each census place. Three different -- two different measures of competitiveness, and in addition, three measures of compactness, which I hadn't mentioned earlier.

So for each of the maps that we've been looking at for the last few weeks, we've had three different ways of looking at compactness to give us different perspectives on that. The Reock measure, the Perimeter measure, and the Polsby-Popper measure, and that's attached to this map as well.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Let me be clear that just because this is not my ideal map, does not mean that we didn't use all of the six criteria to put together this map.

I think we all did a pretty good job when we were making -- not only when we were making changes but also when you went home this weekend and started working on this map, you talked a lot about making some areas a little bit more compact, talking about communities of interest, especially Pinal County.
So I definitely disagree with Commissioner Freeman, that we did use the six criteria in putting together this map. That I feel comfortable with, although, again, I didn't get everything I wanted, not even close, but I do think that the six criteria were used to determine -- to design this map. And so that's to me -- that, I disagree with.

I also think that the -- that not only the first public hearing but also all of the public comments that we have taken into account from people commenting on our website, people making public comments here, people making comments, listening to the streaming of these meetings. I think we've taken quite a bit of public comment into account.

I think Mr. -- or Commissioner -- or Mr. Bladine has done an excellent job of summarizing that at every meeting in terms of how we are doing in terms of reaching out to the public.

So that I'm pretty impressed -- the outreach efforts that we are doing, not only with the Native American population, the Hispanic population, but everyone else throughout the state.

So that I feel extremely comfortable that we've used all of the six criteria equally to put
together this map.

CHAIRPERSON MATHIS: Thank you.

COMMISSIONER MCNULTY: Madame Chair, would you entertain a motion?

CHAIRPERSON MATHIS: I would.

I would like to just say a couple of things.

If someone got everything they wanted in this map, then I need to take it away from them because that was not the goal, for somebody to come away with everything they wanted.

The whole idea of this map is compromise.

I'm in the center. I'm an Independent, as we all know. I'm trying to balance the Rs and the Ds in terms of their desires.

I tried to do that with this compromised map, which we've called the everything bagel map.

It had its roots in what-if scenarios that the two different sides generated. Everyone was considering all the criteria in an equal manner as we went through this process. We understand the Constitution and what it says and how we are to interpret it. Thankfully it has been resolved from the last commission.

I think we've been doing that all along
and have been bending over backwards to make that happen.

I also tried very hard to be responsive to what we heard this past week, and that is why the map looks the way it does today. Because we got a lot of comment on Thursday and Friday and then into the weekend, as you heard from certain groups. And it was all excellent comment and we needed to take it into account. And that's what I tried to do.

And thankfully -- I couldn't have balanced the population to one person by myself. Mr. Desmond had to work really hard and long last night to make this happen and get us, you know, printouts and analysis today. So I really thank him for being able to come forward.

When I interviewed for this position as the Independent chair -- and I went back and checked the minutes on this. And if anyone would like to, I think it was February 24th. It could have been the 26th -- actually, I think it was a Thursday, and the minutes reflect this -- I told these commissioners that I view my role as being one that strives for consensus. That is what I view the role of the chair is supposed to do. Some may interpret that role differently, that's what I think my job is.
That's why I created this compromised map. I'm hoping that, you know, we can get -- achieve consensus. And, again, consensus to me is not everyone gets everything they or one person even does.

It's not ideal. There is no doubt that, you know, things will likely need to be looked at more closely. We have to do all kinds of analysis. And you can never do enough analysis, frankly, on this information. There's all kinds of information out there and we just have to do the best that we can in the amount of time that we have.

And we are going to take these maps on the road, as I will remind everyone, for three weeks of second round hearings and expect to get all kinds of public comment. And people can tell us the error of their ways -- of our ways, I mean, as we go though these different cities across the state.

And I expect that we'll have to shift some lines. We heard some comments today that I thought were interesting, and I would love to explore those.

But to me, the basics are all here, and I think what we have is a good compromise and I would hope that all of the commissioners could see it that
way and be able to vote for this draft map but at the same time, we also have to move forward.

So if I don't have -- you know, a majority rules on this Commission and if we don't have everybody behind it, then we don't have everyone behind it and that's kind of how I'm seeing it at this point.

I think we've worked really, really hard on this and it's time to move forward.

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: With all due respect to the all working together for this map, this is a map that was created around the district that was designed by Commissioner McNulty and the rest of the districts have been adjusted by you. They all have inferences and stylings that infer ideas that have come from all members of the Commission, but certainly this has not been a partnered effort.

I certainly -- and frankly, am in strong agreement with Commissioner Herrera where I was hoping that we would be able to get more competition in more districts and am in total disagreement with his belief that as a Republican and as a
conservative that my goal would be to have nine
Republican districts.

Our goal is to work for all six and a
half million people of this state for the highest
and the best and the most dynamic political process
that's possible.

So this is not a map that -- this is a
McNulty/Mathis map with some inferences from Stertz,
Herrera, and Freeman.

But certainly I do not believe that we
are following in constitutional principle in several
areas: Geographic, the communities of interest of
fracturing -- I believe that we are accumulating
Republicans in highly Republican growth districts
that will over the next ten years continue to be
hyperpacked Republican districts to the detriment to
the other state (sic) and the detriment of potential
competitiveness.

So I cannot -- obviously, you're hearing
from me that I can't support this for just not
following our constitutional effort. And right now
I do not understand the competitive analysis because
currently I do not have data.

I'm also looking at compactness following
the three, the Reock, the Perimeter, and the
Polsby-Popper test. We have -- the goal of Polsby-Popper is to get the closest to 1 and some of our districts are .18. Two districts are .18 in Polsby-Popper.

From Perimeter design for compactness, we've had districts -- we've had Perimeter analysis that accumulates down into the high 4800s. We're at 5910.

In the Reock analysis, again, our target is to be closest to 1. We've got districts -- our closest to 1 is .55 -- or .56. The majority have been in the .37s, .35s. We are not meeting the highest and best.

I know this is a rural state and it's very challenging, but it's disingenuous to say that we have been using those and studying those and making a strong attempt to get compactness.

So I'm in favor of continuing to review this map. I'm in favor of you tabling this issue of giving us the opportunity to review it and to improve it and to try to expand on competitiveness.

And if not, this will not be, in my mind, an everything bagel map or a donut hole map. This will be the McNulty/Mathis map.

VICE CHAIR HERRERA: Madame Chair.
VICE CHAIR FREEMAN: Mr. Herrera.

VICE CHAIR HERRERA: One of the reasons why I was not in favor of changing the date -- I think we had originally scheduled to go out in public with the -- with the draft -- I think it was the 16th of September, it was that week. I think then we changed it back another week.

I think we changed it -- ended up changing it twice. And we ended up changing it the last time to the week of the 10th was because of this issue that it just seems like there's people on this Commission want to keep postponing it.

That there is -- no matter how much of their ideas you take into account, since you originally had mentioned that you based your map on the whole counties map and also on Stertz's three border districts idea, that no matter how many of their ideas you take into account, it's not going to be enough.

That -- they will want to keep pushing the map further and further along where we will -- that this Commission will lose its power and it will have someone doing the maps for us.

So that worries me and that's my belief. I could be wrong and I hope I'm wrong, but again,
the Democrats and people that care about competition didn't get what they wanted in this map. They got some of what they wanted but not all.

Again, I was pushing for four competitive districts. We didn't get them. We were pushing for two border districts and we didn't get those either.

So there's a lot of things on this map that we didn't get, but, again, in the spirit of compromise, what I'm just -- and I don't want to argue with Stertz and Freeman. I really don't. I respect their comments. I disagree with them, but I want to compromise.

I was not in favor of this map. I was pretty clear that I didn't care for this map, but I wanted to compromise. And I've compromised quite a bit in my role, and I'm willing to do this again because I want to move forward. I want us to put these maps out there.

I disagree with Commissioner Freeman that -- this is a draft map. I think if we looked up the word "draft" in the dictionary, it will tell us what it is. It's not a final product. And we never intended it to be a final product.

There's four phases in this process. That's, I think, the third phase out of the fourth
phase, meaning we have one more phase to go and
that's completing the final draft.

So again, I respectfully disagree with
Freeman and Stertz. I don't want to argue. I
really don't.

I just want to state it clearly that we
all gave up something in this map. We all did. And
I am not happy with this map, but again, doesn't
mean that this map shouldn't go forward.

Those are my comments.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: Madame Chair, well,
Commissioner Herrera used some words that I've heard
him use before on this Commission which was this is
in the spirit of compromise and negotiation.

He used that when the Commission made its
first big decision to hire lawyers. You can look at
the result on what happened there.

He used the same term -- same phraseology
when the Commission voted to hire a mapping
consultant, and that was another 3-2 vote. Now he's
using it here.

He's also -- we've heard repeatedly that
this is just a draft and the lines can change. I
think that could be a change for good but it could
be some foreshadowing that the Democrats are going
to get even more of what they want in a final map.

    So I'm not particularly pleased to hear
that form of emphasis.

    I think it should be a proposed final map
that we put out for public comment with every issue
being drilled town and considered completely by the
Commission and not some sort of fuzzy map that we
may or may not change. Let's just get it out the
doors and take 30 days of public comment.

    CHAIRPERSON MATHIS: Thank you.

    Any other comments?

    VICE CHAIR HERRERA: I think Commissioner
McNulty made a motion or she was in the process of
making a motion.

    COMMISSIONER MCNULTY: If the chair will
entertain it, I would make a motion.

    CHAIRPERSON MATHIS: I would entertain
it.

    COMMISSIONER MCNULTY: I would move that
we adopt congressional map as of 10/2/11 that we've
discussed today as a draft map of the congressional
districts and that we instruct our staff to
advertise the draft map in accordance with the
requirement of the Constitution and to take public
comment on it for at least 30 days.

    VICE CHAIR HERRERA: I second that motion.

    CHAIRPERSON MATHIS: Any discussion?

    All in favor?

    VICE CHAIR HERRERA: Aye.

    COMMISSIONER MCNULTY: Aye.

    CHAIRPERSON MATHIS: Aye.

    Any opposed?

    COMMISSIONER STERTZ: Nay.

    CHAIRPERSON MATHIS: Okay. I heard one "nay."

    VICE CHAIR FREEMAN: Abstain.

    CHAIRPERSON MATHIS: And one abstention.

    So I have Commissioner Freeman abstaining, Commissioner Stertz no, and Herrera, McNulty, Mathis yes.

    So we have a draft map for congressional districts and we look forward to going out to the public with this. And all of the appropriate measures will be taken, I'm sure, by our staff to get this onto our website.

    And I know there are certain requirements regarding advertising this map, and I don't know if legal counsel can advise on that if they have any
information on advertising this map, what we need to
do going forward, but we'll need to take those steps
and make it clear to people that this is the draft
map for congressional districts.

JOE KANEFIELD: Madame Chair, the map
will be posted today. And we've looked -- we are
looking to see how the prior Commission advertised.
We believe we found out how they did it, but we're
going to confirm to make sure that they didn't take
any additional steps. And we'll make sure that the
Commission is in compliance with the advertising
requirement for the Constitution.

CHAIRPERSON MATHIS: Great. Thank you.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Our website
currently has all of the proposed maps in one area.
So I would not recommend lumping this draft map with
the rest. I think it should have its own --
something where it stands out because I don't want
people to get confused. So --

CHAIRPERSON MATHIS: It's confusing

VICE CHAIR HERRERA: It's confusing

enough.
And, Madame Chair, if it's okay with you, I would like to take a quick break.

CHAIRPERSON MATHIS: Oh, sure, we can do that.

So Mr. Forst can put this in a special place on the website so it's real clear what version is the draft map and have all of the analysis and splits report that are associated with it tied to it.

The time 4:06 p.m. Did we want to take a quick break?

Mr. Desmond.

WILLIE DESMOND: Just before we go to recess, I want to mention that this map and the two legislative maps that we'll be discussing later today are available now in the back for members of the public that are here. They are also on our website.

And when we do post this as a draft map, I'll change the title and stuff and call it "draft map."

CHAIRPERSON MATHIS: Great. Perfect. Thank you.

Okay. So we'll take a quick ten-minute break. It's 4:06 p.m. We'll go out to recess.
(A recess was taken from 4:06 p.m. to 4:22 p.m.)

CHAIRPERSON MATHIS: Recess is over. The time is 4:22 p.m., and we are now on agenda item 3.

Just to give people a sense of what we're thinking what might work for commissioners, I know that Commissioners McNulty and Freeman both have done some work on some legislative map ideas and we thought it might be great to get our feet wet again with those and start changing gears and thinking about the legislative districts.

There's an executive director's report. I'm not sure how much Ray has, but we have a little bit of public comment and that's kind of the rest of the agenda.

So I thought what we could do is whoever wants to go first, Mr. Freeman or Ms. McNulty, could each present their ideas. And Mr. Desmond, I know, has though maps ready or if you guys want to flip a coin.

COMMISSIONER FREEMAN: Go ahead.

COMMISSIONER MCNULTY: Are you sure, Mr. Freeman, because you submitted your map first, if you would like to go. I'm happy to --

VICE CHAIR FREEMAN: No.
COMMISSIONER MCNULTY: Would you put the 9 minority district option 2 version 8a up, Willie?

WILLIE DESMOND: Yeah.

COMMISSIONER MCNULTY: Thank you.

WILLIE DESMOND: Okay. The map is up, whenever you're ready for 9 minority district option 2 version 8a.

COMMISSIONER MCNULTY: This is a first effort to pull together proposals for legislative districts, and I'm going to start -- I'm going to go around it geographically, I think, and just very briefly summarize each one.

The first one -- because our grid started in Southeast Arizona, the first district is in Southeast Arizona and this includes most of Cochise County, the nonreservation portions of Graham County. There is kind of a geographic and economic, to a certain extent, cultural tie between the Sulphur Springs Valley and the Safford area.

This area also includes the Corona de Tucson -- far east areas of Tucson, Rincon Valley, Corona de Tucson, and Vail. We actually heard some testimony last week about that. It also includes Green Valley, which is an area along the Santa Cruz River that I'll talk about a little bit when we get
to that district.

The second district, this one that looks a little bit by Nessie, I guess, is comprised mostly of Santa Cruz County, Nogales and then continues up into South Tucson.

It also includes the communities of Bisbee and Douglas on the border. And I did that for a couple of reasons. There is a fair bit of minority population here, and I thought it made sense to get public comment on whether to include those with this district or leave them in this district. I thought that this idea, although from a compactness and contiguity point of view, it doesn't look very pretty. From a community point of view, it may make some sense.

So that's why I proposed it, and I hope that people might have an opportunity to comment on it and give us their thoughts.

This district would replace -- be a replacement for an existing Voting Rights Act district. I think I made a note here from when I looked at the splits report -- it's been a while since I made this note -- I think it's approximately 49.8 percent Hispanic voting-age population.

There was a concern here I think for the
last Commission -- since the last Commission about
whether the population in this district is actually
able to elect a candidate of their choice.

Nogales is surrounded by some nonsimilar
population, and I thought that it made sense to
consider combining Nogales with the minority
population in South Tucson, which is the way the
district was configured about 20 years ago, way back
when.

This also is kind of a Santa Cruz River
district that follows the Santa Cruz River north and
south of there. And there are historic, cultural,
economic and -- economic development issues common
to these communities.

So that's the thinking behind that
district.

Moving up to District 3, which is South
and Southwest Tucson, that includes -- that would
also be a majority-minority district.

It includes West Tucson, downtown, the
University of Arizona, this Drexel Heights area, the
Valencia West area, Tucson Estates, and the Pascua
Yaqui Reservation.

The east boundary would be Campbell
Avenue, which takes in the University of Arizona
takes that into District 3.

The Hispanic voting-age population, I think, is around 50, 51 percent. So the thinking is that this would create some opportunity for a performing majority-minority district.

District 10 is Central Tucson. It includes East and Northeast Tucson out to the Tanque Verde area, including the Tanque Verde Valley.

The south boundary, as this is configured, is the north boundary of the Air Force base.

My notes are not in the same order as the geography, so I think it will take me a second to go back and forth here.

Let's go to --

WILLIE DESMOND: You can go according to your notes, if that's easier.

COMMISSIONER MCNULTY: I'm sorry?

WILLIE DESMOND: If you want to jump around the map according to your notes --

COMMISSIONER MCNULTY: I think I would rather go geographically.

Let's look at District 11.

So this -- sorry, District 9 is next, which is the Catalina Foothills.
So we talked about the Central Tucson district. There is a district just north of that that includes the Catalina Foothills, Flowing Wells area, Casas Adobes, and some of -- kind of west-ish Central Tucson. Not West Tucson, but the west part of Central Tucson.

There are folks, I'm sure in this room, who live in this area. There's a lot of commerce back and forth here. The people who live here tend to shop in this area and the same is true of some of these -- there's a lot of connection between those areas in Tucson.

WILLIE DESMOND: I don't want to interrupt you, but would you like me to turn off the shading so you can see the census places underneath? Would that be easier?

COMMISSIONER MCNULTY: I'm happy to do whatever folks would like.

Let's go north to 11.

So this 11 is directly north of Tucson. These are the Catalina Mountains, Summerhaven up top, Saddlebrooke, Catalina, Oro Valley, Marana, which would all be together with the I-10 corridor.

We've heard a lot of testimony about keeping these areas together. We've also heard
testimony about the importance of the I-10 corridor for economic development. That these areas are growing north, the town manager of Marana talking about collaboration with Casa Grande for future economic development.

CHAIRPERSON MATHIS: I think that district, the way it's currently drawn, is also a good example of trying to balance communities of interest with compactness and contiguousness because you have to weigh them equally and it's a really tough call when you have these communities of interest but it also -- you need to be compact and contiguous.

So I just thought I would make that point on that one particularly.

COMMISSIONER MCNULTY: This is a challenge here because of the way the communities are laid out. They are growing but they haven't fully grown yet so there's a lot of -- you know, they are pretty spread out. Eloy is right here. You can see that that is a function of what you just described.

If we could go just a little bit north, Willie, to District 12.

This includes north Pinal County and
south Gila County. It also includes Apache Junction and Gold Canyon, and that was a population issue.

The rest of this proposed district is pretty rural, but in order to make up the district, it was necessary to have some additional population. So that's the way this draft is configured and includes Florence and Coolidge, the nonreservation portions of Gila County, and that includes Globe and Miami, Superior, Kearny, Oracle, all of those copper corridor towns. It also includes the Gila River Indian Community and the Ak-Chin community.

Let's go into Phoenix, District 8.

We'll all be pretty familiar with that at this moment.

One thing that we've all found I think in doing this process is that once you -- whichever map you study first, you learn a great deal about the state that is relevant to the next set of maps.

And in this particular area we were looking at the Mesa, Queen Creek, San Tan Valley area pretty closely on Friday and again today, and this south far east district in the Phoenix metro area would include Queen Creek, San Tan Valley, and East Mesa.

They all have a similar mix of rapidly
developing formally agricultural areas. As I recall, the west boundary here is Power Road. It includes Williams Air Force Base.

So let's continue to go west a little bit.

16 is mostly the town of Gilbert. Gilbert has about 95 percent of the population necessary to make up a legislative district, so we've got, you know, a little bit of extra population that we needed to pull into the Gilbert district.

And moving west, this district includes Chandler and Sun Lakes and a little bit of Gilbert. I guess a little piece of Mesa here.

Chandler had requested that it only be in two legislative districts and that Sun Lakes be included with it, and that's what this map is designed to do.

Then moving further west, this is the Ahwatukee area and this is North Chandler and this is the I-10. These communities are similar in many ways. Ahwatukee is bounded -- is kind of blocked in here by South Mountain on the north and the Gila River Indian Community on the south. So there's a lot of interchange this way and this way.
Let's go north, Willie, to 26.

This is the -- this is Tempe and West Mesa. East Tempe and West Mesa north of Baseline Road. There's, I think, some potential here for a coalition district. The Hispanic population is over 35 percent. There's some African-American population, some Native American population. I think the non-Hispanic white population is in the 48, 49 percent range.

This includes both ASU and Mesa Community College. We've talked about the light rail and the fact that that creates a -- you know, was put here because it binds communities and is an economic development driver for this area.

You should probably go to 25, if I haven't done that yet.

This is East Mesa, sits right on top of the Gilbert district. This is similar to what we experienced on Friday in the congressional map, trying to figure out the best way to create districts in a context of the configuration of Mesa.

So there's probably more work to be done here, but what this is right now is essentially East Mesa district. It may be that some of the northern areas fit better with Fountain Hills or Scottsdale.
Okay. Willie, you're driving. Where do we go next?

WILLIE DESMOND: How about 24.

COMMISSIONER MCNULTY: Okay. 24 is just north of this Tempe district. It includes South Scottsdale, Paradise Valley, Arcadia -- the Arcadia district and parts of Central Phoenix.

The west boundary is the 51, which is kind of a good divide between East Phoenix and Central Phoenix.

Should we go to 28?

Obviously, this is comprised mostly of Central Phoenix. This south boundary I think is Van Buren. It goes north up to Greenway and Bell Roads in this area. The 51, as I just said, is the east boundary and then 19th Avenue, which is kind of traditionally viewed as, you know, where you leave Central Phoenix and move -- start to move into the West Valley is the west boundary here.

I think that Van Buren is right in this area. And when you cross over that, you're kind of into downtown.

A lot of historical neighborhoods in this area. It's a typical downtown, western metropolitan area where you have a mix of communities, older
communities, businesses, and neighborhoods.

Let's see. Do you think 29 is probably next?

This includes Glendale in the area between Grand Avenue and Thunderbird and some of West Central Phoenix.

Again, I think there's a potential for a coalition minority-majority district here. There are about 38 percent Hispanic population, 6 percent African-America population. The non-Hispanic white population is about 47 percent.

Let's go east to 13.

This is a West Valley district that includes El Mirage, parts of Peoria, kind of wrapping around Sun City, includes Luke Air Force Base and Litchfield Park. It's grown in the last decade. The Hispanic population is apparently about 32 percent in that area.

That brings us up to District 21, which includes Sun City and Sun City West and portions of Surprise and Peoria.

And 22 are some of the -- kind of central neighborhoods north of the 101 and west of Scottsdale. Again, I talked about this earlier. We've got Scottsdale here in several places.
23, I guess we haven't talked about that. That's North Scottsdale, Fountain Hills, Rio Verde. There's a population from Mesa that is kind of included in the other district. It also includes the Fort McDowell and Gila River Indian Communities. And then it extends kind of north until Lost Dutchman country, includes the area along the Beeline Highway, the Superstitions, Canyon, and Saguaro Lakes.

WILLIE DESMOND: We just forgot 29 and 30. Maybe just 30.

COMMISSIONER MCNULTY: Okay. Let's go back there.

So 30 includes North Phoenix and some of North Glendale. I think that this is between Thunderbird and the 101.

Who have we forgotten, Willie?

WILLIE DESMOND: I think that's it. 29 and 30 were the only two.

COMMISSIONER MCNULTY: Shall we go west?

WILLIE DESMOND: I don't think we hit 4.

COMMISSIONER MCNULTY: No, we haven't done 4 yet.

So in 4, the split is very similar to the congressional map. It includes the large Hispanic
population that has historically resided along the 
border with the Tohono O'odham Reservation. And the 
way that this district interfaces with Phoenix, the 
metropolitan area in Maricopa County is very similar 
to the way it does on the congressional map. 

The issue of this minority population and 
the way it's situated in an area that potentially 
racially polarized voting, I think makes it even 
more important in the legislative context that we 
consider ensuring that that population has the 
ability to elect its candidate of choice. 

Yuma is continuing to grow, and my 
thought was that it makes some sense -- we've talked 
a lot about having multiple voices, having more than 
one voice, and it may actually make sense for Yuma, 
as it continues to grow over the next decade, to 
have two representatives at the state legislature, 
one to represent the North Yuma area and one to 
represent this minority population. 

I want to talk about District 14 as soon 
as I find my -- where did I put it? 

WILLIE DESMOND: While you're looking, 
I'll just add that these maps are online right now. 

COMMISSIONER MCNULTY: This is a big 
rural area, obviously. It includes some of Buckeye,
Quartzsite, and the whole northern half of Yuma County. It's a western rural Arizona district.

Then moving north on the map, this is another river district, a river legislative district. It includes the tri-city area of Bullhead City, Kingman, Lake Havasu City, Northern La Paz County, and the Colorado River Indian communities.

Then District -- maybe we should talk about District 15, which includes most of Yavapai County. What's been taken out of this is Sedona and the Verde Valley. Those have been combined in this map with the Flagstaff area. This area also comes down and includes some of the North Phoenix areas: Anthem, New River, Cave Creek, which, you know, have connections with Black Canyon City in this area.

Then 6, grid 6 -- District 6 includes Flagstaff and the I-40 corridor, which we've heard a lot of testimony about from folks in Northern Arizona, that they see this as the focus of a great deal of collaboration on economic development.

We've also heard a lot of testimony about watershed issues, forest health issues, tourism issues, and things that they have in common with Sedona and the Verde Valley. And there are legislative issues, there are economic development
issues before the legislature represents some different areas of focus and concern than the tribal issues.

So I think it makes no sense to have these -- the tribal areas and the Coconino County area in two separate districts. I think we've heard a lot of discussion about why that make sense from the perspective of the folks that live there.

I think this also includes some of the forested towns down above the rim here.

So that leaves us with the grid 7, which is the Navajo Native American district. I think we've heard a great deal of testimony that they would like to combine these nations together in a legislative district to increase the strength of their voice.

We don't have packing issues with Native Americans in the way that we do with the Hispanic community because we aren't precluding them from -- they would not be precluded from creating another district if they are predominant in one district.

So I think that given that that's something that they have requested, that it's a worthy goal and that it makes a lot of sense, it doesn't dilute their ability to elect a candidate of
choice elsewhere.

These funny little things and this are all tribal lands and the sacred San Francisco Peaks, which I proposed to put in the legislative district within the Navajo Nation.

I think that's kind of it in a nutshell.

CHAIRPERSON MATHIS: Thank you for walking us through that.

Was there -- it seems like the basis -- and correct me if I'm wrong -- but it just seems like you were trying to group communities of interest together.

COMMISSIONER MCNULTY: I was. I was -- that's exactly what I was doing. I'm not sure all of these things are communities of interest, but I was definitely trying to put communities together, things that made sense together, people and communities that collaborate together, that have common geography or common economic development interests. And I was also looking at ensuring that we preserve our majority-minority districts and trying to look for opportunities to create coalition districts.

And I know we would need to do some more work on that, but that was one of the things I was
focused on.

I also looked to a certain extent about where in the state competitiveness already exists, you know, where we have competitive legislative districts where we've had the split representation and where we might have opportunities for competitiveness. But again, that really would need more attention.

My first focus in putting this together was putting together communities with other communities that made sense for common representation.

CHAIRPERSON MATHIS: Any questions for Ms. McNulty?

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: District 14, I kind of missed some of the talking points, the highlights of District 14.

Do you mind going over that real quickly?

COMMISSIONER MCNULTY: It's really western rural Arizona. It includes Quartzsite and includes some of Buckeye on this eastern -- or the western edge of the metropolitan area in Phoenix and then Northern Yuma County.
VICE CHAIR FREEMAN: Thank you.
Madame Chair.
CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I would like to see -- once you're ready to show us how many competitive districts you believe you would create on option 2 version of minority districts.

COMMISSIONER MCNULTY: I think that there is an analysis that's attached to the map. And I think what the analysis shows is that it could use some work.

But I think what we have is a combination of Republican districts, some Democratic districts, and that a lot of districts in the middle that lean one way or another that provide opportunities for competitiveness that -- and it would make sense for us to focus on that more carefully.

VICE CHAIR HERRERA: Madame Chair.
CHAIRPERSON MATHIS: Mr. Herrera.
VICE CHAIR HERRERA: Quick follow-up.

Would it be too soon to ask you how many competitive districts you think you were able to create using your version of the 9 minority district map?

COMMISSIONER MCNULTY: Maybe a little,
but I guess I would say maybe eight or nine.

VICE CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: And I know one of our earlier goals when we started off was to try to keep Indian reservations whole, and it looks like in your map -- if I'm reading this correctly, two that are in two districts and two that are in three or more districts.

COMMISSIONER MCNULTY: And I don't know why that is. I didn't intentionally split any of the reservation lands, but very well may have inadvertently.

So what I would like to do with this next is work on the opportunities for majority-minority districts, work on better understanding the opportunities for competitiveness and maybe fine-tuning that some.

And then once Commissioner Freeman has presented his proposal, give thought to whether we can -- we have common themes in our maps, common concepts that we might be able to build on together.

WILLIE DESMOND: I can show you -- just going back on some of the splits in the Native American areas.

The Pai tribes -- I mean, there's these
little areas that are kind of --

CHAIRPERSON MATHIS: Tribal lands?

WILLIE DESMOND: Yeah, kind of floating out there, not contiguous areas. So some -- I think most of the splits are affecting some of those, since there are 30 districts instead of 9, it's accentuated in the leg maps.

If there are some that are close, you know, I think we would invite anyone who wants to point out any particularly glaring example of split reservations. But I think at least initially that's probably some --

CHAIRPERSON MATHIS: Why that's like that.

Okay. Thank you.

COMMISSIONER MCNULTY: You know what, I don't think I talked about grid 20 and grid 19, both of which are majority-minority districts. I probably should just mention those.

Grid 20 includes Maryvale and the Old Glendale and is predominantly Latino. I think this is the one of the districts that the Department of Justice had issues with last time and concerns about whether it was an effective voting district and whether they were able to elect a candidate of their
CHAIRPERSON MATHIS: I like that Tolleson is whole there. I went to the Glendale hearing for our first round and that was something that got mentioned during the hearing. Apparently they have a really good fireworks show there. FYI.

COMMISSIONER MCNULTY: So that district includes Tolleson and most of Avondale and West Phoenix. And that should be a majority-minority district.

CHAIRPERSON MATHIS: Okay. Well, thank you very much for walking us through that and for all of the effort.

If anybody has any other comments or questions for her?

VICE CHAIR FREEMAN: No.

CHAIRPERSON MATHIS: Otherwise we can have Mr. Freeman present his.

VICE CHAIR FREEMAN: Thank you, Madame Chair. I want to thank Commissioner McNulty. It's a lot of work to put one of these together.

Maybe if someone could pass the laser pointer, we'll continue the show.

Okay. Just backing up to the genealogy of this map, we began with our grid map that we're
constitutionally required to create.

We created -- we had a grid map created for legislative and congressional districts.

Starting with the grid map, I had asked our mapping consultant just to demonstrate that there are multiple ways this puzzle could be put together to create two options, an option 1 and an option 2. Two different maps in essence that at least on the first map focused on the majority-minority districts we're going to ultimately need.

Then the Commission as a whole gave the mapping consultant some direction to modify that map a number of times and got them to a version 5 of both option 1 and option 2, I believe.

At that point it was looking like someone needed to really get their claws into this map and start really pushing the lines around, based upon all of the constitutional criteria and acknowledging communities of interest and sort of put the districts together the way that Arizona works.

I went ahead -- and this was a couple of weeks ago -- and gave some direction as a first crack at that on a comprehensive basis all 30 districts. That was a version 6.
I think there was a version 7, I guess, was the one last week. And then over the weekend I further refined the map to try to get it very close on population and to tweak the minority-majority districts, which all -- I think even -- both of these sets maps we can do work on both of them to massage most of those issues and look at the competitiveness issue.

And basically, the approach I took on developing the map was similar to the approach I took on the congressional map.

I mean, where do you begin? 30 districts to fit in there. And I thought, well, I'll start from the outside of the state and work my way inside. The outside of the state is kind of rural in nature. It's going to require large districts to capture the needed population. What is one of the constitutional criteria that also sort of captures large tracts of territory, well, it's the constitutional criteria that we're required to follow, which is to respect county lines.

So I started in county lines, and I didn't start with 1, I actually started with our river district. And basically where there was a district sort of floating over a county, I at first
crack just sort of looking at it on Maptitude just moved the lines out to the county lines to see how much population that gives you and then adjust accordingly from there to make it into a district that's a little more close to the population we need and to do so in a sensible way.

If there was some obvious way, you know, a county line needed to be split to grab population or give it up, that's the what I did. So there was a consideration for how the state is put together.

So beginning here, this is District 4. That basically gives you all of La Paz County, all of Mohave County, up to the Colorado River. That's where the cut is.

Those two counties together give you a legislative district, nice straight line there. That's the county line.

There's a small cutout here next to the Canyon, which is some -- I believe it's the Navajo Reservation land up there, so there's a little crinkle there where that's cut out.

Next, going around -- sort of around the clock face here is District 7. That is essentially the Navajo Nation district. We also had these tribal areas around the Grand Canyon, we get the Big
Boquillas Ranch land that the Navajo Nation owns, some other tribal areas north of Flagstaff. We get Flagstaff, acknowledging that strong bonds between those two communities.

These other crinkles down here are to capture some more Navajo Nation land. I know there's another little spot right about here and you'll see it on Commissioner McNulty's map as well. That was some zero population Navajo land. So at least for this draft, I left a nice straight line there, which is basically the border of the Navajo Nation.

So that gives you that, a congressional district that's a majority-minority district.

Then working south, I put together the remainder of Apache County, Navajo County with Graham, Greenlee. That gives you the White Mountain Apache and the San Carlos Apache tribes. It did have to cut into Gila County here where the San Carlos tribal leaders lands cut in there. That's not quite enough -- oh, you also get all of Gila County in there and it cuts into Pinal County, I'm sorry.

Not quite enough for a congressional (sic) district. We heard lots of comments at
Hon-Dah and Pinetop about people up there, including representatives of the White Mountain Apaches. And a logical place to grab more population was over here in the Verde Valley. There was also the Yavapai/Apache community there, that joins them with the White Mountain and San Carlos Apaches as well.

Then going down to the southeast corner of the state, you put Cochise County to get whole together with Santa Cruz County whole. We heard public comment about the ties between those two counties. It was logical to put those two together.

That's not quite enough for a congressional district -- or a legislative district, I'm sorry, so I thought a logical place to add population was to move up this transportation corridor, which is the I-19 transportation corridor and grab those towns that run along that corridor.

And then completing the circle here is District 3. We heard about Yuma County wanting in essence its own legislative district. They almost give you one.

So basically use the Yuma County line, grab Gila Bend, the Tohono O'odham Tribe -- tribal areas and a little bit over here to grab some more population.
That gives you a minority-majority district, although it's close and it's also, at least on this draft, it's slightly overpopulated by I think 1.5 percent or something like that. So some population could be shed there easily to further tweak that district.

Then where to next? I guess we're going to the Tucson area.

WILLIE DESMOND: Would you prefer like we did last time and turn off the district coloring so you can see the areas or do you prefer to have the districts shown?

VICE CHAIR FREEMAN: Well, for one thing, I'm going to have to look at my own computer because my eyesight is not that good.

Okay. The first thing that might jump out at you is what's the number 20 doing in there because on the grid map, 20 wasn't there down. But as I moved the lines, I had a district disappear in one place and reappear in another. And I don't know why Maptitude gave it 20, but it gave it 20.

So this 20, I guess we'll start there, is sort of rural -- primarily compromised as sort of rural Eastern Pima County. It comes down and uses the Santa Cruz County line, the Cochise County line.
up to this point here.

It grabs the communities on the east side of Tucson, puts them together with Tanque Verde and the Catalina Foothills. It would also grab Summerhaven up here on top of the mountain, but all of those seemed to be likely grouped communities. And we have heard public comment about the sort of nature of those communities and how they are similarly situated.

District 2 is a minority-majority district in South Tucson. I think it's somewhat similar to the district in Commissioner McNulty's map.

District 10 is sort of just south of the Catalina Foothills and running along -- I forget what road I used. Let's see.

WILLIE DESMOND: Looks like 22nd Street.

VICE CHAIR FREEMAN: To divide south from north there.

Let's see. Maybe you can pull out a little bit.

Okay. Then we have District 9, which is using the county line again. We take Marana and put it with these western -- West Tucson communities together. It's a little crinkly down here because
we had to tie these reservation lands together and
actually require a little channel there to make sure
we don't split off those tribal areas and also the
edge of the reservation here is kind of crinkly, but
we kept the tribal areas whole.

Then pulling out a little bit, if you
could focus on Pinal County.

All right. To populate Pinal County,
basically put Pinal County in two legislative
districts. There is this cutout here for the Tohono
O'odham tribal areas, but -- oh, basically we start
here with District 8 and took Oro Valley and
Saddlebrooke and put it together with Western Pinal
County.

It does not include the copper corridor
because I thought it was better to put that together
with Gila County because we have Globe and Miami up
here. So the Gila County line was broken right
there to capture Superior and Kearny and Winkelman
and Hayden and those -- and Dudleyville. They are
all together in District 5, which we already talked
about.

Then we have Eastern Pinal County, which
puts Florence, Coolidge, and Casa Grande together.
And I think -- I dated a girl in college from
Coolidge and I spent some time -- and we hit all of those towns. So I do think there's a link there. So that's Eastern Pinal County.

Then I guess let's dive into the Phoenix area.

All right. I'm going to have to look at this on my computer. Okay. Let's start with the Southeast Valley and work our way sort of north and west. And then let's put the -- thanks.

So 8, again, is the Eastern Pinal County and we keep the county line there. So we keep -- so Apache Junction, Gold Canyon, San Tan Valley it all stays with Pinal County.

There was a slight -- San Tan Valley did have to be split just slightly to balance population. With this sort of Southern Southeast Valley district that includes South Chandler, South Queen Creek -- or South Gilbert and all of Queen Creek is kept whole.

Then on top of that is another district, which is the remainder of Gilbert and sort of Southwest Mesa compromises the district.

Then we have an East Mesa district and a West Mesa district. They are not connected to Fountain Hills or anything like that. They are all
fully contained therein.

    We needed another piece of Mesa right here to balance this district out here.

    We've got Ahwatukee connected with South Chandler. Yes, there was a thinner bite out of Chandler to balance population and that's perhaps something that can be rectified on a subsequent revision of this map.

    We've got Tempe together with a little bit of South Scottsdale. I think that line is probably Thomas. Connected with tribal areas to create another district.

    We've got -- let's see. Let's go to -- I should probably add as an aside, I chose option 1 of our maps because I thought of the two options that yielded the more compact looking districts. And this district right here, 24, is kind of a biggy for me in Phoenix. It's very compact and that's because that's where I live and that's where I'm from and I know it really well and it does compromise a community of interest there.

    You got Arcadia -- or I call it the Greater Arcadia and I think that is the area where the school districts that feed into Arcadia High School. And you get that -- it is connected to, in
my mind, Paradise Valley and sort of North Central Phoenix, sort of the Madison school district area, Madison school district, Scottsdale school district kind of go together and always have my entire life.

And I do view -- I agree with some of the public comment that you cross Scottsdale Road, it's, like, a great place to go but it's very different.

And you end up -- I know my wife and I when we had to move, lots of great places in the Valley to live, but this area is kind of the home area. It's kind of the area we focused on.

So I was able to form a nice, compact box-like district right over it.

And we've got the remainder of Scottsdale over here in 23, putting the entirety of the rest of Scottsdale -- there's a little bite there in far North Scottsdale, but essentially the rest of Scottsdale together with Fountain Hills. I think that's a strong tie there.

Fountain Hills started off being a remote outpost and now it's just right down Shea Boulevard and got together with Rio Verde area.

Let's see. Then moving across from east to west, 22 puts -- if there's another community that I think 24 is tied to, it's the area just north
of it. Transportation corridors being the 51, Cave Creek Road I-17, all lead to this North Valley area.

So I tied it together with Cave Creek and Carefree. We heard public comment about how they feel tied to this area. And I think I might have alluded to the fact back when I was allowed to ride motorcycles, that's where you would go. Best area directly north, any places in between.

Then moving west there, another district, District 15, where the New River, Anthem area is tied via I-17 to this North Central Phoenix area.

This line here basically follows the Phoenix/Peoria municipal line. So that is respected.

District 21 is basically all of Peoria kept together with Sun City. I think there was a small bite into --

WILLIE DESMOND: Glendale.

COMMISSIONER FREEMAN: That's North Glendale, right, to balance population.

Then moving south here, these are some of the minority-majority district that were constructed. I think, again, this district -- one of them -- this was basically modeled after the proposed district by Senator Taylor that grabs
Guadalupe and puts it in the South Phoenix area. We do have Tolleson all together in a minority-majority district. Again, these lines—that can be tweaked to get the numbers just right, but it seemed sensible in this cut to configure these districts the way they are.

There was lots of iterations given the population balance and to keep it sort of somewhat compact looking to get to this end product.

And then moving--let's see. Move to western Maricopa County.

Districts 13 and 14, basically this is the county line again. And basically for this sort of Southwestern Maricopa County district is Buckeye and Goodyear, putting those two communities together whole basically comprises a district.

And then to the north, and I-10 runs right along about here. To the north we basically have Surprise and Wickenburg together would compromise another district, again, using the county lines. There's not much population out here, so it's using the county lines to balance that out.

And I think in cursory fashion, I hit all of the districts. Give me a second.

Yeah, I think that's basically it. And
we've got a population balance pretty good. There's no district that's outside 3 percent. In fact, I think they are all mostly 1 percent or below in terms of population balance.

The splits report looks real good. It fits on one page, which I was impressed by, considering it's 30 legislative districts.

Were you going to correct me on that?

WILLIE DESMOND: I was just going to say that's the splits report that we took out zero population splits to remove those from the report.

So not that it's bad --

VICE CHAIR FREEMAN: Right. Well, still, it fits on one page.

You know, you try to respect cities and towns as communities and keep them as whole as possible and minimize any splits, that would certainly favor any iterations to see if we can -- if there's a community that should be split twice, is it really necessary to split more than twice. I think we should look long and hard at that. Not to split a community like that too much.

I think -- you know, this does use the constitutional approach of looking at counties and municipal lines, looking at compactness. I think it
yields -- I know the data is not as complete as I
would like it to be, but I do think it yields
competitive districts and it yields our
minority-majority districts.

    Again, both of those things, as long as
we are meeting the other constitutional criteria,
are things we can tweak to get it into a final form.

    CHAIRPERSON MATHIS: Thank you very much.

    That was excellent.

    You both did an amazing job trying to
carve up the state into 30 districts. It's very
complex, and I appreciate you guys taking a stab at
it.

    Any questions for Mr. Freeman and his
approach on the map?

    VICE CHAIR FREEMAN: Madame Chair.

    CHAIRPERSON MATHIS: Mr. Herrera.

    VICE CHAIR HERRERA: Not a question --
maybe the question is directed to Mr. Desmond.

    If you look at the packet that was, let's
see, 9 minority district option 2 version 8a, that's
McNulty's map, it has all of the detailed
information on how she got to, where she got to on
the map, but I'm looking at Freeman's and I don't
have that information.
Is there any way we can get the same information provided by McNulty?

COMMISSIONER FREEMAN: I can certainly provide that.

VICE CHAIR HERRERA: Can I ask how it was provided?

VICE CHAIR FREEMAN: I took the last version of the map and modified it over the weekend. So this product was finished on Sunday.

WILLIE DESMOND: He did provide written stuff but I didn't get as far as his.

VICE CHAIR FREEMAN: It was e-mailed to you?

WILLIE DESMOND: No, it's handwritten. I haven't --

VICE CHAIR HERRERA: Okay. I was just wanting some clarification.

Thank you.

CHAIRPERSON MATHIS: Okay. Any other comments or questions?

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Kudos to both Commissioners Freeman and McNulty on their work product. It's clear that you can take two
different -- the same corners of the same state and
break it up into different ways.

Commissioner Freeman, in your approach to
this, it's clear that you were looking at the county
lines and the communities as being your drive.

Do you think that your -- one of the
comments that Commissioner McNulty made before I had
to step out for a phone call that I really grabbed
onto was that there were economic interests and
transportation interests that -- in her map tried to
remain contiguous.

Could you respond to some of those points
regarding traffic ways and economic relationships
between the community and whether or not you broke
any of those this your mapping?

VICE CHAIR FREEMAN:  Sure.

I mean, that was a consideration.  I
wasn't always able to do that perfectly, but, for
example, one of the first places I mentioned was
this I-19 corridor, traffic corridor to Nogales up
to Tucson.  That seemed like a logical place to have
those along that corridor to the district that
includes all of Santa Cruz County.

Similarly, I-10 between Phoenix and
Tucson, we've got a district that basically
straddles I-10 and gets those communities that run along I-10 from the Pima County border up into the northern part of Pinal County.

Same thing on District 13, sort of Western Maricopa County that runs along the I-10 corridor.

District 3 encaptures the I-8 corridor that runs kind of along the Union Pacific line and the Gila River down there.

And I-17 corridor was put into District 6. Those communities along there are all kept together in that district, which includes mostly Yavapai County and, of course, this also has the -- a lot of communities along I-40 together in this Western -- Eastern Arizona district.

So, yeah, that did -- when the opportunity presented itself, sure, in putting together a district, I looked at the transportation corridors.

COMMISSIONER STERTZ: Thank you.

COMMISSIONER MCNULTY: Could we look at Flagstaff? Could you just walk through what you did up there? I think I missed part of that.

VICE CHAIR FREEMAN: It's kept with District 7.
COMMISSIONER MCNULTY: So that's it in that little place there? Is that Flagstaff?

VICE CHAIR FREEMAN: Yes, it is.

COMMISSIONER MCNULTY: Okay.

COMMISSIONER STERTZ: Madame Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Commissioner Freeman, did you -- the reason why you kept Flagstaff with that group -- I mean, it's very similar to that -- there was a desire in the congressional map for Flagstaff to remain with the first nations; is that correct?

VICE CHAIR FREEMAN: Well, certainly that -- I remember hearing those comments.

COMMISSIONER STERTZ: Often.

So I'm glad to see that you kept them there.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: If I remember correctly, the maps you guys created didn't have Flagstaff with the Navajo Nation in the congressional map. So I'm just curious to see why the change in the opinion for the legislative map.

VICE CHAIR FREEMAN: It's not a change of
opinion, it's just the approach that led to the development of the whole counties congressional map did not, at least on that iteration of the map, until -- when we switched over to using the chair's map, did not include Flagstaff because we felt it was -- that district included all of Apache, Navajo Counties and -- which go up into the Navajo Nations.  

So what I didn't really technically regard as a split of a county, which was when I had to go into another county to keep a tribal area whole. So it did go into Coconino County to follow the boundary of the Navajo Nation.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I think some of the comments that people that Navajo -- or the Navajo tribal leaders that were here and have been before us talked about having the Navajo Nation along with the other Native American groups together to increase their -- the -- I guess the strength of -- the voting strength of the Native American groups, not wanting it diluted by having Flagstaff included in that district.

Because, I mean, I think I understand their point that it would dilute the voting strength
of the Native American population.

    I think Flagstaff is able to be in a district on its own along with some of the other areas that are pretty common or have a common interest of Flagstaff.

    So I just want to point that out.

VICE CHAIR FREEMAN: Well, I'll also point out while we were at the Hon-Dah Casino up outside of Pinetop, which I know you watched that public comment online, there were lots of comments about keeping those areas together, including from representatives of the White Mountain Apache Tribe. So that's why I drew the line where it was.

VICE CHAIR HERRERA: And another --

Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Another area of concern is the Yuma County area. There was a reason why we had split Yuma County into two in the congressional map, and that was to increase the voting strength of the majority-minority population in Southern Yuma and allow them to elect a representative of their choosing.

This particular map combines all of Yuma County. And I would love to see what the racial
polarization in that area would be if we were to document Mr. Freeman's map because that is a concern of mine.

CHAIRPERSON MATHIS: So I ask the question I guess of both of you in terms of next steps on your maps, what were you thinking you would like to see differently in your next version or what were your plans?

COMMISSIONER MCNULTY: Well, Madame Chair, what I hoped to do was look at Commissioner Freeman's map, see if we have common ground that we might be able to build on, see what our overall objectives and concepts are that with regard to each map and bring those all back and have a conversation about how we move forward.

If we can agree upon some areas of the state in which we have the same perspective that we could propose something to all of us, then I think that would be great.

And then to the extent that we have different perspectives, and Flagstaff I think is going to be one of them, Yuma is going to be another one, and there are probably others, maybe we can talk about ways in which we might be able to reach agreement on those various issues. But I think it
makes sense first to see what those are and lay them out.

I would also like to do a little bit more -- I have not refined this map. I haven't looked at -- I really did start with the communities. And by that I mean both kinds of communities that work together and had a shared interest but also the boundaries of those communities and respecting those and keeping them intact to the greatest extent possible to create districts that are compact to the extent possible.

So I would like to do a little more looking at the minority-majority district and the coalition districts and what the possibilities are and how we coalesce those together and also -- and that may have some bearing on the competitiveness also.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I would like to see -- I know Commissioner McNulty had mentioned that she -- that she had a rough estimate of how many competitive districts we could create using the option 2 version 8a map, and she said roughly about eight or nine.
And I would love to see that from Freeman as well, see how many competitive districts he could create. Because, obviously, I want to maximize the number of competitive districts as we did with the congressional map, I think we could do the same with these maps and try to get as many as possible.

VICE CHAIR FREEMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE CHAIR FREEMAN: Well, Commissioner Herrera, you have the report generated. You can take a look at it and tell me how many districts you think are competitive.

VICE CHAIR HERRERA: Yeah, but I don't -- Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Assuming just like Commissioner McNulty mentioned, that she is not quite done refining her map and she stated that there was roughly eight or nine she could possibly come up with. I'm assuming the same goes for you, that you're not quite done refining some of the -- your map.

So I'm assuming that there's some things you could tweak to make it more competitive. That's what I was assuming. I could be wrong.
VICE CHAIR FREEMAN: Well, I thought maybe you'd be able to look at the sheets and tell me right now how many in my map would be deemed competitive.

But I don't begin the map with any sort of preconceived notion as to how many competitive districts will result. The Commission hasn't even defined what a competitive district is.

Although that is a concern of mine in terms of finalizing the map, I went ahead and looked and tried to apply all five -- all six constitutional criteria because the sixth one was competitiveness. That's something I looked at the end, at least based on the data we have.

So I looked, in constructing the map, at compactness. I tried to make them all as compact and boxy-looking as I could.

A lot of that falls out of following county lines. I mean, a lot of our counties in Arizona are kind of rectangular-looking.

Most definitely tried to respect municipal lines, minimize splits to towns. I think the splits report is -- even on this iteration of this map is looking pretty good. And also trying to consider how, in my view, the state sort of fits
together, the communities fit together, the transportation corridors fit together, and that's based on the public comment I heard and read all of those binders of materials we have and my own experience in Arizona.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Just real quickly, both Freeman and -- Commissioner Freeman and Commissioner McNulty did a lot of work on these two maps, so I do thank them, but I want to mention that, you know, the sixth criteria isn't the last criteria. It's an important criteria, which is competitiveness.

So I want to make sure that that is equally weighted as the other five. That's just my input.

My concern is that, again, competitiveness is an important criteria.

CHAIRPERSON MATHIS: Okay. Thank you.

COMMISSIONER MCNULTY: Madame Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER MCNULTY: I would just like to comment that I'm mindful of our time constraints here. I think we really need to get to the heart of
this matter very quickly.

And I think we both -- we all need to look at the maps and list what it is that the concepts are, what we can agree on and what we simply don't agree on. And I think there will probably be things like, you know, the way Flagstaff and the Navajo Nation are configured, the way Yuma County is configured, the degree to which we want to see competitiveness and where we think those opportunities are.

So at the same time that I would be asking Willie and Mary probably and Joe also to help evaluate the possibilities for coalition districts in the maps, I would suggest that we really focus on that and then have those conversations and if we can arrive as a group, either through consensus or unanimity on the approach with respect to some of these issues, then maybe Willie can help us take the maps to the next step.

But I think it makes more sense to reach agreement on concepts than to have dueling maps continuing to go back and forth or try to merge the maps because of the 30 districts we've got to work in the same way.

COMMISSIONER STERTZ: Madame Chair.
CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: A couple of things.

One, I wanted -- are we anticipating that there's going to be a Wednesday morning map that's going to be something different from these two? Is there going to be -- are you going to be working on a third version tomorrow?

CHAIRPERSON MATHIS: No, I am not.

COMMISSIONER STERTZ: I just wanted to make sure that we weren't going to have a Wednesday-morning surprise.

My question for Mr. Desmond is what's the easiest way -- if I'm picking -- if I want to say District 25 and I want to make that a competitive district, what's the method that I should go through in Maptitude to be able to pick certain areas and blocks to be able to create competition?

WILLIE DESMOND: I would suggest starting with either a combination of the fields to make an index that you're comfortable with. I believe Ken has sent the sheet the lays out the algorithms to use for all three of those. And I would be more than happy to help you set up some of those formula fields. You can save them in Maptitude and then reload them multiple times as formula field.
COMMISSIONER STERTZ: And a formula field might be an example of Republicans minus Democrats equals --

WILLIE DESMOND: For instance, the one that I have loaded up and that is -- that I provided as part of the data table, I can show you right up here how that looks in Maptitude for me.

So if you go to data view, you go to formula fields, you go to load -- so, for instance, the statewide percent Republican, how that is comprised is right here. And that's just a long one that averages the different statewide races.

You know, you add that to your data view and then it becomes available in each one of your fields. So then if you wanted to go to, like, census block group or something, if you zoom in, you could then shade by that setup any sort of color scale you want to indicate different breaks in that index.

COMMISSIONER STERTZ: So we can go ahead and shape and design based on picking and choosing specific precincts based on competitiveness; is that correct?

WILLIE DESMOND: You can -- just like percent Hispanic, any sort of field that comprises
the underlying data, you can shade the map and display it that way. So you could design districts based on -- if you want to do something that I would say a combination of voting-age Hispanic and also Democratic percentage, if you are trying to make a district to increase the ability to elect, all of those things are possible.

So, yes.

COMMISSIONER STERTZ: So the next iteration, Madame Chair, I guess would be -- that we'll be looking at trying to pick and choose and to create some more competitive districts in certain parts of the state?

CHAIRPERSON MATHIS: I would say that the way I would like to see this progress is for both -- what Commissioner McNulty said that she wanted to look at Mr. Freeman's work and see, in her opinion, what areas of common ground there are, which I think is a very reasonable thing to do.

I think we should all do that, and I would challenge Mr. Freeman to also look at Ms. McNulty's work, too, see his thoughts on how he can -- areas that we can maybe agree on early.

You know, I don't know how a compromised map could be done on this. Maybe it is similar in
that you deal with the outer rural areas first and
d then you focus on the center.

But I think that the next step is for us
to try to identify the areas where we think we might
be able to agree. And then that will also identify
the ones where we don't.

And we need to figure out -- we're going
to have to hear from the public on this.

I would also say that I remember Marsha
Bushing the other day suggested we take a look at
the mapping contest that occurred through the
Arizona Competitive Districts Coalition and --
because apparently there were some good suggestions
made through that. I'm sure other folks out there
have other suggestions and have submitted maps. And
maybe they are not complete maps, but for certain
areas they know well. And we need to be looking at
all of it.

So I think that over this next day, since
we're not meeting tomorrow -- and on Wednesday we
start at 2:00?

MARY O'GRADY: I believe we start at
2:00.

CHAIRPERSON MATHIS: So we have Wednesday
morning, too.
MARY O'GRADY: On the voting rights issue, Madame Chair --

CHAIRPERSON MATHIS: Yes.

MARY O'GRADY: -- Joe and I have been going through them and the mapping consultant has. And to the extent we have suggestions or comments, we'll follow up with Commissioners McNulty and Freeman in terms of addressing some of those issues as well.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I think Commissioner McNulty had a good point in trying to find commonality between these two maps, but I think we first have to start with the majority-minority districts.

I think that's -- we all know that there's no way around the Voting Rights Act. If some of the minority groups are going to be chiming in about what they feel is appropriate to meet the Voting Rights Act, to me, that's first and foremost because I know you said before that you wanted to meet preclearance for the congressional map. I'm assuming that this is the same scenario for you in the case for the legislative map. So we want to
make sure that that is respected.

So I'm definitely concerned, because I'm looking at Yuma, the way it's kept together whole in Freeman's map, that the -- based on the comments from the -- that they had on the congressional map, I already am envisioning them having problems with -- staying whole with the northern part of Yuma, which tends to be a lot more conservative than the southern part.

So I want to make sure that we address those issues. And then that probably should be the first thing that we do. Find commonality on the nine -- on the seven majority-minority districts, the two coalitions to see if there's any more possible coalition areas we can make. I think we should start there.

That's just my opinion.

CHAIRPERSON MATHIS: Okay. That's a -- I think that's a reasonable suggestion. How do you folks feel if we do that and also look for areas of common ground and also try to keep Indian reservations whole, which I know we tried to do from the beginning. That's just being sensitive to all of those things.

And then and I don't know. I guess I
look at Mr. Desmond, too. If a way to create a
common ground map is to create a new map, it's
almost like a puzzle that you are filling in the
blocks that -- and separate from these two tracts.

WILLIE DESMOND: I mean, it's possible to
merge the two plans together and any areas that are
not common would be left unassigned.

I think I would prefer to do that in
session, just so that you guys can really direct me
how you want to deal with those areas.

I think that would be a very tedious and
long process. So everybody needs to be in the right
mindset kind of going into that that it's not going
to be -- it's not going to be quick.

But if that is -- the plan is to merge
these two together, I think that's something that we
should at least try to do in session with the public
there and you guys able to really direct me how --
when it's one or the other, which way to go.

It may involve some votes of the chair,
or it might involve just people taking a back seat
on some areas. However you want to do it, but I
could try to do it, but I'm not sure that -- what I
came up with would be entirely what you guys want.

So however you want to direct me, but
that's something we could do as a group, certainly.

COMMISSIONER MCNULTY: Madame Chair, I don't know how merging the maps could possibly satisfy the constitutional criteria, particularly when we have the 30 districts because we're looking at all of these different criteria.

And as we've learned, every time you change one thing, you change everything else. So if we merge 30 with 30, I don't even know how we'd go from there.

I think it probably is a little less cumbersome for us just to decide, you know, what works for all of us and what doesn't and just plow through the decision making, what doesn't -- probably on another map, but maybe not without merging them.

I also really like the idea of using the -- looking at the Arizona Competitive Coalition maps. I had intended to go back to that and I have forgotten about it. I hope we can find those and look at what they did, get the benefit of their ideas.

I'd forgotten how Marsha suggested that we go about getting those. I guess she suggested we get staff to get them for us.
WILLIE DESMOND: If that we -- I mean, we could ask staff tomorrow to see what they can -- whether they could gather and then we could get those. I'm not sure I have handouts for all of those, but, you know, if there's -- I know they picked winners, so if we wanted to have some of them loaded, we could at least overlay the lines on our maps.

COMMISSIONER MCNULTY: Even if we could just get them by e-mail so we could look at the way they, you know, came at the various districts. I don't think the lines are so important but as the way they constructed them. The way they dealt with the communities.

WILLIE DESMOND: Okay. I'll work with Ray and Kristina tomorrow to get those and then I'll try to find a way of sharing those with you. Maybe it's possible -- the easiest thing might be to just load up a bunch of Google maps. I think those are the easiest for us to develop and the easiest to send you guys so that you can -- if you're just kind of looking at what comprises the districts, that might be the fastest way.

CHAIRPERSON MATHIS: I have a question for legal counsel, too. Sorry, local counsel.
Do you guys have some -- any suggestions on process with regard to the best, most efficient way to work through the constitutional criteria and having two different tracts right now for the leg and how we might go about bringing it together in one map and working through everything.

MARY O'GRADY: We haven't consulted on that yet, but my reaction is that it might take a little more working of the issues and perhaps some public comment on the options that have been discussed, which you might get some -- well, maybe not. You would like to get some today, but at least everybody is studying.

I just don't feel like we are quite there yet. But maybe we will get there Wednesday after we see a little bit more.

I can give you some of my voting rights concerns right now, if you would like to help push things along.

CHAIRPERSON MATHIS: Yeah, please.

MARY O'GRADY: Let me see.

They both have majority Native American district, but the current benchmark is 58.9. The one in option 2, the McNulty proposal, was at 59.98 and the one that -- Commissioner Freeman's proposal
was at 52.05. So since Commissioner Freeman's was lower than the benchmark, I thought that was one thing to look at in the revisions, of whether that number could be bumped up.

And also I think for all of the two plans, the majority-minority districts from different places, there's some overlap but not completely.

The McNulty map has three majority-minority districts in Tucson. The Freeman plan has two. Both of them have one plan that reaches into the Yuma area but they are structured a little differently, as has been discussed.

So one of the issues that we'll take a closer look at, the Commission should as well, in terms of whether the one that reaches over Yuma is a viable minority district.

The McNulty proposal has three majority-minority Hispanic districts in Maricopa County right now. There are three majority Hispanic districts in Maricopa County. The Freeman plan has four majority-minority. So there's a little difference where McNulty has the majority Hispanic one in Tucson and the Freeman one has an additional one in Phoenix.
But at the end of the day, they both have six majority districts, which is similar to the benchmark where we have four that are majority voting-age Hispanic and two that are so close we've been counting them as majority Hispanic.

I think that the area where both plans could use some examination is whether there are others within striking distance, because we have others that have an opportunity to elect, under the benchmark, we believe that aren't majority Hispanic, or majority-minority even.

And both plans have some that are in the total minority population, they are in the 50s, which may be in striking distance and making sure that those -- looking closer at those as we compare the benchmark to see if there truly is an opportunity to elect.

And so those are the issues that we'll be -- that I thought we would take a closer look at, again, comparing to the benchmark districts.

And we can follow up with more detail with the individual commissioners. And I don't know if Willie has anything on those issues also.

But we obviously have been consulting with the mapping consultants as we look at that in
terms of that analysis.

CHAIRPERSON MATHIS: Thank you for that analysis.

WILLIE DESMOND: I would just say we're probably going to need to increase some of the majority-minority either coalition or -- I'm sorry, the other type. Coalition and plurality.

CHAIRPERSON MATHIS: Don't take it personally.

WILLIE DESMOND: It's been a long day. Yeah, because Bruce initially indicated that there should be nine. We might need to explore the possibility that there could be ten, but I think that -- that's priority number one for these maps. That has to kind of supersede everything else.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: It's a slight difference, but I want to note for the record that there are seven majority-minority districts and two coalition districts.

So -- I mean, I know at the end of the day -- I don't know how much of a difference it makes, but I want to make sure that we clarify that there are seven and two coalition districts but the
possibility for more coalition districts.

CHAIRPERSON MATHIS: Is that right, Ms. O'Grady?

MARY O'GRADY: That's right. Based on the numbers in the current benchmark, we have seven majority, based on the single -- either Native American or Hispanic -- and we have others that are coalition districts but also some that elect that aren't at the majority level and that's why the electoral analysis.

So we've been working with the benchmark of nine, perhaps ten, opportunity to elect, not necessarily reaching the majority level. And that's where we want to take a closer look at these compared to the benchmarks.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: And I think that our legal counsel will be looking at this more closely today and tomorrow. But if they could also look at the -- any of the public comments made from any of the Hispanic groups or the Native American groups or any that would affect the Voting Rights Act and the majority-minority and also the coalition districts, getting their comments -- compiling their comments...
and taking that into account, because I think that would be extremely helpful.

CHAIRPERSON MATHIS: I agree.

Commissioner McNulty.

COMMISSIONER MCNULTY: Do we have the analysis of the benchmark in the majority districts in Phoenix that were provided to us by the Arizona Minority Coalition compared to the current benchmark, the HVAP versus current benchmark?

MARY O'GRADY: Sure. I don't have that information with me right now, but we can have that for you at the next meeting and even before then.

COMMISSIONER MCNULTY: As soon as we could get that, that would be good.

CHAIRPERSON MATHIS: Okay.

Go ahead.

COMMISSIONER MCNULTY: I was also thinking about that Cruz index, just to look at --

CHAIRPERSON MATHIS: The mine inspector --

COMMISSIONER MCNULTY: -- the mine inspector while we're still adjusting these. I don't know if we need it right now, but I think we should use it. Maybe we should, maybe that will help us.
WILLIE DESMOND: That's something that's on all of your --

COMMISSIONER MCNULTY: Is it?

WILLIE DESMOND: -- computers, but it's also something that I can add to either the back competitiveness report or the data report.

COMMISSIONER MCNULTY: Again, it would be the comparison of performance as the district is configured now against actual performance in the 2010 race.

WILLIE DESMOND: Okay. It might be helpful to, you know, run our same reports on the current districts so that you guys have that as a what-if comparison, I guess, and then you can just kind of use that to reference how these different maps stack up against that.

COMMISSIONER MCNULTY: All right.

CHAIRPERSON MATHIS: So do we have agreement that we could at least all look at the two tracts, these two different versions, and see what areas of common ground we think we see here and then talk about those maybe on Wednesday when we get back here at 2 p.m.?

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.
VICE CHAIR HERRERA: I would like to see first for the staff to reach out to any of the Native American groups and the Hispanic groups to come present as soon as possible because we do need them on board and see what they are looking for from us and see where we can find some compromise.

I think the sooner the better we get them on board and get them talking to us, making formal presentations.

CHAIRPERSON MATHIS: That reminds me, should we have an agenda item that is for map presentations with regard to legislative?

MARY O'GRADY: If you would like to. I don't think we have it on for Wednesday, but we can add it for Thursday.

CHAIRPERSON MATHIS: Yeah, that would probably be good. We do have maps.

MARY O'GRADY: And they are also welcome always during the public comment period.

CHAIRPERSON MATHIS: Sure.

WILLIE DESMOND: I think we do have one today during the public comment period.

CHAIRPERSON MATHIS: Okay. Great.

So we'll all agree to try to find areas of common ground by looking at those two versions
and talk about what we think on Wednesday when we come back.

And we're also going to have some more information on the minority-majority districts so that we'll be able to make sound decisions and ensuring that we are meeting the benchmark.

Anything else on this legislative process?

COMMISSIONER MCNULTY: Just one final question.

Is there -- do you have -- the map that you walked us through today is a new map. Do we have that?

VICE CHAIR FREEMAN: It's not a new map. It's the last iteration.

COMMISSIONER MCNULTY: I understand, but it's the iteration of your map. And it's on the website, I understand, but do we have -- I didn't pick up a copy.

VICE CHAIR FREEMAN: We haven't --

WILLIE DESMOND: I handed them out, so there should be one.

COMMISSIONER MCNULTY: Okay.

WILLIE DESMOND: Just the one -- on the commissioner's copies, there is a typo in the title.
It says option 1 version 7a. Just change that to 7 to 8. I fixed that, so on the website it has the correct title. They are labeled -- the files are all labeled correctly, on your copies it's the wrong version.

You can have mine. I printed myself another one. Feel free to.

CHAIRPERSON MATHIS: Okay. With that, I think that concludes that agenda item.

Thank you everyone for your help and especially to Commissioners McNulty and Freeman for all of that effort and time.

The next item on the agenda is the exec director's report. I'm not sure if Mr. Bladine has anything that he wants to cover.

RAY BLADINE: Madame Chair, I'll be very brief.

Just a few things I wanted to confirm with you, and that is the first thing, the meetings for the rest of the week.

We have Wednesday here, 2 o'clock probably until 7:00.

We have Thursday, 9:30 to probably to 4:00 -- I'm sorry, to 2:45 and Friday 9:30 to 7:00.

I have posted the Thursday agenda just a
few minutes ago. We could do an addendum in the morning if you really want to add a specific thing for mapping presentations.

CHAIRPERSON MATHIS: That's okay. I think that they can present during public comment.

RAY BLADINE: Okay. Great. So we have those posted.

Saturday we have a hold but have no locations set up and have not set a meeting yet and also Sunday we have a hold, nothing set up.

On Monday at 9:30, we are tentatively scheduled here, however, that might -- there might be -- the meeting being switched to Tucson so that we could have a hearing with the minority coalition. So I'll let you know as soon as I hear from them and they can find us a facility in Tucson.

Another thing that snuck up on me last week is I had a meeting with Megan Darian, who basically oversees our budget along with the members of the governor's office budget staff, and they are asking for request for budget appropriations for 2013.

And I will be meeting with them this week, and I think tentative on the Thursday agenda, just to give you a quick briefing on that and get
some direction as to what we should put in the
budget for 2013.

There was some discussion we might ask
for a multiyear appropriation or ask for a
single-year appropriation. I'll discuss it with
you. My general reaction after thinking about it is
we don't know what the future is going to bring.
I'm not going to tie up in appropriation, but do a
single year probably in the area of 1.3 million,
something like that. And that, of course, would
revert to the State general fund if we're not sued
and we don't need to be there.

But I'll bring that back on the agenda
Thursday to discuss with you.

And finally, second round public hearings
are scheduled to start a week from tomorrow. I
think Kristina sent all of you a list of meetings
that are being set up asking for some indication as
to when you might be able to cover a meeting.

As of this afternoon, she has 11 set, 5
almost set out of I think 27, including a couple
that are linked. We're starting to make travel
arrangements, as we mentioned before. There would
be probably -- planning on two hearings a day, two
teams, and we've had really good response from the
community in terms of offering facilities and that
has been very helpful.

And I think that is all I wanted to
cover, unless there's any questions or things you
would like me to follow up on.

CHAIRPERSON MATHIS: Thank you.

Any comments or questions for
Mr. Bladine?

Thank you. So we'll be meeting Wednesday
at 2 p.m. here and then it's Fiesta Inn again
Thursday and Friday?

RAY BLADINE: Correct.

CHAIRPERSON MATHIS: Okay.

RAY BLADINE: So probably Wednesday,
Thursday we'll want to talk about what additional
meeting for the following week.

CHAIRPERSON MATHIS: Right, and whether
or not we have a meeting on the weekend.

RAY BLADINE: But you're going to have
this all done the way you're going. Congratulations
today.

CHAIRPERSON MATHIS: I love your
optimism.

RAY BLADINE: Thank you, Madame Chair.

CHAIRPERSON MATHIS: Thank you.
Okay. It's 6:03 p.m.

Are we okay on the court reporter's side of things?

All right. We've discussed item 5 as well, discussion of future meetings and agenda item, unless anybody has an agenda item to add.

Okay. So we will -- I think there is a update on the Attorney General inquiry but we'll do public comment first; is that correct?

So we'll go to public comment.

I've got a few request to sleep -- request to speak. You can tell what I want to do -- request to speak forms.

The next -- this next speaker I have is Pete Bengtson, representing self from Pima.

PETE BENGTSON: My name is Pete Bengtson. That's B-e-n-g-t-s-o-n.

I've come up and talked to you so many times you probably know what I'm going to say, so I spent the weekend trying to come up with something different.

I've talked on competitive districts, just straight competitive districts' view, but I've got quite a bit different view.

Let me give you some background.
I've worked with the Sierra Club Conservation organization for about 40 years, mostly leading national outings in the early years. And I was working on the conservation issues and found that lobbying your legislators is okay, but you're a lot better off if you get the right people elected in the first place.

So for the past ten years I've been working in the political area, working to get what I consider the right people elected. And most of the time that means I'm a Democrat.

When I moved to Tucson -- Betty and I moved to Tucson ten years ago. I registered as a Democrat and was a PC and then became familiar with Pete Hershberger in LD 26.

I gave up being a Democrat because I couldn't work for Pete. He's a Republican.

I started working for Pete Hershberger donating money to him, and I'm perfectly willing to register as an Independent to support the right people from the environmental side.

When Pete Hershberger ran for the senate as a Republican and lost to Al Melvin, I just lost all faith in Republicans and reregistered as a Democrat, and I've been working hard on Democratic
politics.

Now, when I talk about competitive, I'm looking for moderate rate Republicans or Democrats that support environmental districts. And if we can find some Republicans, I would surely love it.

Thank you.

CHAIRPERSON MATHIS: Thank you.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: I was asked if our attorneys could mention what the seven majority-minority districts are, the two coalition districts are, if you can name the -- what the current -- which they are right now.

CHAIRPERSON MATHIS: Sure.

Ms. O'Grady stepped out. I don't know if Mr. Kanefield has that information on him or we can get it from her when she comes back.

JOE KANEFIELD: Madame Chair,

Commissioner Herrera, are you talking about the existing --

VICE CHAIR HERRERA: Right, the existing ones.

CHAIRPERSON MATHIS: Are you talking about the grids?
VICE CHAIR HERRERA: No, the current --

JOE KANEFIELD: The current majority --
yeah, let me just look here to make sure. 2, 13,
14, 16, 15 is a coalition district, 23 -- no, 24,
27, and 29.

VICE CHAIR HERRERA: So which are the two
coalition ones again?

WILLIE DESMOND: The one that's closest
to a coalition is probably District 25, the
non-Hispanic white percentage is 50.29. It's very
close to being a coalition district.

And then the other one would be District
15. The non-Hispanic white percentage is 46.47. So
that is a coalition district.

VICE CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: So did I get all of
those because I counted eight. I had 2, 13, 14, 16,
23, 24, 27, and 29.

JOE KANEFIELD: Let me -- I don't want to
speak for Mary. So when she comes back -- the ones
I have marked are 2 --

WILLIE DESMOND: I think it's 2, 13, 14,
15, 16.

CHAIRPERSON MATHIS: But 15 is coalition?

WILLIE DESMOND: 15 is coalition.
JOE KANEFIELD: That's what I have.

WILLIE DESMOND: With 25 and 15 being coalition.

CHAIRPERSON MATHIS: So 23 is not?

WILLIE DESMOND: 23 is not. It's close and there might be an opportunity to elect there.

CHAIRPERSON MATHIS: Okay.

Thank you for that clarification.

We'll go on to the next speaker, Shirley Dye representing Gila and Northern Arizona.

She spoke earlier.

Thomas Woody on behalf of Wes Gullett from Phoenix.

No.

Sara Presler, mayor of Flagstaff.

SARA PRESLER: Good evening, members of the Commission, Madame Chair.

The 2001 Independent Redistricting Commission drew only three out of 30 competitive districts in the legislature.

The current IRC, in our view, bears the responsibility to make Arizona elections a fair process and infuse integrity into the process by creating more competitive districts.
Competitiveness will bring more citizens into the political process and candidates will have to engage the wider array of voters in order to get elected.

Both of these factors will lead to more constructive discussion to find good solutions for our entire state of Arizona.

Flagstaff is the largest city in Northern Arizona. The seat of government for Coconino County and the home of Northern Arizona University.

Flagstaff deserves a fair opportunity to elect a candidate of either party to represent its interests.

Rather than looking to which map might be boxier or more circular or even U-shaped in nature, we ask you to take a stronger focus on the Arizona Constitution and the Voting Rights Act.

When we look at the numbers that were provided by the IRC that are attached to the two scenarios that have been provided to us, it appears to the city of Flagstaff that option 2 is more competitive at 12.092 percent in the differential of competitiveness as contrasted to the map that was offered by Commissioner Freeman.

And there's good things in both maps and
I think that there is more common ground than uncommon ground. And a municipality would just encourage you to consider in particular the following issues as you move forward in this legislative process.

One, the municipality has made significant investments in our economic corridor. The Northern Arizona Center for Emerging Technologies a couple years ago created 80 new jobs. The average wage of those jobs is about $80,000 a year in the biosciences.

T-Gen, Nestle Purina, Southwest Wind Power, W.L. Gore, these are all employers that intend to testify to you through Flagstaff Forty by the end of this week to talk to you about the business interests and the economic investments.

I arrived this morning and testified to you wearing my municipal City of Flagstaff mayor's pin. I leave today wearing a pin from Navajo County, a commissioner as a county commissioner county supervisor who spoke to you earlier, he's also on the Navajo Nation council. And while we have lots of things in common when we have to group communities of interest in a larger congressional area, when it comes to legislative areas, we can
become much more narrow, especially much more strategic in our business interests and investments. And so we find ourselves aligning, and I think you'll hear from Navajo later, on options 2 in particular.

And transportation, I think about the Flagstaff Metropolitan Planning Organization and the hundred thousand population that's encompassed in our strategic plans that already exist for our region.

So when I look at option 2, I tried to think about that compared to option 1 in our existing plans that we have and aligning them to our existing community planning efforts rather than trying to re-create the wheel to fit into your new lines that you might draw.

So when I align that, I also think about governance issues. And Coconino County being the seat, but at the same time our ability for municipal governments to work better with other municipal government in a state system as contrasted to a federal system that's more opportune in a congressional discussion.

I think about water resource issues. I think about the fact that the Hopi Tribe is
currently in litigation against the City of Flagstaff.

And so I think about all of these issues when I think about our natural resources.

I think about education. Flagstaff Unified School District and our state public schools, including our charter schools, for the state of Arizona and I contrast those to Bureau of Indian Affairs and Bureau of Indian schools that might exist out on the Navajo Nation.

I think about Flagstaff's medical center and North Country Community Health Center, a health clinic, and I contrast that to Indian Health Services and Hopi Health Center, both falling under federal jurisdiction.

When we start talking about legislative districts, we get much more narrow and we need to think about how we group these communities of interest.

I think about forest health for Coconino and Kaibab and then I think about the natural resource issues that are distinctly related to uranium mining that fall more into the Nation's issues related to natural resources.

I encourage you to take strong note of
the Native population and the distinction in the two proposed maps of option 1 and option 2 related to those percentages and encourage us first and foremost to not regress in our representation of Native population.

I appreciate the opportunity to address you and to spend today with you. I'll probably see you at some point later in the week, and I stand open for any questions or clarification.

Thank you for your time.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Lynne Breyer, representing self from Scottsdale.

UNIDENTIFIED SPEAKER: She left.

CHAIRPERSON MATHIS: Vera Anderson, representing self from Anthem.

UNIDENTIFIED SPEAKER: She left.

CHAIRPERSON MATHIS: Maureen Bayardi, representing self from Phoenix.

MAUREEN BAYARDI: Well, I'm happy to see you all at the end at the day. I think we're getting close to an end, and I gather from our conversations of the day that you didn't have much opportunity to catch too much rest over the weekend, and I'm sorry about that and I hope that you've had
a pleasant evening.

I'm not going to talk about maps. As you know, I'm not a student of the map, but what I would like to say is I would like to express my concern regarding the Arizona Hispanic Coalition.

It appears to me personally that they are heavy-handed and are pushing their agenda without regard to fairness for all citizens of the state of Arizona.

I have nothing against the people that are Hispanic or the Hispanic Coalition. However, I think we need to look at all citizens, Hispanic, blacks, Anglos, Asians, Native Americans, and they need to have a little more representation.

And I thank you so much for listening to me once again.

Good night.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Carol Corsica, representing self from Tempe.

CAROL CORSICA: Hi. Yeah, I live in that part of Tempe that it seems like somebody wants to throw it out of Tempe -- I mean -- or out of the legislative district.

So this is -- Tempe is a small city with
a large university. It is small enough to fit in
one legislative district.

    I am curious -- it appears that everyone,
whatever their leaning is, is splitting it up.

    And the problem that I see with this,
splitting it up, is that Tempe -- the southern
border of Tempe is not Baseline. It's not Elliot.
It's not even Warner. Part of it goes all the way
down to Ray.

    I'm curious why it is that anybody would
suggest we should split it up at Baseline. It's
like taking the land and splitting it in half.

    And the effect of what has already been
done ten years ago is that people are starting to
forget that people south of where I live actually
live in Tempe.

    So I am serious about a community of
interest. When people start forgetting that they
are even part of the city anymore, then you really
have broken up the community. So when people forget
that we -- part of Tempe actually goes all the way
down to Ray.

    I don't understand why we're not adding
to move population of Tempe so it can be a
legislative district rather than taking away from a
small city and splitting it in half.

So I'm against -- I don't think anyone has proposed a map to keep Tempe together. And that's the point. It is a community. It's a city. And when you do separate them out, it really does have an effect of people forgetting that they are even part of a city anymore.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is David Bushman, and I think he has a mapping presentation.

DAVID BUSHMAN: Madame Chair and members of the Commission, thank you for taking the time to let me make this presentation.

I am representing self in this regard. However, I have worked with a number of different individuals across the state, and so it is a full statewide map.

And I would ask as you consider the various maps that are being proposed, for example, from the Arizona -- the Competitive Coalition as well as the Arizona Minority Coalition, that you give this map equal weight inasmuch as it does represent a coalition of individuals, although not normally organized as such, I would consider
ourselves a coalition in that regard.

Next slide, please.

This is an overview. The very first item -- with regard to all of these maps, I believe what everyone's intent ultimately is, the way the laws are constructed -- the way we codify our laws, is to make sure that we have the ability to fairly and properly be represented.

To those ends, we have created a number of laws. And these maps have been created with those intents, all of the various requirements. There was not any one requirement that I can honestly say was ever weighted as heavier or less than any of the other requirements.

So to highlight some of the things. The Voting Rights Act. We had no retrogression, in our opinion. No packing, which was an issue that could potentially come up.

Our population deviation is low. Lower than what it is in the 2004 maps.

Our compactness, using the numbers from the Maptitude online are consistent, if not even somewhat lower than some of the other maps that have been proposed.

Competitiveness, unfortunately, is
undeterminable using Maptitude online. There's a number of data issues which have been addressed and we're hoping to resolve.

Contiguousness, I do not know of any noncontiguous districts.

With regard to city and county boundaries, the approach to the maps is to, again, keep whole cities and counties together to the extent practicable.

And finally, the communities of interest, again, try to respect those communities based on schools, economic commerce issues, and other commonalities that individuals have expressed to our coalition in the time we put these maps together.

Again, not any one requirement we consider to have any greater weight than any other requirement, as the Arizona Supreme Court has made very clear in the 2009 ruling.

Next slide, please.

So to highlight, the very beginning of the Voting Rights Act. On the 2004 map, there were three districts with greater than 50 percent Hispanic voting-age population, four districts between 40 and 50 percent, and 2 what I'll call coalition districts or minority-influenced district
between 30 and 40 percent.

My map has 11. Again, 3 above 50, 5 between 40 and 50 percent, and 3 between 30 and 40 percent Hispanic VAP.

Next map.

This is a comparison of the districts that -- and we're using 2004. And just for the sake of clarity, the numbering system that I used was to -- is the same as what was used in the 2004 maps.

We found that as we discussed these maps with various people in the areas, if we would say, for example, LD 2 and then go, oh, yeah, LD 2 is that area in Northeastern Arizona or LD 21, oh yeah, that's the Chandler area.

So when I created these maps, to the extent practicable, we tried to maintain those numbers so they approximated the same areas.

If you compared it to -- again, in particular, 18, which would now be a new coalition area that an area of West Mesa, as I'll point out later on, and also 12, which was 27 percent -- and this also may, Madame Chair, might address your question with regard to which areas in the 2004 maps were considered the nine majority -- or the minority of influenced areas and those that were just
coalition areas, perhaps. And the attempt is that the green --

If you could go back one slide, please.

The green areas were the majority, yellows were the -- again, between 30 and 40 percent, and then the influenced area in the orange.

Next slide, please.

Okay. Again, this is just an overview of the whole state and I'll address large geographic regions and then go down and dial into each LD individually -- legislative district desperately.

Next slide, please.

Okay. Go back one, please.

This doesn't -- this slide, what you're going to see, it is grayed out a bit. What I'm emphasizing here is the rural areas LDs 1, 2, 3, 5, 24, 4, and 25, you'll probably see some similarities to other maps.

There will probably be the question has there been any communication with any of the commissioners, between at least myself and any of the commissioners, and the answer is, no.

I am somewhat surprised at some of the similarities I've seen between Commissioner
McNulty's and Commissioner Freeman's map and the one I have created.

So that to me dictates some these things are simply a matter of numbers and how the populations and how they are distributed and the way in which the maps are ultimately created.

Next slide, please.

Again, focusing on the West Valley of Phoenix, I tried to keep communities together that most would consider to be West Valley communities as a matter of conversing with one another. Communities that were described as those being West Valley.

Next slide.

North central community of Scottsdale reaching from Anthem and then some areas in North Central Phoenix.

Next slide.

South central, again, these are areas where you'll see a lot of the Voting Rights Act-type districts, as far as compliance purposes will go.

Next slide, please.

Then the East Valley, Mesa, Chandler, Gilbert and areas extending into Queen Creek, San Tan, and a little bit beyond that.
Next slide, please.

We also have the Metro Tucson areas. This is just an overview of the area.

Next slide, please.

Again, the goal was to keep those urban and those suburban -- or urban areas separate from the rural areas as much as possible since they have different economic needs and interests.

Here is Central Tucson, again, this probably looks familiar to some of the maps we have already seen.

Next slide, please.

Okay. Focusing on LD 1, LD 1 is a rural district mostly in Yavapai County with some mountain town given over to LD 5, such as Camp Verde.

And again, these are just highlight comments that I'm making.

Next slide for LD 2.

LD 2 is also, again, a rural district with a large Native American population, including Navajo, Hopi, Kaibab-Paiute, and Hualapai and Havasupai tribes.

Next slide, please.

District 3 is a rural district, again, and is largely based on keeping whole counties
together, such as Mohave and La Paz Counties.

Next slide, please.

LD 4, this is a semirural district, a combination of Pinal and Maricopa Counties. It is a balance between the Tucson and Phoenix metro areas and the less urban areas. Its shape is similar to the 2004 map and includes such communities as Casa Grande, Coolidge, Florence, and Apache Junction, as well as the Salt River and Fort McDowell Native American tribes.

Next slide.

LD 5 is a rural district with a diverse group of communities ranging from mountain towns along the Mogollon Rim and White Mountains, towns along the I-40, such as Winslow, Joseph City, and Holbrook, towns in the Gila River Valley, such as Pima, Safford and Thatcher, and some of the traditional copper corridor towns from Superior to -- the south down to Dudleyville and to Native American tribes of San Carlos, Fort Apache, Camp Verde, Tonto Apache, Zuni Pueblo.

Next slide, please.

Moving over in to the more urban areas, we're encroaching the urban areas, so this is a semirural to urban district, LD 6.
The focus of this district was to keep that not-in-the-city feel, as some of the comments I have heard where people said, yeah, there's Phoenix but we're not exactly part of Phoenix, even though technically that's where the political boundaries may lie.

Again, we're recognizing the separate needs and wants of those areas versus a strictly urban Phoenix area.

Next slide, please.

LD 7 is an urban/suburban district. It's an area of moderate growth and boundaries are reflecting the shared communities of interest and was created such that areas around it could be compliant with the Voting Rights Act. That's largely why that shape evolved the way that it did.

Next slide, please, for LD 8.

This is a recognizable Scottsdale. It's a semirural-to-urban district. Again, largely the city of Scottsdale. This reflects the city's shared communities of interest and city boundaries.

Next slide, please.

LD 9, a rural-to-urban district. A West Valley district reflecting the shared communities of interest, compliance with the Voting Rights Act, and
the city boundaries of Wickenburg, Surprise, Sun City West, Youngtown, and El Mirage.

I should also make a note that the city boundaries that I used are not strictly the city boundaries as you see perhaps on some maps, rather the city planning areas.

So if you look at any of the various cities' general plan for what they consider their areas of how they are going to do things, that's how I tried to include the boundaries.

So most of these areas you'll see the planning areas and the actual official boundaries, again, going out to year 2020, 2030. These maps will be lasting that long, or at least until the year 2020. That's something that I tried to keep in mind.

Next slide, please.

For LD 10, a semirural/urban district. It compromises the cities of Sun City and Peoria. Again, reflecting the cities' shared communities of interest and those city boundaries. And that's why we see some of the funny shapes based on the current boundaries of those cities, especially Peoria there on the east side of LD 10.

Next slide.
LD 11, an urban district with areas and boundaries of Arcadia, Paradise Valley, and Phoenix Urban Villages. That's another area that I tried to focus on as what did Phoenix consider its various communities within that very large city.

So if you look at the various urban villages, that was something that was taken into account.

So again, the urban villages of Central City, Encanto, and Camelback East reflect their common interests and, again, it allowed compliance with the Voting Rights Act with the adjacent nearby legislative districts.

Next slide.

LD 2 is a semirural-to-urban district. This is one of the Voting Rights Act minority-influenced districts, where I think the term is coalition districts now.

It has just about 34 percent Hispanic VAP. It comprises most of the West Valley cities of Buckeye, Goodyear, and Avondale, reflecting those cities shared communities of interest and city boundaries.

Next slide.

LD 13 is an urban district, also a
minority-influenced district at 42-plus percent Hispanic VAP. It's contained mostly within the city of Glendale, or the northern portion of Glendale, reflecting those shared communities of interest. And again, keep in mind that we have to have districts in compliance with the Voting Rights Act.

Next slide.

LD 14, an urban district, this would be a minority-majority district at just over 60 percent Hispanic VAP with areas and boundaries within Phoenix, including the Phoenix urban villages of Maryvale, Estrella, and Laveen.

And again, reflecting those common communities of interest and making it compliant but not overpacking with respect to the Voting Rights Act.

LD 15, next slide, please.

Again a suburban-to-urban district, also a Voting Rights Act minority-influenced district at 42-plus percent Hispanic VAP with areas bounded within Phoenix. It includes Phoenix urban villages, Alhambra, and North Mountain and reflecting those particular shared communities of interest.

Next slide, please.

LD 16 is a suburban-to-urban district,
also a minority-majority district at 61-plus percent Hispanic VAP. That avoids packing.

This is a note. Some of the other earlier maps I've seen were quite heavy and I believe would not pass the Department of Justice's criteria as far as packing, which is something it was actually quite a bit of work to make sure you didn't overpack.

As I initially drew these, it took quite a bit of work to move things around to make those balance out a little better. Otherwise, you would have easily had 70-plus percent Hispanic VAP in some of the areas, especially north of I-10 and between the 101 on the west side and the I-10 on the east side, which a very heavy area. So that's why that was broken up some, if you look carefully at the map.

LD 16 also includes the urban villages of South Mountain and Estrella, which also reflects those areas' communities of interest.

Next slide, please.

LD 17, suburban-to-urban district. This would be one of the new influenced area -- influenced Hispanic districts with respect to the Voting Rights Act at 38-plus percent Hispanic VAP
with areas and boundaries within North Tempe, ASU, and Phoenix, also referred to by some as the light-rail corridor district of Phoenix.

Again, these have shared interests. Of note, I grew up in Tempe, so I'm very familiar with it. And there is a distinct difference socially, economically, culturally, perhaps, with respect to an area north of Broadway versus south of Broadway, which is why that line is drawn. And also as we address LD 20, there's other reasons why, which I'll come to in a moment.

Next slide, please.

LD 18, again, is a suburban West Mesa district in the East Valley. One of the new Voting Rights Act-influenced districts, 32-plus percent.

So basically it's a West Mesa district but also is fully contained within Mesa itself, reflecting city of Mesa shared communities of value as well as the city of Mesa city boundaries.

Next slide.

LD 19, suburban East Mesa district of the East Valley, reflecting the city Mesa shared communities and, again, interests -- shared communities of interest.

Next slide, please.
And that goes to the Pinal County line on the east side.

District 20, a suburban East Valley district. Of note, there is the hard stop geographically of South Mountain down in the lower southwest area of the district.

South of the district you have the Native American tribes, which is a hard stop as far as it would be unlike communities of interest.

Chandler was chosen as a stop. Excuse me, there is West Chandler, but the 101 was chosen as an eastern boundary and this district -- also when the arizonaredistricting.com website was available, we were able to use that for a time to create what they considered to be a balance, you know, competitive district, almost a perfect 50/50 split. Another reason why those boundaries were chosen.

So I believe they used the governor's race as a criteria for competitiveness. Again, we would have loved to have done that with all of the districts, but due to the technical issues, we weren't able to do that with the current Maptitude software.

Next slide, please.
LD 21, this is a suburban Chandler, Sun Lakes district of the East Valley. There has been lots of testimony given with regard to Sun Lakes and Chandler being very tight-knit related communities and also that Sun Lakes is kept within Maricopa County inasmuch as it is governed by -- it is a county island and not governed by a particular municipality and would not have things in common with the communities off the Pinal County area or the Indian reservation.

The boundaries on the east would reflect the Chandler, Gilbert, that diagonal line going north down southeasterly to the county line. Again, that reflects the city boundaries between Chandler and Gilbert.

Next slide, please.

LD 22, this is almost entirely encompassing the town of Gilbert. There's a few items which are -- to make populations work, were moved down to the very south. There was some irrigation districts which made more sense to go with a more rural LD 23.

Also the Higley school district, the people I have talked to there consider that to belong more to a Gilbert as opposed to do Queen
Creek community.

Next slide, please.

LD 23, again this is suburban/rural East Valley district comprising parts of Mesa, the town of Queen Creek, San Tan Valley, Gold Canyon, and Queen Valley as well as other farming areas.

This seemed to be a balance between what would be going into Pinal County, again recognizing that it does cross the county line there.

But again, you do things to the extent practicable. And based on the individuals I spoke with, San Tan Valley and Queen Creek, in particular, have a very strong community of interest. Much as San Tan's population is actually rooted originally in areas of the East Valley when they moved out there. So they do share a very strong a correlation and tie with the East Valley cities.

Next slide, please.

LD 24, this is a Yuma district. A lot of farming communities. Particular emphasis was to make sure that Gila Bend and Yuma were joined together.

Gila -- this also is a Voting Rights Act, minority-majority district at 51-plus percent Hispanic VAP. This would be a shift, but according
to -- a shift in where the Voting Rights Act
districts are located in the previous maps, they
were all located in Phoenix, the ones that were
above 50 percent.

But according to the August 22nd
testimony, one of the consultants from the -- he
used to work for the Justice Department, my
recollected is that he said as long as there's no
retrogression within the state as a whole, that the
various districts were allowed to move about, as
long as it wasn't retrogression overall.

Next slide, please.

25, again, this is a mostly rural
district. There is a large amount of -- it's a
funny-looking district. It's also similar to that
same district in the 2004 map.

There was an emphasis to include the
Tohono O'odham Nation, the Ak-Chin, the Gila River,
Pascua Yaqui tribes all together in that district so
that they could have a common voice along with some
of those areas in Cochise County that you're
familiar with, Douglas, Benson, also Nogales down in
south of Santa Cruz County.

Next slide, please.

LD 26, this was the suburban/rural Tucson
district. Again, reflecting common communities of interest, Oro Valley, Catalina, Marana, and Saddlebrooke, as well as some of the traditional copper corridor towns of Oracle, San Manuel, and Mammoth, again, to make the population numbers work correctly.

Next slide, please.

27, a suburban/rural Tucson district with a borderline Voting Rights Act minority influence at 48 percent. Upon doing a bivariate analysis of the voting in those areas, you might find that that actually does have sufficient voting -- or, excuse me, Hispanic voting-age population to elect a candidate of choice. And we hope to provide that analysis shortly.

This district also would include as common areas the Tucson Estates area and Drexel Heights areas.

District 28. Next slide, please.

This is a Central -- Tucson central area that reflects the common areas of Catalina Foothills, the University of Arizona, Casas Adobes, and the -- what's recognized as the Central Tucson area within Tucson.

Next slide, please.
29 is a suburban/rural Tucson district. Again, a borderline Voting Rights Act minority influenced/minority-majority district at 47 percent Hispanic voting-age population and it contains the areas of Tucson Estates and Drexel Heights. I believe I said that correctly.

No, I'm sorry, that's a misspeak. That would be LD 27 has those two areas.

Next slide, please.

LD 30, finally, again, is a rural/suburban area. And this district contains the communities of interest of Sahuarita, Green Valley, Sierra Vista, Davis-Monthan Air Force Base, Ronjerita, Fort Huachuca, as well as the communities of -- near the Saguaro National Park and those areas that border -- or those communities that border that area of Saguaro National Park.

That is the presentation. I am not sure actually per the agenda whether or not you're allowed to address me with questions at this point.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: We can.

Mr. Herrera.

VICE CHAIR HERRERA: Is there a way we could find out who makes up your coalition?
DAVID BUSHMAN: I could ask the various members if they would be comfortable with me divulging who they are. I would simply have to ask. They are all individual persons such as myself.

VICE CHAIR HERRERA: I would like for you to ask them. I would love to see who is part of this coalition.

DAVID BUSHMAN: I'll ask and I'll forward that to you.

VICE CHAIR HERRERA: And you can get in touch with us through Mr. Bladine. I would appreciate that.

DAVID BUSHMAN: Very well.

CHAIRPERSON MATHIS: Any other questions for Mr. Bushman or comments?

VICE CHAIR FREEMAN: Do we have the shape files for these maps so we can do our own analysis?

DAVID BUSHMAN: Yes, commissioner, I did submit it through the Maptitude online -- the submission portion. So those are submitted and hopefully some of the data that you are able to generate from those shape files you can generate some of the other reports that I was not able to generate.

VICE CHAIR HERRERA: Madame Chair.
CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Just a quick question for Mr. Desmond about the issues that Mr. Bushman is having with the competitiveness model using Maptitude.

Is that something that we're experiencing?

WILLIE DESMOND: Mr. Bushman was very generous reaching out to us and helping you work through some of the issues that they have encountered.

Part of the issue is that for your Maptitude, we're able to use different denominators to form percentages.

I believe the Maptitude online defaults to just using total population when you're using some of the different race -- not -- like using some of different election race data. You don't want to use population as the denominator to form a percentage of Democrat or Republican. You want to use a total of both. And I believe that's some of the issue.

We're trying to find a work-around.

There was also an issue with contiguity that was pointed out by -- I don't know if it was
Mr. Bushman or someone else. I think we found a patch for that.

So Brad in our office has been very, very active on a daily basis handling different issues, uploading new initial starting plans, working with people such as Mr. Bushman to rectify some of these issues. And it's kind of an ongoing basis as they come up.

Some of them we've been able to find work-around, some of them are just unfortunate limitations on an online system that doesn't have the full capabilities of Maptitude.

DAVID BUSHMAN: Madame Chair.

CHAIRPERSON MATHIS: Mr. Bushman.

DAVID BUSHMAN: Some of those -- I am pleased to announce the ability to find noncontiguous areas have been resolved as of today. I cleaned them all up. So that was very pleasing to me.

It appears that some of the new -- when Maptitude online went on, became online, I was immediately using files. And what I have noticed is that maps that have been created subsequent to the initial release seemed to calculate the various ethnic voting-age populations correctly -- or
percentages, whereas the file version that I have does not.

I proposed that it was -- that my shape files basically be pulled off and reapplied to a new template. That way the voting-age percentage can be -- for the various ethnicities could be calculated correctly.

As it was, I had to calculate those manually using a variety of other techniques made available to me through other sources.

CHAIRPERSON MATHIS: Any other --

Mr. Herrera.

VICE CHAIR HERRERA: One last question.

Did any -- did you work with any of the minority groups to form this map at all?

DAVID BUSHMAN: I did not. I did reach out to Senator Gallardo. I spoke with him very briefly expressing interest in doing that. I had not heard back from him since that time. I would have loved to have worked with them, but I never heard back from him.

So fully recognizing that it's just a matter of the law, we have to have minority Voting Rights Act, compliant districts, and so to the greatest extent possible, I tried to do those. And
much to my surprise, I was able to create 11, and that's ranging from 30 to 61 percent.

CHAIRPERSON MATHIS: Any other questions or comments?

Well, I would just say that was an impressive presentation. Thank you very --

DAVID BUSHMAN: Thank you for allowing me the time, Madame Chair.

CHAIRPERSON MATHIS: I don't know if you're an Independent, but I could use another Independent on the Commission. It's not up to me to increase the size of the Commission, but if you wanted to join us, you could.

DAVID BUSHMAN: Thank you for the offer.

CHAIRPERSON MATHIS: All right. Thanks a lot.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: Just to reiterate, I would like to see who makes up the coalition of the -- I'm serious about that. I loved the presentation, but I would like to see who is in the coalition. That's something we've been asking -- I've been asking people when they present when they say they are part of a coalition.
DAVID BUSHMAN: And I have asked -- Madame Chair, I have asked members of my informal coalition, do we give ourselves a name at some point to give us more weight. That's why I asked at the beginning of the presentation if this map with my name, while I believe it's going to be put under a citizen submission area of the website, that it be given equal consideration as well as the Arizona Redistricting Coalition and the Minority Coalition.

I believe it is that very reasonable balance between all of the different requirements showing that basically all sides can be satisfied to a large degree.

VICE CHAIR HERRERA: Madame Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE CHAIR HERRERA: The reason we give those organizations the -- just I guess a separation in terms of individual versus organizational maps that are submitted, because they've submitted to us who makes up that organization. At least that's to the best my knowledge. That's -- I could be wrong, but I think that's been the reasons why we name them or distinguish them as opposed to an individual.

DAVID BUSHMAN: And, Madame Chair, I would be happy to give ourselves a name if that
CHAIRPERSON MATHIS: Thank you very much.

VICE CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: No other questions?

VICE CHAIR FREEMAN: Thank you.

CHAIRPERSON MATHIS: Out next speaker is Ken Clark, co-chair for Arizona Competitive Districts Coalition from Phoenix.

KEN CLARK: Madame Chair, members, thank you. You couldn't have put me in a better order. I really want to commend Mr. Bushman.

He approached me once a couple months ago and said what's the future of your online mapping tool? And at the time we didn't know, and I'm thrilled to see that despite the unfortunate nonadoption of the mapping tool by the Commission, they were able to revive.

We have 500-some people who were starting to work on maps who then had to start all over again because they couldn't import their data files into Maptitude.

And I was thrilled to see -- this is a surprise to me. I was thrilled to see his presentation. This is exactly what we were hoping would happen.
I know that you are frustrated with people coming to you and speaking in generic terms, we want this or that, you need specificity.

And whatever we only ever hopped for with any mapping tool would be that it would be a generator of ideas and a possible generator of ideas.

So it looks like despite the roadblocks, they were able to do that. I don't know if they -- we would agree with them about how many competitive districts they have created. That's a very unfortunate problem with Maptitude. It doesn't tell you -- it doesn't give a good measure of competition.

But -- and I think that would probably be in his presentation, were you able to do that.

So back to the comments I was going to make, I want to congratulate you on getting to the point in the process where you now have, well, three competitiveness districts from the congressional map. It could have been worse, and we still believe it could be better.

We are not in the role of making specific map contributions. We are in the role of just staying on message about competition.
But we would -- falling back on our previous comment, encourage you to push the adoption very quickly into the Maptitude online interface of JudgeIt or some similar algorithm that shows some measure of competition into the mapping tool as possible.

Now is the perfect time because you got draft maps and you're going to be looking for 30 days of public comment.

This is exactly when we hope people will get on and make very specific suggestions about what they would like to see differently. That's where this idea generator comes in.

We proved with our mapping contest that it is possible to do four, and some people had five competitive districts in the state. We still think that's possible. We think you've done an admirable job, certainly bridging differences, but we hope that you'll look to the public, like Mr. Bushman and others to see what ideas they can create.

That's the idea of crowdsourcing and using the technology that we have not had before.

The legislative maps, the best one that I saw was 8a option 2, which had only four competitive districts. And that's very -- that concerns us
quite a bit. Again, we hoped that the adoption of
JudgeIt or some other algorithm for that purpose
will help.

Let me say something about
competitiveness in terms of mapping tools.

We know that there's a problem with
measuring competitiveness based on just the voting
registration. Do you measure folks if they are -- if they haven't voted for awhile? What do you do
with active and inactivate voting registrations?

There's also problems inherently in
measuring competition based on performance. Which
years do you use? Which elections do you use?

But JudgeIt is used all over the country. We think it's a very good measure. You can put both
of those measures side by side. In the reports that we've seen on each of these maps, I'm not sure where
that competitiveness measure comes from. And I think it would be helpful to the public to be able
to see that, again, certainly through the mapping
tool.

I want to end just by pointing out there has been a lot of back and forth on whether
competition should be last in the list or how you weight that. And I'm going to quote again the
Supreme Court ruling.

The direction of competitiveness should be favored unless one of two conditions occurs. Does not, contrary to the Commission's assertion, mean that the competitiveness goal is less mandatory than any other goals can be ignored or should be relegated to a secondary role.

That means it is not last. It's not first, but it's not last. It is coequal with the four criteria that come after the first two.

And we believe that after all of the submissions that have been made and will be made, if the Commission ends up with fewer competitive districts than we have proven could be out there, it opens the Commission up for a lawsuit from yet another direction. We hope there won't be lawsuits, but we think that that could happen and we would hate to see that happen.

But in general, we're happy to see the direction you're going. Again, we hope that you can involve the public through the mapping tool and help them help you generate ideas.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Leonard Gorman,
executive director from Navajo Nation Human Rights Commission.

LEONARD GORMAN: Good evening, members of the Commission.

Thank you for the opportunity to address the Commission this evening.

My name is Leonard Gorman, G-o-r-m-a-n. First name Leonard, L-e-o-n-a-r-d.

And we express from the Navajo Nation thank you to the Commission to having made a decision on the congressional district and that we are going to be on our way over to further formulating recommendations as you go out to the state of Arizona securing public comments.

With regards to the legislative districts and also the congressional districts, Navajo Nation and Navajo people find itself to try and address the history not only in the state of Arizona but also the United States of America. And I think that's the most fundamental challenge to the Navajo people all the time and perhaps as also similarly a fundamental challenge to the Indigenous peoples in the United States.

Let me just read you a little piece of the U.S. Constitution, 14 Section 2.
It reads: Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed.

This is the kind of history that the Navajo people, the Navajo Nation has had as a challenge for a long, long time. And this is an issue that Navajo Nation believes it's its responsibility to convey not only to this group here, but to the citizens of the state of Arizona, to the citizens of the United States America, and to world community that we want to be understood. We don't want to be the most dismissed and the least understood anymore.

And I think that's our -- part of our objective, ensuring that our voice, the people, the Navajo people's voting voice is appropriately conveyed in these types of forums.

So as this challenge is something that the Navajo Nation wishes to address as a part of -- as a citizen of the state of Arizona, and mind you, the Navajo people, we have found ourselves being challenged often and often by the states. And as recent as 40 years ago, my people, citizens of the
Navajo Nation, were discouraged from voting in state elections, in county legislations.

The state of Arizona made its opportunity to ensure that the first peoples of this nation have less opportunity to vote.

The state of Arizona has imposed the idea that for a person to vote, to cast a ballot, you must be able to read the English language.

The Navajo people at that time had not had the opportunity to learn to speak the English language and were prohibited from casting a ballot because of that reason. To this day, I find myself having the same challenges, perhaps they are different in a variety of respects.

Again, in this meeting I find information that Navajo is still not understood. The most often frame that's being presented is that Navajo is over there, we are over here, which is the reason why the Navajo Nation Council established the office of the Navajo Nation Human Rights Commission to examine these issues that exist off the Navajo Nation, in particular in the border towns.

The explanation has been presented earlier today. I must say that, yes, we do have federally-funded schools on Navajo Nation; however,
we do have private schools.

My kids went and are going to school at a private school on the Navajo Nation. They are not going to a state-funded school. They are not going to a federally-funded school. There's diversity of schools on the Navajo Nation that our Navajo children attend.

Predominantly our Navajo children go to state-funded schools. Over $700 million, only on the Navajo Nation/Arizona side, that's the amount of funds that are funneled on to the Navajo Nation lands by state-funded schools.

So the iteration that Navajo has BIA rather the state-funded school system, I must say that Navajo also enjoys the opportunities that are provided by the state-funded school on the Navajo Nation.

Navajo students attend in dominant numbers in the border town school system. The Flagstaff school district, the Winslow school district, the Holbrook school district. Navajo students make up a predominant number in these school districts.

Navajo has actually sued the Holbrook school district because there was an exercise that
was carried on that Navajo people believed was inappropriate.

We prevailed with a consent decree in which now there are five districts in that school. Before it was at large. Navajo could never have the opportunity to elect a member of the school district. Now we do.

So I think that's where Navajo has taken on as an issue to explain not only to Arizona citizens, United States citizens, but also to the world community that this is the Navajo people. We have these kinds of rights and they are recognized worldwide.

And that's the role that Navajo Nation has taken on through my office, the Navajo Human Rights Commission.

So bringing this matter to the local issue, the legislative district, Navajo has put forward the primary interests of community of interest.

I've seen and I've heard you deliberate. Census places, demarcated areas. I've seen many varieties of colors on your maps.

Navajo also has demarcated areas, clearly prescribed boundaries of lands in which Navajo has
very special interests in these lands, just like the
community in the city census place of Tempe, Tucson,
Yuma, Flagstaff.

Navajo has invested time and opportunity
to purchase lands that were lost from the past. I
think genuine list of the Navajo people and Navajo
Nation is to ensure that certain areas of interest
are protected for future generations, not just a
ten-year time frame.

So sacred sites. Sacred sites for Navajo
people and Indigenous peoples in the state of
Arizona is something that you can't put a value on.
You can't put a value on -- a what is the number of
Democrats, Republicans, and Independents for that
purpose. It doesn't.

Lands that are purchased off the Navajo
nation, Big Boquillas Ranch, Espil Ranch. And I
don't pretend or intend to even speak for the Hopi
Nation. They've also expressed similar concerns.

So there is and there are specific
intentions to ensure that land holdings that were
once traditional lands of Indigenous peoples are
appropriate and just.

People talk about economic development,
Nation versus the border towns. And even the hospital, the health care facilities.

We are often misunderstood as first peoples of this United States that we don't pay taxes. We pay taxes.

As I am staying here in this community, I am paying taxes. I am not exempt as a Navajo person at all.

Properties that Navajo individuals hold off the Navajo Nation, they pay taxes. Land holdings that the Navajo Nation has off the Navajo Nation, Navajo Nation pays taxes on those properties.

Hospital issues. Yes, predominantly federally funded on the Navajo Nation.

You've seen me limp up to this podium many a time. There's a reasonable why I limp.

I got very good health care in the city of Flagstaff. Because I was injured, I went to the Flagstaff Medical Center and that's where I was attended by physicians. And here I am. I'm improving.

So I as a person, a citizen of the Navajo Nation put a lot of value in the opportunity that exists in the city of Flagstaff.
These are long-term assets and investments the Navajo Nation looks at, not just on a ten-year period. And the fluctuation of the society from a Democratic party to a Republican party or Independent party. And that's the primary reason why Navajo Nation has iterated many times that competitiveness is not a priority for Navajo.

Some of the difficulties that Navajo people face today as elections happen, one is the precinct lines that the state uses is not in conformity with the Navajo Nation's political precinct lines.

So the result of that is that a lot of Navajos are disenfranchised in voting. You will find many a place where the precinct lines and what we call the chapter boundaries are not in sync. There will be a pocket of population that will vote in a chapter at a different location and then for the state election, they would have to go to a different location to vote over there because of the way that the whole system is constructed.

Apache County has actually told my office we see that and we understand it. In the last election, we believe 800 to a thousand Navajos in Apache County were left out because of the way the
system exists.

So that's a real critical issue when you look at voter performance. Voter performance is also very critical on the grounds.

Transportation is a problem on the Navajo Nation. People talk about transportation corridor. We have dirt road corridors on the Navajo Nation. And that's a critical concern.

Language issues. As I have mentioned, one of the critical concerns that we had to overcome is the fact that there was a requirement that a person that is casting a ballot must be able to read the ballot in the English language. We had pressed and pressed and pressed the counties to ensure that there is language made available to the Navajo people.

We've come a long ways on that issue but we still have a long ways to go on that concern.

So when grandma goes out to vote, grandpa goes out to vote, more often that they would need language services. And that's a critical concern for the Navajo Nation.

So when I see the efforts that you have been putting forward at ensuring that the census places, the towns and communities are appropriately
addressed and are not divided or placed in one

district, please treat the Navajo Nation's request

as a land area in the same manner.

We have demarcated areas off the Navajo

Nation. We have a tremendous amount of land just

northeast of Winslow. It's called Winslow Tract.

The Hopis -- as I indicated, I'm not speaking for

the Hopi Nation, but also has lands south and west

of Winslow. They have a strong interest.

So we hope that in the near future we

would have an opportunity to further discuss as we

have done in the past couple of months in preparing

for these presentations to you.

We have engaged the community of

Flagstaff, the folks from the west side, the

Hualapais, the Hopis, the Apaches to try and come up

with a unison position and we have had the

opportunity to make all of these discussions and we

thought we were coming in together in unison at the

last meeting that we had on July 20, 2011 in Window

Rock.

And that meeting, in our opinion,

precipitated the map that we had submitted to you

many a time in which we have made it an effort to

raise the Native American voting age to 62 percent.
And we see that as a very good opportunity for Navajo voters on the Navajo Nation to ensure that they elect who they believe would best respect their interests.

Thank you for listening to me.

CHAIRPERSON MATHIS: Thank you.

Our next and last speaker is Randall Holmes, representing self from Tempe.

RANDALL HOLMES: Hi, folks.

Pardon me. I just have to show up every couple of weeks to reiterate what I have said before. I don't want you to forget that those of us who have supported you and your work and defended your independence and integrity against attacks from ideological and business interests masquerading as ideological interests, masquerading as communities of interest.

A friend of mine here today just reminded me that a lot of these communities of interest are not what they pretend to be interested in. They are masquerading as legitimate communities of interest when they have ulterior motives.

I have to reiterate that I represent the grand community of interest, the people of Arizona. The people that voted for clean elections. The
people that voted for the Independent Redistricting Commission. The people that wanted to take the redistricting process out of the hands of special interests and political operatives. And that's the community of interest I represent.

I live here in the city of Tempe, and I would prefer that Tempe be sliced into five different districts and have five different legislators in the federal as well as the state legislator who have to compete for my vote rather than one legislator in a safe district that takes my vote for granted that doesn't really represent me. And that's my community of interest.

I'm so glad to see Ken Clark here today, and I'm so glad to hear a couple of you mention using the mapping tool that was commissioned by the Arizona Competitive Districts Coalition.

It is -- I'm not enough of a geek to know, but I understand that it's slight -- it has a lot of advantages over Maptitude as far as getting down to the granularity of competitiveness and past performance -- is that the word -- not just -- as has been said, it's not just about voter registration, the political party, it's about actual turnout and performance in past elections.
I'm glad we're looking at the '08 and the '10 election rather than previous elections. We seem to have two big partisan waves that sort of cancel each other out. Maybe if we take an average of the performance in those two elections, we might get somewhere close to reality.

But if we don't have competitive districts, we don't have democracy. And we absolutely have to have democracy, otherwise there are no communities of interest that will be served.

And thanks for your time.

CHAIRPERSON MATHIS: Thank you very much.

That concludes public comment.

Thank you all for coming out and talking to us today.

We have one more item on the agenda, item 6, report legal advice and direction to counsel regarding Attorney General inquiry. The Commission may vote to go into executive session and will not be open to the public for the purpose of obtaining legal advice and providing direction to counsel.

So with that, Mr. Kanefield.

JOE KANEFIELD: Madame Chair, members of the Commission, allow me to provide you a brief update on what occurred this morning in court.
This morning Judge Fink, Maricopa County Superior Court, held a return hearing in State v. Mathis. This is the lawsuit brought by Attorney General Tom Horne against the three individual commissioners to enforce his investigative demands as part of his open meeting law inquiry.

It was a 15-minute return hearing, which really meant it was a scheduling hearing. There were a few additional developments that occurred.

As you know, we -- the Commission instructed us to file a separate action, which is called AIRC versus Horne, raising the constitutional issues. That was a separate lawsuit.

We also moved to consolidate. The Attorney General opposed -- filed a motion in opposition to the motion to consolidate.

So we suspected that that would be brought up this morning, and it was.

In addition, on the other case, on the State versus Mathis case, there was a motion to disqualify the Attorney General as counsel filed by the -- Commissioner McNulty's counsel and joined in by Commissioner Herrera and Commissioner Mathis's counsel. So that was filed also.

The judge scheduled a briefing for the --
well, first the judge granted the motion to consolidate over the objection to the Attorney General. So the two cases are now essentially one, although they are two -- captioned as two separate matters, they will be heard in the same proceeding.

With respect to the motion to disqualify the Attorney General, the judge asked that the -- well, the Attorney General has already filed his response to that motion to disqualify.

So he filed it this morning. He obviously was anticipating that it may be filed. So there's already a motion to disqualify in response.

The judge asked for the reply brief to be filed by October 11th. He's scheduled oral argument to be heard on the motion to disqualify the Attorney General for October 14th at 1:30.

With respect to the other case, the AIRC versus Horne on the constitutional issues, the Attorney General has moved to dismiss that case on standing grounds. He's essentially arguing that the Commission doesn't have standing to bring the action. That its standing is limited to defending its maps and asking for more money, essentially which is how he reads the Constitution.

Obviously, we'll respond to that motion.
The timeline for that process is we will respond on October 18th. We will also file a cross motion for summary judgment on the constitutional issues.

The Attorney General will then be able to reply October 25th and then the oral argument will take place on November 7th at 2:30 p.m. in that case.

The only other issue that we needed to address with you, as part of the motion to disqualify the Attorney General, counsel for the three named commissioners have asked for a complete copy of the Attorney General's file regarding its representation of the Commission and the individual commissioners.

The Attorney General indicated that he will not provide that information unless the Commission waives its attorney/client privilege.

So what we would suggest at this point is that the Commission go into executive session so we can advise you with respect to that request for waiver.

CHAIRPERSON MATHIS: So I have a question.

If these cases State v. Mathis and AIRC
versus Horne have been consolidated, what is it called now?

JOE KANEFIELD: They are consolidated under the first filed suit. So the case will be known as State v Mathis.

Sorry, Madame Chair.

CHAIRPERSON MATHIS: Thanks.

JOE KANEFIELD: But the case will be captioned in every pleading with both cases in the caption.

CHAIRPERSON MATHIS: All right.

Any other questions for counsel?

COMMISSIONER MCNULTY: Are you requesting that we go into executive session?

I'll move that we go to executive session for the purpose of obtaining legal advice and giving direction to counsel.

VICE CHAIR HERRERA: I second that.

CHAIRPERSON MATHIS: Any discussion?

All in favor?

("Aye.")

CHAIRPERSON MATHIS: Any opposed?

Okay. We will go into executive session. For now we'll end public session. The time is 7:21. And once the public clears out we'll
enter executive.

    Thank you.

    (Whereupon the public session recessed
and executive session ensued.)

* * * * * *

(There was no discussion during executive
session and the matter was tabled to the next
meeting.)

(Mr. Stertz was no longer present.)

(Whereupon the public session resumes.)

CHAIRPERSON MATHIS: Okay. The time is
7:43 p.m. We'll enter back into public session.

There is one item from agenda item 2
today that needs addressing with regard to our
approval of the draft congressional map.

There's one small census block with zero
population and .001 square miles in size and it's in
Cochise County.

And without objection, I would authorize
our mapping consultant to clean that up so it's gone
and he'll upload that file to our website as soon as
that cleanup has been accomplished.

VICE CHAIR HERRERA: Okay.
JOE KANEFIELD: Madame Chair, I think that can be done without objection.

CHAIRPERSON MATHIS: Okay.

Hearing no objection, that passes.

So, yes, you are authorized to clean up that census block and then put that up on the website as soon as possible.

WILLIE DESMOND: Okay. The draft map will have that -- reflect that one little change. And it's zero population, .001 square miles. It's really bugging me.

CHAIRPERSON MATHIS: Okay. All right. Thank you, and with that, the time is 7:45 and this meeting is adjourned.

Thank you.

(The meeting adjourned at 7:45 p.m.)
I, MICHELLE D. ELAM, Certified Reporter No. 50637 for the State of Arizona, do hereby certify that the foregoing 310 printed pages constitute a full, true, and accurate transcript of the proceedings had in the foregoing matter, all done to the best of my skill and ability.

WITNESS my hand this 21st day of October, 2011.

MICHELLE D. ELAM
Certified Reporter
Certificate No. 50637